

October 6, 2023

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

Re: Second Peer Review
Angela McKeown
Special Permit, Variance, and Site Plan
Review Application
ZBA Case 21-23
386 Main Street
Wareham, MA

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

In accordance with our contract to conduct a peer review of Angela McKeown's Special Permit, Variance, and Site Plan Review application associated with the Proposed Site Plan at 386 Main Street 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:

- Proposed Site Plan at 386 Main Street Wareham, Massachusetts prepared for Angela McKeown prepared by JC Engineering, Inc. dated March 21, 2023, revised through September 25, 2023;
- Architectural Elevation and Floor Plan entitled "New Duplexes" prepared for Angela McKeown 386-388 Main Street Wareham, MA prepared by Walter A. McKinnon Associates, Inc. (WAM). dated June 6, 2022;
- Site Plan Review Application, Impact Statement & certified abutters list prepared by JC Engineering, Inc. dated March 21, 2023;
- Drainage Calculations & Stormwater Report at 386 Main Street Wareham prepared for Angela McKeown prepared by JC Engineering, Inc. dated August 7, 2023 as revised;
- Building Department denial letter dated March 27, 2023;
- E-mail correspondence from Guy Campinha Sr., Director WPCF;
- Correspondence letter from the Wareham Planning Board dated June 14, 2023, entitled Comments on Site Plan Review Referral, Petition # 21-23, Angela McKeown;
- Response letter to the Wareham Planning Board letter dated June 14, 2023, prepared by JC Engineering, Inc. dated July 11, 2023;
- Response letter to the Wareham Zoning Board of Appeals dated September 13, 2023, prepared by JC Engineering, Inc.

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, Article I Stormwater Management & Article II Illicit Discharge;
- Division VI, Article I Wareham Wetland Protective By-Law.
- Town of Wareham Zoning By-Laws Revised April 12, 2022 with additional Amendments from October 2022 Town Meeting not yet approved by the Attorney General;
 - Article 6: Density and Dimensional Regulations;
 - Article 7: Design Standards and Guidelines;
 - Article 8: Alternative Residential Site Development;
 - 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.

Variance Request

The project seeks a variance and special permit to allow for multiple buildings as shown on the site development drawings in accordance with Sections 1460 and/or 1470 of the Zoning Bylaw. The application is silent on the specific details of the Special Permit and how it comports to the criteria set forth under the Bylaw. A&M recommends the applicant provide an updated statement relative to the application as proposed to document for the Board's record.

Wareham By-Laws and Zoning By-Laws

1. Issue resolved, no further comment.
2. The proposed project is located within the Wareham Village 2 Zoning District and is subject to Article 7: Design Standards and Guideline, subsection 730 Wareham Village Districts. The architectural plans provided are dated June 6, 2022, and do not match the dimensions shown on the most recent set of site plans. Updated floor plans should be provided. The architect should provide a statement for the record on how the proposed new duplexes have been designed to conform to the applicable section of the Zoning By-Laws. The ZBA may consider a condition of approval requiring the architectural design of the buildings to be in compliance with subsection 730 of the Zoning By-Laws.

Updated comment: The applicant indicates that additional architectural information is being prepared but makes no indication on the submission of the materials to the Board for review. A&M defers the adequacy of the information previously provided and whether additional detailing is necessary for the Board to render a decision.

3. Issue resolved, no further comment.
4. Zoning By-Law Section 1031 requires "new projects or expansions exceeding 5,000 square feet of non-residential development or more than three multi-family dwelling units, the landscape plan shall be prepared by a registered landscape architect whose seal shall appear on the plan." Landscaping is currently shown on the site plans but has not been prepared by a Landscape Architect. A landscape plan should be provided in accordance with the Zoning By-Law. Please provide a landscape table showing the requirements and what is being provided.

Updated Comment: The applicant has provided the additional information as noted. A&M defers to the Board's opinion to the additional landscaping as provided; however it should be noted that relatively minimal new landscaping is provided along the westerly property boundary/right of way that if provided could minimize the project's visual impact to the existing residence at 181 High Street. 171 High Street currently has a fence separating the projects.

5. Issue resolved, no further comment.

Site Plan & Drainage Calculations

6. Issue resolved, no further comment.
7. Issue resolved, no further comment.
8. Issue resolved, no further comment.
9. **Updated comment:** The applicant has revised the driveway widths per the Fire Department recommendations. No new drainage calculations were provided to address the increase in impervious surface. A&M is unable to confirm the adequacy of the stormwater systems as proposed.
10. Issue resolved, no further comment.
11. The applicant should provide documentation that they have the rights to improve the existing driveway (right of way) as shown, have acquired necessary easements for construction. The new driveway should account for and show the cross connections to the abutting properties.

Updated comment: The applicant asserts appropriate rights are in place for the work as shown. A&M has no further comment as the responsibility remains with the owner/applicant to confirm adequate rights are in place for the construction as shown on the plans.

12. The design engineer should include an erosion control plan as well as a site preparation/demolition plan to clearly demonstrate the work required to construct the project.

Updated comment: The applicant has provided a site preparation that includes erosion measures. The temporary construction entrance detail should be extended to a minimum length of 50 feet. The site contractor should be required to maintain the erosion barriers at all times during construction and keep on hand additional measures to implement as necessary until the site is stabilized with at least 70% grass coverage or pavement.

13. Issue resolved, no further comment.
14. Issue resolved, no further comment.
15. The design engineer may want to consider changing the configuration of the 12–1000-gallon leaching system to help protect and preserve the existing 36" tree along Main Street.

Updated comment: The applicant has revised the drainage as suggested. A&M recommends that all efforts be made to minimize construction work within the drip line/root area of the tree for increased survivability as noted by the additional tree protection labeling.

16. Issue resolved, no further comment.
17. 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. Since the infiltration rate of 2.41 in/hr used in the design is greater than 2.4 in/hr, the design engineer is required to demonstrate that the treatment BMPs achieve 44% TSS prior to discharging into the infiltration BMP, per the Massachusetts Stormwater Handbook. The proposed project is only proposing a deep sump hooded catch basin, which only achieves 25% TSS removal. Please provide additional treatment BMPs to meet and comply with the required 44% TSS Removal.

Updated comment: The TSS treatment train has been adjusted with the additional oil/grit separators. A&M has no further issue. However, please note that the oil/grit chamber provides the pretreatment that allow the infiltration systems to achieve 80%. The 25% of the oil and grit should therefore not be included in the overall treatment train. This does not affect the design but should be noted for future applications.

23. Issue resolved, no further comment. (See Comment 22 above).
24. The existing and proposed drainage calculations as presented in the report do not account for the existing and proposed driveway to High Street. The driveway cover type is being changed from dirt to pavement, therefore causing an increase in runoff towards High Street. Off-site areas contributing to the watersheds under existing and proposed conditions should be included in the analysis. The design engineer should review and update the calculations accordingly and provide mitigation if necessary to meet pre-development conditions.

Updated comment: The applicant has revised the watersheds accordingly and provided additional site drainage mitigation. The two smaller infiltration systems bottom of stone are set at elevation 22.50. The nearest adjacent test pits were excavated to a depth of 21.50. This assumes the water table will exist at 21.50 without further excavation. The soils should be verified to a depth in support of the proposed stormwater system. The Board may allow a condition that a verification of the onsite soils be performed during construction. The applicant will need to illustrate that the water table is at elevation 20.50 or lower to meet the MassDEP stormwater standards. Additionally, with less than four feet of separation to the water table, a groundwater mounding analysis is required. The mounding analysis should be included in a condition of approval.

25. Issue resolved, no further comment.
26. Issue resolved, no further comment.
27. The 100-year storm event for the proposed drainage calculations were not provided, unable to review and verify if the proposed drainage system will function as designed. The design engineer should review the capacity of the large subsurface system (Pond 1P: Leaching Chamber), because during the

25-year event reaches an elevation of 20.96, which is within 0.5" of capacity. The two smaller infiltration systems also near capacity during the 25 year storm event. The engineer should describe the conditions anticipated during a 100 year event if runoff is not captured and handled by the stormwater systems as shown.

Updated comment: The applicant has provided the 100 year calculations as requested. IN reviewing the updated calculations for the primary infiltration system, the HydroCAD includes a primary overflow horizontal weir/grate at elevation 22.50. The plans do not depict this overflow. Please clarify its location and function. The release of the water may affect the overall watershed discharge form the site. Please also note that the rim elevation of DMH 1 appears incorrect.

28. Issue resolved, no further comment.

29. The applicant provides a statement regarding illicit discharges, however a signed statement by the responsible party is not provided and should be included for record.

Updated comment: A signed illicit discharge statement should be provided for record prior to construction.

30. Issue resolved, no further comment.

31. Issue resolved, no further comment.

32. Issue resolved, no further comment.

33. There is no fencing proposed behind units #1 and #2 to screen abutting property. A landscaped buffer or screen fence should be provided in this location (Section 1052).

Updated comment: A&M defers the adequacy of the landscaping/screening in this location to the Board. See also comment 4 above. The Board may wish to consider requiring placement of a fence or vegetated landscaping at the limit of the 20' right of way.

General Comments

1. Issue resolved, no further comment.

2. Issue resolved, no further comment.

3. Issue resolved, no further comment.

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