allenmajor.com



June 1, 2023

Nazih Elkallassi, Chairman Town of Wareham Zoning Board of Appeals 54 Marion Road Wareham, MA 02571 Re: Initial Peer Review Variance/Special Permit Popeye's Louisiana Kitchen Restaurant ZBA Case 18-23 2404 Cranberry Highway Wareham, MA

Dear Mr. Elkallassi and Members of the Zoning Board of Appeals:

In accordance with our contract to conduct a peer review of the proposed Popeye's Louisiana Kitchen at 2404 Cranberry Highway in Wareham, Massachusetts, Allen & Major Associates, Inc. (A&M) is pleased to provide the following comments to the Board. 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 Report for Cranberry Highway in Wareham, Massachusetts prepared for The Parikh Network prepared by DiPrete Engineering dated September 24, 2021, revised March 8, 2023;
- Site Plans for Cranberry Highway located on Cranberry Highway Wareham, Massachusetts Plan Book 63 Page 1009 Lot 2 prepared for The Parikh Network prepared by DiPrete Engineering dated September 24, 2021, revised May 9, 2023;
- Stormwater System Operation & Maintenance Plan for Cranberry Highway in Wareham, Massachusetts prepared for The Parikh Network prepared by DiPrete Engineering dated September 24, 2021, revised March 8, 2023;
- Stormwater Pollution Prevention Plan (SWPPP) for Cranberry Highway/Popeyes 2404 Cranberry Highway Wareham, MA 02571 prepared for The Parikh Network prepared by DiPrete Engineering dated March 8, 2023;
- Variance/Special Permit Cover letter, Application, copy of deed, Building Department denial letter and certified abutters list;
- Letter from the Wareham Fire Department dated May 1, 2023.

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;
 - o Division V, Article XI Stormwater Management and Illicit Discharge;
 - o 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;
- o 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.
- 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 application is not requesting a special permit of the Zoning Board of Appeals and should be amended accordingly.
- 3. The proposed project is subject to Article 12: Performance Standards, subsection 1260 Analysis of Development Impact: Stormwater Runoff in Compliance with MS4. The project is subject to an MS4 Stormwater Management Permit (MS4 SMP) issued by the ZBA. The applicant should provide documentation on the status of the MS4 SMP for the record. The design engineer should provide additional narrative and calculations to show/demonstrate compliance with the required one (1) inch infiltration volume, removal of 90% Total Suspended Solids (TSS) and removal of 60% Total Phosphorus from the total post-construction impervious surfaces.
- 4. Article 15 of the Zoning By-Law outlines the criteria for site development plans including site lighting (photometric plan), fire hydrant locations and an impact statement to the Town services. None of these elements are addressed in the application materials and should be included to meet this requirement or if not applicable, described as such.

Drainage Calculations and Site Plans

5. The design engineer should review the Pre-development vs Post-development summary table for Watershed 2 (DP-2). Some of the net changes appear to show reductions but are actually increases and vice versa to the design point. A&M suggests that the design engineer calculate the actual time of concentration for the proposed watershed associated with sub-catchment area 212, which may help offset the slight increases reported in the calculations.

- 6. The design engineer should review the peak elevation associated with Pond 202: WQ-A SC-740 for the 100-yr event. The capacity of the proposed subsurface system has been exceeded by 1.02-ft. The design engineer should also explain the use of a 4-ft diameter x 3-ft high vertical cone/cylinder used in the overall storage volume for the pond. Please identify the location.
- 7. The design engineer should review the peak elevation associated with Pond 203: QP-A SC-740 for the 100-yr event. The capacity of the proposed subsurface system has been exceeded by 1.02-ft. The design engineer should also explain the use of a 4-ft diameter x 3-ft high vertical cone/cylinder used in the overall storage volume for the pond. Please identify the location. The design engineer should also provide the location of the outlet control device #2 (1.2" x 21" Horizontal Orifice/Grate x 10) and provide appropriate details on the plans to construct.
- 8. The design engineer shall provide the supporting calculations in accordance with the "Simple Dynamic Method" as outlined within the Massachusetts Stormwater Handbook Volume 3, Documenting Compliance. The summary page provided in A3.3, does not provide enough information to show compliance. Please note, that the calculations should be for only a 2-hour period with the appropriate rainfall selected to produce the required recharge volume. The calculation should be provided in the step by step format as outlined in the Stormwater Handbook. This will have a direct impact on the sizing of the underground infiltration systems.
- 9. The design engineer should review the TSS calculation worksheets and provide an explanation for the use of two extended dry detention basins, since none are proposed. Please provide two (2) sets of TSS calculation worksheets, one to demonstrate the required 44% TSS removal prior to infiltration and another for the overall TSS removal for the entire drainage system. The infiltration system only receives 80% TSS removal with the appropriate pre-treatment, therefore the design engineer cannot take additional credit for the isolator row in the overall calculation for the entire drainage system. The design engineer should update the TSS worksheets accordingly.
- 10. The design engineer provided Water Quality Volume calculations for a device identified as UIS-C. A&M is unable to find the UIS-C on the plans. Please identify the location of the UIS-C device.
- 11. On the cover page, the design engineer should remove reference to the RI standard specifications in the MassDOT note.
- 12. On Sheet 4 Existing Conditions Survey, general note #1, the note should be corrected to reference Plymouth County, not Norfolk County.
- 13. Site Layout Plan
 - a. The design engineer should review the location of the existing stop line from the gas station which appears to be intruding into the travel lane.
 - b. A combination ID sign is proposed at the entrance, but no details are provided on the plans. It is unclear if the applicant is anticipating it get permitted with the current application?
 - c. The total site area in the development data should be updated to reflect the correct area.
 - d. What is the purpose of the access easement along the northerly property line?
- 14. Grading & Drainage Plan
 - a. Spot grades should be added to the plan along high/low points to define ridge and valleys.
- 15. Utilities Plan

- a. Sizing of the grease trap is not provided on the plans and should be added to support the selected tank size.
- 16. UIS Detail Sheet 1
 - a. The design engineer should check the 10-year and 100-year elevation for UIS-A, which does not match the values in the HydroCAD report. The plans and/or calculations should be revised accordingly.
- 17. Detail Sheet 3
 - a. The temporary gravel construction entrance/exit pad detail should be revised to reflect the minimum length of 50-feet.
- 18. No catch basin or drainage manhole details are provided on the plans and the design engineer is relying on notes referencing MassDOT standards on Sheet 3. A&M recommends that the referenced MassDOT details be added to the plan to assure that the contractor is aware of the required standards and avoid confusion during construction.
- 19. The Wareham Fire Department has requested a vehicle swept path analysis using Wareham's Tower 1 specification. A&M echoes this request as needing to be provided and should be reviewed concurrently with the access requirements of NFPA 1 and the Massachusetts Amendments. The drive-thru exit lane along the southerly side of the building is dimensioned at 16 feet which would not meet the minimum width required by code.
- 20. The applicant should provide correspondence with the Wareham Sewer Department and Wareham Fire District Water Department on the servicing of this project to confirm no capacity limitations exist.

In order to track any changes made to the proposed project, A&M recommends the applicant/engineer provide a written response to the items identified above and/or supplemental information necessary to review the application.

Very Truly Yours,

ALLEN & MAJOR ASSOCIATES, INC.

Philip Cordeiro, PE Branch Manager

cc: File