

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASSACHUSETTS
JUN 22 1973

RICHARD O. ALDRICH
DANA T. LOWELL
F. LESTER FRASER

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of the Town of Wellesley

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:10 p.m. on June 21, 1973, on the petition of the Town of Wellesley for a variance which will allow the erection and use of a solid waste disposal facility at 169 Great Plain Avenue on the existing Town of Wellesley incinerator site. Said variance was requested under the provisions of Chapter 40A, Section 15, of the General Laws.

On June 4, 1973, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Everett R. Kennedy, Superintendent of the Board of Public Works, represented the petitioner at the hearing.

Brian R. Hogan, president of Sanitas Technology and Development Corporation, spoke in favor of the request.

Joseph F. Knowles, 135 Great Plain Avenue, also spoke in favor of the petition, but only if its use is limited to Wellesley residents.

Edward J. Bleiler, 103 Great Plain Avenue, opposed the granting of the request.

Statement of Facts

The property involved is located within a Single-residence District, a district in which the proposed use of the property is not permitted under Section II of the Zoning By-law unless a variance is granted by the Board of Appeal. For approximately thirteen years, the Town of Wellesley has been operating an incinerator on the site which appears at times not to have met existing air pollution control requirements of Federal and/or State authorities.

Everett R. Kennedy, Superintendent of the Board of Public Works, stated that after an intensive study made by the Board of Public Works in search of an alternate method of refuse disposal to replace the present incinerator, it was determined that the best and most economic course for the Town would be to enter into a refuse disposal contract with an outside contractor. At the March 1973 Town Meeting, it was voted unanimously to adopt the program as outlined in the Board of Public Works' report and proposal.

It is proposed to deactivate the present incinerator and to cause to be constructed a four-unit modular incinerator which will be operated by an outside contractor to burn the Town's refuse. It was stated by Mr. Kennedy that the process will meet the requirements of the Commonwealth of Massachusetts air pollution requirements; and will be virtually odorless and smokeless, and will be a great improvement over the present incinerator from the standpoint of the

comfort and convenience of the abutters. He further stated that the new incinerator will be built for and used by Wellesley residents only and that the Town is willing to accept any conditions to that effect imposed by this Board. He also stated that a five-year contract had been approved by the Board of Public Works but had not been signed, pending receipt of a variance from the Board of Appeal.

Edward J. Bleiler, 103 Great Plain Avenue, stated that there are alternatives which have not been adequately explored and that there is no need to build another building as the present incinerator could be altered and used. He also suggested methanical recycling and landfill operations as other alternatives. He also asserted that an engineering firm in Natick which was using the modular-type incinerator system proposed for Wellesley was recently required to discontinue its use because of unsatisfactory pollution experience.

Brian R. Hogan, president of Sanitas Technology and Development Corporation, to whom the contract is proposed to be let, stated that the Natick firm was not in fact using a Sanitas incinerator and that in any event the Natick problem did not involve the operation of the equipment, but rather the attempt to incinerate in appropriate materials. Mr. Hogan felt very confident of the equipment proposed to be used in the Town of Wellesley. He stated that the refuse burning system itself is completely nuisance-free, and has certification from the Federal Government that the unit meets the new air pollution control codes, with no odor, noise or smoke and is being operated successfully in hundreds of installations throughout the country.

Drawings of the method of operation were submitted together with a plot plan showing its proposed location and the location of the existing incinerator.

Decision

The Board has made a careful study of all the evidence submitted as well as the reports made by the Board of Public Works and the Advisory Committee for the Town Meeting. In its opinion, the proposed operation for the refuse disposal is needed and required and will be an improvement over the present operation. It will meet the new air pollution control code, which the present incinerator does not, and should not emit any odor, noise or smoke. Therefore, it should not depreciate the value of surrounding properties or prove detrimental to the neighborhood; on the contrary the Board and Town are assured by experts in the disposal business that the new system will improve conditions in the neighborhood. The proposed location of the new equipment is actually farther from the nearest residential properties than the existing incinerator. The incineration and landfill activities that have been carried on at the present site for approximately thirteen years have rendered it unsuitable for single family residence use. Moreover the financial and physical hardship that will be sustained by the citizens of Wellesley if an adequate method of disposing of refuse is not promptly provided has been well documented in official reports of Town agencies and acknowledged by unanimous Town Meeting action. The argument that other desirable alternatives are available similarly is not supported by the facts.

The Board unanimously finds, therefore, under the provisions of Chapter 40A, Section 15, of the General Laws, that because of conditions affecting the land in question but not affecting generally the zoning district, a literal enforcement of Section II of the Zoning By-law would involve substantial hardship to the petitioner and that the requested variance can be granted subject to the condition

imposed, without substantially derogating from the intent and purpose of said section and without substantial detriment to the public good.

Accordingly, the Inspector of Buildings is hereby authorized to issue a permit for the proposed incinerator in accordance with the plans submitted and on file with the Board and the requested use of the property is granted, provided that the new incinerator facility shall be used for the disposal of only such refuse as originates in Wellesley.

Richard O. Aldrich
Richard O. Aldrich
Lester Fraser
Lester Fraser
William O. Hewett
William O. Hewett

Filed with Town Clerk _____