



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

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January 22, 2007

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Proposed Retail Development along Donald J. Lynch
Boulevard
PROJECT MUNICIPALITY : Marlborough
PROJECT WATERSHED : Assabet River
EOEA NUMBER : 13930
PROJECT PROPONENT : New England Development
DATE NOTICED IN MONITOR : December 23, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

The proposed project consists of a retail development, which involves construction of a 60,000 square-foot (sf) building on an approximately 7-acre site. The project will result in approximately 1,946 vehicle trips per day and includes construction of 267 parking spaces. The project involves alteration of approximately 7 acres of land and will result in creation of approximately 4.61 acres of impervious area. The proposed project will impact approximately 800 square feet of an isolated on-site wetland on-site. A 1,400 sf wetland replacement area is proposed as mitigation.

According to the Environmental Notification Form (ENF), the isolated wetland proposed to be filled does not provide sufficient storage to meet the classification of Isolated Land Subject to Flooding and is not protected as a resource area under the Massachusetts Wetlands Protection Act. The isolated wetland is considered a federal wetland under Section 404 of the Clean Water Act.

The project is undergoing MEPA review pursuant to Section 11.03(6)(b)(14) because it will result in generation of 1,000 or more average daily trips on roadways providing access to a single location and construction of 150 or more new parking spaces at a single location.

The project requires a permit from the MassHighway Department (MHD) for indirect access to I-290. The project requires an Order of Conditions from the City of Marlborough Conservation Commission, which will serve as the Section 401 Water Quality Certificate (and, on appeal only, a Superseding Order from the Department of Environmental Protection (MassDEP)). The project will also require a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA).

The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause damage to the environment. In this case, MEPA jurisdiction extends to traffic, land and stormwater.

Traffic

The Executive Office of Transportation has indicated in its comment letter that traffic associated with the project could impact the state highway system due to the project's proximity to the I-290/Solomon Pond Mall Road interchange. The proponent should provide MassHighway with a limited traffic impact study prepared in conformance with the EOEA/EOT guidelines for Traffic Impact Assessment and as further detailed in the EOT comment letter. The proponent should provide a clear commitment to implement mitigation measures resulting from the study and discuss the timing of implementation. The proponent should implement Transportation Demand Management (TDM) measures aimed at reducing site trip generation, such as providing pedestrian and bicycle infrastructure and encouraging the use of the Worcester Regional Transit Authority bus serving the Solomon Pond Mall Road. The traffic study should be provided to the MassHighway District 3 Office prior to the permitting process for the project.

Stormwater Management

According to the ENF, the project will be designed to maintain the existing drainage pattern and peak stormwater discharges will be reduced or maintained under post-development conditions. The proponent should ensure that the project is designed and implemented to meet the MassDEP Stormwater Management Policy Standards.

Sustainable Design

I encourage the proponent to consider high-performance/green building and other sustainable design measures to avoid and minimize environmental impacts. Sustainable design measures, which can reduce project development and long-term operational costs, may include:

- Leadership in Energy and Environmental Design (LEED) Certification;
- water conservation and reuse of wastewater and stormwater;
- use of renewable energy;
- ecological landscaping;
- optimization of natural day lighting, passive solar gain, and natural cooling;

energy-efficient Heating, Ventilation and Air Conditioning (HVAC), lighting systems, and appliances, and use of solar preheating of makeup air;
use of building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;

- incorporation of an easily accessible and user-friendly recycling system infrastructure into building design; and
- implementation of a solid waste minimization and recycling plan.

I have determined that the ENF has sufficiently defined the nature and general elements of the project and proposed measures to avoid and mitigate environmental impacts. I am satisfied that any remaining issues can be adequately addressed during the state and local permitting and review process. The proposed project, as described in the ENF, requires no further review under MEPA.

January 22, 2007

DATE



Ian A. Bowles, Secretary

Comments Received:

1/10/07

Executive Office of Transportation, Office of Transportation Planning
Public/Private Unit

IAB/AE/ae

