

**RESOLUTION
TOWN OF ULSTER TOWN BOARD**

**SITE PLAN APPROVAL EXTENSION
LINCOLN PARK GRID SUPPORT CENTER
Miron Lane and Frank Sottile Boulevard
Town of Ulster, Ulster County, New York
S-B-L: 48.012-1-20, 48.016-1-1 and 48.016-1-2.21**

October 7, 2021

WHEREAS, Town of Ulster Town Board, on November 20, 2019, approved an application for Amended Site Plan Approval for Lincoln Park DG LLC to construct the Lincoln Park Grid Support Center (LPGSC), a battery array that provides capacity and ancillary services to the regional electric grid by absorbing (charging) and generating (discharging) electricity as directed by New York Independent System Operator (NYISO), the regional grid operator; and

WHEREAS, pursuant to Town of Ulster Town Code Section 145-13, an approval of a proposed use by the Town Board shall be deemed to have expired unless construction of the development shall be actually commenced within twelve (12) months; and

WHEREAS, construction of the approved site plan did not commence prior to November 20, 2020; and

WHEREAS, the Town of Ulster Town Board, a duly convened meeting thereof, on November 5, 2020, granted a one (1) year extension of the site plan approval as follows: the approval granted by the Town Board on November 20, 2019 shall be deemed to have expired unless construction of the approved development shall be actually commenced no later than November 20, 2021; and

WHEREAS, construction of the approved site plan did not commence prior to November 20, 2021; and

WHEREAS, the applicant is seeking an extension of their original Amended Site Plan Approval I to enable them to move forward with the development of the Lincoln Park Grid Support Center on the subject site; and

WHEREAS, the Ulster Town Board has determined it is in the best interest of the Town of Ulster to extend the site plan approvals; and

NOW THEREFORE BE IT RESOLVED the Town Board of the Town of Ulster, hereby grants Amended Site Plan Approval extension for the above referenced project, subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;

4. The applicant secures a permit for commercial driveway access from Ulster County DPW;
5. The submits a Lighting Photometric Plan with lighting levels calculated for the plan with levels not to exceed the Illuminating Engineering Society (IES) Outdoor Site/ International Dark Sky Association (IDSA) Area Recommended Illuminance Levels. All luminaires are required to be LED and will need to meet the “fully shielded” definition adopted by the International Dark Sky Association (IDSA) or be an approved fixture of IDSA with cut sheets provided
6. The applicant submits a Landscaping Plan that provides additional landscaping, particularly the portion of the property to the east of the switchyard designated to be a stockpile during construction.
7. The Town’s consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
8. All fees, including consultant fees and all fees for the extension, shall be paid.
9. Amended Site Plan Approval heretofore granted on November 20, 2019, shall be amended, as follows: the approval granted by the Town Board on November 20, 2019 shall be deemed to have expired unless a building permit is issued by the Town and construction actually commences on the subject site no later than November 20, 2022.

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

ROLL CALL VOTE

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| Supervisor James E. Quigley 3 rd : | YES |
| Councilman Eric Kitchen: | YES |
| Councilman John Morrow: | YES |
| Councilman Rocco Secreto: | YES |
| Councilman Clayton Van Kleeck: | YES |

CARRIED