



Memorandum

To: Hon. Rory Lee, Planning Board Chair,
and Members of the Planning Board
Town Hall
1 Town Hall Drive
Lake Katrine, NY 12449

From: Mark Turner
Alcazar ESS, LLC

Date: June 16, 2025

Reference: Response to Ulster Town Planning Board Comments
Alcazar ESS Project – Site Plan and Special Use Permit Application

On April, 29, 2025, Alcazar ESS, LLC (the Applicant) submitted a Site Plan and Special Use Permit Application to the Town of Ulster Planning Board (Town or Planning Board) for the proposed Alcazar Energy Storage Project (Project or Facility), to be located on approximately 40 acres of privately-owned land, located at on Hurley Avenue in the Town of Ulster, Ulster County, New York (Project Site). The Applicant appeared before the Planning Board on May 13, 2025, to provide an informational presentation for the Project. The Town Planning Board provided a memorandum written by the Town's planning consultant, Nelson Pope Voorhis, dated May 9, 2025, to the Applicant on May 15, 2025. The Applicant's responses to comments within the memorandum are below.

Comments on Submission

1. The applicant will need to provide evidence that they are authorized to act on behalf of Central Hudson, the owner of parcels 48.17-1-13.110 and 48.17-1-22.110.

Response: The Applicant has submitted an interconnection application to connect to the Central Hudson substation, which includes the proposed location of the transmission line running through a portion of the Central Hudson property. In addition, the Applicant has been in communication with various departments of Central Hudson's Principal Engineer for Electric Transmission Planning regarding the location of the transmission line and is currently working with Central Hudson's real property department to complete the necessary site surveys for the transmission line.

2. Clarity is needed regarding whether any structures are being proposed on parcels 48.17-1-13.110 and/or 48.17-1-22.110.

Response: The Applicant is proposing to construct an aboveground approximately 0.3-mile gen-tie transmission line, and associated transmission line structures, that will be located within portions of Parcels 48.17-1-13.110 and 48.17-1-22.110. No other structures associated with the Facility are proposed to be located within these parcels. The Applicant has revised the Project Description to clarify the locations of all proposed structures for the Project (see Attachment 1).

3. It appears that the proposed transmission line crosses the property line onto the parcel adjacent to the east (parcel 48.17-1-12.100). If there is an existing utility pole there, this should be shown, and if not, clarification is needed.

Response: The proposed transmission gen-tie line is located entirely within Parcels 48.17-1-13.110 and 48.17-1-22.110, which are owned by Central Hudson Gas & Electric. The Applicant has shifted the location of one of the proposed gen-tie overhead pole structures approximately 55 feet southwest so that a portion of the 150-foot gen-tie right of way (ROW) is no longer shown within the adjacent parcel to the east of the Project (Parcel 48.17-1-12.100). See Attachment 2 for the revised Site Plan Drawings.

4. The O&M building site plan does not appear to correspond to the site proposed. Additionally, the building is shown to contain offices, a break room, technician and mechanical rooms, warehouse space, and bathrooms. It should be clarified how often, and for what length of time, employees are anticipated to be at the site.

Response: The Applicant has revised the Site Plan to show the dimensions of the proposed O&M Building, including the four parking spaces to be located on the west side of the Building. The Facility is not anticipated to be regularly staffed. Facility personnel will be on site periodically for inspection, testing, and maintenance of equipment, as needed. Regular monitoring of Facility equipment will be conducted remotely. The Applicant has revised the O&M Building Site Plan included as Attachment 3.

5. It appears that chain link fence is proposed on the southwestern side of the proposed substation, however the limits and height of the proposed fence are unclear.

Response: The proposed substation security fence is proposed on the southwestern side of the proposed substation only; the remaining sides of the proposed substation will be enclosed by the proposed noise wall. The substation security fence will be approximately 300 feet long and 8 feet tall. The Applicant has renamed the fence detail included in the Site Plan to "Typical Substation

Chain Link Fence Detail," to further clarify the typical design specifications of the proposed substation security fence (Attachment 2).

6. The proposed treeline should be included on the site plan. If any clearing is proposed on the northern side of Hurley Avenue, it should be clearly shown.

Response: The Site Plan has been revised to show the proposed tree line for the Facility (Attachment 2). No clearing of vegetation is proposed for the Facility north of Hurly Avenue. Only selective tree trimming will be used, as necessary, to install the proposed overhead gen-tie line.

7. It would be helpful to include a limit of disturbance on the plan.

Response: The Site Plan has been revised to show the proposed limits of disturbance for the Project (Attachment 2).

8. It would be helpful to include the zoning district boundary on the proposed site plan.

Response: The Applicant has revised the Site Plan to show the zoning district boundaries where the Project is located (OM and R-30 Districts; Attachment 2).

Comments on Zoning

1. Zoning table. The site data table on the cover sheet should be revised to include existing and proposed values for all involved parcels, and to include that there are two different zoning districts (OM and R-30). Minimum percentage of green space should also be included.

Response: The Applicant has revised Table 2: Zoning Setbacks and Site Info in the Site Plan to include existing and proposed zoning setbacks and info for the two different zoning districts within the Project (OM and R-30), and all parcels associated with the Project where structures are proposed, including the minimum percentage of green space (Attachment 2).

2. We note that it appears that the project as proposed will require an area variance regarding site coverage, as 52.6% is proposed where 50% is the maximum allowed. We defer to the Building Inspector as to whether a variance for the height of the transmission poles will be required.

Response: The Applicant has revised the design of the proposed Facility, and extend of proposed impervious surfaces, such that the new maximum site coverage proposed for the Project is 49.2% and therefore in compliance with the 50% maximum site coverage standard. Therefore, a

variance for this requirement should not be required (Attachment 2). The Applicant's revised Landscaping Plan is provided as Attachment 4.

3. Lighting. A detail should be provided for the proposed lighting. Per §190-27.1(2), the maximum permitted pole height for lighting is 20 feet. The fixture mounting height is noted on the lighting plan to be 25 feet, which is in excess of this requirement.

Response: The Applicant has reduced the height of the proposed light fixtures to 15 feet tall to maintain compliance with the local law requirements. The Applicant has included a lighting fixture detail with the revised Site Plan (Attachment 2) and revised the Photometric Lighting Plan for the Facility (Attachment 5).

4. Parking. The applicant has stated that no parking spaces are required at the site as the site is not proposed to be regularly occupied. The Planning Board should determine if this is acceptable.

Response: The Applicant has designed the proposed roads for the Facility to a width of 20 feet, with an additional 5-foot shoulder on each side, for a total of 30 feet between each battery container unit. Therefore, the Facility, as proposed, provides adequate parking space for maintenance vehicles to park alongside any container unit requiring repair or maintenance, while also providing sufficient space for ingress/egress of emergency vehicles, if necessary. In addition, the Applicant has revised the Site Plan (Sheet ABP-CVL-001) to show there are four parking spaces proposed at the west side of the O&M Building (Attachment 2).

5. Signage. If any signage is proposed at the site, it should be included as part of this application.

Response: The Applicant is not proposing any exterior signage for the Facility.

6. A detail should be provided for the proposed noise wall. We note that per the provided visual renderings, it appears that the noise wall is proposed to be taller than the batteries, which are shown to be a maximum of 14 feet tall. We defer to the Building Inspector regarding whether a wall of this height is permissible.

Response: The proposed height of the noise wall is 14 feet tall. The proposed noise wall will be comprised of concrete, which performs well at providing a noise barrier, painted a neutral tan color and stamped with a cinder block pattern to minimize visual impact and blend in with the surrounding vegetation and local aesthetic (Attachment 6); however, the appearance of concrete walls can be designed in a variety of colors and patterns, as necessary. The Applicant will submit a revised Acoustic Modeling Report to the Town under separate cover.

Comments on Planning

1. The Planning Board or Town Board should determine if a decommissioning bond is warranted in this case, given the specific disposal methods required for batteries of this nature. An Emergency Operations Plan should be provided, as well as a maintenance schedule for all on-site equipment.

Response: The Applicant is committed to providing a decommissioning plan prior to a building permit being issued, which will include details on site restoration and safety procedures to remove systems at the end of the Project. In addition to the decommissioning procedure, the Applicant will include a removal security estimate. The Applicant is willing to provide a bond in the amount of the final decommissioning estimate prior to the building permit being issued. The Applicant is providing an Emergency Operations Plan with these revised Application materials and comment responses (Attachment 7). A maintenance schedule for all on-site equipment associated with the BESS Facility is included in the Applicant's Operations and Maintenance (O&M) Plan (Attachment 8).

Comments on SEQR/Coordination

2. Coordination. This application will require referral to the Town Board per §145-2. A as over one acre of disturbance is proposed.

Response: Acknowledged. Per the May 13, 2025 Planning Board Meeting, this matter has been referred to the Town Board.

3. Classification. The proposed application constitutes a Type I Action pursuant to NYCRR 617.4 (b)(6)(i) as it involves the physical alteration of greater than 10 acres. We recommend that the Town Board declare its intent to act as Lead Agency.

Response: Acknowledged.

4. EAF. We have reviewed the FEAF and believe it to be substantially complete.

Response: Acknowledged.

5. NYS DEC Article 24 Procedure. As of January 1, 2025, the NYS DEC has amended Article 24 of the Freshwater Wetlands Act, expanding its jurisdiction. The Environmental Resource Mapper indicates an informational wetland area adjacent to the project site (56.21-2-37) directly west of the existing building. This wetland qualifies as a wetland of special importance by virtue of it being located in a Census 2020 Urban Area. The 100-foot regulated area for a wetland in this

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location would extend into the project site and will likely require a wetlands permit to disturb. The applicant should submit a Parcel Jurisdictional Request to DEC using the following link: <https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program/freshwater-wetland-jurisdictional-determination>.

Response: The Applicant will complete formal wetland delineations for the remaining portions of the Facility Site during the growing season to identify the boundaries of all wetlands within the Facility Site and those that may extend off site. The Applicant will then submit the wetland delineation report to the NYSDEC for a jurisdictional determination. If the jurisdictional determination identifies a jurisdictional wetland or a 100-foot regulated adjacent area within the Facility's limits of disturbance, the Applicant will design the Facility to avoid impacts and minimize impacts to those jurisdictional resources to the maximum extent practicable. If it is determined that construction of the Facility will result in jurisdictional impacts to wetlands and streams, the Applicant will coordinate with the NYSDEC and apply for all necessary approvals for coverage under Articles 15 and 24, as applicable, to construct the Facility. Any federal permits (e.g. Section 404 & 401 of the Clean Water Act Permits) would also then be applied for, if determined to be required. The Applicant's revised Stormwater Pollution Prevention Plan is included as Attachment 9.

6. This application should be circulated to the fire department for comment.

Response: The Applicant will provide the Application to the fire department, solicit feedback on the Application, and revise the Application materials, as appropriate, to respond to comments or concerns from the fire department. Prior to submitting this Application to the Town Planning Board, Commissioner-Chairman Clay Harshberger sent the Applicant a questionnaire, to which the Applicant responded on March 31st. After review of the responses, the Commissioner-Chairman sent a return response on May 18th, stating that Spring Lake Fire Department Fire Chief, Joe Swart had accepted support of the Facility.

We trust this correspondence addresses the items noted by the Town.

Please don't hesitate to reach out with any questions.

Sincerely,

Mark Turner
Vice President
Alcazar ESS, LLC


Shabari Basu

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Vice President
Alcazar ESS, LLC

Attachments:

Attachment 1 – Project Description – Revised June 2025

Attachment 2 – Site Plan – Revised June 2025

Attachment 3 – O&M Building Site Plan – Revised June 2025

Attachment 4 – Landscaping Plan – Revised June 2025

Attachment 5 – Photometric Lighting Plan – Revised June 2025

Attachment 6 – Noise Wall Schematic

Attachment 7 – Emergency Response Plan

Attachment 8 – Operations and Maintenance Plan

Attachment 9 – Stormwater Pollution Prevention Plan – Revised June 2025

Attachment 10 – FEAF Part 1 – Revised June 2025