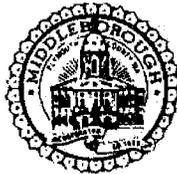


**HEARINGS, MEETINGS, LICENSES**

**6-9-14**



The Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, June 9, 2014 at 8 PM, for the purpose of discussing an application filed by Outback Engineering on behalf of Lorden Oil Co., Inc., d.b.a. Lorden Propane for a Special Permit under the Water Resource Protection District By-law to allow for the construction of a 120' x 62' propane distribution facility and its associated parking area in the WRPD Z3 district and to allow for a maximum of 40% of the total lot area to be impervious at Wareham Street (lot 3), Assessors Map 94, Lot 1026, Zoning District – General Use. Anyone wishing to be heard on this matter should appear at the time and place designated.

Allin Frawley  
Leilani Dalpe  
John M. Knowlton  
Diane Stewart  
Stephen J. McKinnon  
BOARD OF SELECTMEN

Publish: 5/29/14 AND 6/5/14

Payment forthcoming – Advertiser #300074



June 4, 2014

Board of Selectmen  
c/o Mr. Charles J. Cristello, Town Manager  
Town Hall Building  
10 Nickerson Avenue  
Middleborough, MA 02346

**Re: *Initial Engineering Review***  
***WRPD Application – Lorden Propane – Wareham Street***  
***ADE Project #2518.27***

Dear Board Members:

Atlantic Design Engineers, Inc. (ADE) has completed our initial engineering review of site plans and stormwater calculations for the above referenced project relative to a Special Permit request under the Water Resource Protection District (WRPD) bylaw. The plans and calculations are dated 5/20/14 and are prepared by Outback Engineering for Lorden Propane of Ayer, MA. Note that our review only pertains to the stormwater management system and does not include a review of zoning, underground fuel tanks, hazardous materials storage, etc.

We have the following comments:

1. The drainage system proposes to discharge directly onto Wareham Street, which is a State Highway. Therefore, MassDOT approval will be required. We suggest a condition that if MDOT requires changes, revised plans should be submitted to the Board for review and approval.
2. The Board should determine whether the basin should be fenced in for safety.
3. No soil evaluated test pit data was provided for the infiltration basin. This information is critical to confirm the design.
4. The design of the basin outlet pipe, an 18" pipe directly discharging onto Wareham Street at the corner of the property is a concern, especially considering the abutting residence and driveway, hydrant, and utility pole at this location. A long level spreader/overflow along Wareham Street or a direct tie into the storm system should be investigated. Stormwater that is presently flowing onto Wareham Street over the entire property frontage is now being partially converted to a single point discharge.

5. The water quality tank should be revised per the DEP/Mass Highway Standards with openings in the first baffle wall and inverted elbow/traps in the 2<sup>nd</sup> baffle wall. DEP also requires that these units be placed offline.
6. No buffers have been provided from the basin to the abutting residence to the north.
7. There appears to be an existing basin and an 18” pipe on Lot 274 that is not considered in the calculations, yet it is combining with the basin outlet pipe at the corner of the property. (There will be 2—18” pipes discharging at this location. See comment #4.)
8. We question the TC flow path chosen for EDA-1. It appears that after point B, it should flow more to the north, in the channel formed by the 115 contours and then westerly towards the corner of the property. This appears to be a longer/flatter route than the one chosen in the calculations.

If you have any questions, please do not hesitate to call me at (508) 888-9282.

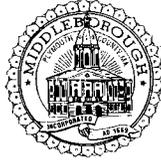
Sincerely,

**ATLANTIC DESIGN ENGINEERS, INC.**



Richard J. Tabaczynski, P.E.  
Vice President

Cc: Outback Engineering



**Town of Middleborough**  
20 Centre Street, Second Floor  
Middleborough, Massachusetts 02346

**Robert J. Whalen**  
**Building Commissioner**  
Tel. 508-946-2426  
Fax 508-946-2305

June 6, 2014

Middleborough Board of Selectmen  
Middleborough Town Offices  
10 Nickerson Ave  
Middleborough, MA 02346

RE: Water Resource Protection District Application for Lorden Oil Co., Inc. located at Wareham Street, Map: 094 Lot: 1026

Honorable Board,

I have reviewed the plans submitted by Jason Youngquist, P. E. of Outback Engineering for his request for a W.R.P.D. Special Permit for Lorden Oil Co., Inc. located at Wareham Street. The property is zoned General Use, W.R.P.D. Z3 and this use would be allowed by special permit.

I offer the following:

1. The parking spaces as shown do not meet the requirements of the Middleborough Zoning By-law. The parking spaces are required to be 10' x 20'.

5.3.10 Dimensional Standards. Parking Areas shall comply with the following dimensional standards:

1. Each parking space shall have a useable area of at least two hundred (200) square feet and be served by access and maneuvering areas of sufficient size to permit safe and convenient movement of vehicles. The minimum aisle width shall be twenty four (24') feet. Each parking space shall be a minimum of ten (10') feet wide by twenty (20') feet long.

2. No parking area shall be located less than twenty-five (25') feet from an existing or proposed street line nor less than twenty feet (20') feet from a side or rear lot line

fifteen (15') feet in the GU Districts). In addition, no parking area in the CD District shall be located less than twenty-five (25') feet from a common access drive line.

2. The proposed landscaped plan does not meet the Landscaping and Screening requirements of the Middleborough Zoning By-law. Screening would be required where the commercial property abuts the residential property on each side of the proposed project. The proposed landscape island in the front is inadequate.

#### 5.6 LANDSCAPING AND SCREENING – GU, GUX and GUA DISTRICTS

5.6.1 General. The following shall apply:

1. A landscaped buffer zone shall be provided not less than twenty (25') feet in depth along the street line and not less than fifteen (15') feet in depth along a side or rear lot line. Where commercial property abuts residential property, adequate screening will be provided in the side and rear landscaped buffer zones.

2. Earth berms, landscaping or screening shall be provided to control noise and dust, to prevent soil erosion, to provide shade, to screen from public view areas for waste disposal or outdoor storage and to protect the visual character and natural resources of the town. Earth berms where used should vary in width and height throughout their length in order to achieve topographical relief and to appear to occur naturally.

3. All land located between the street line and parking areas as required by Section 4.1.1 of this Bylaw shall be provided with attractive and durable landscaped areas consisting of natural vegetation, shrubs, mulches, evergreens and such other vegetation. Such landscaped areas shall be located in a manner which provides unobstructed lines of sight for vehicles entering and exiting the premises, consistent with Section 5.2 of this Bylaw.

3. The proposed plans do not reference Old Wareham Street which crosses through this property. There may be abutters that have rights to this street.

4. A curb cut would be required from Massachusetts Department of Transportation before a building permit can be applied for.

Respectfully submitted,



Robert J. Whalen  
Building Commissioner  
Zoning Enforcement Officer

RJW/d

**Outback  
Engineering**  
Incorporated

165 East Grove Street  
Middleborough, MA 02346

Tel # 508-946-9231

Fax # 508-947-8873

[www.outback-eng.com](http://www.outback-eng.com)

Civil Engineers + Land Surveyors + Wetland Scientists + Soils Laboratory

May 21, 2014

Board of Selectmen  
Town of Middleboro  
10 Nickerson Avenue  
Middleborough, MA 02346

*Re: Special Permit for Site Plan in WRPD Z3 at Wareham Street*

Dear Board Members,

On behalf of Lorden <sup>oil Co. Inc. DBA AS Lordea Propce</sup> we are requesting a Special Permit per Section XII.G.3.j of the Middleborough Zoning By-Laws to allow "petroleum, fuel oil, and heating oil bulk stations and terminals" in the Water Resource Protection District Z3 (WRPD Z3). The project site is shown on the Town of Middleborough Assessors Map 94, Parcel 1026, and contains approximately 10.5 acres of land. The site is mostly wooded, with a small amount of previously cleared area at the front portion of the lot along Wareham Street. The site is on the north side of Wareham Street, in the southern part of Middleborough, south of the Route 495. Located in the town's General Use X (GUX) zoning district, the site is bordered by residential uses to the south and east and by undeveloped land to the north and west. On-site topography generally slopes in two directions; to the south and west toward Wareham Street, and to the north and west toward a bordering vegetated wetland area on-site. Per the most recent Natural Resources Conservation Service (NRCS) soil maps, soils onsite consist of hydrologic soil groups "B" and "C".

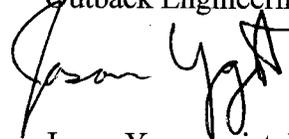
The project includes the construction of a 62'x120' commercial buildings and paved parking and loading areas. The site will be accessed from Wareham Street by a single 30' wide entrance driveway from which the parking and loading areas for the building can be accessed. Each parking space will be 9' wide by 20' long. Two van accessible handicap spaces will be provided, with an 8' wide aisle between them. All areas where natural vegetation could be preserved are proposed to remain naturally vegetated. All other areas not used for parking or building will be loamed and seeded.

Runoff from the proposed parking and loading areas, as well as from the building roof, will be directed toward an infiltration basin designed per DEP storm water

guidelines. The runoff will be directed along gutter-lines and cape cod berms which will discharge overland into one of two water quality inlets installed with catch basin grates. The water quality inlets will combine flow at a proposed drain manhole, which will discharge to the proposed infiltration basin. The basin is proposed on a separate lot, with proposed easements to provide for access and maintenance. A sediment forebay will be located at the piped outlet from the water quality tanks and will discharge to the infiltration basin through a gravel filter. The infiltration basin has been designed to infiltrate storm water runoff from the storm event associated with the water quality volume, and will provide attenuation for larger storm events. Drainage calculations are in conformance with the Department of Environmental Protection's Stormwater Management Policy and detailed drainage methodology and calculations have been submitted.

The proposed use for the site is allowed in the GU District, and a Special Permit is required to allow the use in the WRPD Z3 overlay district. The applicant does not propose any uses of the property that are prohibited in the WRPD Z3 zone. In fact, the proposed project has been designed in full compliance with the town's zoning by-laws for the GU and WRPD Z3 districts. The project design is in harmony with the purpose and intent of the WRPD By-Law and all reasonable attempts to eliminate the potential for groundwater and soil pollution have been taken into consideration in the site design. Therefore, the proposed use for the site should not have any adverse environmental impacts on the groundwater, aquifer or recharge areas. We look forward to meeting with the Board to discuss this project. Please notify me of the hearing date and time so I may attend to answer any questions the Board may have. If you have any questions or comments in the meantime, feel free to contact me at (508) 946-9231 ext. 207.

Sincerely,  
Outback Engineering, Inc.

A handwritten signature in black ink, appearing to read "Jason Youngquist". The signature is written in a cursive style with some loops and flourishes.

Jason Youngquist, P.E.

**PETITION APPLICATION FOR A WRPD SPECIAL PERMIT**

Five (5) complete paper sets of the petition application, including **all required documents**, such as engineering plans, must be filed with the Town Clerk at 20 Centre Street (former Eastern Bank building), 1<sup>st</sup> floor, Middleborough, MA. The Town Clerk's office will forward all petitions for a Special Permit to the Board of Selectmen's office.

I/We hereby petition your Board for a public hearing for a Special Permit, which is subject to Board of Selectmen approval under the **Water Resource Protection District** By-law.

**A. Location of property in question:**

Street address: Wareham St. Lot -3  
Map & Lot: Map 94 Lot 1026  
Zoning District: General Use  
**(General Use, Business, Industrial, Residence A, Residence B, or Residence Rural)**  
WRPD District: Z3  
**(Z1, Z2, Z3, Z4)**

**B. To allow for:**

The construction of a 120' x 62' propane distribution facility and its associated parking area in the WRPD Z3 district and allow for a maximum of 40% of the total lot area to be impervious

**(As shown on the attached plan)**

*Example: To allow for an addition of 12' x 20' to the building at 1234 Nickerson Avenue, Map #, Zoning district, WRPD District (A or B), presently used as a residence for the purpose of a dental office by the owner occupant. There will be a maximum of three employees.*

**C. Submitted by:**

TED LORDEN  
Printed full name (Individual)

Ted Lorden  
Signature (Individual)

LORDEN Oil Co. INC. DBA Lorden Propane  
Printed company name/engineering firm

Ted Lorden  
Signature (company/engineering rep.)

(PO Box 669) 69 FITCHBURG RD AYER, MA  
Address

TED@LORDEN.COM  
Email address

978-771-9540  
Daytime telephone

## CHECKLIST FOR SITE PLANS

(Applicant must initial each item or the application/petition will not be accepted.)

No.	Description	Initial	N/A
1.	One (1) electronic version of the site plans must be filed with the Board of Selectmen's office via email at <a href="mailto:jshanley@middleborough.com">jshanley@middleborough.com</a> .	<u>T.L.</u>	_____
2.	Five (5) paper copies of the site plan must be filed with the Town Clerk's office, along with five (5) paper sets of the petition application (see top of "Petition Application" form).	<u>T.L.</u>	_____
a.	Show locus to reasonable scale (use corner of the site plan page).	<u>T.L.</u>	_____
b.	Show existing and proposed street lines, number & name.	<u>T.L.</u>	_____
c.	Show existing and/or proposed building, including accessory buildings.	<u>T.L.</u>	_____
d.	Show driveway and driveway openings.	<u>T.L.</u>	_____
e.	Show natural waterways (if any).	<u>T.L.</u>	_____
f.	Show distance from structure to wetlands.	<u>T.L.</u>	_____
g.	Show the location of all wetlands, which must be determined by a wetland's specialist, i.e., flagged on site plans, the area which is within twenty-five (25) feet of the wetland, the total area and location of the portion of any lot within one hundred (100) feet of any wetland and the land disturbing activity or activities proposed within the one hundred (100) and twenty-five (25) foot zones.		
h.	Show setback dimensions or distances from street and abutters.	<u>T.L.</u>	_____
i.	Show the footage for all lines of the property and the total area (either in square footage or acreage).	<u>T.L.</u>	_____
j.	Show topography, wetland delineations, local storm water discharge points, on site drainage systems and septic systems.	<u>T.L.</u>	_____
k.	Show details for work done or proposed for any component outlined in No. 1(j) (above).	<u>T.L.</u>	_____
l.	The plan is stamped by BOTH a registered Land Surveyor and a Civil Professional Engineer.	<u>T.L.</u>	_____

Note: If the site has no approval required other than a home lot, then a Land Surveyor stamp will be accepted.