

Young / Sommer LLC

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November 1, 2022

VIA EMAIL

Jeffrey D. Crist, Chairman
Town of Montgomery
110 Bracken Road
Montgomery, NY 12549

RE: KCE NY 2, LLC
Town of Montgomery, Orange County, New York
Section 26, Block 1, Lot 57.221

Dear Ms. Hadden:

This office serves as counsel to KCE NY 2, LLC (“Key Capture Energy” or the “Applicant”). It has come to our attention that the application materials reference the previous address for the subject property, and we would like this letter to be made part of the record to clarify the address of the project and ensure that any future public notices do not contain the address of 364 Browns Road as the location of the proposed project.

The original parcel of this project was subdivided and split into two (2) distinct lots after Key Capture had signed an Option and Land Lease Agreement with John and Marybeth Olsen. Prior to the subdivision, that parcel was known as 364 Browns Road. The battery energy storage facility and proposed substation is to be located on Tax Map Parcel No. 26-1-57.221. This lot is still owned by John and Marybeth Olsen and has been correctly noted on the application materials. There is no street address number associated with this parcel, however it is located on Tax Map Parcel No. 26-1-57.221, which is located to the north of Route 17K between the intersections with Stone Castle Road and Browns Road. The second parcel that was created as a result of the subdivision is Tax Map Parcel No. 26-1-57.222. This lot is owned by Roger and Lynnette Wright. The property address for this lot is now known as 364 Browns Road. Please note for the record that no battery storage containers will be located on the Wright Property.

Moving forward, any reference to the actual energy storage facility, including any public notices, should reference its location as located on Tax Map Parcel No. 26-1-57.221, which is

located to the north of Route 17K between the intersections with Stone Castle Road and Browns Road and **should not** include the Wright's address.

Very truly yours,

YOUNG/SOMMER LLC

A handwritten signature in black ink, appearing to read "Robert A. Panasci". The signature is fluid and cursive, with the first name being the most prominent.

Robert A. Panasci, Esq.

cc: Mike Carella, Key Capture Energy (via email only)
Felicia Kalan, Executive Director, Town of Montgomery IDA (via email only)