



CAPE COD COMMISSION

3225 MAIN STREET
P.O. BOX 226
BARNSTABLE, MA 02630
(508) 362-3828
FAX (508) 362-3136

E-mail: frontdesk@capecodcommission.org

Date: July 13, 2000

Applicant: Woods Hole Research Center – Gilman Ordway Campus
c/o Ament & Ament, Attorneys
P.O. Box 919, 39 Town Hall Square
Falmouth, MA 02541

Project #: EX20013

Project Name: Woods Hole Research Center – Gilman Ordway Campus

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

Certificate of Title #: Lot 2-A
Certificate of Title #150549

Owner: Woods Hole Research Center

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission) hereby approves the application of the Woods Hole Research Center for an Exemption as a Development of Regional Impact (DRI) for a proposed renovation and expansion of a 7,500 square foot residence that will result in office/laboratory space totaling 19,300 square feet. 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 of office/educational uses. 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 July 13, 2000.

PROJECT DESCRIPTION

The project involves the renovation of a 7,500 square foot residence between Woods Hole and Falmouth Center. The proposed addition of approximately 11,800 square feet will result in office and laboratory space totaling 19,300 square feet. The site is owned and used by the Woods Hole Research Center ("WHRC" or "Research Center"), a non-profit educational institution.

Woods Hole Research Center – Ordway Campus
Falmouth, MA
July 13, 2000 Decision - #EX20013



PROCEDURAL HISTORY

The proposed project was referred to the Commission by the Falmouth Planning Board on April 12, 2000. The applicant subsequently submitted both a DRI Approval and a DRI Exemption application for the project on April 14, 2000. The DRI applications were deemed complete by Commission staff on May 8, 2000. A duly noticed hearing was held on June 7, 2000 at the Sea Education Association in Woods Hole. At this hearing, the Subcommittee voted to postpone substantive action on the DRI Exemption application and continue the hearing to June 22, 2000. The Subcommittee met on June 19, 2000 and voted unanimously to recommend to the full Commission that the project be exempted from DRI review.

MATERIALS SUBMITTED FOR THE RECORD

Town Submittals:

- DRI referral from Brian Currie dated April 10, 2000.

Staff Reports and Correspondence:

- Minutes from the June 7, 2000 hearing, approved on June 19, 2000;
- Subcommittee notice dated June 15, 2000;
- Facsimile dated June 5, 2000 from Paul Sutton to Joseph Hackler;
- Staff report dated June 2, 2000;
- Facsimile with attachments dated June 2, 2000 from Paul Sutton to Joseph Hackler and Robert Ament;
- Letter dated May 8, 2000 from Paul Sutton to Robert Ament;
- Subcommittee notice dated May 2, 2000;
- Letter dated April 26, 2000 from Paul Sutton to Robert Ament; and,
- Letter dated April 13, 2000 from Paul Sutton to Robert Ament.

Submittals from the Applicant:

- Faxed letter dated June 19, 2000 from Jeanne Moorehead to Robert H. Ament;
- Draft plan of conservation restriction, dated June 16, 2000;
- Letter dated June 9, 2000 from Joseph Hackler to Ann Lattinville, Massachusetts Historical Commission;
- Faxed letter dated June 7, 2000 from Joseph Hackler to Paul Sutton;
- Faxed letter dated June 6, 2000 from Robert Ament to Paul Sutton;
- Letter and attachments dated May 26, 2000 from Laura Moynihan to Paul Sutton;
- Letter and attachments dated April 27, 2000 from Joseph Hackler to Scott Michaud;
- Facsimile dated April 24, 2000 from Joseph Hackler to Paul Sutton; and,
- DRI Approval and DRI Exemption applications, dated April 14, 2000, and associated attachments.

Submittals from Government Agencies:

- Letter dated June 6, 2000 from Massachusetts Historical Commission to Joseph Hackler.

Submittals from the Public/Interested Parties:

- Facsimile from Tina Dolen, The 3000 Committee Land Trust, Inc., dated June 7, 2000 to Paul Sutton.

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 EX20013/TR20013, are incorporated into the record by reference.

TESTIMONY

The Subcommittee received testimony at the June 7, 2000 public hearing held at the Sea Education Association in Woods Hole, MA. Representing the applicant, George Woodwell and Michael Ernst presented the project. Paul Sutton and Scott Michaud presented the Commission staff report. Victoria Lowell inquired about the project's connection with area bike paths. Dick Norris asked about the trail network proposed for the site. Judy Stetson stated that the speed limit along Woods Hole Road should be enforced.

The Subcommittee allowed limited testimony at the June 19, 2000 meeting. Suzanne Goodman-Hallstein, Falmouth 300 Committee, stated that an agreement which would provide for permanent protection of portions of the property was being developed. She said that the 300 Committee would hold the conservation restriction and is confident that the Research Center will follow through with the protection of the land.

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 Research Center for the proposed addition of approximately 11,800 square feet that will result in office and laboratory space totaling 19,300 square feet. Based on consideration of this application, the information presented at the public meetings and submitted for the record, the Commission makes the following findings:

LU1. The proposed redevelopment project involves the renovation and expansion of a 7,500 square foot residence located between Woods Hole and Falmouth Center. The proposed addition of approximately 11,800 square feet will result in office and laboratory space totaling 19,300 square feet.

LU2. This project has been specifically designed to direct redevelopment activity away from Significant Natural Resource Areas (SNRA), consistent with Minimum Performance Standard 1.1.4.

T1. The Woods Hole Research Center proposes to convert a residence to 19,300 square feet (SF) of office/laboratory space on Woods Hole Road in Falmouth. Woods Hole Road is listed as a regional road as defined in the Regional Policy Plan (RPP). The proposed office building is served by the SeaLine fixed-route bus service.

T2. The proponent's traffic engineer estimates the new vehicle generation to be as follows:

- AM Peak Hour - 30 trips (26 In/4 Out);
- PM Peak Hour - 29 trips (5 In/24 Out); and,
- Average daily traffic - 212 trips (106 In/106 Out).

T3. Under Minimum Performance Standard (MPS) 4.1.1.1, the threshold for traffic impacts is 25 vehicles per peak hour on a regional roadway or regional intersection generated by the development. The proponent's traffic engineer has determined that the vehicle trip distribution will be 70% to/from the east (Falmouth Center) and 30% to/from the west (Woods Hole). Distributing the thirty vehicle trips onto Woods Hole Road indicates that 21 vehicles would impact Woods Hole Road east of the project and 9 vehicles would impact Woods Hole Road west of the project site. The 21 vehicle trips is below the threshold of 25 peak hour vehicle trips requiring analysis and mitigation under MPS 4.1.1.1 of the RPP.

T4. MPS 4.1.1.5 requires all Developments of Regional Impact (DRIs) access/egress locations with public ways to meet Massachusetts Highway Departments (MHD) and American Association of State Highway Transportation Officials (AASHTO) standards for safe stopping sight distance. Based on the proponent's traffic engineer field measurements, the stopping sight distances are adequate.

T5. MPS 4.1.1.6 requires all new driveways on regional roads to operate at Level of Service (LOS) C or better as defined in the Highway Capacity Manual. The Woods Hole Research Center project will access an existing driveway and therefore this MPS does not apply. The proponent's traffic engineer concludes that the existing driveway on Woods Hole Road will operate at LOS C during the morning and afternoon peak hours.

T6. MPS 4.1.1.7 states that there shall be no degradation in public safety because of a DRI. Based on the available stopping sight distance, a review of the accident data at the site driveway (no accidents were reported in the last three years) and the fact that new vehicle traffic is below RPP standards, it is determined that a degradation in public safety is not likely.

T7. The applicant has proposed a trip reduction plan that includes the following components:

- Provide bicycle facilities (bike racks, lockers, showers);
- Construct pedestrian pathways;
- Provide connections to area bicycle paths;
- Provide shuttle service between WHRC facilities;
- Provide flexible work hours for ridesharers;
- Encourage the use of public bus transit;
- Provide on site food service for coffee breaks and lunches; and,
- Assign a transportation coordinator to monitor trip reduction measures.

WR1. The project is partially located in the Marine Water Recharge Area for Quissett Harbor. A tidal flushing study has not been conducted for Quissett Harbor. Water quality in the harbor has been described as generally excellent by the Coalition for Buzzard's Bay and projected buildout in the Quissett Harbor watershed is not expected to change this condition.

WR2. Project plans submitted with the DRI application provide for denitrification of project wastewater using a Massachusetts Department of Environmental Protection (DEP)-approved denitrifying septic system. Denitrification will be accomplished using RUCK technology. The Cape-wide 5 ppm-N nitrogen limit required by MPS 2.1.1.1 will be met by this project.

WR3. Septic-system effluent will be captured for purposes of subsurface irrigation of meadow habitat. The meadow habitat will be monitored for its effectiveness in nutrient removal. The meadow will be mowed, and clippings will be composted for subsequent fertilizer use on landscaped areas. This use of wastewater nutrient is expected to provide substantial nutrient mitigation beyond that provided by the denitrifying system.

WR4. The proponent proposes to use groundwater for the purposes of conditioning the building interior. Various geothermal heat-pump system alternatives, including extraction and discharge open-loop well designs, are currently being evaluated, and, therefore, final system plans are not yet complete. It is expected that the open-loop process will qualify as a Nonconsumptive Use following DEP review of the applicant's Nonconsumptive Use Notification Statement declaring that ground-water quality will not be modified. Nonconsumptive Use of ground water is generally exempt from Water Management Act permit requirements. However, the applicant may be required to file for a ground-water discharge permit with the DEP Division of Water Pollution Control in the event that more than 2,000 gpd of thermally altered water will be generated.

WR4. The project will result in increased stormwater runoff from impervious surfaces. Roof runoff will be collected in cisterns, reducing dependency on town-supplied water for non-potable uses such as irrigation of landscaped areas. Paved surfaces will be comprised of a modified driveway approximately coincident with the existing driveway and extending an additional 100 feet to the west side of the building. Stormwater from paved surfaces will be disposed of on site.

Proposed stormwater management is adequate for the on-site management and treatment of runoff resulting from this project.

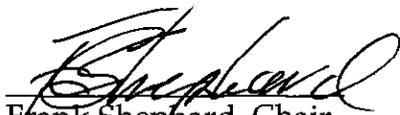
- NR1. The 8.15 acre property is not located within or immediately adjacent to *Priority Habitats of Rare Species* or *Estimated Habitats of Rare Wildlife and Certified Vernal Pools*, as indicated by the Natural Heritage and Endangered Species Program.
- NR2. Redevelopment of this property is limited to areas along a ridge-top that form part of the terminal moraine extending from Falmouth Center into Woods Hole. No wetlands or wetland buffers are located within 100' of any of the areas to be disturbed. No vernal pools are located within 350' of the areas proposed for redevelopment.
- NR3. The property contains approximately 5 acres of unfragmented forest habitat that is classified as an SNRA under the RPP. The project, as proposed, will not result in development in this resource area.
- NR4. The proponent conducted a tree survey as part of their development application. This survey indicates that the unfragmented forest portion of the property contains scattered areas of specimen trees. Based on materials submitted as part of the application, as well as testimony provided at the June 7, 2000 public hearing, the proponent intends to restrict development on these portions of the property. A small network of unpaved, bark-mulched walking trails are proposed on parts of the wooded upland areas for use as part of Research Center's outdoor educational laboratory.
- OS1. Approximately 50% of the 2.85 acres of the property located outside of the unfragmented forest will be maintained as open space.
- OS2. Approximately 1.2 acres of lawn will be cultivated as a wildflower meadow and not require long-term, regular maintenance.
- OS3. The proponent has proposed to convey a conservation restriction to The 300 Committee resulting in permanent protection of portions of the property within the SNRA. This will ensure that this area is not developed in the future.
- CF1. The property is not located within an existing or future Wellhead Protection District/Zone II.
- CF2. The proposed project is consistent with the Commission's goal of encouraging conservation and improved energy efficiency, and of encouraging investment in renewable energy sources. The project proposes air cooling/heating through ground-source heat exchangers, energy efficient building design and lighting, electrical power generation using roof-mounted photo-voltaic panels, and, if site conditions prove favorable, potential on-site wind power generation. A monitoring system will track and evaluate the performance of on-site renewable energy sources.
- CC1. The proposed project involves the renovation and expansion of an 1877 Victorian structure that was formerly used as both as a private residence and a guest house. The structure is not currently listed on the National or State Registers of Historic Places.

- CC2. The proposed redevelopment will not substantially diminish the historic or architectural significance of the original structure.
- CC3. The proposed parking has been configured in such a way as to not obstruct the view of the main building from the entrance along Woods Hole Road, and to maintain the vegetated buffer with the adjacent Miller House.
- CC4. The proposed 132' high meteorological tower has been designed and sited in a manner which substantially minimizes the visual impact of this temporary facility as viewed from Woods Hole Road.
- ED1. This redevelopment project, as proposed, represents one of the types of businesses that the Commission seeks to encourage under the RPP. It serves to rehabilitate/renovate existing buildings in a manner consistent with community character, it enhances the quality of life and community services through research and outreach programs, and it is an environmentally-oriented business with long-term economic potential.

CONCLUSION

The Cape Cod Commission hereby concludes that the Woods Hole Research Center – Ordway Campus project, as proposed and consistent with the above findings, will not have significant impacts on the values and purposes protected by the Cape Cod Commission Act 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 Woods Hole Research Center – Ordway Campus 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.

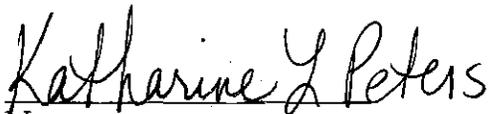

Frank Shephard, Chair

7/13/00
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

Subscribed and sworn before me this 13th day of July, 2000.


Notary

My Commission expires:

