

## Scott P. Falvey

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Town of Farmington  
Planning Board  
1000 County Road 8  
Farmington, NY 14425

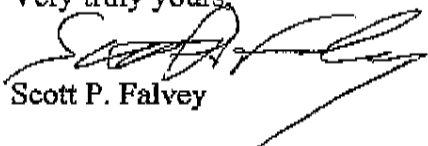
Re: Yellow Mills Road Solar Projects – Decommissioning  
Landowners: Roger Smith and Carol Smith

Dear Planning Board:

Please be advised that I am the attorney for Roger Smith and Carol Smith, who are the owners of the land that is the subject of the Yellow Mills Road Solar Projects, to which an application for the same is pending before you.

It is my opinion that Mr. and Mrs. Smith are aware of and acknowledge the provisions of Farmington Town Code Section 165-65.3, which regulate solar projects in the Town of Farmington; and that in particular Mr. and Mrs. Smith acknowledge and are aware of the risks that such a project entails to them given the Town's requirements for decommissioning upon abandonment, namely: that upon abandonment (as such term is defined therein) of any installed solar system the Town will require that the system be decommissioned and removed within a certain time period, and that Mr. and Mrs. Smith would be responsible for such decommissioning and removal should the owner of the solar system fail to so decommission and remove, and that along those lines should the Town incur costs in decommissioning and removing the system itself that are not reimbursed by the surety, those costs will be passed on to Mr. and Mrs. Smith in the form of an assessment/lien on the subject property that becomes part of the property taxes levied and assessed thereon.

Very truly yours,

  
Scott P. Falvey

Cc: Roger Smith and Carol Smith