**DRAFT RESOLUTION # XX (2020) – Modifying Tree Cutting Plan for Five Large-Scale Solar Energy Systems at 2150 Dryden Road**

WHEREAS,

1. SUN8 PDC LLC received site plan approval from the Dryden Town Board on 8-17-17 to construct five large-scale solar energy systems at 2150 Dryden Road in Dryden, New York, Tax Parcel #38.-1-3.1 to be subdivided into five lots, and
2. The Tree Cutting Plan presented in Drawing C-105 had a restriction on seasonal tree cutting from May 1 to August 30 on a portion of the site which restriction was intended to protect Northern Long-Eared Bat (NLEB) habitat, and
3. The current owner, Dryden-Tompkins Solar II, LLC has applied for removal of this restriction based on current data indicating no NLEB at this site and has provided a concurrence letter from the US Fish and Wildlife Service dated 5-14-20, and
4. This request is based on delays on this project due to the mandated NY State PAUSE guidance in reaction to the COVID-19 pandemic, in which construction on solar sites was postponed as it was identified by NYS as a non-essential activity. As such, tree cutting on the site was not able to occur prior to April 30th, and
5. TG Miller evaluated this request on behalf of the Town and confirmed that there is no longer a need for restrictions on timing for tree cutting.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board finds that the current data on NLEB habitat supports the conclusion that the tree cutting restriction is no longer needed to protect the NLEB and approves removing this tree cutting restriction as this change is deminimus and results in no harm.