



**A.D. MAKEPEACE
COMPANIES**

Inspired by Nature

March 18, 2021

Conservation Commission
Memorial Town Hall
54 Marion Road
Wareham, MA 02571

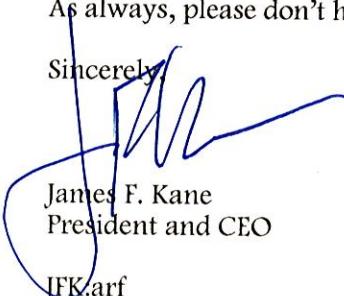
Stacy Minihane of Beals and Thomas, Inc. updated me regarding last night's hearing for the 140 Tihonet Road PV+ES Project (MassDEP File No. SE76-2611), and we believe we understand your concern.

Based on direction provided at yesterday's hearing, we understand that the Conservation Commission is seeking that we apply for an earth removal permit if required, in accordance with M.G.L. Chapter 131 Section 40, the Wetlands Protection Act and its implementing regulations at 310 CMR 10.00.

We are writing to notify the Commission that any material removed from the site, will be used for our on-going agricultural activities, and is therefore not subject to earth removal permitting in accordance with the Bylaws of the Town of Wareham Division IV Article III Section 3, *Earth Removal Regulations Required Permits and Exceptions*, which exempts agriculture. We will communicate and coordinate with the Board of Selectmen as the earth removal permit issuing authority. Should it be determined that a different volume will be removed, please be assured that the applicant will submit revised plans and associated information to the Conservation Commission for review as either a request for Amended Order of Conditions or new Notice of Intent filing for the solar project as applicable.

As always, please don't hesitate to contact me at (508) 295-1000 with questions.

Sincerely,



James F. Kane
President and CEO

JFK:arf

cc Board of Selectmen
Derek Sullivan, Town Administrator
Planning Board