

# RESOLUTION OF THE TOWN BOARD

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## TOWN OF ULSTER

### Resolution Approving Site Plan and Special Use Permit for Lightstar Renewables

**Date: September 4, 2025**

WHEREAS, the Town Board has received an application from Tuytenbridge PV LLC (the “Applicant”) for Site Plan and Special Use Permit approval to construct a 4.1 MW-AC community solar photovoltaic array and related improvements on lands owned by DSC Sisters, Inc., located off Tuytenbridge Road and Carle Terrace, designated as SBL 39.20-2-22 (the “Property”); and

WHEREAS, the Project will occupy approximately 42.8 acres of a 70.2-acre property, within the Regional Commercial (RC), R-10 Residential, and R-60 Residential zoning districts; and

WHEREAS, the Project is classified as a Type I Action under the State Environmental Quality Review Act (“SEQRA”); and the Town Board, acting as Lead Agency, has conducted coordinated review with all involved and interested agencies; and

WHEREAS, the Town Board has reviewed the Full Environmental Assessment Form (FEAF) Parts 1, 2, and 3, including the revised Part III Narrative dated September 2025, as well as habitat surveys, stormwater management plans, cultural resource studies, and agency correspondence; and

WHEREAS, the Town of Ulster Planning Board and its consultants have reviewed the application and recommended approval subject to specific conditions, including clarification of panel installation in bedrock areas, wildlife-friendly fencing, and provision of emergency access and maintenance protocols; and

WHEREAS, the Ulster County Planning Board reviewed the Project under General Municipal Law § 239 and provided recommendations, which have been addressed by the Applicant; and

WHEREAS, a duly noticed public hearing was held on January 16, 2025, and all public comments were considered; and

WHEREAS, The Town Board has determined that the Applicant has adequately addressed potential impacts on land, water, flooding, plants and animals, aesthetics, community character, and cultural resources through mitigation measures including:

- Avoidance of wetlands and 100-foot adjacent areas;
- Seasonal tree clearing restrictions (November 1–March 31) to protect endangered bat species;
- Retention of natural vegetative buffers to mitigate visual impacts;
- Compliance with the NYSDEC Stormwater Pollution Prevention Plan (SWPPP) and SPDES General Permit;
- Implementation of the SHPO-approved archaeological Site Avoidance Plan; and
- A decommissioning plan secured by financial surety to restore the site at end of project life.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ulster hereby approves the application of Tuytenbridge PV LLC for Site Plan and Special Use Permit approval for the construction and operation of the 4.1 MW-AC community solar array, subject to the following:

1. SEQRA Determination: The Town Board hereby adopts a Negative Declaration under SEQRA, having determined that the proposed action will not result in any significant adverse environmental impacts.
2. Special Use Permit: The Special Use Permit is granted for the subject parcel, conditioned upon:
  - Compliance with all applicable zoning and supplemental solar regulations.
  - Implementation of the SHPO-approved Site Avoidance Plan.
  - Execution of a decommissioning agreement and posting of financial surety (bond/letter of credit) with annual renewal and 2.5% escalator
  - Coordination with local Fire Department for emergency response planning, including access, snow removal, and operations protocols
  - Installation of wildlife-friendly perimeter fencing with a 6–12 inch gap at the base
3. The Site Plan prepared by LaBella Associates (dated July 2025, as amended) is hereby approved, subject to compliance with the following:
  - Panels to be installed in areas of bedrock shall follow manufacturer-approved pile-driven systems with pre-drilled holes, and construction activities limited to weekday daytime hours;
  - All disturbed areas shall be seeded with a pollinator-friendly seed mix, including under panels;

- Depth and maintenance of natural forested buffers shall be preserved as shown on the plans.

4. General Conditions:

- All improvements shall conform to the approved Site Plan. Any substantive change requires further Town Board review;
- All required federal, state, and local permits (including NYSDEC, USACE, USFWS, and SHPO approvals) must be obtained prior to construction;
- Applicant shall maintain access ways and perform vegetation management in accordance with the approved operations and maintenance plan;
- Noise, dust, and construction traffic shall be managed per the Erosion & Sediment Control Plan and SWPPP.

5. Fiscal Conditions

- The Applicant shall enter into a PILOT Agreement with the Town of Ulster Town Board prior to commencement of operation; and be it further

RESOLVED, that the Supervisor is authorized to execute all documents necessary to implement this approval.

MOTION: Councilman Schatzel  
 SECOND: Councilwoman Hayner

ROLL CALL VOTE:

Supervisor James E. Quigley 3rd	YES
Councilwoman Maryann DeGroot	YES
Councilwoman Anna Hayner	YES
Councilman Michael Schatzel	YES
Councilman Clayton Van Kleeck:	YES

*CARRIED*