

87 Fearing Hill Road  
West Wareham, MA 02576  
August 21, 2023

Mr. Kenneth Buckland  
Mr. Michael King – Planning Board Chair  
Members of the Planning Board  
Town of Wareham  
54 Marion Road  
Wareham, MA 02571

Re: PB #7-20 - 27 Charge Pond Road  
PB #9-20 - 150 Tihonet Pond Road

Dear Mr. Buckland, Mr. King and Members of the Planning Board,

The request for extension for both 7-20 Borrego Solar Systems, Inc. – 27 Charge Pond Rd and 9-20 Borrego Solar Systems, Inc. – 150 Tihonet Road first appeared on the Planning Board agenda of Monday, September 26, 2022. They were listed under:

2. Preliminary Business.

1. 150 Tihonet Road – New Leaf [Borrego] Extension of time SPR/Special Permit
2. 27 Charge Pond Road – New Leaf [Borrego] Extension of time SPR/Special Permit

Along with the above-mentioned agenda, two letters from New Leaf Energy, Inc. (dated September 21, 2022) regarding both projects were also available for the PB and the public to review. Both letters are essentially the same text, with the only difference being the date the decision was filed with the Town Clerk. See quotes below:

For 27 Charge Pond Rd – *“The decision regarding the case was filed with the Town Clerk on October 20, 2020.”*

For 150 Tihonet Rd – *“The decision regarding the case was filed with the Town Clerk on December 29, 2020.”*

The text of both letters asks for an extension of their permit.

“The decision states that the Approval shall expire two years from the date on which a copy of the decision was filed with the Town Clerk, if substantial use or construction has not started. The request for clarification is regarding whether the Town of Wareham interprets that the period in which the Emergency Order was in effect after the date of the Special Permit and Site Plan Approval results in tolling of the expiration date.”

“If it is the Board’s position that the expiration should toll through the effective period of the Emergency Order, that would result in a new expiration date of 6/15/2023 – or 2 years after the Order was lifted.”

Now the time frame of the extension with the tolling period has also expired (by 2 months). These two projects haven't even started their work (to the best of my knowledge) even with the additional time. Why is the Planning Board still talking with the proponents about their plans for these two projects? Clearly their permits have expired. They need to start over and reapply.

The Planning Board would be setting a dangerous precedent by disregarding their own bylaws and allowing these extensions. I ask the Planning Board to deny both projects any extensions. Thank you.

Sincerely,

Kathleen M. Pappalardo