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September 13, 2023

Town of Wareham
Zoning Board of Appeals
Memorial Town Hall
54 Marion Road
Wareham, MA 02571

RE: Response Letter to Initial Peer Review, Angela Mckeown, ZBA Case #21-23

Dear Board Members,

We have reviewed the letter entitled “Initial Peer Review” for Angela Mckeown, ZBA Case #21-23, prepared by Allen & Major Associates, Inc., and dated August 29, 2023. Please see below the comments listed on this letter followed by our responses and a description of plan changes shown below.

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.

See accompanying letter from attorney Jilian Morton.

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.

This proposed development does not discharge to the municipal storm sewer system. Further, in accordance with exemptions (#13) of the same by law, any project requiring a special permit is exempt as long as provisions are included for stormwater management.

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.

The architectural plans on file were based off the footprint of the buildings in our first submission. New architectural plans that correspond with the latest site plan are being prepared, however, are not complete at this time. The exterior look and internal layout of each unit will be very similar to the original architectural plans that were submitted with slightly larger room sizes to match the current proposed building footprint.

3. The proposed project is subject to Article 8: Alternative Residential Site Development, subsection 820 Multiple Family and Apartment Dwellings. The applicant and/or architect shall provide a statement for the record on how the proposed multi-family dwellings have been designed in accordance with the applicable section of the Zoning By-Laws.

The proposed multi-family dwellings have been designed in compliance with Section 820 of the Zoning By-Laws. Each proposed unit will contain at least 650 SF of living space, exclusive of closets and bathrooms. The entire development will be serviced by public water and municipal sewer. The proposed use is consistent with adjacent land use as this area of town has many multi-family dwellings, including the two direct abutters to the east and west of this property.

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.

A waiver from Section 1031 (Landscape Architect) is requested. Several decorative landscaping beds and screening are being proposed and the locations are shown on the layout plan. Planting details and notes have been provided along with a chart denoting plant species, sizes, and quantities.

5. 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 removal of 90% Total Suspended Solids (TSS) and removal of 60% Total Phosphorus from the total post-construction impervious surfaces.

An MS4 Stormwater Management Permit is only applicable to projects greater than or equal to one acre of proposed disturbance. Taking into consideration the proposed work along the right of way, the entire area of disturbance under this proposal falls just short of one acre.

Site Plan & Drainage Calculations

6. *The Zoning By-Law states “the front setbacks in village districts shall be the average of the setbacks of five (5) residential structures on either side of the subject property”. The design engineer should provide documentation on how the average setback was determined and which structures were used.*

A front setback calculation has been added below the zoning table on the layout plan which includes each property’s address that was used for this calculation along with their corresponding front setback distances.

7. *The layout plan should be updated to show the location of curbing in accordance with §934 Surfacing and Curbing of the Zoning By-Laws. The curbing will ensure that all runoff from paved surfaces are maintained within the paved surfaces and directed into the proposed catch basins notably along the north-westerly parking area where the curbing should be extended along the entire length to capture all runoff.*

The proposed curbing is now displayed on the layout plan and has been extended along the entire length of the parking area to ensure runoff is being contained on-site.

8. *The design engineer should review the dimensions of the driveway for unit #1 and unit #2. If a vehicle is parked within the driveway, portions of the vehicle will intrude into the drive aisle.*

The projection of the traveled aisle has been added in front of the driveways for units #1 & #2 to demonstrate that a minimum of 19 feet is provided within these driveways.

9. *A majority of the drive aisles, and the primary site driveway, are less than the minimum width of 20-ft required for use as a fire access road in compliance with the NFPA 1 fire code and 527 CMR 18, the Massachusetts amendments. The Wareham Fire Department is the Authority Having Jurisdiction (AHJ) for fire access roadways. Please provide any correspondence with the Fire Department that approves the circulation path as designed. At a minimum, A&M recommends that the internal driveways be widened to the minimum recommended 20 feet.*

Section 932.3 of the zoning by laws states that a minimum of 18 feet is required for two-way traffic which has been provided throughout the site.

10. *The radii at the main entrance on High Street should be labeled on the layout plan. Neither appear to meet the minimum radii of 25’ as specified by NFPA 1 for fire access roadways.*

The radii are now shown on the plan. The swept analysis shows that emergency vehicles can enter and exit with the provided travel width and radii.

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.

The owner has deeded rights to use the right of way to gain access to the subject property. Roadway improvements are being proposed and provided by the owner. No construction easements are anticipated as the proposed grading of the new driveway will closely match the grades that currently exist. The new driveway has been updated to show connection to the existing driveways of the abutters on either side.

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.

Site preparation and erosion control has been included with the existing conditions layout.

13. Please clarify the improvements, if any, that are being made to the existing dwelling (interior/exterior). Portions of the existing stairs and concrete pad appear to interfere with the construction of the new driveway.

No changes have been made to the use of the existing dwelling as it will remain a 4-family dwelling unit. Interior and exterior renovations have been on-going to improve the aesthetics of the building. The existing stairs were situated just outside the new driveway; however, the layout of the new driveway was adjusted to provide a buffer. The corner of the existing concrete pad is proposed to be sawcut to provide a buffer from the new driveway.

14. What is the status of the existing gas line shown on the southerly property line, behind units #5/6? Is this line active and will it be removed?

This appears to be an active gas line servicing the units at 380 Main Street which happens to encroach slightly onto our lot. If it is determined at the time of construction that this gas line would impact the proposed development, National Grid would be contacted, and discussions would take place regarding the relocation of this gas line.

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.

The shape and size of the drainage leaching pits have been modified to create a larger separation from the existing 36” tree along Main Street.

16. The bottom elevation of the 12–1000-gallon leaching system shown on the Grading & Drainage plan differs from what is shown in the drainage calculations. The design engineer should review the discrepancies and revise the plan and/or calculations accordingly.

The bottom elevation of the drainage leaching pits in the previous drainage report was incorrect and has since been adjusted.

17. The design engineer should add spot grades and contours to the new driveway and show the connection points to the abutting existing driveways. The driveway entrance should also be graded to maintain the accessible path of travel across the driveway for pedestrians with a 1.5% cross-slope.

Proposed grading is shown along the new driveway as well as connections to the existing driveways. The driveway entrance also shows proposed grading and maintains the appropriate slope for pedestrian travel across the entrance.

18. Additional spot grades should be added to the plan, behind units #3/4 to justify the watershed maps. Based on the existing spot grades, runoff is being directed onto the lot and towards the back of the units.

Spot Grades have been added behind units #3 & #4 so show that runoff is being directed away from the proposed building. The drainage report shows that the runoff leaving the property in this area is still less than the pre-development runoff.

19. The project exceeds the maximum access road length of 150 feet without provisions for a fire apparatus turn around (NFPA 1 18.2.3.5.4) for dead ends. The Wareham Fire Department is the Authority Having Jurisdiction (AHJ) for fire access roadways. Please provide any correspondence with the Fire Department that approves the circulation path as designed. It appears that the existing stonewall along High Street will interfere with the overhang on the fire truck. The design engineer should review and revise the plans accordingly.

The swept analysis was reviewed and adjusted to show that a fire truck can enter and exit the site without any interference to the existing stone wall along High Street. This same model shows the fire truck's ability to make a 3-point turn within the site. This plan has been provided to the AHJ for review and comment.

20. The driveway detail should be revised to provide an accessible path of travel with the minimum required width and a maximum cross slope of 1.5%.

The driveway detail was revised to show the appropriate width and cross slope for the accessible path of travel.

21. No details on site lighting nor a photometric plan have been provided, A&M is unable to review impacts on surrounding properties or compliance with Zoning §1243 Lighting Standards or §1533 (11).

A photometric plan has been provided along with lighting fixture size and types identified.

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.

An oil-grit separator has been added to the design to provide an additional 25% TSS removal. The plans and drainage report have been updated to reflect this change.

23. The design engineer should revise the TSS calculation worksheet for the Infiltration chambers and 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 catch basin in the overall calculation for the entire drainage system. The design engineer should update the TSS worksheets accordingly.

Two separate TSS calculation worksheets have been provided. One sheet shows a total of 44% TSS removal prior to infiltration and the other sheet shows a total of 89% TSS removal for the entire drainage system.

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.

A catch basin has been added to the driveway leading to High Street to capture a portion of runoff generated from the new pavement. Off-site contributing areas to this watershed were analyzed and accounted for in the drainage design.

25. The design engineer assumed "Fair" groundcover under existing and proposed conditions. MassDEP recommends that all soils be assumed "good" ground cover type unless otherwise proved by the applicant. The curve numbers should be revised accordingly, or the applicant/engineer should provide documentation justifying the use of "Fair" groundcover.

The stormwater report has been revised to include "good" ground cover types.

26. The design engineer should review the time of concentration calculation for sheet flow and update the calculations accordingly. The input value for the 2-yr event differs from the actual 2-yr rainfall event.

The input value for the 2-year event has been corrected to match the actual 2-year rainfall event.

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 design. 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.

The size of the dry well and the smaller drainage system has been modified to fully contain a 100-year storm event. The size and layout of the large drainage system has also been adjusted. The drainage calculations have been updated to show that even with the overflow from the 100-year event, the post-development drainage areas still produce less runoff than pre-development.

28. The Checklist for Stormwater Report was not signed nor stamped by a professional engineer. Please provide an updated checklist for the file and record.

The Checklist for Stormwater report has been signed by a professional engineer.

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.

A space for the responsible party to sign has been provided below illicit discharge statement.

30. The applicant should describe how snow storage will be handled on site and designate areas that will be used for the stockpiling of snow.

Snow storage areas have been designated with labels on the plan. Snow will be stored at the end of the traveled way on either side of the property.

31. There are no details provided on the perimeter screening fencing.

A detail has been provided for the perimeter screening fence.

32. The fencing is shown off-property at the southerly corner of the site (Map 61 lot 1208). Please clarify the intent of this or relocate as necessary.

The fencing shown in this location and the fencing along the property line that abuts lot 1083 is existing fencing which was installed by the respective abutters. The existing fencing is now shown in gray on the layout plan for clarification purposes.

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).

Fencing is not provided in this location as the rear property line of this development is adjacent to a 20-foot wide right of way.

General Comments

1. *The application does not provide for any accessible parking accommodations or accessible routes as part of the site development. The applicant should confirm that is the design intent and that no accessible units are provided for rental. The applicant should confirm the project meets the accessibility requirements of the Massachusetts Architectural Access Board (MAAB) and the Federal Americans with Disabilities Act (ADA) for multi-family dwelling projects, as applicable. The proposed project improvements are likely to exceed the 30% valuation of the property that may trigger compliance requirements.*

No accessible parking or routes will be provided as the design's intent is that no accessible units will be provided for rental. The property and its buildings will not be open to the public, therefore, compliance with the above stated regulations does not need to be met.

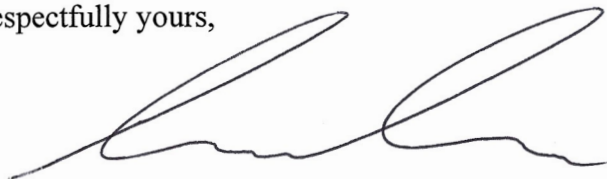
2. *Guy Campinha, director of the Waste Pollution Control Facility has identified that the Town is currently under a sewer moratorium for additional flow into the municipal system. The applicant shall be required to coordinate with the Sewer Department for connection to the system. Correspondence should be provided for record to the Board.*

Connection to the town sewer system was discussed with Guy Campinha. The layout of the proposed sewer lines has been adjusted per his recommendations. Mr. Campinha stated that he has already issued a letter stating a moratorium is in place and that new flows will need to be approved by the Sewer Board. An application to connect the proposed development to town sewer is anticipated to be filed pending ZBA approval.

3. *The applicant shall be required to coordinate further with the Wareham Fire District on an available water connection as shown on the drawings. Correspondence should be provided for record to the Board.*

Connection to town water as shown on plan was discussed with the Wareham Water Superintendent. See attached email from Water department.

Respectfully yours,



Samuel J. Iamele, EIT, CSE
Project Engineer

Cc: File; Client

Sam lamele

From: Andrew Cunningham <acunningham@warehamfiredistrict.org>
Sent: Friday, September 1, 2023 11:19 AM
To: Sam lamele
Cc: Roy Maher; Shayne Lydon
Subject: RE: Main St As built drawing

To whom it may concern:

The property at 386 Main Street is served by an individual domestic water service to the existing residential house. **In addition, the property at 386 Main Street also has a 10-inch AC water main running through the property that formerly was a looped water main crossing between Main Street and High Street.**

The connection of the 10-inch water main at the High Street end was Disconnected in 2002 when a new water 12-inch main was installed in High Street.

The 10-inch water main IS Still connected to Main Street. There is an intersection valve at the Main Street connection that is currently closed but remains active and available for use.

My suggestion as water Superintendent is to utilize this existing 10-inch AC water main and isolation gate valve for the start of the new water service connection to the proposed additional duplexes on the project site.

A 10-inch transition coupling, 10-inch Ductile Iron nipple, 10-inch by 6-inch reducer, and finally a new 6-inch gate valve can be installed within the private property onto the existing 10-inch AC Main.

This will allow the extension and reduction to the proposed 6-inch new Ductile Iron water main to serve the proposed new duplexes. Also, this will eliminate the need cut open Main Street for a new 6-inch water connection and if done the required abandonment of the existing 10-inch connection as well.

Andrew Cunningham
Water Superintendent
Wareham Fire District