

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 2001-87

Petition of Wellesley College  
Paintshop Pond Project/Phase 3  
Wellesley College Campus

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 15, 2001 at 7:00 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of WELLESLEY COLLEGE requesting the following relief in connection with PHASE 3 of the PAINTSHOP POND PROJECT on the WELLESLEY COLLEGE CAMPUS, in an Educational District, a Water Supply Protection District, a Watershed Protection District and a Single Residence District:

1. Site Plan Approval pursuant to the provisions of Section XVIA, Section XIVB, Section XIVE and Section XXV of the Zoning Bylaw for Phase 3 of the Paintshop Pond Project, which includes the following:
  - a. Construction and placement of an engineered barrier rendering more than 10,000 square feet impervious within a Water Supply Protection District.
  - b. Construction of 4 recreational playing fields, including landscaping, drainage, utilities, walkways & bridges, lighting and viewing stands.
  - c. Restoration of Southern Wetlands and a portion of the Northern Wetlands.
  - d. Creation of new wetlands along the eastern shore of Paintshop Pond and expansion of the Southern Wetlands northward and westward.
  - e. Restoration of a portion of the stone walls along the Waban Brook channel downstream of the dam.
  - f. Restoration of the brook channel through uplands.
  - g. Removal of Paintshop Pond diversion pumps, piping and appurtenances, pump house, sheet pile coffer dam and velocity dissipator. Removal of dewatering pumps, Lake Waban sheet piling and silt curtain.
  - h. Installation of monitoring wells throughout work area.
2. Special Permit pursuant to the provisions of Section XIVB.E.2. and Section XXV of the Zoning Bylaw for construction and/or reconstruction of boardwalks and bridges within a Watershed Protection District.

On October 9, 2001, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Barry Monahan, Wellesley College Assistant Vice President for Administration, who introduced Mark Haley, geotechnical advisor from Haley & Aldrich; Peter Jackson,

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landscape architect from Dufresne-Henry; and Lisa Stanley, environmental wetlands manager from Vanasse Hangen Brustlin.

Mr. Haley brought photographs of the site, which lies south of Route 135 in the western portion of the campus, as it looked a year ago prior to construction, and as it looks now. In August, the site was stripped and Paintshop Pond was drained. At this time, most of the contaminated soils have been excavated and placed in the consolidation center.

Mr. Haley explained that about 15,000 yards of material along the pond and going down to the lake, including the wetlands, were impacted by contaminated soil, which has been excavated and placed in a four acre area. This involved removing the northern wetlands and filling in a valley. They used the natural slope along the northern perimeter, and built a berm along the southern and western portions to create the four acre zone in which the contaminated soil was placed. This part of the project has been essentially completed.

One piece of the next phase of the project is the placement of the barrier membrane over the four acre area, which will prevent water from penetrating into the contaminated soils. The contaminated soils contain heavy metals, which do not leach. A drainage layer will be installed above the barrier, and new soils will be placed above the drainage systems. Both the proposed practice field to the east and the soccer field to the west will have separate drainage systems.

Peter Jackson added that there will be three feet of overburden composed of a very porous gravelly material through which water can pass quickly. There will be drainage 18 inches below grade beneath all the fields, and the loam of the fields will be very sandy, so it will drain well. In addition to the well drained loam and under soil, there is a full separate drainage system above the cap, which will be contoured.

The second piece of this phase is the reconstruction of the old mill dam. New concrete walls faced with river stone will be placed on both sides of the dam. The walls will extend to an arched bridge. The bridge of the new dam will be allowed to raise and lower the pond, allowing more control over the water flow than previously possible.

The Board asked the total amount of impervious surface to be created. Mr. Haley said the line on the four acres is impervious three feet down, but there will be drainage above. The total impervious surface will consist of about six acres. The storm water detention systems, including the detention basin and the water quality swale, have been designed to handle the run off from the area.

Peter Jackson stated the project is sized for a 100 year storm. The drainage from the Distribution Center area, the track and softball field is directed to Paintshop Pond and controlled by the dam. The run off from the impervious area over the two fields where the containment area is located, will be directed to the water quality swale and then into Lake Waban.

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Mr. Jackson said that the elements of the plan presently before the Board continue from the environmental cleanup permitted last fall to the structures and finishes. At the dam location, not only will there be a rehabilitation of the dam, but other projects involving replication of a stone wall along the north side of upper Waban Brook; construction of a double arched bridge, which historically was the foundation wall of one of the Paintshop buildings, but will serve as a pedestrian bridge in the future; and a wall on the south side of upper Waban Brook. The walls have been designed from historic photos of remnant walls. The walls will be fieldstone with a large granite capstone on top of the walls, which will lead to the double arched bridge with keystones outlining the bridge and a rubble finish.

Mr. Jackson explained that another element in this phase of the project is wetland replication along Paintshop Pond and along the south side of Waban Brook. There will be a boardwalk through the wetlands that will connect to the pathway around Lake Waban. The boardwalk will be built on pilings, and will be elevated about two feet above the wetlands surface. The boardwalk does not require a railing, which will create a wide, open feeling. The boardwalk and path around the lake will be open to the public.

Mr. Jackson stated that there will be four fields: a recreation field, a full size soccer field, a field hockey/lacrosse field with a running track, and a varsity softball field. There will be approximately a 50 foot difference in elevation between the soccer field and Lake Waban. The fields step down the hillside to Paintshop Pond and Lake Waban. The terraces are designed to hold the spectator seating while maintaining open views. Two spectator seating structures will be built into the hillside. At the track, a poured concrete structure to be used for storage will be built underneath the anodized aluminum seating. The second seating area, which will be slab on grade, will be located at the soccer field. This seating area will not have storage. The second structure will be located at the softball field. The buildings have not yet been designed, although the footprints and locations have been sited. The college will return before the Board for approval of the structures.

In addition to the fields, there is a bituminous asphalt pathway circulation system. The main loop path traverses the northern part of the site from the existing boat house to Route 135. This path will be 10 feet wide to provide access for maintenance vehicles, ambulances and emergency vehicles. The rest of the path system around the perimeter of the area consists of 6 foot wide asphalt paths.

There will be a new sewer, which will be a forced main with an underground pump station. This will pump the sewerage from the softball facility, the restroom facility and the distribution center up past the sports center and connect into the existing gravity system. There will be a surface vent and a hatch door to provide access to the pump station, and an electrical panel. The softball field, restroom and pump station will be built on firm ground outside of the capped area. There will be no tree planting over the cap.

There will be an irrigation system for the fields, which will remove water from Lake Waban. The pump station for this system will be beyond the existing boat house. The connections will be below the fields with a hookup near the track. None of the sports fields will be lit. The only lighting will be along the 10 foot path, and will be the same as the existing path lighting. The fixtures will be full cut-off and the bulbs will be halite rather than sodium.

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There are two elements in the planting plan. The first is the general planting in the uplands area around the perimeter and around the fields. This will consist of significant new plantings designed to create native woodlands in the future. The other major element is planting in the wetlands area.

The Board noted that, based on the Design Review Board comments, changes will be made to the softball field design and seating plan. Mr. Jackson said that when they appeared before the Design Review Board, they did not have a plan for the two structures. Initially, they wanted the DRB to approve the field, but not the building. However, the softball field is designed to be 8 feet lower than the surrounding grade in order to make it less visible from Route 135. Because the design of the building and seating were not ready for review, and because the DRB felt these elements were an integral part of the field, they excluded approval of the softball field. At this time, the college is not seeking approval for the restroom building or the softball facility.

Lisa Stanley explained that about 6.5 acres of wetlands were contaminated and had to be removed. In order to mitigate that loss, there will be replacement of 7.5 acres in three separate locations: along the edge of Paintshop Pond, between the pond and the fields; at the southern end of Paintshop Pond; and the large area on the side of Lake Waban. The new wetlands have been designed to provide a variety of wetland habitats, ranging from lakeshore through virgin marshes, shrub swamp, to the forest swamp. The wetlands will be terraced at 6 inch intervals to obtain the appropriate hydrology for each of the different types of wetland plant communities. There is also a restoration plan for the relocated Waban Brook. Approvals for these plans have been obtained from all regulatory agencies.

Ms. Stanley said they are still before regulatory agencies for permission to construct a water intake pipe at Lake Waban, which will provide irrigation water for the fields. The water pipe, once permitted, will be installed near the boat ramp.

Ms. Stanley expressed confidence that the wetland replication will be successful because the college has complete control over the hydrology of the area, which is the single most critical factor in replacing wetlands. She concluded the presentation with the statement that the planting program would begin in the spring of 2002.

The Board discussed the conditions to be imposed, which included submission and approval of the revised plans requested by Doug Stewart in his letter dated November 15, 2001 prior to the issuance of any building permit; incorporation of the Design Review Board approvals and exclusions listed in its letter to the Board of Appeals dated November 9, 2001; incorporation of the Order of Conditions and Amended Order of Conditions (DEP #324-330) issued in November, 2000 and July, 2001; and incorporation of all conditions agreed upon by Wellesley College in regard to fire safety listed in Peter Jackson's Memo to Barry Monahan dated November 8, 2001. Furthermore, no construction of the proposed softball field or any related structures shall commence without review and approval of the Design Review Board and the Board of Appeals.

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### Statement of Facts

The subject area of remediation contains 39 acres on the Wellesley College Campus in an Educational District, a Single Residence District, a Water Supply Protection District and a Watershed Protection District. The area is bounded on the north by Route 135, on the southeast by Lake Waban and on the west by Paintshop Pond.

In October, 2000, Wellesley College appeared before the Board and was granted Site Plan Approval for Phase 1/Preliminary Remediation (ZBA 2000-79), which allowed removal or disturbance of the existing vegetative cover over an area of more than 5,000 square feet, including removal of vegetation from uplands and wetlands over sections of the 39 acre portion of the Wellesley College campus to be remediated. A Special Permit was also granted for construction of a temporary pump station, reconstruction of the Paintshop Pond Dam and installation of a sheet pile coffer dam in Lake Waban in a Watershed Protection District.

At the hearing on October 12, 2001, the college and the Board of Appeals agreed to divide the project into three phases for which the first and third phase would require Site Plan Approval and Special Permits. Phase Two activities did not require approvals from the Board of Appeals.

The college is now requesting Site Plan Approval for Phase Three of the Paintshop Pond Project, which includes the following:

- Construction and placement of an engineer barrier over more than 10,000 square feet of impervious area within a Water Supply Protection District.
- Construction of 4 recreational playing fields including landscaping, drainage, utilities, walkways, bridges, lighting and viewing stands.
- Restoration of the Southern Wetlands and a portion of the Northern Wetlands.
- Creation of new wetlands along the eastern shore of Paintshop Pond and expansion of Southern Wetlands northward and westward.
- Restoration of portion of stone walls along Waban Brook channel downstream of dam.
- Restoration of brook channel through uplands.
- Removal of Paintshop Pond diversion pumps, piping and appurtenances, pump house, sheet pile coffer dam and velocity dissipator. Removal of dewatering pumps, Lake Waban sheet piling and silt curtain.
- Installation of monitoring wells throughout the work area.

A Special Permit is also requested for the construction and/or reconstruction of boardwalks and bridges within a Watershed Protection District.

As the fourth recreational field, i.e. the softball field, has not been reviewed or approved by the Design Review Board at the present time, Site Plan Approval has been amended to construction of only **three** recreational playing fields, rather than the four originally requested.

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The following plans were submitted:

1. Existing Site Features	9/6/00	James R. Larson, Professional Land Surveyor
1A. Existing Property & Zoning Boundaries	10/4/01	James L. Diorio, Registered Professional Surveyor
C-2. Site Layout Plan	9/28/01	Joseph L. Broemel, Registered Professional Engineer
R-5. Engineered Barrier Plan	2/2001	Mark X. Haley, Registered Professional Engineer
R-6. Consolidation Area & Engineered Barrier Details	2/2001	Mark X. Haley, Registered Professional Engineer
C-6. Paintshop Pond Dam Rehabilitation Site Plan & Section	2/2001	Mark X. Haley, Registered Professional Engineer
C-7. Paintshop Pond Dam Rehabilitation Spillway Plan & Sections	2/2001	Mark X. Haley, Registered Professional Engineer
C-8. Paintshop Pond Dam Rehabilitation Miscellaneous Details	2/2001	Mark X. Haley, Registered Professional Engineer
C-11. Boardwalk Plan & Details	10/3/01	Gerald Vezina, Registered Professional Engineer
C-12. Boardwalk Bridge Details	7/10/01	Gerald Vezina, Registered Professional Engineer
C-13. Bridge & Wall Layout And Foundation Plans	10/3/01	Gerald Vezina, Registered Professional Engineer
C-14. Bridge and Wall Elevations	10/3/01	Gerald Vezina, Registered Professional Engineer
C-15. Bridge and Wall Sections And Details	10/3/01	Gerald Vezina, Registered Professional Engineer
S1. Spectator Seating at Track Structural Plans, Elevation Details & General Notes	10/3/01	Gerald Vezina, Registered Professional Engineer
S2. Spectator Seating at Track Structural Sections	10/3/01	Gerald Vezina, Registered Professional Engineer
S3. Spectator Seating at Soccer Field Structural Plans, Sections, Details & General Notes	10/3/01	Gerald Vezina, Registered Professional Engineer
C-4. Site Water and Sewer Plan	9/28/01	George R. Allan, Registered Professional Engineer
C-11. Sewage Pump Station Plans And Details	9/2001	George R. Allan, Registered Professional Engineer
C-9. Raw Water Intake Plan and Profile	9/2001	George R. Allan, Registered Professional Engineer
C-10. Booster Pump Station and Intake Details	9/2001	George R. Allan, Registered Professional Engineer

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L-1.	Master Plant List and Planting Notes	9/2001	Peter F. Jackson, Registered Landscape Architect
L-2.	Planting Plan	9/2001	Peter F. Jackson, Registered Landscape Architect
L-3.	Irrigation Plan	9/28/01	Peter F. Jackson, Registered Landscape Architect
WR-1.	Wetland Replacement Area 1 & 3 Grading and Planting Plan	2/13/01	Stephen F. Derdarian, Registered Landscape Architect
WR-2.	Wetland Replacement Area 2 Grading and Planting Plan	2/13/01	Stephen F. Derdarian, Registered Landscape Architect
WR-3.	Wetland Replacement Areas Typical Cross Sections	2/13/01	Stephen F. Derdarian, Registered Landscape Architect
WR-4.	Wetland Replacement Areas Typical Planting Details	2/13/01	Stephen F. Derdarian, Registered Landscape Architect

The following written material was submitted: Applications for Special Permit and Site Plan Approval with Narrative Submission; Official Development Prospectus; and Memorandum from Peter A. Alpert dated October 19, 2001, regarding ZBA 2000-79.

On October 11, 2001 and November 8, 2001, the Design Review Board held preliminary and final reviews of the project. The Design Review Board approved the project with the following exclusions and revisions:

- Approval excludes the softball field and its associated structures, and public restroom/storage structure(s), which were not discussed and which will be presented and reviewed at a later date.
- Approval excludes signage and athletic field lighting, which are not currently anticipated.
- Approval is granted based on the revised smaller scoreboards and their revised final locations.
- Approval is subject to the track field having a "rustic" red color.

All of the submitted plans and written materials were sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and the Fire Chief, as required by Section XVIA of the Zoning Bylaw. Written responses from each of the above were received and are on file in the office of the Board of Appeals.

The Wetlands Protection Committee reviewed the application and found that the project described as Phase 3 had been approved by the Committee in issuing the original Order of Conditions and Amended Order of Conditions (DEP #324-330) in November, 2000 and July, 2001. The minor changes in the arrangements of the athletic fields were deemed to be insignificant with respect to wetlands protection and drainage characteristics.

The Fire Department approved the project subject to the following four conditions:

- The main pathway, from the Distribution Center east parking lot to its junction with Route 135 near the Morses Pond culvert, will have a one foot stabilized shoulder on each side of the 10 foot path. This shoulder will be constructed of dense graded crushed stone to within two inches of the surface, with loam and seed at the surface.

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- Any gate installed at the entrance to the path near the Distribution Center east lot will be unlocked during the day and during events at the new athletic facilities to facilitate access.
- The two triangular path intersections, between the recreation field and the soccer field, and between the soccer field and the track, will be redesigned to allow emergency vehicles to turn around using a three point turn.
- The proposed fire hydrant near the proposed maintenance/restroom building will be relocated to better serve fire apparatus in this area. The final location will be coordinated with and approved by the Wellesley Fire Department Public Safety Officer.

On November 13, 2001, the Planning Board reviewed the petitions, had no objection to granting Site Plan Approval and the Special Permit, and endorsed the comments of the Design Review Board.

#### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The petitioner's proposed construction and placement of an engineered barrier rendering more than 10,000 square feet impervious in conjunction with the other projects to be completed in Phase 3 of the Paintshop Pond Project, which have been listed in the Statement of Facts, constitute a Major Construction Project pursuant to Section XVIA of the Zoning Bylaw, and is also pursuant to Section XIVB and Section XIVE of the Zoning Bylaw because portions of the locus lie in a Water Supply Protection District and a Watershed Protection District.

A Special Permit pursuant to the provisions of Section XIVB.E.2. is also requested for the construction and/or reconstruction of boardwalks and bridges within a Watershed Protection District.

It is the opinion of this Authority that the submitted plans, as listed in the foregoing Statement of Facts, comply with the Zoning Bylaws of the Town, protect the safety, convenience and welfare of the public, minimize additional congestion in public and private ways and ensure adequate protection for water, sewerage and drainage. Furthermore, compliance with Section XVI of the Zoning Bylaw is also ensured.

Therefore, Site Plan Approval for Phase Three of the Paintshop Pond Project is granted, as voted unanimously by this Authority at the Public Hearing, pursuant to Section XVIA, Section XIVB and Section XIVE of the Zoning Bylaw, subject to the conditions attached hereto as Addendum A.

It is the opinion of this Authority that the Special Permit requested for the construction and/or reconstruction of boardwalks and bridges within a Watershed Protection District meets all the requirements of Section XIVE and the standards of Section XXVD of the Zoning Bylaw.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, subject to the same conditions contained in Addendum A.

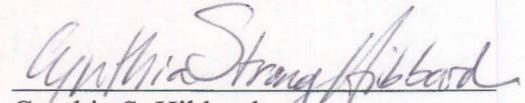
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

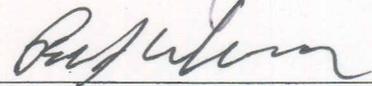
Cc: Planning Board  
Design Review Board  
Wetlands Protection Committee  
Fire Safety Officer  
Assistant Town Engineer  
Inspector of Buildings



Kendall P. Bates, Chairman



Cynthia S. Hibbard



Robert W. Levy

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ADDENDUM A

1. Prior to the onset of any activities outlined in Phase 3 of the Paintshop Pond Project, the following shall be completed:
  - a. All revised plans referenced in Doug Stewart's letter of November 15, 2001 shall be submitted to and approved by Mr. Stewart with a letter indicating said approval sent to the office of the Board of Appeals. Copies of the revised plans shall also be submitted to the office of the Board of Appeals.
  - b. A revised plan showing the redesign of the two triangular path intersections between the recreation field and the soccer field, and between the soccer field and the track, to allow emergency vehicles to make three point turns shall be submitted to and approved by the Wellesley Fire Department Public Safety Officer.
  - c. A revised plan showing the location of the proposed fire hydrant shall be submitted to and approved by the Wellesley Fire Department Public Safety Officer. A letter indicating approval of both the path intersections and the fire hydrant location shall be submitted to the office of the Board of Appeals. Copies of revised plans for both the intersections and the fire hydrant location shall be submitted to the Board of Appeals.
2. All conditions, approvals and exclusions listed in the Memorandum dated November 9, 2001 from the Design Review Board are hereby incorporated into this Decision.
3. The Order of Conditions and the Amended Order of Conditions (DEP 324-330) issued by the Wetlands Protection Committee are hereby incorporated into this Decision.
4. No work on the proposed softball field or any of the ancillary structures, including the restroom/storage facility, shall be undertaken until approved by the Design Review Board and the Board of Appeals.
5. All design and construction shall comply with all applicable state and local codes.
6. All requirements of the Wellesley Fire Department shall be met.
7. All requirements of the Department of Public Works shall be met.

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