



# CAPE COD COMMISSION

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DATE: December 20, 2001

TO: Woods Hole Oceanographic Institution  
c/o Ament & Ament, Attorneys

FROM: Cape Cod Commission

RE: Development of Regional Impact Exemption  
Cape Cod Commission Act, Section 12(k)

PROJECT: Woods Hole Oceanographic Institution  
Road and Parking Lot Improvements  
Quissett Campus  
360 Woods Hole Road, Falmouth, MA

PROJECT #: EX20078

APPLICANT: Woods Hole Oceanographic Institution  
c/o Ament & Ament, Attorneys  
PO Box 919, 39 Town Hall Square  
Falmouth, MA 02541

CERTIFICATE #: 44053, 49090  
LOT/PLAN #: Lot B, Plan 5348-C, Lot A, Plan 13436-A; Lot shown Plan  
10087A; Lot 3, Plan 14258-A

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## DECISION OF THE CAPE COD COMMISSION

### SUMMARY

The Cape Cod Commission (Commission) hereby grants the application of Woods Hole Oceanographic Institution a Development of Regional Impact (DRI) Exemption pursuant to Section 12(k) of the Cape Cod Commission Act (Act), c. 716 of the Acts of 1989, as amended, for the proposed construction of a new internal ring road and the reconstruction of the main campus parking lot. This decision is rendered pursuant to a vote of the Commission on December 20, 2001.

Woods Hole Oceanographic Institution Road and Parking Lot Improvements  
DRI Exemption Decision #EX20078  
December 20, 2001



## PROJECT DESCRIPTION

The Quissett Campus encompasses an area of approximately 168.5 acres and includes the Institution's laboratories, classrooms, student residences, offices and service buildings. The site is located within two zoning districts; the majority of the site is within a Public Use (PU) District, with the northern portion of the site located in a Single Residence (RA) District. Educational and Research Institutions are permitted uses within the Public Use District. The site is not located in a certified growth activity center under the Falmouth Local Comprehensive Plan.

The existing campus is developed in three main areas, a service/warehouse area, student housing and the research laboratories/office core. The service buildings are located in the northern corner of the campus and are accessed via Woods Hole Road. The student housing, located toward the northeastern corner of the site, is accessed off Oyster Pond Road. Both these areas will be unaffected by the proposed project. The rest of the Institution's buildings are located on the southern portion of the site and consist of laboratories, offices and classrooms. This part of the site can be accessed from both Woods Hole Road and Oyster Pond Road. The remainder of the site consists of wooded, undeveloped land.

The existing road network on the campus does not provide separate pedestrian amenities, which is both a safety concern and confusing for direction finding on the site. Furthermore, the main parking area near the Woods Hole Road entrance is poorly designed, inadequately landscaped and is partially located within 100 feet of a vernal pool.

The proposed project has three main components as described in the plans dated December 14, 2001.

*i) Construction of a new ring road*

The road will circle the outside of the main campus and connect each of the main research buildings. Improvements will also be made to both the Woods Hole Road and Oyster Pond Road entrances to improve safety and visibility. The aim of this new roadway is to facilitate the internal vehicular circulation around the campus and to create the infrastructure necessary for future structures being considered by the Institution as part of the long-range planning for the campus.

*ii) Improvement to the pedestrian environment*

A second goal of the project is to create a safe, central pedestrian core for the main campus area. The existing roads will be narrowed and re-vegetated to become pedestrian pathways, which will eliminate the current conflict between vehicles and pedestrians.

*iii) Reconstruction of the main parking lot*

The main parking lot will be reconfigured and relocated to the interior side of the new ring road. The new parking lot will have improved landscaping and lighting

and will contribute to more logical on-site circulation. In addition, the newly constructed road and parking lot will be setback a minimum of 100 feet from the vernal pool, with the removal and re-vegetation of the current encroachment.

### PROCEDURAL HISTORY

The applicant filed a DRI Exemption application on October 5, 2001. The DRI Exemption application was determined to be complete on October 18, 2001. A duly authorized subcommittee of the Commission held a public hearing to consider the DRI Exemption request on November 27, 2001 at the Falmouth Town Hall. The November 27 public hearing was continued to November 30, 2001 and was closed on this date by a hearing officer. On November 30, 2001 the subcommittee held a public meeting at the Cape Cod Commission offices and voted three in favor and two opposed to recommend approval of the DRI Exemption request to the full Commission. On December 10, 2001, the subcommittee met to finalize its decision and to hear additional information about archaeological resources and natural resources on site. On December 14, 2001, the applicant revised its proposal to exclude the proposed road that would have internally connected the service buildings with the rest of the campus. The revised proposal also excluded a proposed restriction of approximately 28 acres of the property. The subcommittee held a public meeting on December 17, 2001 and voted unanimously to recommend approval of the DRI Exemption request (as revised) to the full Commission. A formal public hearing was held on December 20, 2001. At the conclusion of this hearing, the full Commission voted 13-1 (1 abstention) to grant the DRI Exemption.

### MATERIALS SUBMITTED FOR THE RECORD

#### From the applicant:

- Development of Regional Impact Exemption Application received October 5, 2001.
- Letter with attachments from Ament & Ament, Attorneys, re: Utility Plans prepared by Holmes & McGrath, Inc. dated October 4, 2001 and Certificates of Title, received October 11, 2001.
- Fax transmittal and letter from Ament & Ament, Attorneys, re: Natural Resources Inventory prepared by LEC Environmental, received October 17, 2001 and October 19, 2001.
- Letter with attachments from Ament & Ament, Attorneys, re: Mailing labels of abutters and storm water maintenance plans and erosion control plans prepared by Holmes & McGrath, Inc., received October 18, 2001.
- Letter of Transmittal from Holmes & McGrath, Inc., re: revised plans to correct spelling error, received October 22, 2001
- Letter with attachments from Ament & Ament, Attorneys, re: Traffic benefits information from Bruce Campbell & Associates, Inc., received October 24, 2001.
- Fax transmittal and letter from Ament & Ament, Attorneys, re: Report from Holmes & McGrath, Inc. on nitrogen loading, received November 9, 2001 and November 13, 2001

- Fax transmittal and letter from Ament & Ament, Attorneys, re: Supplemental explanatory information, received November 9, 2001 and November 13, 2001.
- Fax transmittal from Ament & Ament, Attorneys, re: Supplemental information from Bruce Campbell & Associates, Inc., received November 19, 2001.
- Letter with attachments from Ament & Ament, Attorneys, re: comments on staff report on the project, received November 27, 2001.
- Letter with attachments from Ament & Ament, Attorneys, re: additional archaeological survey information, modified road alignment and comments on draft decision, dated December 10, 2001
- Letter with attachments from Dr. R Gagosian, Director & President of WHOI, re: revision to exemption request excluding the road connecting the service buildings and research buildings, dated December 14, 2001
- Modified Plans dated December 14, 2001 prepared by Steven Stimpson Associates, dated December 12, 2001
- Letter from Richard Johnson, Steven Stimpson Associates, re: revisions to the proposed roads, dated December 14, 2001.

From Cape Cod Commission:

- Cape Cod Commission staff report dated November 20, 2001
- Subcommittee notices dated October 29, 2001 and November 13, 2001
- Letter to applicant re: complete application dated October 19, 2001

From public officials:

- Letters From Massachusetts Historical Commission (MHC) dated November 6, 2001 and December 19, 2001
- Letter in support of DRI Exemption from Rear Admiral J.M. Cohen, United States Navy
- Facsimile from Mitch Mulholland, UMASS Archaeological Services, dated December 5, 2001

From members of the public:

*Letters in support*

- Trustees of the Woods Hole Community Association, dated November 21, 2001
- Charles A. Olson, dated November 25, 2001 (submitted at meeting)
- Dr. Robert S. Detrick, Sr. Scientist, Woods Hole Oceanographic Institution dated November 19, 2001 (submitted at meeting)
- Robert J Schneider, PhD, National Ocean Sciences AMS Facility, dated November 21, 2001 (submitted at meeting)
- Peter F Boyer, The 300 Committee, dated November 27, 2001 (submitted at meeting)
- Mr. And Mrs. Telfer, dated November 13, 2001
- Elliot Glist, dated November 29, 2001 (via email)

*Letters in opposition*

- Barbara & Lawrence Grossman, dated November 19, 2001
- Oyster Pond Environmental Trust Inc. dated November 23, 2001.
- Leonard Warren, M.D., dated November 16, 2001
- Mr. J. Mavor, dated November 27, 2001 (submitted at meeting)
- Dorinda Ostermann, dated November 30, 2001 (via email)
- Sarah Houghton, dated November 30, 2001 (via facsimile)
- Mr. J. Mavor, dated December 5, 2001
- Mr. E. Ballard, dated December 10, 2001
- Mr D. Robb, dated December 20, 2001

The application and notice of the public hearing relative thereto, the Commission's staff notes, exhibits and correspondence, the transcript and minutes of the hearing and all written submissions received in the course of our proceedings are incorporated into the record by reference.

TESTIMONY

Dr. Gagosian, Director of WHOI, outlined the goals of the Institution and the aims of the proposed roadway. Mr. R Ament, Attorney, described how the applicant believed an Exemption was appropriate. Mr. P Dascombe, project planner at the Cape Cod Commission, presented the staff report.

Nancy Kougens, representing the Falmouth Historical Commission, expressed concern about archaeological resources. John Farrington, expressed support for the project. Richard Lovery expressed concerns over lighting and noise and asked for clarification about how the open space will be used.

Jay Rogellani expressed concerns over noise, lighting and vehicles on the road. Dorinda Osterman stated she was concerned that vehicles would not be removed from Woods Hole Road as a result of the project and that the road did not connect to the Clark Building, where the equipment was usually delivered.

Mimi Frank asked for clarification of the entrance on Oyster Pond Road and was concerned about lighting and noise. Ann Halpin shared these concerns.

Natalie Truseau was concerned about the visibility of road from her property. Daniel Robb thought the pedestrian core was a good idea, but was concerned about open space and archaeological resources and stated that he thought the traffic benefits would be minimal. Susan Houghton expressed concern over open space and wildlife. Walter Vincent was concerned about noise from trucks. James Mavor raised concerns over potential archaeological resources he believed to be on site. Dennis Fox stated he thought the future plans should be considered.

## JURISDICTION

The project qualifies as a Development of Regional Impact under section 3(j) of the Cape Cod Commission Enabling Regulations in that it includes "site alterations or site disturbance greater than 2 acres".

## FINDINGS

The Commission has considered the application of Woods Hole Oceanographic Institution for Road and Parking Lot Improvements to their Quissett Campus, as illustrated on the plans dated December 14, 2001, prepared by Stephen Stimpson Associates. Based on consideration of such application, the information presented at the public hearing and submitted for the record, the Commission makes the following findings subject to Section 12(k) of the Act:

1. The 168.5-acre project site is located within a Significant Natural Resource Area (SNRA) as shown on the Cape Cod Regional Policy Plan map, due to the presence of unfragmented forest.
2. MPS 1.1.4 requires that development and redevelopment be directed away from Significant Natural Resource Areas. The proposed road is located in proximity to the existing campus buildings and in a manner that leaves significant portions of this unfragmented forest undisturbed.
3. WHOI has provided a natural resources inventory (NRI) of the project site, as required by the Regional Policy Plan. According to the NRI, the site is comprised generally of the typical pitch pine/mixed oak upland forest found on Cape Cod, together with stands of mature American beech, Eastern White Pine, Eastern Red Cedar, and Norway Spruce. The understory includes the typical mix of shrubs and groundcovers, including huckleberry, arrowwood, groundcedar and wintergreen. The road is designed to avoid the majority of these stands of mature trees.
4. According to the NRI, the site contains four wetlands, three of which are certifiable vernal pools. The project, as proposed in the plans dated December 14, 2001, does not negatively impact these resources. Furthermore, the project will also result in the restoration of the 100-foot buffer to one of the vernal pools as a result of the parking lot reconfiguration, which is a benefit to the wetland resources. Therefore, there will be no negative impact to these regionally significant resources.
5. The site contains several wildlife corridors, most of which run roughly north to south in the western portion of the site and are not significantly impacted by the proposed road.

6. The NRI notes the presence of a single eastern box turtle, a state listed Species of Special Concern. Survey work performed by LEC did not uncover any additional turtles on the site.
7. Other than the existing entrance drive on Woods Hole Road, the remainder of the project is not within any wellhead protection areas or sensitive marine recharge areas. The proposed project will therefore not result in a significant impact to water resources.
8. A design and maintenance plan submitted with the application addresses stormwater issues on the site and has been determined to be in compliance with the Minimum Performance Standards of the Regional Policy Plan that relate to stormwater management. Therefore, the project has no significant regional water quality impacts.
9. The proposal is for a new roadway that creates a "Ring Road" for the main part of the Quissett Campus. The long-range plan for the campus is to establish a pedestrian core surrounded by research buildings and to concentrate future development of the campus within this core area. Minimum Performance Standard (MPS) 1.1.1 requires compact forms of development to avoid land consumption by development. The creation of a ring road would cluster future buildings and therefore the project is consistent with this standard.
10. Woods Hole Road is a regional roadway as defined in the Regional Policy Plan. Minimum Performance Standard 4.1.1.1 states that redevelopment projects must analyze and mitigate traffic impacts at regional roadways and regional intersections where the project is expected to generate 25 or more new vehicle trips during the project's typical peak hour. The creation of the new roadway will not result in any new traffic generation and therefore will not have a significant impact on the regional roadway system.
11. The site is not located in a Wellhead Protection District/Zone II and therefore MPS 4.2.2.3 relating to storage of hazardous materials does not apply. Therefore, there is no regional impact resulting from the project.
12. As the project does not propose any structures, the Regional Policy Plan standards relating to Affordable Housing and Economic Development do not apply and therefore there is no regional impact relating to these issues.
13. Massachusetts Historical Commission (MHC) identified the site as archaeologically sensitive and recommended an intensive (locational) archaeological survey of the area proposed for disturbance in a letter dated November 6, 2001.
14. The applicant hired Public Archaeology Laboratories (PAL) to conduct an archaeological survey of the entire site. Test pits dug on the site revealed stone

chipping debris but no other subsurface archaeological resources. No debris was found in the vicinity of the proposed road. The final report from PAL was delivered to MHC on December 7, 2001.

15. James W. Mavor, Jr. submitted information regarding Native American stonework in the form of stone piles and other configurations that would be disturbed by the proposed project. Mr. Mavor's opinion is that the stonework has been attributed to astronomical events and ritual belief systems and may date from 710 AD to 3000 BC. The MHC has not included sites such as those identified by Mr. Mavor in their catalog of Falmouth prehistoric sites. The proposed ring-road does not impact the area where these features are located.
16. In their letter dated December 18, 2001, MHC has determined that no significant archaeological resources were identified within the project area and that no further testing is warranted. Therefore, the proposed ring-road does not impact archaeological resources on site.
17. The proposed plan is for improvements to internal roadways and parking areas on the Quissett Campus and no building work is proposed at this time. The property is currently developed and contains several buildings used by the Institution. MPS 6.2.3 requires that adequate landscape buffers be provided to limit adverse visual impacts from the development. The proposed improvements are screened from off-site views by the existing vegetation and all work will be located on private property. As the project is for construction of infrastructure only, there will be no adverse visual impact as a result of the project.
18. The goal of the project is to improve the safety and circulation on the campus for pedestrians, which is consistent with the RPP.
19. As proposed, the character and environmental effects of the project will prevent its having any significant impacts on the values and purposes protected by the Act outside of the municipality in which the development is located.

### CONCLUSION

Based upon the findings above, the Cape Cod Commission hereby concludes:

As proposed, the location, character and environmental effects of the proposed project will prevent its having any significant impacts on the values and purposes protected by this act outside the Town of Falmouth. This conclusion is supported by the findings listed above.

The Commission hereby grants the Woods Hole Oceanographic Institution a DRI Exemption from the terms and provisions of the Act, pursuant to Section 12(k) of the Act, as amended, for the proposed road and parking lot improvements at the Quissett



Campus located at 360 Woods Hole Road, Falmouth, MA. This exemption Decision is valid for three years from the date of issuance and its scope shall be strictly construed.

Elizabeth Taylor  
Elizabeth Taylor, Chair

Dec 20, 2001  
Date

Commonwealth of Massachusetts

Barnstable, ss.

Subscribed and sworn to before me this 20<sup>th</sup> day of December 20, 2001

Katharine L. Peters  
Name, Notary Public

My commission expires:

