**MEMO**

FROM: Joe Shanahan, Senior Project Developer, Con Edison Clean Energy Businesses

TO: Kenneth Buckland, Director of Planning and Community Development

SUBJECT: Circumstances Under Which and By Which the Planning Board Shall Approve the Subdivision

 Entitled ““Definitive Subdivision Plan of Weweantic Circle, Wareham, Massachusetts,

 December 2, 2021, Applicant: Wareham MA 3, LLC, Atlantic Design Engineers, Inc.”

DATE: March 11/2022

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1. Wareham MA 3, LLC (the “LLC”) submitted a Preliminary Subdivision Plan for the Fearing Hill Road site on 5/6/2021 to “freeze’ the zoning for a proposed solar project at that location.
2. The LLC submitted a Site Plan Review Application and proposed Site Plan for a solar project on 5/17/2021.
3. Based upon the site walk the LLC and its consulting engineer had with Kenneth Buckland, Director of Planning and Development, and Members of the Planning Board back on 7/21/2021 to consider the solar project and the subdivision, the LLC understood that the Town did not want the subdivision way and cul-de-sac (Weweantic Circle) as shown on the Preliminary Subdivision Plan to be built, but, instead wanted it to just a driveway built to service the proposed solar project as shown on the Site Plan then pending before the Planning Board. The Members did ask, however, that the LLC revise that Site Plan to “angle” the driveway and to add some landscaping in order that it would be as unobtrusive as possible when viewed from Fearing Hill Road. And the LLC has now revised the Site Plan accordingly, with the driveway shown as a short +/-150-foot long and 18-foot wide gravel drive and landscape screening added.
4. The LLC submitted a Definitive Subdivision Plan for the site on 12/2/2021, within the seven months after the Preliminary Subdivision Plan, as is required.
5. The Definitive Subdivision Plan shows a proposed Lot 1 and Lot 2 and continues to show the subdivision way and cul-de-sac (Weweantic Circle), as is required the Rules and Regulations

Governing the Subdivision of Land in the Town of Wareham.

1. There is no need to build the subdivision way and cul-de-sac (Weweantic Circle) to service the solar project and, therefore, the LLC does not want to build it and the Town does not want the subdivision way and cul-de-sac (Weweantic Circle) to be built, but prefers that a driveway be built as noted above and on the proposed Site Plan.
2. For the reasons set forth above, the Planning Board will approve the Definitive Subdivision Plan entitled “Definitive Subdivision Plan of Weweantic Circle, Wareham, Massachusetts, December 2, 2021, Applicant: Wareham MA 3, LLC, Atlantic Design Engineers, Inc.” now pending before it, with all of the parties understanding that the subdivision way and cul-de-sac (Weweantic Circle) need not be built nor will it ever be built. Instead, the LLC will build the driveway as noted above and on the proposed Site Plan when the solar project is approved.

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1. Because the subdivision way and cul-de-sac (Weweantic Circle) shown on the approved Definitive Subdivision Plan will not be built within the two (2) years provided in the Rules and

Regulations Governing the Subdivision of Land in the Town of Wareham, at the end of that 2-year period the Definitive Subdivision Plan will be automatically nullified, but, at that point,

the solar project will have been approved by the Town (and likely constructed) and the zoning for such a solar project at that location will have been “frozen,” as was the original intent of the filing of the Plan.

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