



April 8, 2024

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

**Re:** Initial Peer Review  
Walid Eldayha  
Site Plan Review & Special Permit  
ZBA Case 5-24  
2544 & 2546 Cranberry Highway  
Wareham, MA

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

In accordance with our contract to conduct a peer review of the Site Plan Review & Special Permit associated with the application of Walid Eldayha at 2544 & 2546 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 performed a site inspection on March 25, 2024 to review the current site conditions.

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

- Plan to Accompany Special Permit Application at 2546 Cranberry Highway in Wareham Massachusetts prepared for Gateway Auto Clinic prepared by G.A.F. Engineering, Inc. dated January 26, 2024;
- Existing First and Second Floor Plans at 2546 Cranberry Highway in Wareham Massachusetts prepared for Gateway Auto Clinic prepared by G.A.F. Engineering, Inc. dated February 8, 2024;
- Site Plan Review/Special Permit Cover letter, Application, copy of deed, Building Department denial letter and certified abutters list.

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 24, 2023;
  - Article 4: Overlay Districts;
  - 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.

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

1. The proposed project is located within the General Commercial (CG) Zoning District and is subject to Article 7: Design Standards and Guideline, subsection 760 Design Standards & Guidelines for Commercial Districts. The proposed project is being located at an already established development formerly known as Marc's Auto and Towing. The applicant should provide documentation on how the existing site is in compliance with section 760, Design Standards & Guidelines for Commercial Districts. In order to be granted a Special Permit by the Zoning Board of Appeals, the application should comply with the requirements therein or note where a waiver may be required. The individual sections should be described in full, for all elements that are either not described in the application or are in their current state are in conflict with the By-laws:
  - a. 762 – Access, Parking and Loading Design Standards
  - b. 763 – Landscaping Design Standards
  - c. 764 – Architectural Design Guidelines
  - d. 765 – Sustainable Design Guidelines
2. The design engineer should check the parking requirement calculations. The values differ from the information provided within the site plan package. The building inspector denial letter states that the number of required spaces for the office component should be 11 spaces for the office portion, 20 for the service bay/lift (4 bays) for a total of 31 + 8 display spaces. The parking table office area does not match the office area as shown on the floor plan provided. Please review and update accordingly.
3. The application requires a permit for a new use as motor vehicle service and sales and would trigger the requirements of Article 10: Landscaping, under applicability as a new non-residential development. The site plans should be reviewed to provide the additional landscaping where appropriate. See sections 763, 1040 through 1060. The plans note the various required landscaped buffers around the property. The plans do not propose improvements to the landscape buffers. For example, the 20 foot residential landscape buffer along the westerly property line does not extend the full length of the property and/or use with the first 85-90 linear feet, adjacent to the residential house at 2536 Cranberry Highway is devoid of any landscaping features.
4. The applicant should provide a statement on site lighting and should review the requirements of section 1240 of the Zoning By-Laws. The narrative should describe the current operational state of the lighting including proposed use hours and whether the lighting is controlled by timers or photocells.
5. The design engineer should provide a statement on the status of the existing drainage system for the site. An inspection should be completed by a qualified person to review the stormwater management

system and structures to confirm they are functioning as intended and there are no deficiencies that need to be addressed (i.e. hood, sediment, etc.)? The design engineer should prepare a long-term Operation & Maintenance Plan for the site which outlines scheduled inspections for the Owner to implement to ensure that the stormwater management system will continue to function as designed. The site utilizes leaching catch basins. A use as auto sales and service should describe how automotive leaks and fluids shall be prevented from entering the stormwater structures. Several damaged vehicles were observed parked directly over the existing stormwater basins. The use as a motor vehicle service site would be considered a Land Use with a Higher Potential Pollutant Load (LUHPPL) under the Massachusetts Stormwater Standards. Compliance with this standard should be evaluated and described.

### **Site Plan**

6. The existing floor plans do not depict any floor drains in garage service bay areas. Are there any installed? Are there any being proposed? Floor drains shall be designed in accordance with the State Plumbing Code and would require an industrial holding tank with alarms.
7. The site plans currently show an existing septic tank and a leaching pit. Has a Title 5 inspection been completed? The application does not describe the impact to the septic field and whether upgrades will be required. Individual upgrades would be permitted through the Wareham Board of Health.
8. An additional leaching basin was observed on the easterly side of the site that is not noted on the site plans and should be added.
9. Parking space "Display 1" encroaches into the 15 foot front yard landscaping buffer and should be relocated.
10. Two accessibly compliant parking spaces are proposed along the front of the building. Based on the grades provided and the current state of the site, it is unclear if these would meet the requirements of the Americans with Disabilities Act or the Massachusetts Architectural Access Board requirements for slope and access. The applicant should review accordingly.

### **General Notes**

11. Litter and debris are located throughout the site and should be addressed by the applicant. This includes areas of automotive parts toward the rear of the site that may begin to encroach upon the 100 foot wetland resource area buffer.
12. Areas of the site pavement and asphalt curbing are in disrepair and should be addressed as part of any site improvements. Timber edging used as short retaining walls along the south westerly corner of the site is decaying.
13. Along the westerly side of the building, there is clear erosion occurring from sheet runoff from the building roof. The area directly below the eave is absent any topsoil.

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