TOWN OF SAUGERTIES PLANNING BOARD
SEQRA NOTICE OF INTENT TO BECOME LEAD AGENCY

DATE: February 18, 2026

TO: Involved / Interested agencies (see attached list)

RE: KCE NY 34 LLC- Battery Energy Storage System

This notice is issued pursuant to Part 617.6(b) of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Saugerties Planning Board, as an involved agency, proposes to establish Lead Agency status for the proposed action for purposes of conducting an environmental review pursuant to Article 8 (State Environmental Quality Review Act, or SEQRA) of the Environmental Conservation Law. The Town of Saugerties Planning Board is circulating herewith the annexed Application, together with Part 1 of the SEQRA Short Environmental Assessment Form, Application and related exhibits.

PROPOSED ACTION: The applicant is requesting site plan and special use permit approval to construct a 100MW/400MWh battery energy storage system (BESS) with associated transformer, breakers, and fencing on a 59-acre parcel that gains access from Tomsons Road. The project is located within the Industrial district and the Aquifer Protection Overlay district, and the use is permitted with site plan and special use permit as Electric, Gas and Sanitary Services. The project is located within the Industrial district, where the minimum lot size is 2 acres and requires a Special Use Permit.

LOCATION: Tomsons Road, Saugerties, NY. Tax Parcel Section/Block/Lot: 18.1-4-5.100

SEQRA STATUS: Unlisted Action pursuant to 6 NYCRR Part 617. In accordance with 6 NYCRR Part 617.6(b)(2)(i), the Planning Board intends to conduct a coordinated review for this action.

PLEASE TAKE NOTICE that pursuant to 6 NYCRR Part 617.6(b)(3)(i) a Lead Agency is to be determined within thirty (30) calendar days of the date that the annexed materials are transmitted. Please state your agency's interest regarding selection of Lead Agency and any potential environmental effects of the proposed Action.

PLEASE TAKE FURTHER NOTICE that this determination, subject to agreement of the agencies involved, shall become effective 30 calendar days from the date of mailing provided at the top of this notice unless affirmative consent from all involved agencies are received prior to that date. Failure to respond within such 30 days period shall be deemed to be the consent of such agency or entity.

Please Check a box below and return by mail to the address stated below or email to bbertorelli@saugertiesny.gov:

[ ] The_____agrees and consents that the Town of Saugerties Planning Board should act as Lead Agency for purposes of SEQRA review of the above mentioned project.

[ ] The_____does not consent that the Town of Saugerties Planning Board serve as Lead Agency. To contest lead agency designation, the undersigned intends to follow the procedures outlined in 6 NYCRR 617.6(e).

Signature:_____Date:_____

Please return within 30 days of the mailing of this correspondence to:

Howard Post, Planning Board Chair
Town of Saugerties Planning Board
4 High Street
Saugerties, NY 12477
845-246-2800 ext. 358
bbertorelli@saugertiesny.us

As an involved or interested agency, please send any comments or questions you may have to the address noted above, for consideration by the Planning Board.

This Notice is being sent to the following involved/interested agencies:

Town of Saugerties Town Board
Mr. Fred Costello, Supervisor
Town Hall
4 High Street
Saugerties, New York 12477

Centerville/Cedar Grove Fire Company
c/o Mike Ivino, Chief
PO Box 84
Saugerties, New York, 12477

Bill Murphy, Mayor
Dara Ellenbogen, Planning Board Chair
43 Partition Street
Saugerties, N.Y. 12477

Town of Saugerties Police Department
Kenneth Swart, Jr., Chief of Police
4 High Street
Saugerties, New York 12477
kjswart@saugertiesny.gov

Diaz Memorial Ambulance Service
Lisa Benjamin, General Manager
P.O. Box 147
Saugerties NY 12477

Ulster County Planning Department
C/o Mr. Dennis Doyle, Director
County Office Building
PO Box 1800
Kingston, New York 12402
planning@co.ulster.ny.us

New York State Department of Environmental Conservation
Ms. Kelly Turturro, Region 3 Director
21 South Putt Corners Road
New Paltz, New York 12561
(845) 256-3054

New York State Department of Transportation
C/o David Corrigan, PE
11 Quarry Street
Kingston, New York 12401

United States Army Corps of Engineers
New York District
Western Permits Section
Attn.: Regulatory Branch, Room 16-400
26 Federal Plaza
New York, New York 10278-0090
cenan.publicnotice@usace.army.mil