



PLANNING BOARD DOVER, MASSACHUSETTS

SITE PLAN REVIEW APPROVAL AMENDMENT

Applicant: Weston and Sampson

Site Address: 2 Dedham Street

Map/Lot: 11/36, 31G

I. BACKGROUND

Pursuant to Dover Zoning Bylaw Section 185-36, a site plan for this project was reviewed at a regularly scheduled Planning Board meeting held on April 30, 2024. After considering the application and other materials submitted at its meeting of April 30, 2024, the Board approved the plans entitled Site plan by Weston and Sampson, stamped and signed by James Pearson, PE, and dated April 2024 and plans entitled Elevations plan by Weston and Sampson, stamped and signed by Brian McCusker, Registered Architect, dated April 10, 2024

On August 16, 2024 the Planning Department received a request to amend the recently issued Site Plan Approval on permitted site improvements proposed on the Town Garage property at 2 Dedham Street (Map 11, Lot 36). The Applicant hereby proposes to modify the Approval to accommodate the following sequence of additional site improvements:

- Installation of a new fueling system located in the rear of the parcel, inclusive of the following components:
 - One (1) 9,990± gallon double walled steel split tank (containing gasoline and diesel fuel) with a single-side fueling configuration
 - Fueling Canopy with storm drainage and integral lighting
 - Concrete fueling pad with bollard protection
 - One gasoline/diesel dispenser and a fuel management system

- Diesel exhaust fluid tote with heated enclosure and dispenser reel
- Other miscellaneous components to support the fuel island, as detailed in the attached site plans
- Removal of the existing fuel system located proximate to the front entrance of the Town Garage Building

The new fuel system will allow for the removal of the aging double walled Convault fuel tanks, which were installed in 1994. While the tank documentation did not explicitly state the warranty term, the Convault literature from that time shows a 20-year standard warranty period with an optional 30-year warranty. In either case, the warranty will be expired in 2024.

The proposed location for the new fuel island is depicted on site plans by Weston and Sampson titled Town of Dover Massachusetts, Department of Public Works Proposed Site Improvements dated 4/1/24 revised through 8/12/24. This location was selected to promote a more efficient fueling operation for Town vehicles. The position of the existing fuel system frequently requires vehicles to reverse before or after fueling and makes the delivery of fuel challenging.

Additional improvements enabled by the new fuel system include a proposed canopy with under canopy motion-censored lighting. The new fuel system would be classified as a fleet vehicle motor fuel dispensing facility; therefore, fire suppression for the fuel island is not be required by the Massachusetts Code (confirmed by Ed Kornack).

The proposed modifications are located outside of the 100' buffer zone to the nearby isolated wetland, which was delineated by a Weston & Sampson on October 12, 2023, and is therefore not within the Conservation Commission's jurisdiction. Additionally, the proposed modifications result in no net increase in impervious area on the site.

Pursuant to Section 185-40.C.(1) of the Dover Zoning Bylaws, no application for a building permit shall be made for any structure in the Open Space District until site plans have been submitted to the Board of Selectmen for review, comments and recommendations. Therefore, an approval from the Board of Selectmen will also be Required.

The Board of Health, Town Engineer, and Building Department do not have requirements for this amendment.

The Fire Department requires a permit for the tanks final disposal site when removed and the name of the contractor handling this.

The proposed work is not expected to create any increase in pedestrian, bicycle, or vehicular traffic to or from the site.

II. APPLICATION AND OTHER MATERIALS SUBMITTED TO THE BOARD

The Planning Board considered the amendment that included the following materials:

- (1) Memo from Weston and Sampson dated August 16, 2024.
- (2) Updated site plans by Weston and Sampson titled Town of Dover Massachusetts, Department of Public Works Proposed Site Improvements dated 4/1/24 revised through 8/12/24, include the following modifications relative to the previously approved permit plans:
 - (a) Sheet C103: The proposed removal of the existing fuel island (refer to the plan enlargement)
 - (b) Sheet C105 (new): A sheet containing the proposed fuel island and associated components
 - (c) Sheets EQ501-EQ504: Details of the proposed fuel system components
- (3) Letter from Weston & Sampson dated 9/13/24 to the Planning Board
- (4) Letter from Weston & Sampson dated 10/22/24 to the Planning Board and Conservation Commission
- (5) Email from Janet Bowser dated 10/31/24 to the Planning Board and Conservation Commission
- (6) Email from Nicole Seferian dated 11/24/24 to the Planning Board
- (7) Email from Edward Kornack, Dover Fire Dept., dated 12/10/24 to Jasmin Farinacci

III. FINDINGS

The Planning Board reviewed the application for compliance with the Site Plan Review Criteria of Section 185-36 E and made the following findings:

- a) Compliance with the requirements for lot size, frontage, lot coverage of buildings, height, parking and loading spaces, yards, and all other provisions of this Chapter;
The installation of the new fuel station complies with the dimensional requirements.
- b) The location of driveway openings in relation to street traffic, and the convenience and safety of pedestrian, bicycle, and vehicular traffic to, from, and on the site;
The existing driveway/access will not be disturbed by the proposed work. The drainage will be updated but will not impact the driveway openings or traffic on the site long-term.
- c) The adequacy of arrangement and number of parking and loading spaces in relation to the proposed use of the premises;
The proposed installation has no impact on parking.
- d) The arrangement and appearance of proposed new buildings, structures, colors and materials, or changes to the aspects of a site;
The proposed material will meet state requirements for a fueling station.

- e) Provisions to protect surrounding premises against detrimental impacts;

There will be appropriate measures taken to reduce these impacts with erosion control measures during construction and appropriately installed drainage, per the requests of the Conservation Commission as referenced in the documents referenced above.
- f) The relationship of structures, design aspects, and open spaces to the natural landscape, existing buildings, historic and architectural heritage, and other community assets;

According to the DPW, the structure is being placed in a location that allows for easier fueling of vehicles.
- g) Potential impacts on natural resources, including groundwater and open space;

The potential impact is focused on contamination due to a fuel leak. Since the project is outside of the 100 ft. wetland buffer this was outside of Conservation Commission review. The Planning Board did request the applicant go before the Conservation Commission and the Conservation Commission submitted several requests as detailed in the referenced documents. In addition, the existing drainage system on the site is being updated as well, which will be beneficial for the site long-term.
- h) Potential impacts on Town resources, including protective agencies, streets, and public spaces;

This proposed structure will replace an outdated system.
- i) Harmony in architectural treatment and avoidance of incongruous or inappropriate character or architectural appearance and arrangement of buildings;

The proposed structure will meet state requirements for a fuel station.
- j) Compliance with all other requirements of this Chapter.

The application complies with the requirements of the Zoning Bylaws.

IV. IMPORTANT ITEMS OF DISCUSSION

- a) Access to the cell tower

Per the decision issued to AT&T at 2 Dedham Street, access to the cell tower will be moved to the right side of the perimeter fencing and allow for better access.
- b) Canopy height

The canopy height is sufficient for any Town Vehicle or snowplow to pass under.
- c) 10 ft width between the back of the fuel station and the fence which will be narrower in the winter

The DPW will keep the area clear of snow and debris for access. It was noted by the AT&T applicant that the fencing that would be parallel to the new fuel storage area had been damaged by snow over time even with no narrow pathway in front of it. The Planning Board expressed concern about this and suggests a review by DPW of

whether just leaving it unplowed is safer than piling up snow on both sides of this narrow area.

d) Placement in an area with lots of truck traffic

This area will not see large amounts of traffic outside of fueling vehicles, although snow removal equipment of the Town and vendors can be expected to increase during snowstorms .

e) The plan shows leaked gasoline flowing into the 100 ft. wetland buffer with no clear specific engineering of the stormwater system recently approved to isolate gasoline.

The applicant appeared before the Conservation Commission on October 23, 2024 to address these concerns – recommendations for prevention are listed below.

f) On October 23, 2024, the Dover Conservation Commission reviewed the plans and made the following comments and recommendations:

1. In addition to the spill prevention features and spill response guidelines outlined in the memo from Weston & Sampson dated 10/22/24 (attached), the DPW confirmed that all electronic leak monitoring systems and overfill prevention alarms will alert a DPW employee who will be “on-call” on a 24/7 basis to respond to any detected fuel releases and the Commission requested that this confirmation be included in writing in the DPW’s *Spill Prevention, Control and Countermeasure (SPCC) Plan* for this project and that a copy of this Plan be submitted to the Commission once it is completed as part of the permitting process.
2. The Commission requested that a site plan be submitted prior to construction showing the specific installation location and specification details related to the discussed “Hydrodynamic Separator” to be installed downstream of the site’s deep-sump, hooded catch basin in order to help prevent hydrocarbons from entering the drainage system that outlets to the wetland resource area.
3. The DPW confirmed that the “DrainBlocker” catch basin covers will be installed by the DPW during all tank fueling activities on the site as well as being installed as an immediate spill response measure and the Commission requested that this be confirmed in writing in the SPCC Plan. (The Planning Board expressed concern that this may be difficult to guarantee given the many vehicles and drivers that use the fuel station.)
4. The Commission requested that erosion control measures such as filtermitt compost sock, silt fence and orange construction fencing be installed prior to construction and immediately adjacent to the fuel station area in consultation with the Conservation Agent in order to protect the wetland resource area from runoff and sedimentation during construction of the fuel station.

IV. DECISION AND CONDITIONS

- 1) After considering the application and other materials submitted at its meeting of September 9 2024, and January 6, 2025, the Board approved the updated site plans by Weston and Sampson titled Town of Dover Massachusetts, Department of Public Works Proposed Site Improvements dated 4/1/24 revised through 8/12/24, include the following modifications relative to the previously approved permit plans:

- (a) Sheet C103: The proposed removal of the existing fuel island (refer to the plan enlargement)
- (b) Sheet C105 (new): A sheet containing the proposed fuel island and associated components
- (c) Sheets EQ501-EQ504: Details of the proposed fuel system components with the following conditions:

- 2) Prior to the issuance of a building permit, minor modifications to the Site Plan may be approved administratively by the Planning Board Chair
- 3) Any future modifications to the site shall be reviewed and approved by the Planning Board.
- 4) The lighting on the site must not spill over onto any adjoining property.
- 5) The site is subject to approval by the Conservation Commission.
- 6) The site is subject to approval by the Board of Selectmen.
- 7) In addition to the spill prevention features and spill response guidelines outlined in the memo from Weston & Sampson dated 10/22/24 (attached), the DPW confirmed that all electronic leak monitoring systems and overfill prevention alarms will alert a DPW employee who will be “on-call” on a 24/7 basis to respond to any detected fuel releases and the Commission requested that this confirmation be included in writing in the DPW’s *Spill Prevention, Control and Countermeasure (SPCC) Plan* for this project and that a copy of this Plan be submitted to the Commission once it is completed as part of the permitting process.
- 8) The Conservation Commission requested that a site plan be submitted prior to construction showing the specific installation location and specification details related to the discussed “Hydrodynamic Separator” to be installed downstream of the site’s deep-sump, hooded catch basin in order to help prevent hydrocarbons from entering the drainage system that outlets to the wetland resource area.
- 9) The DPW confirmed that the “DrainBlocker” catch basin covers will be installed by the DPW during all tank fueling activities on the site as well as being installed as an immediate spill response measure and the Commission requested that this be confirmed in writing in the SPCC Plan.
- 10) The Conservation Commission requested that erosion control measures such as fillermitt compost sock, silt fence and orange construction fencing be installed prior to construction and immediately adjacent to the fuel station area in consultation with the Conservation Agent in order to protect the wetland resource area from run-off and sedimentation during construction of the fuel station.

The vote was unanimous as follows:

Carol Lisbon
 Jody Shue
 George Sidgwick
 Bill Motley
 Valerie Lin

PLANNING BOARD OF DOVER (acting under the Dover Zoning Bylaw, Section 185-46.1)

Carol Lisbon
Planning Board Chair

Date

I, _____, Jasmin Farinacci, Town Planner for the Town of Dover
certify that copies of this decision have been filed with the Dover Town Clerk and the Planning
Board on _____, 2025.