

# Town of Forestburgh

## RESOLUTION

### Determining That Adoption of Local Law No. 1 of 2026 (Battery Energy Storage Systems) Will Not Have a Significant Adverse Impact on the Environment

Dated: January 8, 2026

At a meeting of the Town Board of the Town of Forestburgh, Sullivan County, New York, held at the Town Hall, 332 King Road, Forestburgh, N.Y., on the \_\_\_\_ day of January, 2026, there were:

Supervisor Daniel S. Hogue, Jr.	Present / Not Present
Councilmember Steven Budofsky	Present / Not Present
Councilmember Susan Parks-Landis	Present / Not Present
Councilmember Vincent Galligan	Present / Not Present
Councilmember Robert J. Sipos	Present / Not Present

Councilperson \_\_\_\_\_ offered the following resolution and moved for its adoption:

**WHEREAS**, the Town Board of the Town of Forestburgh, Sullivan County, New York (the “Town Board”), is considering the adoption of Local Law No. 1 of 2026 entitled “Battery Energy Storage System Law of the Town of Forestburgh” (the “Proposed Action”); and

**WHEREAS**, the Proposed Action consists solely of the legislative adoption of a local law establishing regulations governing the siting, construction, operation, safety, and decommissioning of battery energy storage systems within the Town; and

**WHEREAS**, the Proposed Action is an Unlisted Action pursuant to the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617; and

**WHEREAS**, the Town Board is the Lead Agency for purposes of SEQRA review of the Proposed Action; and

**WHEREAS**, the Town Board has reviewed the Short Environmental Assessment Form (“SEAF”), including Part 1, Part 2, and Part 3 (Reasoned Elaboration), and all information contained in the record; and

**WHEREAS**, the Proposed Action is legislative and regulatory in nature and does not approve, authorize, or permit the construction or operation of any specific battery energy storage facility, nor does it result in any physical disturbance of land, vegetation, or water resources; and

SEQRA Resolution for Proposed Local Law 1 of 2026 regarding BESS

**WHEREAS**, the Proposed Action does not change zoning classifications, increase permitted density or intensity of development, or commit the Town to any future course of action that would result in environmental impacts; and

**WHEREAS**, any future battery energy storage system proposed within the Town would be subject to separate discretionary approvals and an independent environmental review pursuant to SEQRA, including evaluation of site-specific environmental impacts; and

**WHEREAS**, the Town Board has considered the potential environmental resources within the Town, including wetlands, surface waters, floodplains, forested lands, agricultural lands, wildlife habitat, open space resources, scenic resources, and residential neighborhoods, and finds that the Proposed Action will not result in adverse impacts to such resources;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Forestburgh hereby determines that the adoption of Local Law No. 1 of 2026 will not have a significant adverse impact on the environment; and

**BE IT FURTHER RESOLVED**, that a **Negative Declaration** is hereby issued pursuant to SEQRA; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is directed to file and circulate this determination in accordance with applicable law.

On a motion by Councilperson \_\_\_\_\_, seconded by \_\_\_\_\_, the resolution was adopted on a roll call vote, the results which follow:

Supervisor Daniel S. Hogue, Jr.	Aye – Nay – Abstain
Councilmember Steven Budofsky	Aye – Nay – Abstain
Councilmember Susan Parks-Landis	Aye – Nay – Abstain
Councilmember Vincent Galligan	Aye – Nay – Abstain
Councilmember Robert J. Sipos	Aye – Nay – Abstain

Adopted this \_\_ day of January 2026.

**By Order of the Forestburgh Town Board  
Teresa Collins, Town Clerk**

I, **TERESA COLLINS**, Town Clerk of the Town of Forestburgh, Sullivan County, New York, **DO HEREBY CERTIFY** that the foregoing local law was approved by the Town Board of the Town of Forestburgh on **January \_\_, 2026** and that the foregoing is a true and correct transcript of the original local law and of the whole thereof and that said original local law is on file in the  
Town Clerk’s office.

**I DO FURTHER CERTIFY** that each of the members of the Town Board had due notice of the said Town Board meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the Town of Forestburgh this \_ day of January 2026.

\_\_\_\_\_  
Teresa Collins, Town Clerk

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TOWN SEAL