

CAPE COD COMMISSION

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Date: October 22, 1998

Applicant: Woods Hole Oceanographic Institution
c/o Ament & Ament, Attorneys
P.O. Box 919, 39 Town Hall Square
Falmouth, MA 02541

Project #: EX98041
Project Name: Fenno House Addition

Re: Development of Regional Impact Exemption
Cape Cod Commission Act, Section 12

Certificate of Title #: Lot B, Land Court Plan 5348-C
Certificate of Title 44053

Owner: Woods Hole Oceanographic Institution

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission) hereby approves the application of the Woods Hole Oceanographic Institution for an Exemption as a Development of Regional Impact (DRI) for a proposed addition to an historic structure. The project qualifies as a Development of Regional Impact under Section 3(e) of the DRI Enabling Regulations as a proposed expansion of greater than 10,000 square feet to an existing educational development. The applicant has filed for a Development of Regional Impact Exemption pursuant to Section 12(k) of the Cape Cod Commission Act, as amended. This decision is rendered pursuant to a vote of the Commission on October 22, 1998.

PROJECT DESCRIPTION

The proposed project is located on a 64 acre parcel in the Quissett area of Falmouth and involves an 11,618 square feet addition to the existing Fenno House building on the Quissett Campus of the Woods Hole Oceanographic Institution (WHOI). The

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existing Fenno House is 7,752 square feet and was constructed in 1902. The proposed addition includes two stories and a basement, with a ground level footprint of approximately 4,100 square feet. The addition is proposed in a cleared area adjacent to the Fenno House which currently serves as a grass lawn.

The Quissett Campus as a whole is comprised of approximately 180 acres of land and contains laboratories and classrooms, student residences, and administrative offices within 21 buildings. The Fenno House and nine other buildings are located on the 64 acre parcel. In conjunction with the proposed addition, the project includes grading and construction of 13 new parking spaces.

PROCEDURAL HISTORY

The applicant applied directly to the Cape Cod Commission for a DRI Exemption for the proposed Fenno House Addition. A DRI Exemption application was received on September 8, 1998. A site visit was conducted by the Subcommittee on September 23, 1998. A duly noticed hearing was held on October 14, 1998 at the Fenno House. At this hearing, the Subcommittee voted unanimously to recommend to the full Commission that the project be granted a DRI Exemption. The Subcommittee directed that a draft decision be prepared by staff and delegated its authority to the Chair to review the draft decision. A draft decision on the DRI Exemption was presented to the full Commission on October 22, 1998. At this meeting, the Commission voted unanimously to approve the Decision as presented on October 22, 1998 granting a DRI Exemption to the proposed Fenno House Addition. The hearing and public record on the project were closed on October 22, 1998.

MATERIALS SUBMITTED FOR THE RECORD

Town Submittals:

- None

Staff Reports and Correspondence:

- Staff report dated October 8, 1998
- Letter from Paul Sutton to Moynihan dated September 21, 1998

Submittals from the Applicant:

- letter from William E. McKeon to Paul Sutton dated October 13, 1998 regarding site wastewater flows

- septic system plan and site plan dated October 2, 1998
- letter from Robert H. Ament to Paul Sutton dated October 1, 1998
- letter from Robert H. Ament to Paul Sutton dated September 23, 1998
- DRI application dated September 4, 1998
- letter from Patricia Daley to Patrick Butler dated July 23, 1998
- letter from Pat Butler to Armando Carbonell dated July 20, 1998

Submittals from Government Agencies:

- Letter from Massachusetts Historical Commission to Laura Moynihan dated July 13, 1998

Submittals from the Public:

- Letter dated October 13, 1998 from Robert Tashiro sent via electronic mail
- Letter dated October 9, 1998 from Richard D. Cutler

The application and notice of the public hearing relative thereto, the Commission's staff reports, correspondence, notes and exhibits, minutes of hearing and all written submissions received in the course of the proceedings, including materials submitted on file EX98041, are incorporated into the record by reference.

TESTIMONY

The Subcommittee received testimony at the October 14, 1998 public hearing on this project at the Fenno House on the Quissett Campus of the Woods Hole Oceanographic Institution in Falmouth, MA. The applicant presented the project, showing a model and architectural drawings to the Subcommittee. Paul Sutton presented the Commission staff report. Jean McCluskey and Ann Sears of the Falmouth Historical Commission provided testimony on historical preservation and community character issues. Residents and abutters Mimi Franken, Richard Lovering, and Jeffrey Hamilton commented mainly on noise impacts associated with development at the Quissett campus. Both the applicant and residents recognized the possible need for a full review of future projects at the Quissett Campus. Pat Butler suggested the concept of a development agreement as a potential tool for long range planning at the Quissett Campus.

JURISDICTION

The proposed project qualifies as a Development of Regional Impact (DRI) under the Code of Cape Cod Commission Regulations of General Application, Chapter A, Section 3(e), Barnstable County Ordinance 94-10, as a proposed addition with a gross

floor area greater than 10,000 square feet. This DRI Exemption is granted subject to Section 12(k) of the Cape Cod Commission Act, as amended.

FINDINGS

The Commission has considered the DRI Exemption application of the Woods Hole Oceanographic Institution for the proposed 11,618 square foot Fenno House addition. Based on consideration of this application, the information presented at the public hearing and submitted for the record, the Commission makes the following findings:

1. The proposed project consists of an 11,618 square foot addition to the existing 7,752 square foot Fenno House. The addition includes two stories of office and common space (1st floor - 4,113 square feet, 2nd floor - 3,205 square feet) and a 4,300 square foot basement designed as storage space.
2. The Fenno House was constructed as a Shingle Style estate in 1902. It is not currently listed on the National or State Registers of Historic Places.
3. The proposed project is located within the Public Use District in the Town of Falmouth and is allowed under local zoning as a permitted community service use.
4. The proposed project is tied into the Town of Falmouth's water supply, but is not served by the municipal sewer system.
5. The proposed project is not located in any of the Regional Policy Plan water resource protection areas (Wellhead Protection, Marine Recharge and Freshwater Recharge).
6. The 9,000 square foot of office area associated with the enlarged Fenno House addition will generate approximately 675 gallons of wastewater per day.
7. Based on facility water consumption records provided by Woods Hole Oceanographic Institution, it is estimated that approximately 48,920 gallons of water per day will be generated by the enlarged Fenno House and the other nine buildings located on the 64 acre Fenno House parcel.
8. The cumulative wastewater load on the 64 acre Fenno House parcel is below the 5 ppm nitrogen loading concentration as calculated by staff and meets the wastewater loading minimum performance standard.

9. The project site is not located within a Significant Natural Resource Area or within 100 feet of any coastal or inland wetlands.
10. The project site is not located near a certified vernal pool or an estimated habitat of rare wildlife as defined by the Massachusetts Division of Fisheries and Wildlife.
11. Expansion of the Fenno House and adjacent parking area, as proposed, will result in minimal clearing of vegetation.
12. The project proponent would be required to maintain 50% of the upland area of the site as open space if the project were reviewed as a DRI. Less than 50% of the upland area of the site will be developed as a result of the proposed project.
13. The proposed project is expected to be a low traffic generator. It is anticipated that the proposed expansion will increase site traffic by 12 trips during the weekday peak hour and 94 trips on an average weekday, based on the Institute of Traffic Engineers "Trip Generation" report (Land Use: Research & Development Centers). As described in the RPP, this volume of traffic is below the minimum traffic thresholds that require intersection or roadway analysis and/or mitigation.
14. The peak periods of traffic generation for this project do not coincide with the peak periods for area traffic. As a research and development facility, the peak periods are in the morning on a weekday. The peak period of area traffic is in the afternoon and on weekends. This characteristic of the project traffic reduces impacts on area traffic.
15. Site access is from a primary driveway on Woods Hole Road and a secondary driveway on Oyster Pond Road. These roads are classified as a principal arterial and a minor arterial, respectively, on the "Functional Classification of Cape Cod Highways." No new driveways are proposed as part of this expansion. Sight distance at both of these existing driveways is adequate, based on staff field observations. No safety problems are expected to result from increased site traffic.
16. The proposed addition is consistent with the Commission's Design Manual and the Minimum Performance Standards relating to architectural design.
17. The Massachusetts Historical Commission staff has stated that the proposed project will not impact any significant archaeological resources in the project area.

- 18. The proposed project is consistent with the Commission goal of promoting businesses that are compatible with Cape Cod's environmental, cultural and economic strengths.

CONCLUSION

The Cape Cod Commission hereby concludes that the Fenno House addition, as proposed and consistent with the above findings, will not have any significant impacts on the values and purposes protected by the Cape Cod Commission Act, as amended, outside of the Town of Falmouth due to its location, character, and associated environmental effects.

Therefore, the Cape Cod Commission hereby grants a Development of Regional Impact Exemption for the proposed Fenno House addition to the Woods Hole Oceanographic Institution in Falmouth, MA pursuant to Section 12(k) of the Cape Cod Commission Act, as amended. This Exemption Decision is valid for three years from the date of issuance.

Herb Olsen
Herb Olsen, Chair

Date 10/22/98

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

Subscribed and sworn before me this 22 day of October, 1998.

Katharine L. Peters
Notary

My Commission expires:

