

## **COMMUNITY LAND & WATER COALITION**

February 1, 2021

Kenneth Buckland, Town Planner  
Sandra Slavin and Brian Litchfield, Community Preservation Committee  
Sandra Slavin, Open Space Committee  
David Pichette, Conservation Commission, Administrator

Re: Chapter 61A Conversion Notice from Borrego Solar for Land at 140 and 150 Tihonet Road and 27 Charge Pond Road in Wareham

Dear Mr. Buckland, Ms. Slavin and Mr. Pichette,

We are an alliance of groups and individuals seeking to preserve and steward our finite land and water resources in Southeastern Massachusetts.

We are writing to urge you to contact the Board of Selectmen to ask the Board to not waive its rights under Chapter 61A on the three AD Makepeace parcels proposed for industrial ground mounted solar facilities.

We are aware that on January 26, 2021, the Board, pursuant to its Chapter 61 policy, informed the Town Planner, Wareham Redevelopment Authority, Community Preservation Committee, Open Space Committee and Wareham Land Trust that it had received “application requests from AD Makepeace for the taking of land from 61 to commercial use.” (January 26, 2021 Board Letter). This land is currently zoned rural residential.

Under the Town’s Chapter 61 policy, responses to the Board Letter are requested within 30 days “of notification”, presumably the date you were notified, January 26, 2021.

We urge you to take action before January 26 to ask the Board to preserve its right of first refusal and to seek a conservation option for this land. These lands are primarily undisturbed globally rare Atlantic Coastal Pine Barren forests, wetlands and streams. They have value to our region as well as to Wareham. These lands protect our water quality and quantity and our ecosystems.

Governor Baker’s March 10, 2020 suspended the deadlines of Chapter 61A for actions by municipalities in response to notices of conversion such as those sent to the Town of Wareham by Borrego Solar in January 2021. The Board does not have to respond to Borrego’s notice until 90 days after the Governor lifts the emergency order.

The three Borrego Solar projects that are the use to which the land will be converted need state and federal environmental regulatory approvals before construction can start. This includes a full environmental impact report under the Massachusetts Environmental Policy Act (MEPA). This environmental review requires a study of alternative and greenhouse gas emissions from the project and could take well over one year.

Therefore, there is no reason for the Select Board to rush its decision on whether to waive its rights under Chapter 61A. We urge you to ask the Board to:

1. Preserve its right of first refusal until there is an open and transparent process that takes into account the pros and cons of converting this high priority conservation land into 174 acres of industrial scale solar facilities,
2. Consider assigning the rights under Chapter 61A to a conservation group as allowed by the law, and
3. Convene a study committee to look into the economic benefits of preserving the land for conservation.

Thank you for your consideration. Please feel free to contact me at 508-259-9154 or [megsheehan07@gmail.com](mailto:megsheehan07@gmail.com) if you have any questions.

Very truly yours,

**Community Land & Water Coalition**

Meg Sheehan  
Volunteer

**Southeastern Massachusetts  
Pine Barrens Alliance**