

April 20, 2023

Nazih Elkallassi, Chairman  
Town of Wareham  
Zoning Board of Appeals  
54 Marion Road  
Wareham, MA 02571

**Re:** Second Peer Review  
Site Plan Review  
True Storage Facility  
ZBA Case 4-23  
2400 & 2402 Cranberry Highway  
Wareham, MA

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Dear Chair Elkallassi and Members of the Zoning Board of Appeals:

In accordance with our contract to conduct a peer review of the proposed True Storage Facility at 2400 & 2402 Cranberry Highway in Wareham, Massachusetts, Allen & Major Associates, Inc. (A&M) is pleased to provide the following comments. The comments presented below are based on the review of the design documents provided to A&M by Wareham Planning and Community Development. A&M did not conduct a field assessment of the project but can do so if the ZBA requires.

In conducting the peer review, A&M reviewed the following documents:

- Stormwater Management Plan for 2400 & 2402 Cranberry Highway Wareham, Massachusetts 02571 prepared for Wareham Development, LLC & JB Development, LLC, Bourne Acquisition, LLC & 2425 LLC prepared by Nobis Group dated April 6, 2022, revised April 5, 2023;
- Site Plans for True Storage Facility 2400 & 2402 Cranberry Highway Wareham, Massachusetts 02571 prepared by Nobis Group dated April 2022, latest revision dated April 5, 2023, total of 18 sheets which include plans prepared by others, listed below;
  - Boundary & Location Survey prepared by Control Point Associates, Inc. dated January 25, 2021 revised July 12, 2022;
  - Boundary, Topographic & Utility Survey prepared by Control Point Associates, Inc. dated January 25, 2021 revised July 12, 2022;
  - Proposed Sewage Disposal Site Plan prepared by Provencher Engineering, LLC dated March 3, 2022;
  - Proposed Sewage Disposal Detail Plan prepared by Provencher Engineering, LLC dated March 3, 2022;
- Architectural Plans for True Storage Wareham 2400, 2402, 2406 Cranberry Highway Wareham, MA 02571 prepared by True Storage Wareham – Architectural Department dated January 11, 2022 revised March 15, 2023;
- USGS Locus Map (Figure 1) & Aerial Map (Figure 2) dated August 2022;
- Denial letter from the building Department dated March 25, 2021;
- Letter from the Wareham Fire Department dated January 24, 2023;

- Wareham Zoning Board of Appeals Application for Extension of Time to Exercise Use of Variance dated June 15, 2022;
- Town of Wareham Board of Appeals certificate of Granting of Use Variance dated July 14, 2021;
- Traffic Memorandum prepared for Acquisitions & Due Diligence True Storage prepared by Vanasse & Associates, Inc. dated October 20, 2022;
- Impact Statement prepared by Nobis Group dated November 28, 2022;
- Response to comments letter prepared by Nobis Group dated March 20, 2023;
- Façade Compliance Letter prepared by Christopher Lewis, Director of Architectural and Design True Storage, dated March 9, 2023;
- MassDOT Comment and Resolution Form dated June 27, 2022, MassDOT Permit # 5-2022-0282;
- MassDOT Comment and Resolution Form dated September 19, 2022, MassDOT Permit # 5-2022-0282
- MassDOT Permit # 5-2022-0282.

A&M reviewed the information/materials, listed above in conjunction with the applicable requirements of:

- Town of Wareham By-Laws revised October 25, 2021;
  - Division IV, Article III Earth Removal Regulations;
  - Division V, Article XI Stormwater Management and Illicit Discharge;
  - Division VI, Article I Wareham Wetland Protective By-Law.
- Town of Wareham Zoning By-Laws Revised April 12, 2022;
  - Article 4: Overlay Districts;
  - Article 6: Density and Dimensional Regulations;
  - Article 7: Design Standards and Guidelines;
  - Article 9: Parking;
  - Article 10: Landscaping;
  - Article 12: Performance Standards;
  - Article 15: Site Plan Review.
- Massachusetts Stormwater Handbook, Volumes 1 through 3, as applicable under the Massachusetts Wetlands Protection Act (310 CMR 10.00) with focus on the Stormwater Management Standards.
- National Fire Protection Association (NFPA 1) and the Massachusetts Amendments (527 CMR 18) as applicable to site development plans.

The following represents A&M's review comments. A&M may submit additional comments based on supplemental information provided after the initial peer review.

### **Wareham By-Laws and Zoning By-Laws**

1. The proposed project is required to obtain a Stormwater Management Permit (SMP) in accordance with Wareham By-Laws Division V, Article XI, Article I Stormwater Management. The applicant should provide documentation on the status of the SMP.

**Updated Comment:** The applicant has provided the following response:

*Per responses from Ken Buckland, Director of Planning and Community Development, and Jonathan Dickinson, Assistant Town Planner, there is not a separate SMP application. The SMP is reviewed in conjunction with the Site Plan Review Application. The public hearing is scheduled to be held with the Zoning Board of Appeals (as the Granting Authority) on March 22, 2023.*

A&M acknowledges the applicant's response and defers to the Town's internal process for approval of an SMP. **Issue resolved, no further comment.**

2. The proposed project is located within the Groundwater Protection Overlay District (GPOD) per Zoning By-Law Article 4, subsection 440. Since the project proposes lot coverage exceeding the 15% maximum allowed under the GPOD, a Special Permit is required from the Board of Appeals. The applicant should provide documentation on the status of the Special Permit.

**Updated Comment:** The general statement of the By-Law states "*The Groundwater Protection District is established as an overlay district whose boundaries are superimposed on all districts established by this By-Law and whose regulations are in addition to any other regulations established by this By-Law*". The applicant provided correspondence on March 29, 2023 from their discussion with the Zoning Board of Appeals noting that the requirements of the GPOD do not apply. A&M defers to the Zoning Board of Appeals. **Issue resolved, no further comment.**

3. The design engineer should review Zoning By-Law Article 7, subsection 752.6 Buffer Strip Adjacent to Public Arterials (Route 28) requires industrial uses to be screened from view by a 50-foot wide landscape buffer strip. The proposed parking lot and portions of the internal drive aisles are located within the 50-foot buffer strip.

**Updated Comment:** A&M does not dispute or question the use variance, since storage facilities is not an allowed use within the Industrial Zoning District. Under Section 340.9 of the Zoning By-Law, which identifies Industrial Uses, storage facilities are listed which states "*Any structure that is used for storage of inanimate objects or organic objects*". The applicant provided correspondence on March 29, 2023 from their discussion with the Zoning Board of Appeals noting that the use is not considered industrial and further requirements would not apply. A&M defers to the Zoning Board of Appeals. **Issue resolved, no further comment.**

4. Issue resolved, no further comment.
5. Issue resolved, no further comment.
6. Issue resolved, no further comment.
7. Zoning By-Law Article 9: Parking states that the Building Inspector shall determine the number of spaces required for a use not identified under 921 Table of Parking Regulation. The ZBA may want to inquire with the Building Inspector to confirm the number of spaces is adequate for the proposed use. In support of the twelve spaces shown, the applicant should provide empirical data from similar facilities managed by the developer to support the usage.

**Updated Comment:** The applicant provided correspondence on March 29, 2023 from their discussion with the Zoning Board of Appeals noting agreement with the number of parking spaces provided for on the application as being sufficient. A&M defers to the Zoning Board of Appeals. **Issue resolved, no further comment.**

8. Issue resolved, no further comment.
9. The applicant has noted that signage will be addressed at a later date through separate permit. **Issue resolved, no further comment.**
10. Issue resolved, no further comment.

#### **Drainage Calculations and Site Plans**

11. Issue resolved, no further comment.
12. Issue resolved, no further comment.
13. Issue resolved, no further comment.
14. Issue resolved, no further comment.
15. Issue resolved, no further comment.
16. Issue resolved, no further comment.
17. The Proposed Drainage Area Plan depicts flow from Subcatchments P-3, P-4, and P-6 continue to flow to the State Highway Layout. The drawings denote revisions were made to address MassDOT comments. Please provide supporting documentation that these drainage flow paths have been accepted by MassDOT and how they comport with MassDOT Standard Operating Procedure HMD-02-02-2-000 on drainage connections to the state highway that include sheet flow runoff conditions.

**Comment (via telephone on April 3, 2023):** The applicant has provided correspondence between MassDOT in the form of the comment and resolution form and a copy of the permit from MassDOT. The permit states *"The Grantee(s) must contain/treat all their stormwater runoff within their property. They shall ensure that stormwater from the driveway and/or property does not flow into the SHLO"*. Subcatchments P-3, P-4, and P-6 continue to drain toward the State Highway Layout directly opposed to the conditions of the permit as issued by MassDOT. The design engineer should seek clarification or amend the permit with MassDOT or revise the stormwater management for the site to ensure compliance with the approved permit. The Zoning Board may consider a condition of approval for the application to provide this further clarification from MassDOT. However, if MassDOT determines they cannot accept the drainage routing as shown, the applicant would be required to return to the Zoning Board of Appeals for an amendment to the plan approval.

**Updated Comment (April 20, 2023):** The plans and drainage calculations as provided within the April 5, 2023 submission have been revised to maintain drainage on-site in accordance with the MassDOT Permit. The proposed project incorporated a grass swale along the westerly property line (Cranberry Highway) and created a landscape depression on the southwest corner of the property. **Issue resolved, no further comment.**

18. Issue resolved, no further comment.
19. Issue resolved, no further comment.
20. Issue resolved, no further comment.
21. Issue resolved, no further comment.
22. Issue resolved, no further comment.
23. Issue resolved, no further comment.

24. Issue resolved, no further comment.

25. Issue resolved, no further comment.

As of receipt of the April 5, 2023 revision, the applicant's engineer has addressed all outstanding comments related to site engineering that would otherwise prohibit the Zoning Board of Appeals from acting on the applicant as they so choose. A&M has no further comments on the application but is available to discuss any information contained herein with the Zoning Board of Appeals at the next scheduled public hearing.

Very Truly Yours,

**ALLEN & MAJOR ASSOCIATES, INC.**

Philip Cordeiro, PE  
Branch Manager

cc: File