



300 Westage Business Center, Suite 380
Fishkill, New York 12524
T 845 896 2229
F 845 896 3672
cuddyfeder.com

Alec R. Gladd, Esq.
agladd@cuddyfeder.com

April 8, 2024

By Email & Fedex

Hon. Rory Lee, Chairman
And Members of the Planning Board
Town of Ulster
1 Town Hall Drive
Lake Katrine, New York 12449

RE: Zena Homes – 30 Lot Residential Subdivision
Applicant: Zena Development, LLC
Property: Ruby Woods (off Eastwoods Drive) (39.1-1-21.100)
Zoning: R-60 Residence District

Dear Chairperson Lee and Members of the Planning Board:

On behalf of Zena Development, LLC (Applicant), we respectfully submit the following additional materials in furtherance of the applications to develop a 30-lot residential subdivision. Enclosed please find one (1) digital and one (1) hard copy of the following materials:

Exhibit A: Signed Application Form for Site Plan Approval (for the 2,400 SF accessory rec/fitness facility); and

Exhibit B: NYS DEC Bald Eagle JD/Signoff, dated August 20, 2024.

A check for \$240.00 representing the Site Plan application fee is also provided herein. Should the Board or Town Staff require anything further, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in blue ink that reads 'Alec Gladd'.

Alec R. Gladd

Enc.

Cc: Warren Tutt, Building Inspector
Jason J. Kovacs, Esq., Planning Board Attorney
Nelson Pope Voorhees, Town Planner
Zena Development, LLC
MJ Engineering and Land Surveying, P.C.
Labella Associates

6402945.v1

EXHIBIT A

TOWN OF ULSTER PLANNING BOARD

584 EAST CHESTER BYPASS KINGSTON, NY 12401
PHONE – 845-340-3884 Email - Planningzoning@townofulster.ny.gov

APPLICATION FOR SITE PLAN/SPECIAL USE PERMIT

Date April 8, 2025

Applicant 's Name Zena Development, LLC Phone # _____

Company Name Zena Development, LLC

Address PO Box 215, Saugerties, NY 12477

Email questions.zenahomes@gmail.com

Owner's Name Zena Development, LLC Phone # _____

Address PO Box 215, Saugerties, NY 12477

Email questions.zenahomes@gmail.com

Site Address Ruby Woods (off Eastwoods Drive) Zoning District R-60

Section Block & Lot 39.1-1-21.100

Site Acreage of parcel 106.6

Is the site located in an existing municipal water district Yes No

Is the site located in an existing municipal sewer district Yes No

The following documents should be submitted with the application:

Written Narrative Describing the proposed action (one page preferred)

Site Plan per Chapter 145 of the Code of the Town of Ulster (contact Planning Department for # of copies) All submissions shall bear a signature, seal, and license number of professional responsible for preparing each item.

Electronic copy of all documents

Signed SEQRA Environmental Assessment Form (EAF), Part 1

Filing Fee and Escrow

Additional items may be required.

TOWN OF ULSTER PLANNING BOARD

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APPLICATION FOR SITE PLAN/SPECIAL USE PERMIT

ALL DOCUMENTS MUST BE SUBMITTED 2 WEEKS PRIOR TO THE MEETING SEE WEBSITE FOR DATES

Based on documentation available from the New York State Department of Environmental Conservation (NYSDEC), lands throughout the Town of Ulster are known to be, or have the potential to be, habitat for two (2) protected wildlife species: the Bald Eagle, and the Northern Long-eared Bat. Applicants should be aware of this protection and the standards that limit land development or land use changes on, or in proximity to, the habitat of these species

I, Zena Development, LLC, give my permission for Cuddy & Feder, LLP + MJ Engineering and Land Surveying, PC

to act as my agent in all aspects of my application that has been submitted to the Town of Ulster Planning Board.

I Hereby give permission to the Town or the Town’s legal representative to visit the site and conduct an on-site inspection

I understand that my agent will attend all meetings on by behalf and act as a liaison between myself and the Planning Board.

<u><i>Eddie Greenberg</i></u>	<u>April 8, 2025</u>
Owner’s Signature	Date

Received on _____

File # P- _____

EXHIBIT B

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1620

P: (845) 256-3054 | F: (845) 255-4659

www.dec.ny.gov

VIA EMAIL

August 20, 2024

David W MacDougall
4 British American Boulevard
Latham, NY 12110

Re: GID-000225

Article 11 Threatened and Endangered Species

Zena Development

Town of Woodstock, Ulster County and Town of Ulster, Ulster County

Jurisdictional Determination

Dear David W MacDougall,

The New York State Department of Environmental Conservation (DEC or Department) received the project materials on April 16, 2024 for the extension of Eastwoods Drive in the Town of Woodstock, Ulster County and the construction of 30 new single-family residential lots plus one common recreation lot located on tax parcel 39.1-1-21.100, in the Town of Ulster, Ulster County. This request specifically inquires whether a permit pursuant to Article 11 (Threatened and Endangered Species) of the Environmental Conservation Law would be required for the proposed project.

Article 11 Threatened and Endangered Species

The project location is over 0.5 miles from a documented Bald Eagle (*Haliaeetus leucocephalus*) nesting site. Bald Eagles are a NYS-listed threatened species. If no blasting or pile driving occurs, this project is not likely to impact Bald Eagles, and no further review is necessary. If blasting or pile driving is planned, the acceptable work window that would not result in any impacts to breeding eagles in the area would be October 1st to December 31st. Blasting, rock removal and pile driving can have impacts on noise levels in the area above ambient conditions. For work proposed outside of this window, additional information is needed including when construction activities are proposed to take place, the duration of those activities, what equipment would be used, noise levels from construction and operational activities as compared to ambient noise levels. If project related impacts cannot be fully avoided or minimized, a permit for incidental take may be needed. The information on eagle nest locations represents our current knowledge of these resources, new eagle nests could be documented with each breeding season and would at that point, need to be addressed as well. In the absence of current survey data for the project, it is best to check in each year to see if any new nests have been established.



Re: GID-000225

Article 11 Threatened and Endangered Species

Zena Development

Town of Woodstock, Ulster County and Town of Ulster, Ulster County

Please contact me if you have questions regarding the above information.

Sincerely,

Tiernan Darcy
Division of Environmental Permits
Region 3, Telephone No. (845) 256-3809
Tiernan.Darcy@dec.ny.gov