



David C. Uitti (774) 517-5750 – Direct duitti@msullc.com Admitted in: MA, NH

November 9, 2023

VIA ELECTRONIC MAIL (jcopeland@townofbourne.com)

Town of Bourne Planning Board Attn: Jennifer Copeland, Town Planner Bourne Town Hall 24 Perry Avenue Buzzards Bay, MA 02532

Re: Site Plan -- Special Permit Enforcement Request

Ocean Pines Condominium

Dear Planning Board Members and Planning Director:

I represent Hebb Builders, Inc. ("Hebb") concerning this Enforcement Request by the Ocean Pines Condominium Trust ("Trust"), which is the organization of unit owners at the Ocean Pines Condominium ("Condominium"). Please accept this letter in response to the letters filed with you by Cetrulo LLP on behalf of the Trust, dated October 20, 2023 and November 2, 2023. As set forth in greater detail below, the Trust's Enforcement Request concerning the Special Permit issued by the Planning Board ("Board") over thirty-five (35) years ago on April 28, 1987 is baseless and should be voted down.

### I. Project Background & Timeline

To put the Trust's Enforcement Request in its proper context, it is important to understand the background leading up to the present time concerning this project. As set forth in greater detail below, the project has been developed in separate and distinct phases, and all of the phased work has been properly vetted, designed, and approved by the Town, including this Board.

On April 28, 1987, the Board granted a Special Permit to Frank J. Nuovo and Pat J. Piscitelli concerning at 74.1 acre parcel of land in North Sagamore, Bourne, MA. <u>See</u> Special Permit attached hereto as <u>Exhibit A</u>.

Office Locations

On April 30, 1987 the Board issued a Certificate of Approval of a Definitive Subdivision Plan for the aforementioned parcel of land. The Approval, which the Board issued by unanimous vote, provides: "That a Subdivision Plan and Plan and Profile of a Subdivision Ocean Pines at North Sagamore dated 16 December 1986 Revised 1 April 1987 designed by Wilson Hill Associates Inc. . . . be and hereby are approved[.]" See Certificate of Approval attached hereto as **Exhibit B**.

The plan by Wilson Hill Associates Inc. referenced in the Board's Certificate of Approval ("Subdivision Plan") shows 66 individually-numbers building lots, open space parcels labeled A-E, and roadways for the subdivision. The Subdivision Plan notes that up to 78 dwelling units are allowed. The Board endorsed the Subdivision Plan. See Subdivision Plan attached hereto as **Exhibit C**.

Thereafter, construction proceeded in separate and distinct phases as per the below timeline, under the direction of the Board and the Town, but also included pauses in construction due to various litigations with the Town:

- 1992-2001 Champion Builders Built out the 30 single family home phase of the Special Permit;
- June 2000 Construction of the infrastructure phase was completed and approved by the Town. This phase included the construction of Wildwood Lane and the detention pond;
- August 2006 Weston Design Dev/Hebb Builders wins Appeals Court case to remove restrictive Covenants that were only meant for single family element of the Special Permit;
- October 2006 Ocean Pines LLC purchases the project from Weston Design Development;
- October 2006 Lots 61-66 were released from the most recent Form F Covenant;
- September 2007 Planning Board rescinded Special Permit;
- 2007-2009 Legal battle with Town over the rescission of the Special Permit, in Land Court;
- April 12, 2012 Town enters into Agreement for Judgment in Land Court to reverse the recission of the Special Permit;
- 2012 April Amos Financial foreclosed on the project, Hebb Builders Inc. is forced into Chapter 11 Bankruptcy due to the delay in the issuance of Building Permits on Ocean Pines Condominium project, which was compounded by Land Court litigation;
- 2012-2015 Legal battle for permits with Town of Bourne & Amos Financial;

- 2015 -- Hebb signed a new P&S with Amos Financial to buy the project back 1 lot at a time;
- 2016 First Building permit was released for 12A-F Ocean Pines Dr (Lot 66);
- 2015-2016 Permitting and Engineering began for Ocean Pines Condominium and units;
- 2016-2023 Hebb built out 36 out of 48 Condo units to date;
- 2024-2026 Hebb intends to build out of final 12 Condo units & top coat of pavement (Wildwood Lane).

When my client purchased the property in 2006, the property came with the completed aforementioned infrastructure phase (roads and detention pond). My client then proceeded to complete construction of the remaining units, and to install drainage systems for the individual units that have become the Condominium. These drainage systems include Cultec systems, surface water mitigation and surface sloping. At each juncture during the work when building permit applications were submitted to the Town, the Town Planner conducted a review of the proposed work, conferred with the Board, and ultimately recommended to the approval of the building permit applications.

For example, attached hereto as **Exhibit D**, is an August 2, 2007 Memo from Town Planner Coreen V. Moore to the Board regarding site plan design for Lot 66. Ms. Moore states:

According to the Zoning Bylaw Section 4644 - Open Space Community, prior to issuance of building permits the Planning Board shall certify to the Building Inspector that a detailed site plan has been submitted and meets the functional standards established and adopted within the subdivision regulations as it relates to access, drainage, utilities and grading.

(Emphasis added). Ms. Moore then goes on to outline how these standards have been met, and thereafter the Town issued building permits.

Therefore, all of my client's drainage work performed on the site was vetted and approved by the Town, and performed to current standards that applied at the time that the Town issued building permits for the work. For example, on November 9, 2022, my client's drainage engineer, Existing Grade, Inc., provided the Town Planner with a written memo, supporting documentation and narrative "regarding the proposed Stormwater Management and Best Management Practices (BMP's) for Eastern Sky, LLC (Proponent) for the property located at 61 Wildwood Lane, Bourne (Assessors Map 7, Parcel 100, Lot 61)." See November 9, 2022 Memo to Town Planner from Existing Grade, Inc. attached hereto as Exhibit E. The memo provides:

The Stormwater Management information is being submitted at the request of the Town of Bourne Planning Department regarding the

proposed site plans for Lot 61, Wildwood Lane – Buildings 1 through 7. The proposed parking area consists of two separate infiltration systems, each with a typical deep sump catch basin feeding 3 underground leaching chambers with 3' of crushed stone. The leaching chambers have been sized to fully infiltrate the typical 25-year storm event as shown on the attached HydroCAD drainage analysis. The building recharge systems consist of a standard Cultec R-330XLHD infiltration bed which has been designed to maximize infiltration for the roof runoff of the typical 1" water quality storm event. Any excess runoff from the site will flow into the roadway drainage system, ensuring no increase in peak rate of runoff to abutting properties. Please reference the attached HydroCAD drainage reports, web soil survey mapping, and supporting area calculation plan for further detail. Please do not hesitate to call the undersigned at (508) 694-6501 with any questions or concerns.

Similar reports/memos were provided by my client's engineer concerning other building lots on the project. All of this drainage work was reviewed and approved by the Town.

Thereafter, my client provided the Town with an as-built site plan, stamped by my client's engineer and dated May 23, 2023, for Lots 61-66, which was accepted by the Town without issue. See copy of as-built site plan attached hereto as **Exhibit F**.

Thereafter, on August 3, 2023, this Board, through the Town Planner, issued a Memorandum to Ken Murphy, the Town's Building Inspector concerning Site Plan Review for "3A-D Wildwood Lane, Building Permit, Map 6 Parcel 125 Lot 61 B-23-104, B-23-107, B-23-118, and B-23-120, Bourne, MA." See Memorandum attached hereto as **Exhibit G**. The Memorandum provides:

The above mentioned building permits are subject to an open space community special permit #38 from 1987. According to the conditions of the permit and the zoning bylaw section 4644 - Open Space Community. The multifamily portion of this development has a maximum of 48 units with 90 bedrooms. The approved development plan and the special permit have also provided development constraints, such as number of units and setbacks. This review is applicable to 3 A-D Wildwood Lane. Separate permits will be applied for in the future for the remaining units located at 1A-D Wildwood Ln, 16 Ocean Pine Drive and 18 Ocean Pine Drive. Per the Lot 61 site layout plan dated June 13, 2022 and revised May 15, 2023, the structures comply with the side and rear setbacks to the property line. Lot 61 has a total of 26 bedrooms and there are not more than 20 dwelling units in a single structure. The structures provide a separation of no less than twice the building height from the boundary of the overall development.

The parking areas are not located within the front yard and are screened with arborvitae plants. The parking area is located more than 75 feet from the boundary of the overall development plan. The parking areas are separated from the guest parking area by more than 20 feet. Lighting complies per note 9 and shall be less than 15 feet high. The developer provided an overall as-built plan dated May 15, 2023 and the lot coverage for the entire project is 19.4%, below the maximum of 20%. The development complies with the open space requirements such that no land therein shall be sold and no lot line or structure altered from that shown on the Overall Development Plan so as to increase the extent of nonconformity with the standard dimensional regulations of the Zoning Bylaw. Lastly, a stamped stormwater report dated Nov. 9, 2022 from Existing Grade, Inc. has been provided to the Planning Office. Please note any changes to the following constraints or requirements would require an amendment to the special permit. Feel free to contact me should you have any questions.

(Emphasis added).

Construction has proceeded without issue until the Trust recently filed the instant Enforcement Request with the Board.

### II. Creation of the Condominium and the Trust

The Condominium was created on October 25, 2017 by the recording of a Master Deed at the Registry of Deeds ("Registry") at Book 30850, Page 325. The Trust was created by the recording of a Declaration of Trust at the Registry at Book 30851, Page 1 on October 25, 2017. The developer has since turned over control of the Trust to unit owner Trustees.

The areas of the Condominium that concern the Trust's instant Enforcement Action are all part of the Condominium's common areas as defined in the Master Deed. Per the Declaration of Trust at Section 5.1, the Trust, by its Trustees, has the duty for the "[o]peration, care, upkeep and management of the Common Areas and Facilities or any part thereof[.]"

All of the unit owners who live at the Condominium purchased their units with knowledge of these publicly-available governing documents pertaining to the Condominium, which include the Trust's duty to maintain the common areas and to assess the unit owners to pay for all of the Condominium's common expenses, which include maintenance.

### III. Response to the Trust's Engineering Opinions

The Trust has submitted a letter from its engineer, Civil Environmental Consultants, Inc. ("CEC"), dated October 20, 2023 which contains several opinions concerning the drainage site work at the project. Many of CEC's opinions contained in its letter are vague and speculative. For example:

- P. 4: In assessing the 1997 Drainage Analysis, CEC states: "Current design practices would typically include design of drainage infrastructure to at least a 10-year storm event (often 25-year storm event). . . . Accordingly the system may be undersized based on the intended design storm, potentially resulting in localized ponding during larger storm events which may result in overflows into residential properties when located below the street grade[.]"
  - O What "current design practices"? How are they applicable here?
  - o "Typically"? Is it required or not?
  - o "May be undersized" . . . "potentially" . . . "may result" = speculation.
- PP. 4-5: In assessing the 1997 Drainage Analysis, CEC states: "Current design practices require that detention basins provide storage and mitigation for all storm events up to and including the 100-year storm event; therefore, this basis is undersized based on current design standards and the volume of runoff exceeds the storage capacity for design storms larger than the 10-year storm event."
  - O What "current design practices" and "standards"? How are they applicable here?
  - What was the standard when this was constructed?

My client strongly disagrees with the opinions contains in CEC's letter. To that end, please see the letter, dated November 9, 2023, from my client's engineer concerning the project, which is attached hereto as **Exhibit H**.

## IV. Completion of Wildwood Lane, Increase of Performance Bond

As I stated to this Board in the previous public hearing concerning this matter, my client fully intends to complete construction of Wildwood Lane by installing a top coat at the conclusion of construction of the remaining units. This is standard practice as it is not advisable to run construction equipment over unfinished roads.

In addition, and as I previously stated to this Board, my client has received an updated estimate from Plymouth County Paving, dated October 13, 2023, to complete the top coat work. The amount of this estimate is \$50,475. My client has agreed to increase the \$38,000 bond on file with the Town to this amount.

### V. So-Called "Open Space Issue"

In its October 20, 2023 letter to the Board, the Trust's counsel states that there is "very little clarity" on who is supposed to maintain the Open Space parcels. But the document attached as Exhibit 2 to this letter provides a clear answer on this.

Exhibit 2 is entitled "Ocean Pines Homeowners Trust" ("HOA Trust") and it was recorded at the Registry in Book 22332, Page 176 on September 13, 2007. The HOA Trust provides that Ocean Pines LLC, "a duly organized and existing Delaware limited liability company with offices at 498 Newton Road, Littleton, Middlesex County, Massachusetts," was the original owner of the Open Space parcels A-E at issue here.

The HOA Trust provides that Ocean Pines, LLC, as the Trustee of the HOA Trust, "agrees for itself and its successors in trust to hold, manage, administer, and depose of such property in accordance with the terms of this instrument."

The HOA Trust provides that the beneficiaries of the HOA Trust are the 30 single family lot owners (each owning 1/36<sup>th</sup> of the beneficial interest in the HOA Trust) and the Condominium unit owners (who collectively, and in common, own 1/6 of the beneficial interest in the HOA Trust). The HOA Trust then provides that the Trustee has certain powers and duties, including the maintaining of the Trust property and the assessment of common expenses from the beneficiaries to do so.

The HOA Trust then provides that Ocean Pines LLC will cease to serve as the initial Trustee when it no longer owns Lots 61-66, at which time successor trustees from amongst the lot owners may be elected. The HOA Trust also provides that the President of the Ocean Pines Condominium Trust shall always be a Trustee of the HOA Trust once Ocean Pines LLC is no longer a Trustee.

As such, there is absolute clarity as to how the Open Space parcels are to be managed and maintained, and the Open Space parcels' ownership and stewardship comply with the Town's Zoning Bylaw at §4645, which allows open space parcels to be owned and managed by a trust.

# VI. Response to the Trust's Legal Arguments in Counsel's Letter, Dated Nov. 3, 2023

The Trust's counsel argues that the entire project, which has been worked on in several successive and distinct phases since the late 1980s, should all be brought up to current zoning bylaw standards. In support of this argument, the Trust's counsel cites to M.G.L. c. 40A, §6 and several cases. The cited law, however, does not apply in cases of a clearly phased development such as this one, where separate and distinct phases are completed and approved by the

municipality. Moreover, and as set forth herein previously, the drainage/topography work done on the site fully complies with the Town's Zoning Bylaw and applicable standards.

### VII. Response to Trust's Counsel's Letter, Dated November 7, 2023<sup>1</sup>

The Trust's counsel argues in a letter dated November 7, 2023 that Hebb improperly intends to create a new condominium trust for the units being built on Lot 61. There is absolutely nothing improper with this as Lot 61 was never part of the Condominium, and was never phased into the Condominium. The Trust and the Condominium unit owners have absolutely no ownership interest in Lot 61. As such, they have no claim on Lot 61. This also does not impact the management and ownership of the Open Space parcels for reasons previously stated herein.

In short, this is not a "scheme". It is a standard practice of land development that happens frequently in the Commonwealth. And the creation of a second condominium trust does not violate any provision of the Special Permit at issue here.

\*

For the aforementioned reasons, the Board should vote down the Enforcement Request and allow for the completion of the project.

Sincerely,

MIRRIONE, SHAUGHNESSY & UITTI, LLC

/s/ David C. Uitti

David C. Uitti, Esq.

Enclosure

<sup>&</sup>lt;sup>1</sup> Although the Trust's counsel filed this letter with the Town on November 7, 2023 raising additional arguments and complaints, the Trust's counsel waited until 2:18 p.m. on November 9, 2023 (the day of the continued public hearing) to share a copy of this letter with me.



# Planning Board

TOWN HALL BUZZARDS BAY, MA 02532



May 23, 1989

Mr. Frank Nuovo P.O. Box 1487 Buzzards Bay, MA 02532

Ocean Pines

Dear Mr. Nuovo:

Please be advised that the confirmation of "substantial construction" concerning Ocean Pines, North Sagamore (Special. Permit # 38) has been addressed by the Planning Board. Members Ellis and Mealy visited the site on April 1, 1989, conducted an in depth inspection on April 9, 1989.

Their findings were reported to the Planning Board at its regular meeting and it was voted unanimously that Ocean Pines does comply with the requirement (Sec. 1330%) and that substantial contruction has occured.

Should you have any questions concerning this matter, please feel free to contact the Planning Board Office at 759-6295.

Very truly yours,

Thomas E. Donovan, Chairman

TED/msj

CC: Building Inspector nd o Cons



# Planning Board

TOWN HALL BUZZARDS BAY, MA 02532



TOWN CLERK

BOURNE, MA

Special Permit # 38A amended

NOTICE OF EXTENSION OF SPECIAL PERMIT

Applicant:

Frank J. Nuovo

Pat J. Piscitelli

Ocean Pines at North Sagamore

P.O. Box 1487

Buzzards Bay, MA 02532

Date:

August 11, 1988

Owners:

Same as applicants

Premises Affected:

74.1 acres of land in North Sagamore

Town of Bourne

On August 11, 1988 to applicants requested a twelve month month extension to their Special Permit granted May 4, 1987 with the Definitive Plan signed by the Clerk of the Planning Board on September 29, 1987.

Under Section 1330 of the Bourne Zoning By-Law, the Special Permit shall expire if construction has not begun, except for good cause, within the twelve months of approval.

The applicants cite the overbuilding of the surrounding area and the present real estate market as good cause.

The approval has been received and the Bourne Planning Board voted 6 members in favor of the extension, 1 member opposed and two members absent. A roll call vote of the Bourne Planning Board was as follows:

Alan Besse - approved Steven Mealy - approved William Norman- approved Tom Donovan - approved William Holden- approved Sally Parady - approved John Sanna - denied Donald Ellis - absent Hamilton Whiting - absent

SPECIAL PERMIT WILL BE NULL AND VOID ON MAY 1,9, 1989.

Decision filed with the Town Clerk:

BOURNE PLANNING BOARD



# Planning Board

TOWN HALL

BUZZAKDS BAY, MA 02532



# NOTICE OF DECISION ON SPECIAL PERMIT

COPY

Applicants:

Frank J. Nuovo, Pat J. Piscitelli

P.O. Box 1487

Buzzards Bay, MA. 02532

Date:

28 April 1987

Permit No. 38

Owner:

Frank J. Nuovo and Pat J. Piscitelli

Premises Affected:

74.1 Acres of Land in North Sagamore, Bourne MA. as shown on Wilson Hill Associates plan of 22 December 1987, Book 1478 Page 48.

Special Permit application submitted 6 January 1987.

A public hearing was held on 12 February 1987 and on 23 April 1987 at Bourne Town Hall, Perry Ave., Buzzards Bay Massachusetts.

At the public hearing the Board found that the condistions of Sec. 1330 had been met and that no undue nuisance, hazard or congestion would be created by this project.

The following conditions must be adhered to:

- Water for domestic and fire fighting purposes must meet ISC requirements for Volume & pressure
- 2. Entrance to Old Plymouth Road is to have a devider.

A roll call vote of the Bourne Planning Board was as follows:

Edward F. Brady Approved Donald E. Ellis Approved Sally Parady Approved John Sanna Approved Thomas Barlow Approved Maureen Jason Approved H. Austin Murray Approved Hamilton Whiting Approved

Decision filed with the Town Clerk:

ŧĹ.

30 April

1987.

IMPORTANT: Any appeal from the decision of the Planning Board can be made only to the Court and must be made pursuant to Section 17, Chapter 40A (G.L.) as amended, and must be filed within twenty days after the date of filing of the decision with the Town Clerk.

BOURNE PLANNING BOARD

Edward F. Brady

Chairman



### TOWN OF BOURNE, MASSACHUSETTS



FORM D-1

# CERTIFICATE OF APPROVAL OF A DEFINITIVE SUBDIVISION PLAN

April 30, 87

10: Town Clerk

The Bourne Planning Board hereby certifies that at a meeting of Found on .23 April 87..., at which a majority and quorum were present, following a public hearing by the Board on ......... 19... 4 February 1987 That a Subdivision Plan and Plan and Profile of a Subdivision VOTED: Ocean Pines at North Sagamore 16 December 1986Revised 1 April ....., dated ......... 19... designed by Wilson Hill Associates Inc. . registered as an Engineer Land Surveyor in Massachusetts, submitted for the Board's approval Ç. V .Erank Nuovo, & Pat. Piscitelli applicant, be and hereby are approved condition that prior to the Board's endorsement of its approval thereon the subdivider shall furnish guarantees to the Planning Board provided in Section 266 of the Subdivision Regulations that except otherwise expressly provided in Section 81-U of Chapter 41, G.L., lot included in such plan shall be built upon or conveyed until the work on the ground necessary to serve such lot has been completed in manner specified by the Subdivision Regulations of the Town of with the following specific qualifications:

### FORM D-1 (cont.)

- a. All such installation and construction shall be completed within 24 months of this date;
- b. All streets or ways shall be surfaced with at least a 2" binder course prior to application for occupancy permits for any structures served by such streets or ways:
- c. Water installation must meet ISO Fire Flow requirements
- d. Entrance to Old Plymouth Road is to be devided.

or a performance bond or other security in lieu of completion has been accepted by the Planning Board.

espectfully submitted,

Bv:

Edward F. Brady, Chairman

BOURNE PLANNING BOARD

Э

JOB NUMBER

361.01

NORTH SAGAMORE

NO. DATE 439-35

Z. 28 JAN 87 PARCELS A-E, NOTES 9,10.

I. IS JAN 87 STREET NAMES

FRANK J. NUOVO

PAT J. PISCITELLI

1" - 200"

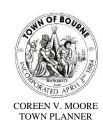
LICENSE NO.

Checked by RJT.

Approved by

ENGINEERS, SURVEYORS, & PLANNERS

Field Survey chk. by LTB



# Office of the Town Planner

TOWN HALL
24 PERRY AVE.

BUZZARDS BAY, MA 02532

PHONE: 508-759-0615 • FAX: 508-759-8026

Email: cmoore@townofbourne.com



# MEMORANDUM

**To:** Planning Board

**Cc:** Ocean Pines LLC, applicant

Roger Laporte, Building Inspector

From: Coreen V. Moore, Town Planner

Date: August 2, 2007

Re: Site Plan Septic Design for Wildwood Lane, Lot 66, dated 7/30/07 (revised) Bourne, MA

- Map 6 Parcel 128

According to the Zoning Bylaw Section 4644 - Open Space Community, prior to issuance of building permits the Planning Board shall certify to the Building Inspector that a detailed site plan has been submitted and meets the functional standards established and adopted within the subdivision regulations as it relates to access, drainage, utilities and grading.

The approved development plan and the special permit have also provided development constraints, such as number of units and setbacks. In addition, within the open space community section of the bylaw the following constraints must be met.

Please note any changes to the following constraints or requirements would require an amendment to the special permit.

Open Space Community Requirement	Information provided
1. Structures must have a separation of no less than their	Building height per architecturals
building height from any other structure on the same lot	27'-7"
and from any lot line.	Setbacks provided – 30.8"
2. Structures shall provide a separation of no less than	Required: 55.16"
twice their building height from the boundary of the	Provided 75'+/-
Overall Development Plan.	
3. Parking areas shall not be located within any required	No screening shown
yard, and shall be screened from public ways by	
building location, grading, fencing, or plantings.	
4. Parking areas shall not be located within 75 feet of the	Meets requirement
boundary of the Overall	
Development Plan.	
5. Parking area shall contain no more than 36 spaces, and	Meets requirement
be separated from all other parking areas by at least 20'	
6.No buildings shall be floodlit.	Information not shown

7.Drives and parking areas shall be illuminated by shielded lights not higher than 15 feet.	Information not shown
8. There shall be not more than 20 dwelling units in a single structure.	Meets requirement
9. The basic maximum number of dwelling units allowed. Which are 78 total including 30 single-family dwellings, leaving the multifamily portion a maximum of 48 units.	The proposed number units for Lot 66 contains the same number of units on overall development plan.
10.Dimensional Regulations. Dwellings shall be on designated lots, whether or not the lots are or can be owned separately or independently of adjoining lots.  More than one multifamily dwelling may be erected on a lot.  Minimum lot size (s.f.) 15,000  Minimum lot frontage (ft.) 100  Minimum front yard (ft.) 30  Minimum side and rear yards (ft.) see overall development plan for setbacks  Maximum lot coverage (%) 20  Maximum building height (ft.) 35 (note overall development plans states a 26' max height)  a Increase to 50 feet where abutting the boundary of the	Lot size = 39,073 s.f. Lot frontage = 215' + Side and rear yards (ft.) = 30'+ Lot coverage (%) = 14.6% Building height (ft.) = 27.7'
Overall Development Plan.	
11. Open Space land shall be kept in an open or natural state and not be built upon or developed for accessory uses such as parking or roadway.	Overall development plan allows drainage within the open space.
12. Subsequent to approval of an Open Space Community, no land therein shall be sold and no lot line or structure altered from that shown on the Overall Development Plan so as to increase the extent of nonconformity with the standard dimensional regulations of this Bylaw.	No changes proposed.

# EXISTING GRADE, INC.

### Land Surveyors - Civil Engineers

November 09, 2022

Town of Bourne Planning Department Ms. Jennifer Copeland - Town Planner **Bourne Town Hall** 24 Perry Avenue - Room 201 Buzzards Bay, Massachusetts 02532

**Bourne, Massachusetts** 

RE: Narrative for Stormwater Summary - Lot 61 Eastern Sky, LLC 61 Wildwood Lane

Ms. Copeland:

This memo serves to provide supporting documentation and narrative regarding the proposed Stormwater Management and Best Management Practices (BMP's) for Eastern Sky, LLC (Proponent) for the property located at 61 Wildwood Lane, Bourne (Assessors Map 7, Parcel 100, Lot 61). The Stormwater Management information is being submitted at the request of the Town of Bourne Planning Department regarding the proposed site plans for Lot 61, Wildwood Lane – Buildings 1 through 7.

The proposed parking area consists of two separate infiltration systems, each with a typical deep sump catch basin feeding 3 underground leaching chambers with 3' of crushed stone. The leaching chambers have been sized to fully infiltrate the typical 25-year storm event as shown on the attached HydroCAD drainage analysis. The building recharge systems consist of a standard Cultec R-330XLHD infiltration bed which has been designed to maximize infiltration for the roof runoff of the typical 1" water quality storm event. Any excess runoff from the site will flow into the roadway drainage system, ensuring no increase in peak rate of runoff to abutting properties.

Please reference the attached HydroCAD drainage reports, web soil survey mapping, and supporting area calculation plan for further detail. Please do not hesitate to call the undersigned at (508) 694-6501 with any questions or concerns.

EXISTING GRADE INC.

Edwin Gless, PE, PLS

President

62 Riedell Road Douglas, MA 01516 (508) 694-6501



**PAVEMENT NORTH** 

3xLeach Pits



**PAVEMENT SOUTH** 

3xLeach Pits









Prepared by {enter your company name here}, Printed 11/9/2022 HydroCAD® 10.00-22 s/n 04588 © 2018 HydroCAD Software Solutions LLC

## **1292\_LOT 61 DRAINAGE**

Prepared by {enter your company name here} HydroCAD® 10.00-22 s/n 04588 © 2018 HydroCAD Software Solutions LLC Printed 11/9/2022 Page 2

# **Area Listing (all nodes)**

Area	CN	Description
(acres)		(subcatchment-numbers)
0.483	98	Paved parking, HSG A (P-N, P-S)
0.483	98	TOTAL AREA

## **1292\_LOT 61 DRAINAGE**

Prepared by {enter your company name here} HydroCAD® 10.00-22 s/n 04588 © 2018 HydroCAD Software Solutions LLC Printed 11/9/2022 Page 3

# Soil Listing (all nodes)

Area	Soil	Subcatchment
(acres)	Group	Numbers
0.483	HSG A	P-N, P-S
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
0.000	Other	
0.483		TOTAL AREA

## **1292\_LOT 61 DRAINAGE**

Prepared by {enter your company name here}
HydroCAD® 10.00-22 s/n 04588 © 2018 HydroCAD Software Solutions LLC

Printed 11/9/2022 Page 4

## **Ground Covers (all nodes)**

HSG-A	HSG-B	HSG-C	HSG-D	Other (acres)	Total	Ground	Subcatchment
(acres)	(acres)	(acres)	(acres)		(acres)	Cover	Numbers
0.483 <b>0.483</b>	0.000 <b>0.000</b>	0.000 <b>0.000</b>	0.000 <b>0.000</b>	0.000 <b>0.000</b>		Paved parkir	•

### 1292 LOT 61 DRAINAGE

Type II 24-hr 2-YR Rainfall=3.41" Printed 11/9/2022

Prepared by {enter your company name here}
HydroCAD® 10.00-22 s/n 04588 © 2018 HydroCAD Software Solutions LLC

Page 5

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

SubcatchmentP-N: PAVEMENTNORTH Runoff Area=7,435 sf 100.00% Impervious Runoff Depth>2.94"

Tc=6.0 min CN=98 Runoff=0.80 cfs 0.042 af

SubcatchmentP-S: PAVEMENTSOUTH Runoff Area=13,593 sf 100.00% Impervious Runoff Depth>2.94"

Tc=6.0 min CN=98 Runoff=1.46 cfs 0.076 af

Pond D-N: 3xLeachPits Peak Elev=82.40' Storage=0.015 af Inflow=0.80 cfs 0.042 af

Outflow=0.10 cfs 0.042 af

Pond D-S: 3xLeachPits Peak Elev=85.19' Storage=0.033 af Inflow=1.46 cfs 0.076 af

Outflow=0.10 cfs 0.076 af

Total Runoff Area = 0.483 ac Runoff Volume = 0.118 af Average Runoff Depth = 2.94" 0.00% Pervious = 0.000 ac 100.00% Impervious = 0.483 ac

Printed 11/9/2022

Page 6

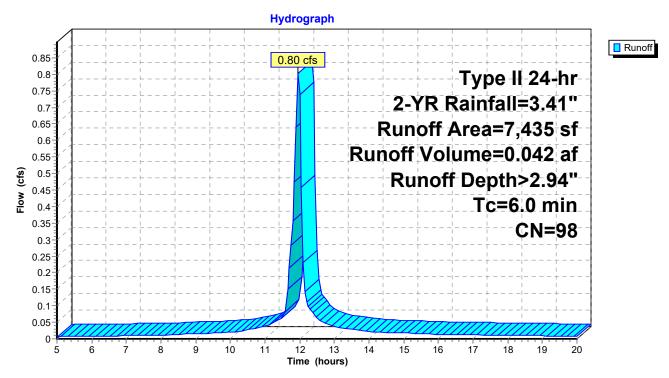
# **Summary for Subcatchment P-N: PAVEMENT NORTH**

Runoff 0.80 cfs @ 11.96 hrs, Volume= 0.042 af, Depth> 2.94"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Type II 24-hr 2-YR Rainfall=3.41"

A	rea (sf)	CN E	CN Description					
	7,435	98 F	98 Paved parking, HSG A					
	7,435	1	100.00% Impervious Area					
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description			
6.0					Direct Entry, MINIMUM TC			

#### Subcatchment P-N: PAVEMENT NORTH



Printed 11/9/2022

<u> Page 7</u>

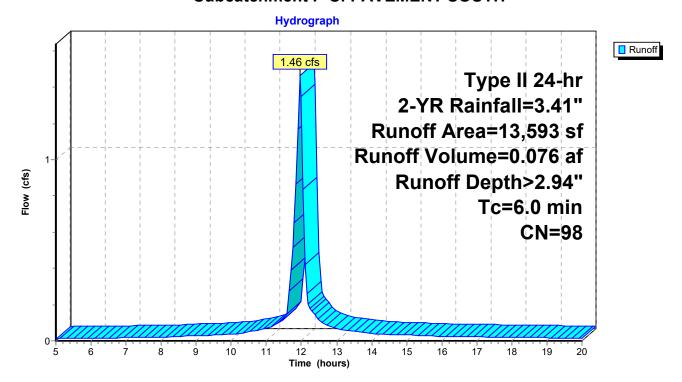
# **Summary for Subcatchment P-S: PAVEMENT SOUTH**

Runoff = 1.46 cfs @ 11.96 hrs, Volume= 0.076 af, Depth> 2.94"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Type II 24-hr 2-YR Rainfall=3.41"

Area (sf)	CN	Description					
13,593	98	98 Paved parking, HSG A					
13,593		100.00% In	npervious A	Area			
Tc Length (min) (feet)	Slope (ft/ft)	,	Capacity (cfs)	Description			
6.0				Direct Entry, MINIMUM TC			

### **Subcatchment P-S: PAVEMENT SOUTH**



Printed 11/9/2022

Page 8

### Summary for Pond D-N: 3xLeach Pits

Inflow Area = 0.171 ac,100.00% Impervious, Inflow Depth > 2.94" for 2-YR event

Inflow = 0.80 cfs @ 11.96 hrs, Volume= 0.042 af

Outflow = 0.10 cfs @ 12.27 hrs, Volume= 0.042 af, Atten= 88%, Lag= 18.4 min

Discarded =  $0.10 \text{ cfs} \ \textcircled{0}$  12.27 hrs, Volume= 0.042 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Peak Elev= 82.40'@ 12.27 hrs Surf.Area= 0.011 ac Storage= 0.015 af

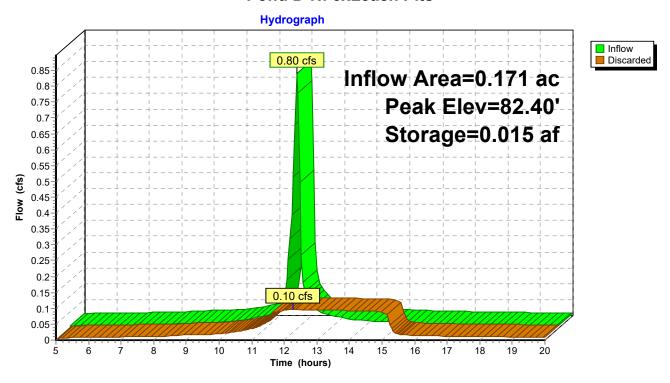
Plug-Flow detention time=46.8 min calculated for 0.042 af (100% of inflow) Center-of-Mass det. time=45.8 min ( 778.4 - 732.6 )

Volume	Invert	Avail.Storage	Storage Description
#1	80.00'	0.052 af	14.00'D x 12.00'H 4' Stone Surround 3
			0.127 af Overall - 0.023 af Embedded = 0.104 af x 50.0% Voids
#2	80.00'	0.023 af	6.00'D x 12.00'H Vertical Cone/Cylinder 3 Inside #1
		0.075.af	Total Available Storage

Device	Routing	Invert	Outlet Devices
#1	Discarded	80.00'	8.270 in/hr Exfiltration over Surface area
			Conductivity to Groundwater Flevation = 50.00'

**Discarded OutFlow**Max=0.10 cfs @ 12.27 hrs HW=82.40' (Free Discharge) **1=Exfiltration** (Controls 0.10 cfs)

#### Pond D-N: 3xLeach Pits



Printed 11/9/2022

<u> Page 9</u>

# Summary for Pond D-S: 3xLeach Pits

Inflow Area = 0.312 ac,100.00% Impervious, Inflow Depth > 2.94" for 2-YR event

Inflow = 1.46 cfs @ 11.96 hrs, Volume= 0.076 af

Outflow = 0.10 cfs @ 12.55 hrs, Volume= 0.076 af, Atten= 93%, Lag= 35.5 min

Discarded = 0.10 cfs @ 12.55 hrs, Volume= 0.076 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Peak Elev= 85.19'@ 12.55 hrs Surf.Area= 0.011 ac Storage= 0.033 af

Plug-Flow detention time=107.7 min calculated for 0.076 af (99% of inflow)

Center-of-Mass det. time=106.4 min (839.1 - 732.6)

Volume	Invert	Avail.Storage	Storage Description
#1	80.00'	0.052 af	14.00'D x 12.00'H 4' Stone Surround 3
			0.127 af Overall - 0.023 af Embedded = 0.104 af x 50.0% Voids
#2	80.00'	0.023 af	6.00'D x 12.00'H Vertical Cone/Cylinder 3 Inside #1
		0.075 af	Total Available Storage

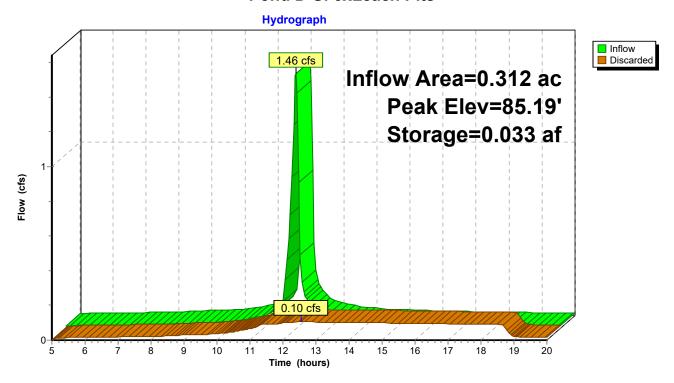
Device Routing Invert Outlet Devices

#1 Discarded 80.00' 8.270 in/hr Exfiltration over Surface area
Conductivity to Groundwater Elevation = 50.00'

Discarded OutFlowMax=0.10 cfs @ 12.55 hrs HW=85.19' (Free Discharge)

1=Exfiltration ( Controls 0.10 cfs)

### Pond D-S: 3xLeach Pits



### 1292 LOT 61 DRAINAGE

Type II 24-hr 10-YR Rainfall=4.98"

Prepared by {enter your company name here}
HydroCAD® 10.00-22 s/n 04588 © 2018 HydroCAD Software Solutions LLC

Page 10

Printed 11/9/2022

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

SubcatchmentP-N: PAVEMENTNORTH Runoff Area=7,435 sf 100.00% Impervious Runoff Depth>4.35"

Tc=6.0 min CN=98 Runoff=1.18 cfs 0.062 af

SubcatchmentP-S: PAVEMENTSOUTH Runoff Area=13,593 sf 100.00% Impervious Runoff Depth>4.35"

Tc=6.0 min CN=98 Runoff=2.15 cfs 0.113 af

Pond D-N: 3xLeachPits Peak Elev=83.94' Storage=0.025 af Inflow=1.18 cfs 0.062 af

Outflow=0.10 cfs 0.062 af

Pond D-S: 3xLeachPits Peak Elev=88.47' Storage=0.053 af Inflow=2.15 cfs 0.113 af

Outflow=0.11 cfs 0.097 af

Total Runoff Area = 0.483 ac Runoff Volume = 0.175 af Average Runoff Depth = 4.35" 0.00% Pervious = 0.000 ac 100.00% Impervious = 0.483 ac

Printed 11/9/2022

Page 11

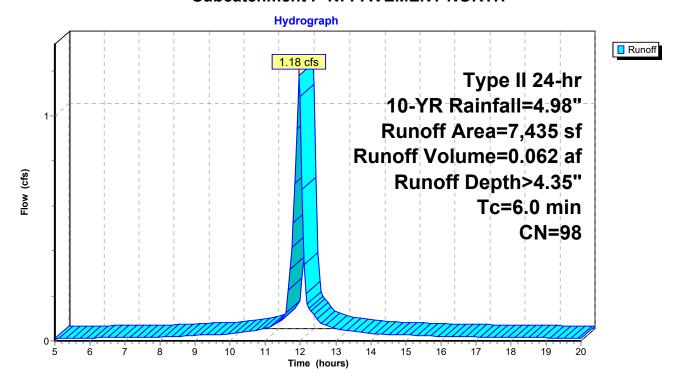
# **Summary for Subcatchment P-N: PAVEMENT NORTH**

Runoff = 1.18 cfs @ 11.96 hrs, Volume= 0.062 af, Depth> 4.35"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Type II 24-hr 10-YR Rainfall=4.98"

A	rea (sf)	CN [	Description					
	7,435	98 F	98 Paved parking, HSG A					
	7,435	,	100.00% Impervious Area					
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description			
6.0					Direct Entry, MINIMUM TC			

### **Subcatchment P-N: PAVEMENT NORTH**



Printed 11/9/2022

Page 12

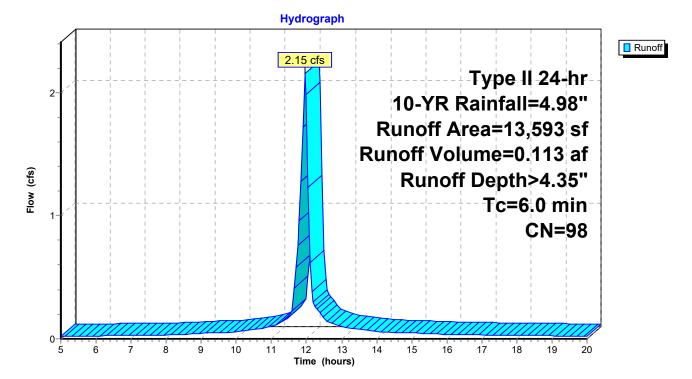
# **Summary for Subcatchment P-S: PAVEMENT SOUTH**

Runoff = 2.15 cfs @ 11.96 hrs, Volume= 0.113 af, Depth> 4.35"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Type II 24-hr 10-YR Rainfall=4.98"

Area (sf)	CN	Description					
13,593	98	98 Paved parking, HSG A					
13,593		100.00% In	npervious A	Area			
Tc Length (min) (feet)	Slope (ft/ft)	,	Capacity (cfs)	Description			
6.0				Direct Entry, MINIMUM TC			

### **Subcatchment P-S: PAVEMENT SOUTH**



Printed 11/9/2022

<u>Page 13</u>

## Summary for Pond D-N: 3xLeach Pits

Inflow Area = 0.171 ac,100.00% Impervious, Inflow Depth > 4.35" for 10-YR event

Inflow = 1.18 cfs @ 11.96 hrs, Volume= 0.062 af

Outflow = 0.10 cfs (a) 12.46 hrs, Volume= 0.062 af, Atten= 91%, Lag= 30.0 min

Discarded = 0.10 cfs @ 12.46 hrs, Volume= 0.062 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Peak Elev= 83.94'@ 12.46 hrs Surf.Area= 0.011 ac Storage= 0.025 af

Plug-Flow detention time=79.3 min calculated for 0.062 af (99% of inflow)

Center-of-Mass det. time=78.1 min (808.1 - 730.1)

Volume	Invert	Avail.Storage	Storage Description
#1	80.00'	0.052 af	14.00'D x 12.00'H 4' Stone Surround 3
			0.127 af Overall - 0.023 af Embedded = 0.104 af x 50.0% Voids
#2	80.00'	0.023 af	6.00'D x 12.00'H Vertical Cone/Cylinder 3 Inside #1
		0.075 af	Total Available Storage

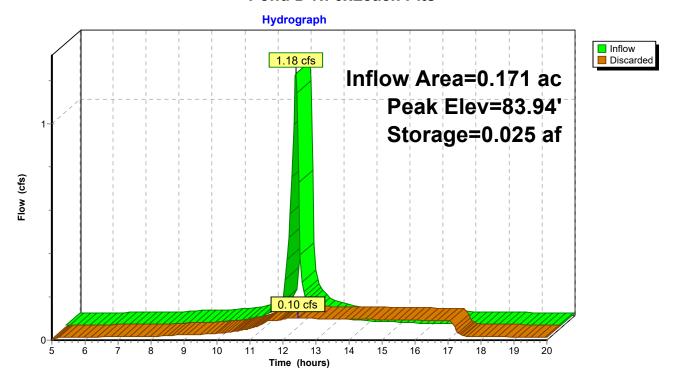
Device Routing Invert Outlet Devices

#1 Discarded 80.00' 8.270 in/hr Exfiltration over Surface area
Conductivity to Groundwater Elevation = 50.00'

Discarded OutFlowMax=0.10 cfs @ 12.46 hrs HW=83.94' (Free Discharge)

1=Exfiltration ( Controls 0.10 cfs)

### Pond D-N: 3xLeach Pits



Printed 11/9/2022

Page 14

# Summary for Pond D-S: 3xLeach Pits

Inflow Area = 0.312 ac,100.00% Impervious, Inflow Depth > 4.35" for 10-YR event

Inflow 2.15 cfs @ 11.96 hrs, Volume= 0.113 af

0.11 cfs @ 12.87 hrs, Volume= Outflow 0.097 af, Atten= 95%, Lag= 54.6 min

0.11 cfs @ 12.87 hrs, Volume= Discarded = 0.097 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Peak Elev= 88.47'@ 12.87 hrs Surf.Area= 0.011 ac Storage= 0.053 af

Plug-Flow detention time=162.3 min calculated for 0.097 af (86% of inflow)

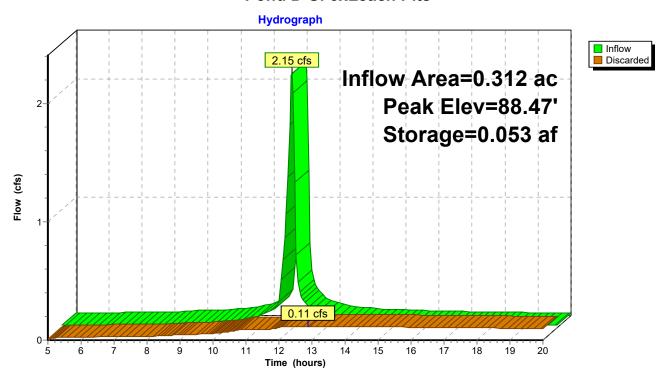
Center-of-Mass det. time=118.3 min (848.3 - 730.1)

Volume	Invert	Avail.Storage	Storage Description
#1	80.00'	0.052 af	14.00'D x 12.00'H 4' Stone Surround 3
			0.127 af Overall - 0.023 af Embedded = 0.104 af x 50.0% Voids
#2	80.00'	0.023 af	6.00'D x 12.00'H Vertical Cone/Cylinder 3 Inside #1
		0.075 af	Total Available Storage

Device Routing Invert Outlet Devices #1 Discarded 80.00' 8.270 in/hr Exfiltration over Surface area Conductivity to Groundwater Elevation = 50.00'

**Discarded OutFlow**Max=0.11 cfs @ 12.87 hrs HW=88.47' (Free Discharge) 1=Exfiltration (Controls 0.11 cfs)

#### Pond D-S: 3xLeach Pits



### 1292 LOT 61 DRAINAGE

Type II 24-hr 25-YR Rainfall=5.95"

Prepared by {enter your company name here}
HydroCAD® 10.00-22 s/n 04588 © 2018 HydroCAD Software Solutions LLC

Printed 11/9/2022 Page 15

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

SubcatchmentP-N: PAVEMENTNORTH Runoff Area=7,435 sf 100.00% Impervious Runoff Depth>5.22"

Tc=6.0 min CN=98 Runoff=1.41 cfs 0.074 af

SubcatchmentP-S: PAVEMENTSOUTH Runoff Area=13,593 sf 100.00% Impervious Runoff Depth>5.22"

Tc=6.0 min CN=98 Runoff=2.57 cfs 0.136 af

Pond D-N: 3xLeachPits Peak Elev=84.96' Storage=0.031 af Inflow=1.41 cfs 0.074 af

Outflow=0.10 cfs 0.074 af

Pond D-S: 3xLeachPits Peak Elev=90.63' Storage=0.067 af Inflow=2.57 cfs 0.136 af

Outflow=0.12 cfs 0.106 af

Total Runoff Area = 0.483 ac Runoff Volume = 0.210 af Average Runoff Depth = 5.22" 0.00% Pervious = 0.000 ac 100.00% Impervious = 0.483 ac

Printed 11/9/2022

Page 16

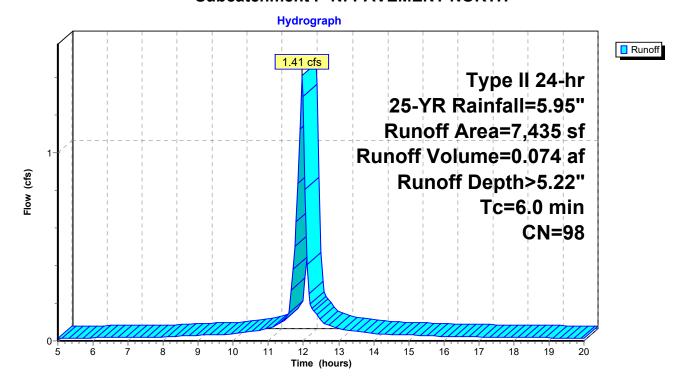
### **Summary for Subcatchment P-N: PAVEMENT NORTH**

Runoff = 1.41 cfs @ 11.96 hrs, Volume= 0.074 af, Depth> 5.22"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Type II 24-hr 25-YR Rainfall=5.95"

A	rea (sf)	CN Description			
	7,435	98 Paved parking, HSG A			
	7,435	100.00% Impervious Area			
Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, MINIMUM TC

### **Subcatchment P-N: PAVEMENT NORTH**



Printed 11/9/2022

Page 17

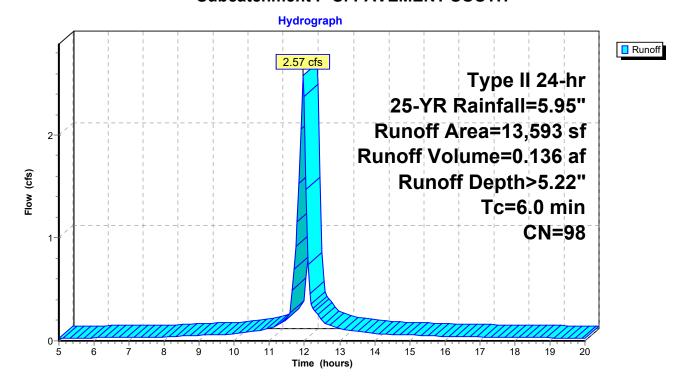
# **Summary for Subcatchment P-S: PAVEMENT SOUTH**

Runoff = 2.57 cfs @ 11.96 hrs, Volume= 0.136 af, Depth> 5.22"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Type II 24-hr 25-YR Rainfall=5.95"

Are	ea (sf)	CN Description			
1	13,593	98 Paved parking, HSG A			
1	13,593	1	00.00% In	npervious A	Area
Tc _(min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, MINIMUM TC

### **Subcatchment P-S: PAVEMENT SOUTH**



Printed 11/9/2022

<u>Page 18</u>

# Summary for Pond D-N: 3xLeach Pits

Inflow Area = 0.171 ac,100.00% Impervious, Inflow Depth > 5.22" for 25-YR event

Inflow = 1.41 cfs @ 11.96 hrs, Volume= 0.074 af

Outflow = 0.10 cfs @ 12.53 hrs, Volume= 0.074 af, Atten= 93%, Lag= 34.4 min

Discarded = 0.10 cfs @ 12.53 hrs, Volume= 0.074 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Peak Elev= 84.96'@ 12.53 hrs Surf.Area= 0.011 ac Storage= 0.031 af

Plug-Flow detention time=101.0 min calculated for 0.074 af (100% of inflow) Center-of-Mass det. time=99.9 min (829.2 - 729.2)

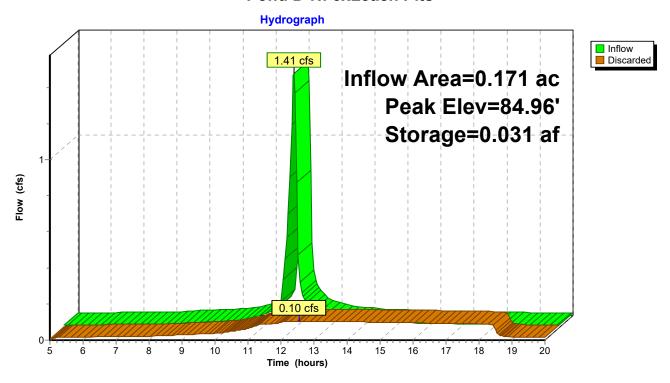
Volume	Invert	Avail.Storage	Storage Description
#1	80.00'	0.052 af	14.00'D x 12.00'H 4' Stone Surround 3
			0.127 af Overall - 0.023 af Embedded = 0.104 af x 50.0% Voids
#2	80.00'	0.023 af	6.00'D x 12.00'H Vertical Cone/Cylinder 3 Inside #1
		0.075 af	Total Available Storage

Device Routing Invert Outlet Devices

#1 Discarded 80.00' 8.270 in/hr Exfiltration over Surface area
Conductivity to Groundwater Elevation = 50.00'

**Discarded OutFlow**Max=0.10 cfs@ 12.53 hrs HW=84.96' (Free Discharge) **1=Exfiltration** (Controls 0.10 cfs)

#### Pond D-N: 3xLeach Pits



Prepared by {enter your company name here} HydroCAD® 10.00-22 s/n 04588 © 2018 HydroCAD Software Solutions LLC Printed 11/9/2022

Page 19

# Summary for Pond D-S: 3xLeach Pits

Inflow Area = 0.312 ac,100.00% Impervious, Inflow Depth > 5.22" for 25-YR event

Inflow 2.57 cfs @ 11.96 hrs, Volume= 0.136 af

0.12 cfs @ 13.04 hrs, Volume= Outflow 0.106 af, Atten= 95%, Lag= 64.4 min

0.12 cfs @ 13.04 hrs, Volume= Discarded = 0.106 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs Peak Elev= 90.63'@ 13.04 hrs Surf.Area= 0.011 ac Storage= 0.067 af

Plug-Flow detention time=169.7 min calculated for 0.106 af (78% of inflow)

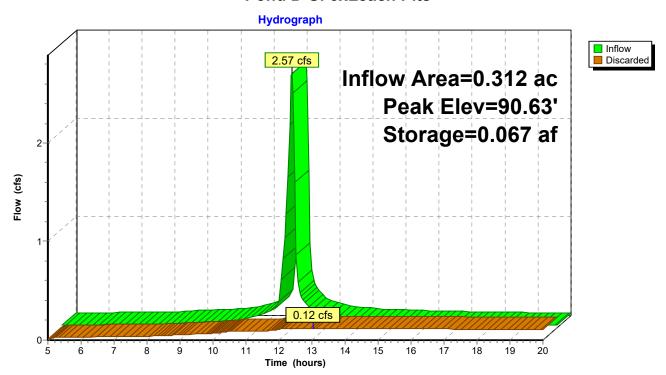
Center-of-Mass det. time=111.7 min (840.9 - 729.2)

Volume	Invert	Avail.Storage	Storage Description
#1	80.00'	0.052 af	14.00'D x 12.00'H 4' Stone Surround 3
			0.127 af Overall - 0.023 af Embedded = 0.104 af x 50.0% Voids
#2	80.00'	0.023 af	6.00'D x 12.00'H Vertical Cone/Cylinder 3 Inside #1
	•	0 075 af	Total Available Storage

Device	Routing	Invert	Outlet Devices
#1	Discarded	80.00'	8.270 in/hr Exfiltration over Surface area
			Conductivity to Groundwater Elevation = 50.00'

Discarded OutFlowMax=0.12 cfs @ 13.04 hrs HW=90.63' (Free Discharge) 1=Exfiltration (Controls 0.12 cfs)

# Pond D-S: 3xLeach Pits





# NOAA Atlas 14, Volume 10, Version 3 Location name: Sagamore Beach, Massachusetts, USA\*

Latitude: 41.7895°, Longitude: -70.5398° Elevation: 98.46 ft\*\* \* source: ESRI Maps



## POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sandra Pavlovic, Michael St. Laurent, Carl Trypaluk, Dale Unruh, Orlan Wilhite

NOAA, National Weather Service, Silver Spring, Maryland

PF\_tabular | PF\_graphical | Maps\_&\_aerials

# PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches) <sup>1</sup>								ches) <sup>1</sup>		
Duration	Average recurrence interval (years)									
Duration	1	2	5	10	25	50	100	200	500	1000
5-min	<b>0.289</b> (0.235-0.352)	<b>0.360</b> (0.293-0.440)	<b>0.477</b> (0.387-0.584)	<b>0.574</b> (0.463-0.706)	<b>0.708</b> (0.552-0.906)	<b>0.807</b> (0.616-1.05)	<b>0.913</b> (0.678-1.23)	<b>1.04</b> (0.722-1.41)	<b>1.23</b> (0.820-1.72)	<b>1.39</b> (0.904-1.97)
10-min	<b>0.409</b> (0.334-0.499)	<b>0.511</b> (0.416-0.623)	<b>0.677</b> (0.549-0.828)	<b>0.814</b> (0.657-1.00)	<b>1.00</b> (0.782-1.28)	<b>1.14</b> (0.873-1.49)	<b>1.29</b> (0.961-1.75)	<b>1.47</b> (1.02-2.00)	<b>1.74</b> (1.16-2.43)	<b>1.97</b> (1.28-2.79)
15-min	<b>0.482</b> (0.392-0.587)	<b>0.601</b> (0.489-0.733)	<b>0.795</b> (0.645-0.974)	<b>0.957</b> (0.771-1.18)	<b>1.18</b> (0.920-1.51)	<b>1.34</b> (1.03-1.75)	<b>1.52</b> (1.13-2.06)	<b>1.73</b> (1.20-2.35)	<b>2.05</b> (1.37-2.86)	<b>2.32</b> (1.51-3.29)
30-min	<b>0.693</b> (0.565-0.846)	<b>0.863</b> (0.703-1.05)	<b>1.14</b> (0.925-1.40)	<b>1.37</b> (1.11-1.69)	<b>1.69</b> (1.32-2.16)	<b>1.93</b> (1.47-2.51)	<b>2.18</b> (1.62-2.94)	<b>2.48</b> (1.72-3.37)	<b>2.93</b> (1.96-4.10)	<b>3.32</b> (2.16-4.71)
60-min	<b>0.905</b> (0.738-1.10)	<b>1.13</b> (0.916-1.37)	<b>1.49</b> (1.21-1.82)	<b>1.79</b> (1.44-2.20)	<b>2.20</b> (1.71-2.81)	<b>2.50</b> (1.91-3.27)	<b>2.83</b> (2.11-3.83)	<b>3.23</b> (2.24-4.38)	<b>3.82</b> (2.55-5.33)	<b>4.32</b> (2.81-6.13)
2-hr	<b>1.22</b> (1.00-1.48)	<b>1.52</b> (1.25-1.84)	<b>2.01</b> (1.64-2.44)	<b>2.42</b> (1.96-2.95)	<b>2.97</b> (2.34-3.78)	<b>3.39</b> (2.61-4.39)	<b>3.83</b> (2.88-5.15)	<b>4.38</b> (3.07-5.89)	<b>5.20</b> (3.50-7.19)	<b>5.91</b> (3.89-8.30)
3-hr	<b>1.44</b> (1.19-1.74)	<b>1.79</b> (1.47-2.16)	<b>2.35</b> (1.93-2.85)	<b>2.82</b> (2.30-3.43)	<b>3.46</b> (2.74-4.38)	<b>3.94</b> (3.05-5.08)	<b>4.46</b> (3.37-5.95)	<b>5.08</b> (3.59-6.80)	<b>6.03</b> (4.09-8.29)	<b>6.85</b> (4.54-9.56)
6-hr	<b>1.88</b> (1.56-2.26)	<b>2.30</b> (1.90-2.75)	<b>2.97</b> (2.46-3.57)	<b>3.54</b> (2.90-4.26)	<b>4.31</b> (3.43-5.40)	<b>4.88</b> (3.81-6.22)	<b>5.50</b> (4.18-7.24)	<b>6.23</b> (4.44-8.25)	<b>7.33</b> (5.02-9.97)	<b>8.26</b> (5.53-11.4)
12-hr	<b>2.39</b> (2.00-2.85)	<b>2.86</b> (2.38-3.40)	<b>3.62</b> (3.01-4.32)	<b>4.25</b> (3.51-5.09)	<b>5.12</b> (4.10-6.34)	<b>5.77</b> (4.53-7.26)	<b>6.45</b> (4.92-8.36)	<b>7.24</b> (5.22-9.48)	<b>8.37</b> (5.81-11.3)	<b>9.31</b> (6.31-12.7)
24-hr	(2.43-3.41)	(2.87-4.03)	<b>4.26</b> (3.57-5.05)	<b>4.98</b> (4.14-5.92)	(4.80-7.30)	<b>6.69</b> (5.29-8.33)	<b>7.46</b> (5.72-9.53)	<b>8.31</b> (6.05-10.8)	<b>9.50</b> (6.66-12.6)	(7.16-14.1)
2-day	<b>3.33</b> (2.82-3.90)	<b>3.93</b> (3.33-4.61)	<b>4.91</b> (4.15-5.78)	<b>5.73</b> (4.81-6.76)	<b>6.85</b> (5.57-8.32)	<b>7.70</b> (6.13-9.49)	<b>8.58</b> (6.63-10.8)	<b>9.54</b> (7.03-12.2)	<b>10.9</b> (7.72-14.3)	<b>12.0</b> (8.29-16.0)
3-day	<b>3.65</b> (3.11-4.26)	<b>4.28</b> (3.64-5.00)	<b>5.31</b> (4.50-6.21)	<b>6.16</b> (5.19-7.24)	<b>7.33</b> (5.99-8.87)	<b>8.22</b> (6.58-10.1)	<b>9.14</b> (7.10-11.5)	<b>10.1</b> (7.51-12.9)	<b>11.5</b> (8.23-15.1)	<b>12.6</b> (8.80-16.7)
4-day	<b>3.93</b> (3.36-4.58)	<b>4.57</b> (3.90-5.33)	<b>5.62</b> (4.78-6.56)	<b>6.49</b> (5.49-7.60)	<b>7.69</b> (6.30-9.26)	<b>8.60</b> (6.90-10.5)	<b>9.53</b> (7.43-11.9)	<b>10.5</b> (7.84-13.4)	<b>11.9</b> (8.55-15.5)	<b>13.0</b> (9.12-17.2)
7-day	<b>4.67</b> (4.01-5.40)	<b>5.33</b> (4.58-6.17)	<b>6.42</b> (5.49-7.45)	<b>7.32</b> (6.23-8.52)	<b>8.56</b> (7.06-10.2)	<b>9.52</b> (7.68-11.5)	<b>10.5</b> (8.20-12.9)	<b>11.5</b> (8.62-14.5)	<b>12.8</b> (9.28-16.5)	<b>13.8</b> (9.79-18.1)
10-day	<b>5.35</b> (4.61-6.16)	<b>6.04</b> (5.20-6.96)	<b>7.17</b> (6.15-8.28)	<b>8.10</b> (6.92-9.40)	<b>9.39</b> (7.77-11.1)	<b>10.4</b> (8.42-12.5)	<b>11.4</b> (8.94-13.9)	<b>12.4</b> (9.36-15.5)	<b>13.7</b> (9.99-17.6)	<b>14.7</b> (10.5-19.1)
20-day	<b>7.36</b> (6.40-8.42)	<b>8.15</b> (7.07-9.33)	<b>9.43</b> (8.16-10.8)	<b>10.5</b> (9.04-12.1)	<b>12.0</b> (9.98-14.1)	<b>13.1</b> (10.7-15.6)	<b>14.2</b> (11.2-17.2)	<b>15.3</b> (11.7-19.0)	<b>16.6</b> (12.3-21.1)	<b>17.6</b> (12.7-22.6)
30-day	<b>9.06</b> (7.91-10.3)	<b>9.93</b> (8.66-11.3)	<b>11.4</b> (9.87-13.0)	<b>12.5</b> (10.8-14.4)	<b>14.2</b> (11.9-16.5)	<b>15.4</b> (12.7-18.2)	<b>16.7</b> (13.2-20.0)	<b>17.8</b> (13.7-21.9)	<b>19.2</b> (14.3-24.1)	<b>20.1</b> (14.6-25.7)
45-day	<b>11.2</b> (9.83-12.7)	<b>12.2</b> (10.7-13.8)	<b>13.8</b> (12.0-15.7)	<b>15.1</b> (13.1-17.2)	<b>16.9</b> (14.2-19.6)	<b>18.4</b> (15.1-21.5)	<b>19.7</b> (15.7-23.4)	<b>20.9</b> (16.2-25.6)	<b>22.3</b> (16.7-27.9)	<b>23.3</b> (17.0-29.5)
60-day	<b>13.0</b> (11.5-14.8)	<b>14.1</b> (12.4-16.0)	<b>15.8</b> (13.9-17.9)	<b>17.3</b> (15.0-19.6)	<b>19.2</b> (16.3-22.2)	<b>20.8</b> (17.2-24.3)	<b>22.3</b> (17.8-26.3)	<b>23.5</b> (18.3-28.7)	<b>25.0</b> (18.8-31.1)	<b>25.9</b> (19.1-32.7)

<sup>1</sup> Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

Back to Top

# PF graphical

1 of 4 11/9/2022, 9:31 AM

Web Soil Survey National Cooperative Soil Survey

# MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:25,000.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil Warning: Soil Map may not be valid at this scale.

contrasting soils that could have been shown at a more detailed line placement. The maps do not show the small areas of scale.

Please rely on the bar scale on each map sheet for map measurements. Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator distance and area. A projection that preserves area, such as the projection, which preserves direction and shape but distorts Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Barnstable County, Massachusetts Survey Area Data: Version 19, Sep 9, 2022

Soil map units are labeled (as space allows) for map scales

1:50,000 or larger.

Date(s) aerial images were photographed: Sep 5, 2020—Sep 7,

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



# Streams and Canals Interstate Highways Major Roads Local Roads US Routes Rails **Nater Features** Transportation ŧ Not rated or not available Soil Rating Polygons Soil Rating Lines C/D

ΑD В



























# **Hydrologic Soil Group**

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
380B	Nantucket sandy loam, 3 to 8 percent slopes	В	11.8	38.3%
430B	Barnstable sandy loam, 3 to 8 percent slopes	А	5.1	16.4%
430C	Barnstable sandy loam, 8 to 15 percent slopes	А	6.6	21.5%
435C	Plymouth loamy coarse sand, 8 to 15 percent slopes	A	4.5	14.6%
435D	Plymouth loamy coarse sand, 15 to 35 percent slopes	A	2.8	9.2%
Totals for Area of Interest			30.8	100.0%

# **Description**

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

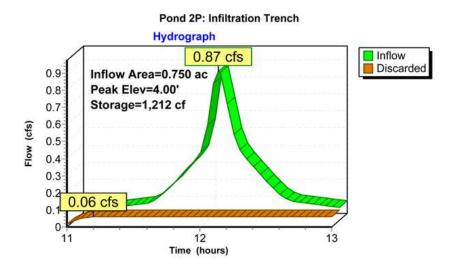
If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

# **Rating Options**

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

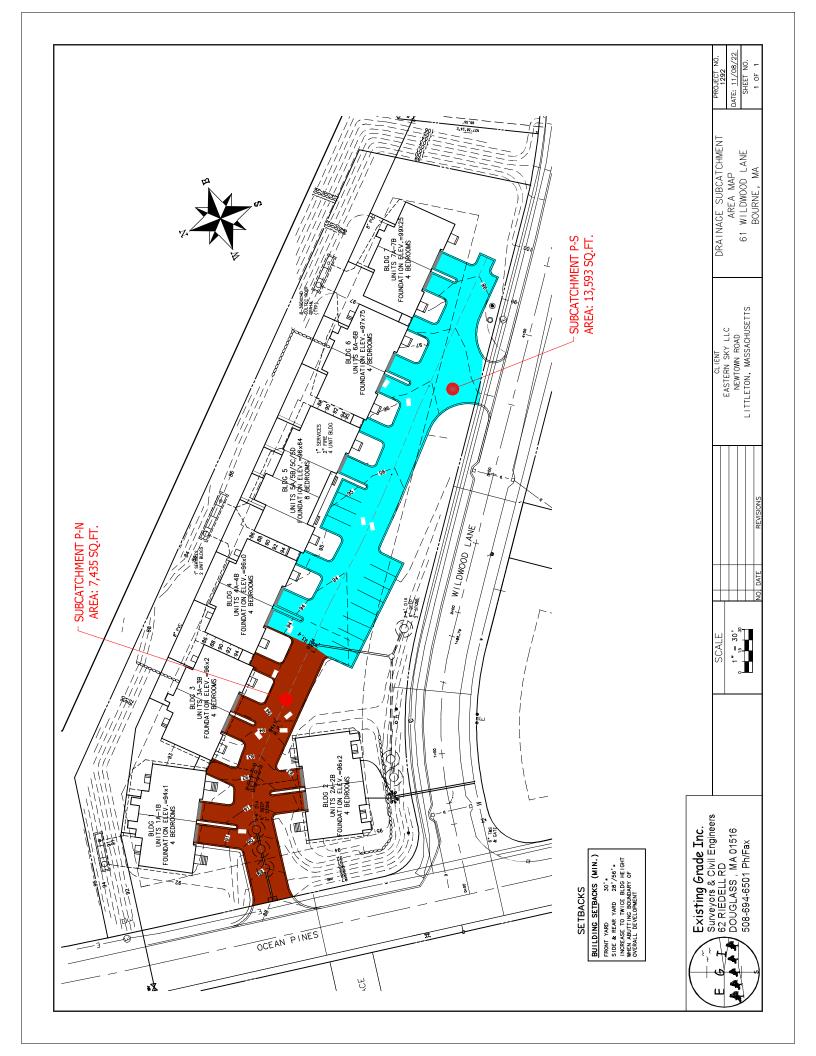
Tie-break Rule: Higher

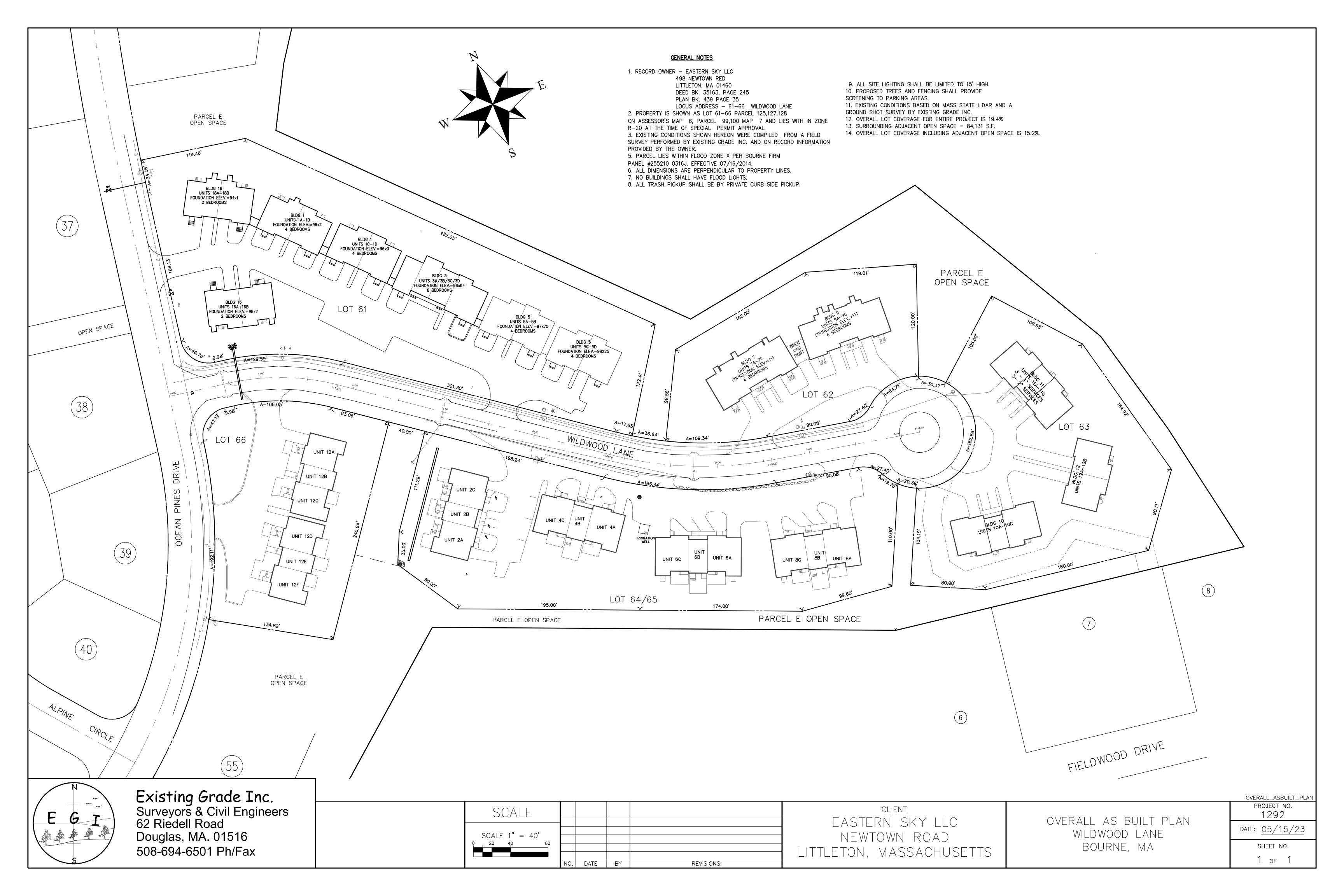


**Table 2.3.3. 1982 Rawls Rates** 18

Texture Class	NRCS Hydrologic Soil Group	Infiltration Rate	
	(HSG)	Inches/Hour	
Sand	A	8.27	
Loamy Sand	A	2.41	
Sandy Loam	В	1.02	
Loam	В	0.52	
Silt Loam	C	0.27	
Sandy Clay Loam	С	0.17	
Clay Loam	D	0.09	
Silty Clay Loam	D	0.06	
Sandy Clay	D	0.05	
Silty Clay	D	0.04	
Clay	D	0.02	

<sup>18</sup> Rawls, Brakensiek and Saxton, 1982







# TOWN OF BOURNE Office of the Town Planner

TOWN HALL 24 PERRY AVE.

BUZZARDS BAY, MA 02532

PHONE: 508-759-0600 ● FAX: 508-759-0611



JULIA GILLIS ASSISTANT TOWN PLANNER jgillis@townofbourne.com 508-759-0600 ext. 1357

# M E M O R A N D U M

**To:** Ken Murphy, Building Inspector

Cc: Hebb Builders, Applicant

**From:** Jennifer Copeland, Town Planner

Date: August 3, 2023

Re: Site Plan Review for <u>3 A-D Wildwood Lane</u>, Building Permit, Map 6 Parcel 125 Lot 61

B-23-104, B-23-107, B-23-118, and B-23-120, Bourne, MA

The above mentioned building permits are subject to an open space community special permit #38 from 1987. According to the conditions of the permit and the zoning bylaw section 4644 - Open Space Community. The multifamily portion of this development has a maximum of 48 units with 90 bedrooms. The approved development plan and the special permit have also provided development constraints, such as number of units and setbacks. This review is applicable to 3 A-D Wildwood Lane. Separate permits will be applied for in the future for the remaining units located at 1A-D Wildwood Ln, 16 Ocean Pine Drive and 18 Ocean Pine Drive.

Per the Lot 61 site layout plan dated June 13, 2022 and revised May 15, 2023, the structures comply with the side and rear setbacks to the property line. Lot 61 has a total of 26 bedrooms and there are not more than 20 dwelling units in a single structure. The structures provide a separation of no less than twice the building height from the boundary of the overall development. The parking areas are not located within the front yard and are screened with arborvitae plants. The parking area is located more than 75 feet from the boundary of the overall development plan. The parking areas are separated from the guest parking area by more than 20 feet. Lighting complies per note 9 and shall be less than 15 feet high.

The developer provided an overall as-built plan dated May 15, 2023 and the lot coverage for the entire project is 19.4%, below the maximum of 20%. The development complies with the open space requirements such that no land therein shall be sold and no lot line or structure altered from that shown on the Overall Development Plan so as to increase the extent of nonconformity with the standard dimensional regulations of the Zoning Bylaw. Lastly, a stamped stormwater report dated Nov. 9, 2022 from Existing Grade, Inc. has been provided to the Planning Office.

Please note any changes to the following constraints or requirements would require an amendment to the special permit. Feel free to contact me should you have any questions.

# EXISTING GRADE, INC.

# Land Surveyors - Civil Engineers

November 9, 2023

Ocean Dunes LLC

Mr. Brian Hebb

498 Newtown Rd

Littleton, MA 01460-2206

RE: Storm Water Drainage Response for Wildwood Condominium

Ocean Dunes

Wildwood Lane

Bourne, Massachusetts

Mr Hebb:

Existing Grade Inc. is writing in response to the concerns raised regarding the drainage design and performance of the Wildwood Condominium Project located on Wildwood Lane (Town of Bourne Assessors Map 6, Parcels 125 - 128). Bourne, MA.

Infiltration and Leach Pits: The site drainage systems for the Wildwood Condominium Project have been meticulously designed to handle extreme weather events, including the 100-year storm event. Infiltraotrs and leach pits have been strategically placed to capture and manage stormwater effectively. These pits are designed to allow water to slowly infiltrate into the ground, reducing the risk of flooding and erosion while promoting natural groundwater recharge.

Runoff Management: The project has been designed to management runoff, with approximately 90% of runoff being retained within the lot boundaries. This approach minimizes the impact and ensures that only a small percentage of runoff is discharged onto Wildwood Lane. The original design of the Subdivision would have calculated a much larger contribution area entering the Wildwood Road drainage system.

Catch Basin Performance: The developer has reported that catch basins located on Wildwood Lane have not experienced surcharging. This indicates that the drainage pipe network and pond are operating as intended.

Additional Pavement: The installation of extra pavement was a requirement by the local fire chief to ensure the safety and accessibility of the development for emergency services. This additional pavement does not negatively impact stormwater drainage as the majority of the pavement is self contained on the lots and does not flow onto Wildwood Lane; instead, it serves an essential safety purpose.

Ocean Dunes LLC Wildwood Lane, Bourne, MA Stormwater Drainage Responce November 9 2023 – Page 2

Grading Modification: The adjustment of the grading behind lot 63 was carried out to meet the requirements of the water department for looping water lines. This modification ensures that the development has a reliable and redundant water supply, which is a crucial element in any residential project. It does not have any effect on water entering Wildwood Lane but rather supports the overall infrastructure's integrity.

Pond Design: The original pond design for the subdivision most likely followed the Barnstable method, which did not require outlets. This design approach aligned with the local standards at the time. There are numerous ponds in Bourne designed and constructed per this method. The subdivisions stormwater management was developed in accordance with established and accepted practices at the time.

Pond Revamping: The developer's proactive action to revamp the pond bottom and wick approximately four years ago has significantly improved the pond's capacity to infiltrate water. This enhancement indicates a commitment to maintaining and improving the stormwater infrastructure over time, which is essential for long-term effective stormwater management.

Silt and Water Runoff: Acknowledging the concerns related to silt and water runoff into Ocean Pines Drive due to poor site development practices on Lot 61, corrective measures have been implemented. These measures include enhanced erosion control and sediment management practices to prevent further silt and water runoff issues. These improvements will help maintain water quality and reduce the environmental impact of the project.

Summary: EGI finds it highly improbably that the development of the sites has had a highly negative impact on the Ocean Pines drainage system. The effort to self contain the stormwater on each lot and designing for the 100 year storm events (greatly above the requirements at the time of approval) have ensured that less water is entering. Ocean Pines than originally designed for.

Please feel free to contact this office should you have any questions or concerns.

Very Truly Yours,

Existing Grade, Inc.

Edwin Gless, P.E., P.L.S.

President

62 Riedell Road Douglas, MA 01516 (508) 737-7920