

Young / Sommer LLC

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March 12, 2025

Town of Ulster
Attn: Warren Tutt, Building Inspector
584 East Chester Street
Kingston, New York 12401

RECEIVED

MAR 28 2025

YOUNG, SOMMER LLC

RE: Battery Energy Storage System - Zoning Law Interpretation Request
Utility Company Structure Classification

Dear Mr. Tutt,

This firm, working alongside Stockade Strategies, LLC, represents Terra-Gen, LLC (referred to as the "Applicant"). The Applicant is proposing the construction of a 250 MW utility-scale battery energy storage system ("BESS") (the "Project") on property located at 430 Hurley Avenue (Tax Map No. 48.17-1-26). The parcel is split into two (2) zoning districts: OM and R-30. Pursuant to the Zoning Code of the Town of Ulster Zoning Law, "utility company structures" are an allowed use in both districts, subject to special permit and site plan review approval. We respectfully submit the following interpretation request:

The proposed BESS is classified as a utility company structure under the Town of Ulster Zoning Code. This interpretation is consistent with similar applications approved in the Town of Ulster, including the Lincoln Park Grid Support Center proposed by GlidePath and approved in 2019, as well as several solar projects.

Thank you for your consideration and prompt attention to this matter. If you have any questions or would like additional information from the Applicant, please feel free to contact me directly.

AGREED TO BY:


Warren Tutt
Building Inspector


Date

Very truly yours,

YOUNG/SOMMER LLC



Robert A. Panasci, Esq.
E. Hyde Clarke, Esq.
Attorneys for the Applicant

cc: James E. Quigley, Supervisor
Jason Kovacs, Town Attorney
Dan Ahouse, Stockage Strategies, LLC