

**Opposing The Development, Construction, And Operation Of The Battery Energy Storage System (BESS) Facility Proposed By Terra-Gen, On The Property Of The Former John A. Coleman Catholic High School In The Town Of Ulster, Ulster County, NY**

Referred to: The Energy, Environment and Sustainability Committee (Chairman Hewitt and Legislators Donaldson, Greene, Litts, Nolan, Stewart, and Walls)

Legislators Eric Stewart and Richard Walls offer the following:

WHEREAS, the Ulster County Legislature is committed to safeguarding the health, safety, welfare, and environmental integrity of its residents and communities while remaining supportive of the development of safe, reliable energy sources; and

WHEREAS, Terra-Gen, herein referred to as the “applicant”, has submitted an application for the construction and operation of a Battery Energy Storage System (BESS) facility at 430 Hurley Avenue, the site of the former John A. Coleman Catholic High School; and

WHEREAS, as proposed the 250-megawatt (MW) facility in the Town of Ulster is envisioned to include 300 containers of batteries on approximately 12 acres sited, in part, in an area zoned R-30 (Residential) and, as such, is located in close proximity to a populated residential area; and

WHEREAS, local residents and elected officials, including those in the adjoining Town of Hurley, have voiced significant opposition to the applicant’s proposal, specifically citing the project’s close proximity to over 500 homes, two apartment complexes, two churches, and three schools, posing potential health and safety risks to such a densely populated area; and

WHEREAS, numerous concerns have been raised about the fire and environmental hazards associated with lithium-ion BESS facilities, including potential thermal runaway events, chemical releases, and extreme challenges in fire suppression; and

WHEREAS, fire and other thermal events have been recently reported at BESS and similar energy storage facilities nationwide, including facilities in California, Nevada, and locally in Orange County, New York; and

WHEREAS, events such as those experienced in California and Nevada could pose risks to the health and safety nearby residents of the proposed Hurley Avenue site; and

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WHEREAS, the Ulster County Legislature seeks to protect its residents and natural resources from potential health, safety, and environmental hazards while advocating for a balanced approach to achieving New York State's clean energy goals; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby opposes the development, construction, and operation of the Battery Energy Storage System (BESS) facility submitted by applicant Terra-Gen, at 430 Hurley Avenue, the site of the former John A. Coleman Catholic High School, in the Town of Ulster, Ulster County, NY, due to the risks it poses to public health, safety, and welfare of residents; and, be it further

RESOLVED, that the Ulster County Legislature strongly urges the Town of Ulster to deny the application for the construction and operation of a BESS facility submitted by applicant Terra-Gen, and further requests that the Town of Ulster deny any and all requests for special use permits in conjunction with the project; and, be it further

RESOLVED, that the Ulster County Legislature urges the New York State Department of Environmental Conservation (DEC), the New York State Energy Research and Development Authority (NYSERDA), and other relevant state agencies to prioritize safe alternative energy storage technologies and siting strategies that minimize risks to residential areas, the environment, and ecologically sensitive regions; and, be it further

RESOLVED, that copies of this resolution be transmitted to the members of the Town of Ulster Town Board, Planning Board and Zoning Board, Governor of the State of New York, the New York State Senate and Assembly members representing Ulster County, the Commissioner of the New York State Department of Environmental Conservation (DEC), and the President of the New York State Energy Research and Development Authority (NYSERDA),

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

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Defeated in Committee: Energy, Environment and Sustainability on December 9, 2025

FINANCIAL IMPACT:  
NONE