



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 93-30
Petition of Wellesley College
Co-generation Plant/Wellesley College Campus

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 22, 1993 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of WELLESLEY COLLEGE requesting Site Plan Approval pursuant to the provisions of Section XIVA and Section XXV of the Zoning Bylaw to construct a two-story co-generation plant with a building footprint of 3,200 square feet and gross floor area of 4,300 square feet, with associated landscaping, on the WELLESLEY COLLEGE CAMPUS, in an Educational and a Water Supply Protection District. The co-generation plant will attach to the existing Service Building, Power Plant and Physical Plant.

A Special Permit pursuant to Section XIVE and Section XXV of the Zoning Bylaw is also requested to allow construction of a Major Construction Project in a Water Supply Protection District. Said construction must comply with all Design and Operation Standards of Section XIVE of the Zoning Bylaw.

On March 30, 1993, the petitioner filed a request for a hearing, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Barry Monahan, Vice President of Administration at Wellesley College. Mr. Monahan said the the plant would be an addition to the existing power plant and would supply all the power necessary for Wellesley College. Three generators will be installed at this time, with space left for installation of a fourth generator in the future.

Mr. Monahan said that although the law requires the Town to buy any excess power available, the College will not require the Town to do so. If the Town does purchase power, it would be at the cost of the power to the College, which is low. The new plant would be a major asset to the Town during the summer when the demand for power is high due to air conditioning. The College can step off the power grid at any time, which would reduce peak demand.

In response to the Board's questions regarding the possibility of on-site recharge due to the presence of oil contaminants in the soil, Mr. Monahan explained that the College previously had two 50,000 gallon underground oil tanks on the site. A leak had been found, the tanks were removed and replaced with new tanks. Some of the soil beneath the building had been

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contaminated. There has been ongoing monitoring of the groundwater in that location with which the DEP is involved. Most of the contaminated soil has been removed, but removal of the soil beneath the building was not done, with DEP approval, as removal might have caused the collapse of the building. A determination regarding the feasibility of an on-site recharge system will be made by the Wetlands Protection Committee on May 10, 1993.

No other person present had any comment on the petition.

Statement of Facts

The proposed site is located on the Wellesley College Campus surrounded by the Power House, the Chilled Water Plant and the Service Building, in an Educational District and a Water Supply Protection District.

The petitioner is requesting Site Plan Approval to allow construction of a two-story, 3,200 square foot co-generation plant, with a gross floor area of 4,300 square feet, and associated landscaping. No new parking spaces are required.

A Special Permit for construction of a Major Construction Project in a Water Supply Protection District is also requested. Said project must comply with the Design and Operation Standards pursuant to Section XIVE of the Zoning Bylaw.

The following site plans were submitted: Location Plan (T1) dated 3/24/93, drawn by William Sloan, Registered Architect; Existing Conditions Plan (L1) dated 3/24/93, drawn by Carol Johnson, Registered Landscape Architect; Site Plan (L2) dated 3/24/93, drawn by William Sloan and Carol Johnson.

The following architectural plans were submitted: First Level Plan (A1); Second Level Plan (A2); Roof Plan (A3); Exterior Elevations (A4); Section (A-5); Framing Plans (S-1). All plans are dated 3/24/93 and signed by William Sloan, Registered Architect.

The following additional materials were submitted: Conditional Approval issued by the Department of Environmental Protection (Appl. No. MBR-92-COM-028/Transmittal No. 50451); Hydrant Flow Test performed on 3/29/93 by Best Automatic Sprinkler Corp.; Geotechnical Engineering Report dated 1/29/93, prepared by Cygnus Environmental Management, Inc.; an Official Development Prospectus, and photographs.

On March 25, 1993, the Design Review Board reviewed the proposed addition and voted to approve the project and to waive the Final Design Review.

Copies of all materials submitted were also sent to the Planning Board, Wetlands Protection Committee, Town Engineer, Board of Health and 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. On April 13, 1993, the Planning Board reviewed the

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petition and voted to offer no objection to the granting of the Special Permits.

On April 15, 1993, the Wetlands Protection Committee reviewed the plans for site plan approval and a Special Permit for a Major Construction Project in a Water Supply Protection District. At that meeting, the Committee requested that the College provide further information regarding the feasibility of on-site recharge and the contaminated soil beneath the proposed construction site.

On May 10, 1993, the Wetlands Protection Committee reviewed the additional information submitted by Cygnus Environmental Management, Inc. regarding on-site recharge and soil contamination. The Committee agreed with the conclusion of the College that on-site recharge is not feasible due to the low soil permeability, the high groundwater, and the potential exacerbation of soil contamination. Therefore, the Committee approved the plan of the College to direct the roof drainage of the co-generation plant via the existing drainage system into Lake Waban.

The Committee reviewed the problem of soil contamination, which is still present in the soil and groundwater due to the leak in the underground fuel oil tanks, which occurred between 1987 and 1989. The College is preparing a remediation plan, which must be approved by the Department of Environmental Protection. The plan will include venting the contaminated soil and collecting and treating the contaminated groundwater. The remediation systems will be installed during the construction of the co-generation plant.

Although the Electric Light Division does not have any comments on the construction of the proposed plant, a comprehensive agreement between Wellesley College and the Municipal Light Plant has not yet been finalized and approved by the MLP for the College to operate a cogeneration plant in parallel with the MLP subtransmission system.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The proposed co-generation plant with a building footprint of 3,200 square feet and a gross floor area of 4,300 square feet constitutes a Major Construction Project pursuant to Section XVIA of the Zoning Bylaw because it includes the construction of 2,500 or more square feet of gross floor area; and is also pursuant to Section XIVE as the Major Construction Project is sited in a Water Supply Protection District.

It is the opinion of this Authority that the proposed plans for the co-generation plant on the Wellesley College Campus, as noted 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 insure adequate protection for water, sewerage and drainage. Furthermore, it insures compliance with Section XVI, and Section XXI of the Zoning Bylaw.

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Site Plan Approval is hereby granted by this Authority pursuant to Section XVIA, Section XIVE and Section VII of the Zoning Bylaw subject to the conditions attached hereto as Addendum A.

In regard to the Special Permit for construction of a Major Construction Project in a Water Supply Protection District, this Authority is of the opinion that the applicable Design and Operation Standards specified in Section XIVE of the Zoning Bylaw will be fulfilled as follows:

Monitoring - Groundwater monitoring is being conducted and will continue to be conducted during and after installation of the building footings. Any further contamination occurring during construction will be removed through the remediation plan to be instituted by Wellesley College and approved by the DEP.

On-site Recharge - As both Wellesley College and the Wetlands Protection Committee agree that on-site recharge is not feasible due to the high water table, low soil permeability and possibility of further contamination, this Authority is satisfied with the use of the existing plan to discharge storm water into Lake Waban.

Grade Reduction - There will be no grade reduction as a result of construction.

Therefore, a Special Permit is hereby granted for the construction of a Major Construction Project in a Water Supply Protection District.

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
Wetlands Protection Committee
Pat Berdan, Manager, MLP
Department of Health
Inspector of Buildings


John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

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ADDENDUM A

1. All work shall be performed in accordance with plans submitted and on file with this Authority.
2. All design and construction must comply with all applicable state and local codes.
3. All requirements of the Town of Wellesley Fire department shall be complied with.
4. All requirements of the Department of Public Works shall be met, including but not limited to the requirement that water, sewer and electric connections, together with drainage connections, be made in accordance with DPW standards and installed and maintained at no cost to the Town of Wellesley.
5. Upon approval by the Municipal Light Plant of a comprehensive agreement to operate the co-generation plan in parallel with the MLP subtransmission system, a copy of said agreement will be submitted to the office of the Board of Appeals.
6. Upon completion of the project, a complete set of utility plans will be submitted to the Department of Public Works.
7. A copy of the remediation plan approved by the Department of Environmental Protection shall be filed with the Wetlands Protection Committee and with the office of the Board of Appeals.
8. Grease/oil traps shall be installed in the existing catchbasins and documentation of inspection and maintenance shall be filed annually by July first with the Wetlands Conservator.
9. The required noise survey shall be conducted with a member of the Health Department present.
10. The Health Department shall be notified within 48 hours if the operation of the equipment fails to comply with the emission limits established by the Department of Environmental Protection.
11. A copy of the Occupancy Permit issued by the Inspector of Buildings shall be submitted to this Authority at the time of issuance.