

Town of Enfield, NY
Planning Board Chair
04/02/2021



RE: Specific Type of Financial Decommissioning Surety Waiver Request

Dear Mr. Walker and Members of the Board,

Norbut Solar Farm, LLC is requesting a waiver of the Financial Surety provision under Section 7(E)(1)(f)(1) of the Town of Enfield Solar Energy Law Addendum solely to the extent the provision requires the financial security to be “in the form of an irrevocable letter of credit or cash security.” A decommissioning bond is the financial surety utilized by Norbut Solar Farm, LLC in connection with its projects, and is a generally accepted form of financial security in the solar energy system field. Important for the Planning Board’s consideration of this waiver request, there is no impact to the health, safety, and general welfare of residents of the Town with the use of a decommissioning bond versus an irrevocable letter of credit or cash security. The decommissioning bond proposed by Norbut Solar Farm, LLC will satisfy the Town’s requirements in both the amount and any necessary escalation, and will provide the Town with every protection that would be provided by an irrevocable letter of credit or cash security. The decommissioning bond, which is subject to the review of both the Planning Board and Town Board as to form and amount, will remain in effect throughout the life of the system, cannot be released during such period without the consent of the Town (whether by reason of a change in ownership of the project or otherwise), and equally ensures that the decommissioning of the project and restoration of the project site will be completed.”

Respectfully submitted,

Jonathan Stone

Norbut Solar Farms

A handwritten signature in black ink that reads "Jonathan Stone". The signature is written in a cursive style with a large, looped initial "J".

