

April 9, 2024

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

Re: Initial Peer Review
TTR LLC
Variance, Site Plan Review/Special Permit &
Appeal
ZBA Case 6-24
3 Tow Road
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 Site Plan Review & Special Permit associated with the application of TTR, LLC at 3 Tow Road 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 April 9, 2024 to review the current site conditions.

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

- Site Plan at 3 Tow Road in Wareham Massachusetts prepared for TTR LLC prepared by Outback Engineering Incorporated dated February 1, 2024;
- Floor Plan prepared for CJM Services prepared by Rowse Architects dated December 8, 2023;
- Site Plans prepared for TTR LLC prepared by Charles L. Rowley & Associates dated May 1, 1998;
- 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 Industrial (I) Zoning District and is subject to Article 7: Design Standards and Guideline, subsection 750 Industrial District. The proposed project is being proposed with an already established development and will be located at the former CJE & R Co, Inc., which provided motor vehicle service. The applicant should provide documentation on how the existing site is in compliance with section 750, Industrial District of the Zoning By-laws. 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 relief may be required. The individual sections should be described in full for all elements. Where individual elements in their current state may be in conflict with the By-laws, the applicant should provide narrative as to why compliance is not feasible.
2. The applicant should review the requirements of Article 9 Parking and provide documentation on how the existing site complies with the requirements and if the existing site is not in compliance with Article 9, what is the applicant proposing to bring the site into compliance to the maximum extent practicable. This includes the derivation of required spaces, parking surfacing, and curbing. The application lacks this information to confirm any compliance.
3. The application requires a permit for new use as office and warehouse and would trigger the requirements of Article 10: Landscaping, under applicability as a new non-residential development. The site plan should be reviewed to provide additional landscaping where appropriate. See sections 750, 1040 through 1060. The plan should be updated to provide the required landscaped buffers around the property which are not currently present.
4. The applicant should provide a statement on site lighting and should review the requirements of section 752.15 and 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 of the onsite stormwater system to determine if it is functioning as intended or if corrective action is required (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.
6. The applicant should review the requirements of Article 15 Site Plan Review and provide documentation on how the existing site complies with the requirements. The applicant is required to

provide an Impact Statement for the project in accordance with section 1534. Very little information is provided in the application materials.

Site Plan

7. The applicant has provided Site Plans that were prepared by Charles L Rowley & Associates dated May 1, 1998, which appears to have been prepared for the previous Owner for the prior use. A&M assumes the plans were provided to show what was originally approved on the site. It appears that the plans have been altered to insert "TTR, LLC" as the current applicant. If the intent is to use this plan as a plan of record, it should be provided in its original form with alteration unless approved by the surveyor/engineer of record.
8. The original tract of land has been modified via the Approval Not Required (ANR) process in August 2023, creating two (2) lots and is recorded at the Registry of Deeds. The proposed work is being proposed on Lot 1. The northerly property line is running parallel with the edge of the existing parking lot, approximately 1-2 feet off the edge. The applicant should review Article 10 and provide the required landscape buffers to be in compliance with the By-laws for development. The applicant has not requested any variances from the By-laws. The applicant would be required to show a hardship in support of any variance. Given the recent creation of the ANR, the hardship may be self-imposed.
9. The site plan prepared by Outback Engineering does not appear to show all existing features and should be updated. Existing catch basins were observed at the back corners of the existing parking lot and are not shown on the current site plan. This plan should be a complete existing conditions and/or as-built plan showing all the features of the property including all utilities associated with the property. The plan should show all underground utilities including but not limited to sewer, water, electric, drainage, etc. to confirm that they are located on the property. Based on the previous plans for the site, it appears that the northerly catch basin is connected to a couple of leaching basins which would be located off the property. The plans do not depict any drainage easement rights over the adjacent lot. The applicant should provide information affirming this.
10. The site plan should be updated to include a zoning table showing what is required and what is provided.
11. The site plan should be updated to include a parking table showing what is required for the proposed use and what is provided.

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