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October 17, 2007

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

PROJECT NAME: I-93/I-95 Interchange Transportation Improvements Project
PROJECT MUNICIPALITY: Reading, Woburn, Stoneham, Wakefield
PROJECT WATERSHED: Mystic River
EOEA NUMBER: 14098
PROJECT PROPONENT: Massachusetts Highway Department
DATE NOTICED IN MONITOR: September 10, 2007

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 **requires** the preparation of a Draft and Final Environmental Impact Report (DEIR, FEIR).

Project Description

The Massachusetts Highway Department (MassHighway) is proposing to redesign and reconstruct the I-93/I-95 Interchange to improve traffic flow and safety at the I-93/I-95 Interchange by eliminating substandard and unsafe short weaving distances and providing additional driving lanes while minimizing impacts to the surrounding communities of Woburn, Wakefield, Stoneham and Reading. The proposed interchange improvements project is not intended to increase road capacity.

According to the Environmental Notification Form (ENF), MassHighway has proposed two design alternatives (H3-OS and H3-US) to remove the existing northwest and southeast loop ramps and to construct two new ramp alignments. H3-OS calls for the construction of two elevated ramps passing over the interchange, and H3-US includes the construction of one ramp under I-93 and one ramp over I-93.

The project consists of the construction of the following interim and permanent highway improvements:

Interim Improvements

- Construction of a 4th lane on northbound Route 128 to Exit 40 (Route 129);
- Construction of a 4th lane on southbound Route 128 at Exit 38 (Route 28 on-ramp);
- Construction of a temporary on-ramp from Cedar Street to I-93 southbound; and,
- Construction of noise impact mitigation in specific locations within the project area.

Permanent Improvements

- Removal of the existing northwest and southwest loop ramps;
- Construction of new I-93 ramps and I-95 ramps;
- Construction of a connector road to I-93 from the northbound Route 128, with a slip on-ramp from Washington Street;
- Extension of the 4th northbound lane on Route 128 to Exit 40 (Route 129 in Wakefield)
- Transit improvements -
 - additional commuter rail service and shuttles from Anderson Regional Transportation Center;
 - Improved signage and public transit information;
 - Improved pedestrian/bicycle access to Anderson Regional Transportation Center

TDM Improvements

Construction of noise impact mitigation in specific locations within the project area.

As described by MassHighway, the existing I-93/I-95 Interchange was originally designed in the 1970's to serve approximately 169,000 vehicles per day. The design of the existing interchange does not meet current standards and cannot effectively serve existing traffic volumes (approximately 377,000 vehicles per day) resulting in severe traffic congestion and safety problems for traffic in all directions to and from the interchange. The project is consistent with the long-term improvement recommendations of the *I-93/I-95 Interchange Transportation Study, June 2007* prepared by MassHighway with input from the Interchange Task Force (ITF). This project holds the potential to significantly reduce traffic congestion and existing safety concerns at a major and heavily-used interchange in the Interstate system. The 132-acre interchange site is located within the municipal borders of the City of Woburn and the Towns of Reading and Stoneham. Portions of the interchange project site directly abut residential neighborhoods in Woburn, Stoneham, and Reading.

The project is undergoing review and requires preparation of a mandatory EIR pursuant to Section 11.03 (1)(a)(2), Section 11.03(3)(a)(2), Section 11.03(3)(b)(1)(d), Section 11.03(6)(b)(2)(a), and Section 11.03(6)(b)(1)(a) of the MEPA Regulations because it will result in the creation of ten or more acres (11.5 acres impervious) of impervious surface area, requires a variance in accordance with the Wetlands Protection Act, results in the alteration of 5,000 or more square feet (sf) (approximately 11,400 sf) of bordering vegetated wetlands (BVW), alters terrain ten or more feet from the existing roadway for one-half or more miles; and will result in the construction of a new roadway one-quarter or more miles in length.

The project will require a Section 401 Water Quality Certificate from the Department of Environmental Protection (MassDEP). It must comply with the National Pollution Discharge Elimination System (NPDES) General Permit from the United States Environmental Protection Agency (U.S. EPA) for stormwater discharges from a construction site of over one acre. The project will require an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA), a Record of Decision from the Federal Highway Administration (FHWA), and a Section 404 Programmatic General Permit may be required from the U.S. Army Corps of Engineers. The project will need to obtain Orders of Conditions from the Woburn and Reading Conservation Commissions or if the Orders are appealed, a Superseding Order of Conditions from MassDEP. The project may also require a Variance from MassDEP's Wetlands Regulations and a Construction Dewatering Permit, a Notice of Construction & Demolition, a Limited Air Plan Approval/Fossil Fuel Emission Permit, and a Notice Regarding Demolition and Construction from MassDEP. The proponent may be required to prepare a blast design plan pursuant to the Board of Fire Protection Regulations (577 CMR 13.09) for the proposed construction of roads, semi-direct ramps and replacement bridges within the project site. Because the project proponent is a state agency and the project involves state funding, MEPA jurisdiction is broad and extends to all aspects of the project that may cause significant damage to the environment.

SCOPE

General

The DEIR should follow the general guidance for outline and content contained in section 11.07 of the MEPA regulations, as modified by this Certificate. The DEIR should contain a copy of this Certificate and a copy of each comment received. The proponent should circulate the DEIR to those parties who commented on the ENF, to any state agencies from which the proponent will seek permits or approvals, and to any parties specified in section 11.16 of the MEPA regulations.

Special Review Procedure and Citizens Advisory Committee (CAC)

The ENF submitted for this project included a request for a Special Review Procedure (SRP) and the establishment of a Citizens Advisory Committee (CAC). In consultation with the MEPA Office and other participating Federal and State Agencies, MassHighway has subsequently determined that Executive Office of Transportation's (EOT's) previously completed multi-year I-93/I-95 Interchange Transportation Study (June, 2007) and EOT's formation and ongoing participation of the Interchange Task Force (ITF) duplicates the need for a SRP and the formation of a CAC. I find that the previously completed planning studies together with the continued active participation of local residents, businesses and municipal officials from Reading, Stoneham and Woburn comprising the ITF has resulted in sufficiently defined proposed project alternatives that can be adequately reviewed through the filing of a DEIR and FEIR with the MEPA Office. To this end, I ask that the proponent continue to work closely with the ITF in developing the DEIR for this project. In addition, I encourage the proponent to request an extension of the public comment periods for the review of the DEIR and FEIR submittals from 30 days to 60 days to provide for enhanced opportunities for public review and comment of these submittals.

Project Description

The DEIR should include a thorough description of the full project and all project elements and phases (including any future potential for additional development.) The DEIR should describe the process and criteria by which the two proposed alternatives were developed. The DEIR should also include a brief description of each Federal, State and local permit or agency action required or potentially required for the project, and it should demonstrate that the project meets applicable performance standards.

Alternatives Analysis

The DEIR should analyze the no-build alternative to establish baseline conditions. The DEIR should clearly present the alternative roadway configurations for each of the proponent's two proposed interchange alternatives in order to arrive at a site layout that minimizes overall impacts (Recommended Preferred Alternative). The DEIR should provide a comparative analysis that clearly shows the differences between the environmental impacts associated with each of the alternatives, particularly to wetlands, stormwater and noise. Any project phasing should be identified in the DEIR. The DEIR should identify the construction and completion dates for any/all project construction phases. As described elsewhere in this Certificate, the project requires a 401 Water Quality Certificate (401 WQC) from MassDEP, and may also require a variance from full compliance with MassDEP's wetlands regulations. I note that MassDEP's 401 WQC and wetlands variance review processes require an alternatives analysis that considers practicable alternatives to avoid, minimize, and mitigate impacts to wetlands resource areas. The alternatives analysis provided in the DEIR must satisfactorily comply with the alternative analysis requirements for MassDEP's 401 WQC and wetlands variance review processes.

Growth/Regional Planning

Executive Order 385 (Planning for Growth) applies to this project because of the use of state funds. The DEIR should discuss how the project complies with the provisions of the Executive Order, including consistency with local and regional planning. MassHighway should discuss the project within a larger regional planning context, and should, for example, include brief summaries of any regional studies of the I-93/I-95 Interchange and the I-93/I-95 Interchange Transportation Study's recommendations.

Cumulative Impacts

The DEIR should include a discussion of any cumulative impacts from ongoing and proposed public and private projects in the project area. The DEIR should explain how the project design (including the selection of a preferred alternative) would minimize cumulative impacts.

Transportation

The project is presented in the ENF as a transportation improvement project, designed to improve traffic flow and traffic safety from both I-93 northbound and southbound, and I-95 northbound and southbound through the interchange.

It is my understanding that the project is at the early design stage and many design considerations for each of the two proposed alternatives will continue to undergo evaluation (including environmental impacts, layout, intersection capacity, and signal placement) as design progresses. The DEIR should be prepared in conformance with the EOE/EOTC Guidelines for EIR/EIS Traffic Impact Assessment. It should identify appropriate mitigation measures for areas where the project will produce impacts on local and regional traffic operations, especially where delays may increase at intersections located downstream of the I-95/I-93 Interchange along Route I-95 to Waltham and along Route I-93 to Boston. The DEIR should include an updated Level-of-Service (LOS) analysis for interchanges and roadway intersections located within the project area for the morning and evening peak hours during project construction and post construction including but not limited to:

- I-95/Route 28 (Exite 38);
- I-95/Route 38 (Exite 35);
- I-95 Northbound Ramps/Washington Street;
- I-95 Southbound Ramps/Mishawam Road;
- I-93/Route 129 (Exit 38);
- I-93/Montvale Avenue (Exit 36);
- Route 129/West Street;
- Route 129/Route 28; and,
- Route 129/Willow Street/Grove Street

I ask that MassHighway consult with Woburn, Reading, Stoneham and Wakefield officials to identify any additional local interchanges and roadway sections to include in the updated LOS analysis. The DEIR should include a summary of average and 95th percentile vehicle queues for each intersection within the study area. It should also analyze weave and merge operations on I-93 and I-95 ramps. The DEIR should include traffic projections from other future development proposals located in the vicinity of the I-95/I-93 Interchange Improvements Project. The DEIR should identify current roadway improvement projects located in the City of Woburn and the Towns of Reading, Stoneham and Wakefield that could impact traffic in these communities during construction of the proposed interchange improvements. The proponent should consult with Woburn, Reading, Stoneham and Wakefield officials regarding other roadway improvement projects and development proposals in the area when developing future build area traffic scenarios. The DEIR should discuss the proponent's coordination efforts with the local municipalities as they address regional and local traffic concerns within this area. It should provide the most current information on the proposed construction dates for any roadway improvements in the area. The DEIR should discuss the suitability of any proposed roadway widening, new roadway construction, and signage and signalization changes. It should discuss right-of-way (ROW) implications of possible widening and describe how such ROW's would be acquired.

The DEIR should identify these improvements and their schedule for implementation. The DEIR should include a discussion of the need for construction and post-construction traffic monitoring that may be required as part of project approvals and Section 61 Findings.

Transportation Demand Management (TDM) Plan

As described in the ENF, the proponent has proposed transit improvements and a comprehensive Transportation Demand Management (TDM) plan that incorporates a number of measures designed to help increase regional mobility and reduce vehicle trip congestion in the project area including:

- Enhance MBTA commuter rail service on existing Lowell Line and Haverhill Line;
- On-line carpooling and vanpooling sign-up program;
- Expanded outreach and incentives for carpooling and vanpooling;
- Formal park & ride program at Anderson Regional Transportation Center;
- Add off-peak Route 128 shuttle service serving Waltham, Lexington, Burlington, Woburn Anderson RTC and Peabody;
- Establish park-and-ride shuttle service from Peabody;
- Improved pedestrian and vehicle access at Anderson Regional Transportation Center;
- Expanded marketing of transit;
- Improved static and electronic transit signage; and,
- Continued participation with TransitWorks, MBTA, MassRIDES and Executive Office of Transportation (EOT) to increase transit opportunities and the utilization of the Anderson RTC.

All project contractors should be required to participate in the proposed TDM plan. MassHighway should respond to the thoughtful comments received from the Towns of Reading and Wakefield and the City of Woburn. The TDM plan should describe any construction and post-construction monitoring necessary to ensure the success of the proposed transit improvements and TDM program. In addition, while I recognize that the project is not intended to increase the number of vehicles using the highway system, the construction period may cause increased congestion and increased vehicle emissions. MassHighway should identify and describe the greenhouse gas emissions associated with all phases of the interchange project and identify measures to avoid, minimize and mitigate these emissions, particularly as that mitigation relates to TDM and construction period impacts.

Transit

The DEIR should provide a map of public transit routes and shuttle bus service in the project area that currently connect to the Anderson Regional Transportation Center in Woburn and/or could be made to also connect to the Mishawum MBTA Commuter Rail Station in Woburn. The proponent should work with local officials from Woburn, Reading, Stoneham and Wakefield to identify bus connections and potential shuttle bus services from activity nodes and residential areas through the project area. The DEIR should identify any construction and post-construction impacts to existing or proposed transit services with this project.

Pedestrian and Bicycle Facilities

The DEIR should show where sidewalks currently exist in a map of the project area and the locations of any new proposed sidewalks. It should identify how proposed sidewalks would connect to the existing sidewalks in the project area. The DEIR should identify any existing and proposed bicycle facility amenities included with this project. The DEIR should investigate all bicycle path and hiking trail connections and opportunities in the project area and determine where there are any linkage possibilities with the project and the MDC's trails.

Wetlands

According to the information provided in the ENF, the 132-acre interchange project site contains bordering vegetated wetlands (BVW) resource areas. Based on the proponent's analysis of existing aerial photographs and GIS maps, the project is estimated to impact up to approximately 11,500 sf of BVW. In their comments, MassDEP has indicated that the project will require a 401 Water Quality Certificate (401 WQC) from MassDEP, and a variance from full compliance with MassDEP's wetlands regulations.

According to the comments received from MassDEP, the Reading Conservation Commission and others, the ENF does not contain sufficient information to accurately identify wetlands resource areas and previously constructed stormwater management infrastructure within the project area. The project area contains wetland resource areas including an intermittent stream that does not appear on existing GIS maps. All resource area boundaries, riverfront areas, applicable buffer zones, 100-year flood elevations, and public and private wellhead protection areas should be clearly delineated on a plan at a scale of not greater than one inch = 200 feet. Wetlands resource areas that have been delineated in the field should be surveyed, mapped, and located on the plans. Each wetland resource area and riverfront area should be characterized according to 310 CMR 10.00. The test should explain whether the local conservation commission has accepted the resource area boundaries and any disputed boundary should be identified. For each of the two proposed interchange alternatives, the DEIR should quantify the amount of direct wetland resource area alterations proposed, including shading of wetlands under bridges, removal or height reduction of tree and shrub canopy from forested wetlands (crown area, not basal area). Proposed activities including interim and permanent construction activities, construction mitigation, erosion and sedimentation control, phased construction, and drainage discharges or overland flow into wetland areas, must be evaluated.

The locations of existing and proposed detention basins and their distances from wetland resource areas, and the expected water quality of the effluent from the said basins should be evaluated. This analysis should address current and expected post-construction water quality (including winter deicing and sanding analyses) of the predicted final receiving water bodies. Sufficient mitigation measures must be incorporated to ensure that no downstream impacts will occur. The drainage analysis must insure that on- and off-site wetlands are not impacted by changes in stormwater runoff patterns.

The Commonwealth has endorsed a “No Net Loss Policy” that requires that all feasible means to avoid and reduce the extent of wetland alteration be considered and implemented. The DEIR should examine alternatives that avoid impacts to wetland resource areas, their associated buffer zones, riverfront protection areas and 100-year flood plain areas. Where it has been demonstrated that impacts are unavoidable, the DEIR should demonstrate that the impacts have been minimized, and that the project will be accomplished in a manner that is consistent with the Performance Standards of the Wetlands Regulations (310 CMR 10.00).

The proponent will need to provide wetlands replication at a ratio of 2:1 for any unavoidable impacts to wetlands. The DEIR must identify the proponent’s plans for wetland restoration within the project area. For any amount of required wetlands replication, a detailed wetlands replication plan should be provided in the DEIR which, at a minimum, includes: replication location(s) delineated on plans at a scale no greater than one inch = 100 feet, elevations, typical cross sections, test pits or soil boring logs, groundwater elevations, the hydrology of areas to be altered and replicated, list of wetlands plant species of areas to be altered and the proposed wetland replication species, planned construction sequence, and a discussion of the required performance standards and monitoring. The proponent should consult with the Massachusetts Wetlands Restoration Program of the Executive Office of Energy and Environmental Affairs concerning the wetland restoration plans.

Wildlife Habitat

The DEIR should prepare a Wildlife Habitat Study to identify impacts from the project within wetland resource areas. The proponent should consult with the Natural Heritage and Endangered Species Program (NHESP) regarding the Priority Habitat, and the EIR should identify the results of this consultation.

Stormwater

According to MassDEP’s comments, the DEIR should include a detailed description of the proposed project’s drainage system design, including a discussion of the alternatives considered along with their impacts. For each of the two proposed interchange alternatives, the DEIR should identify any stormwater discharge points, existing stormwater management infrastructure, and describe any drainage impacts associated with required off-site roadway improvements. The DEIR should identify the quantity and quality of flows. The rates of stormwater runoff should be analyzed for the 10, 25 and 100-year storm events. It should also be demonstrated that the proposed drainage system would control storm flows at existing levels.

The proponent should recharge treated stormwater runoff from roadways in order to retain as much as possible of the existing groundwater flows and drainage patterns. Groundwater recharge areas for stormwater infiltration should not be located within the Zone I of a public water supply. The DEIR should indicate and discuss where the South Street, West Street, Walnut Street, Richard Circle, Constitution Road, Cedar Street, and Routes I-93 and I-95 drainage systems discharge in this area.

If the proponent ties into an existing municipal stormwater system or the MassHighway system, the DEIR should clarify the permits required and if there will be a recharge deficit on-site. The proponent should provide calculations and supporting information sufficient to demonstrate that the design of the project's drainage system can accommodate stormwater flows during severe storm events without impacting adjacent BVW resources and land uses. The DEIR should address the performance standards of MassDEP's Stormwater Management Policy. The DEIR should demonstrate that the design of the drainage system for each of the two proposed interchange alternatives is consistent with this policy.

In the alternative, the DEIR should explain why the proponent is proposing a drainage system design not recommended by MassDEP. The proponent should use the MassDEP Stormwater Management Handbook when addressing this issue. The DEIR should also discuss consistency of the project with the provisions of the National Pollution Discharge Elimination System (NPDES) General Permit from the U.S. Environmental Protection Agency for stormwater discharges from construction sites. The DEIR should include a detailed description of the proponent's plan to implement best management practices (BMPs) to address the stormwater runoff generated from any portion of the proposed Route I-93/I-95 Interchange Transportation Improvements Project. This discussion of BMPs should include a draft Pollution Prevention Plan. In addition, a maintenance program for the drainage system will be needed to ensure its effectiveness. This maintenance program should outline the actual maintenance operations, sweeping schedule, responsible parties, and back-up systems. The proponent has committed to use a non-sodium based deicer on pavement surfaces.

Any dewatering of the construction site should include monitoring to ensure that there is no impact to the groundwater level. The DEIR should outline the monitoring program of groundwater levels. It should summarize existing pre-construction groundwater conditions, and propose groundwater monitoring to address any impacts.

Drinking Water

The DEIR should explain any potential impacts from each of the two proposed interchange alternatives on drinking water supplies. Specifically, MassDEP has indicated that the proponent's proposed construction activities may be located in close proximity to an Interim Wellhead Protection Area (IWPA) for a public drinking water supply for the City of Woburn. The DEIR should respond to MassDEP's comments and project and propose mitigation as appropriate.

Noise

According to the information provided in the ENF submittal, a number of residential neighborhoods in Woburn, Border Road), Stoneham (Constitution Road, Crosby Street, Evergreen, Pine Ridge, and Drummond Streets), and Reading (Walnut Street, South Street, Heather Road, George Street, Curtis Street) abut the interchange and are currently experiencing noise levels that warrant the need for noise barriers.

For each of the two proposed interchange alternatives, the DEIR should identify any/all sensitive noise receptors within the project area. If there are sensitive receptors identified, the proponent should identify existing and proposed noise levels during project construction and post-construction at these receptors using Federal noise standards for transportation projects. This section of the DEIR should include a detailed discussion of the proponent's proposed interim and long term noise abatement mitigation for the construction and post-construction of the I-93/I-95 Interchange Transportation Improvements Project.

Visual/Aesthetics

The DEIR should include an analysis of the visual impacts of the proposed project, including renderings for each of the two proposed interchange alternatives. The DEIR should include a conceptual-level landscaping plan and interchange and highway elevations from all sides. It should include a proposed lighting plan and identify any lighting impacts from roadways on adjacent neighborhoods and commercial and industrially-zoned areas. Because significant portions of the project site are adjacent to residential neighborhoods, the DEIR should discuss how this project would impact individual residential properties and residential neighborhoods in the area.

Construction Period Impacts

The project has potentially significant construction impacts, including extensive earth moving. The DEIR should evaluate construction period impacts, including impacts from earth moving and likely blasting, impacts to vegetation, potential impacts from erosion and sedimentation, traffic impacts on adjacent roadways, and impacts to adjacent land uses from all phases of the proposed project.

The DEIR should provide an analysis of existing and proposed noise levels on the project site and at any sensitive receptors located in close proximity to the project site both during construction and post-construction. The DEIR should identify any mitigation measures proposed to reduce noise impacts from the proposed project. The DEIR should address the need to incorporate construction and demolition (C&D) recycling measures into the proponent's construction plans. The proponent should require its contractors to retrofit diesel-powered equipment with emissions controls, such as particulate filters or traps, and use low-sulfur diesel fuel. The proponent should also commit to specific TDM measures that can be implemented during construction.

M.G.L. c. 21E/Hazardous Wastes

The DEIR should present a summary of the results of hazardous waste studies and remediation efforts undertaken at the site by the proponent to comply with the Massachusetts Contingency Plan, 310 CMR 40.0000. It should identify and discuss the location of any stump dump on the project site.

Mitigation/Section 61

The DEIR should include a separate chapter on mitigation measures. It should describe transportation and parking demand management measures to reduce single passenger automobile trips to the project and encourage ridesharing to the site by employees. The DEIR should include any conceptual plans for roadway improvements with sufficient detail to verify the feasibility of constructing such improvements. The plans should show proposed lane widths and offsets, layout lines and jurisdictions, and the land uses (including access drives) adjacent to areas where improvements are proposed. The DEIR should state whether land takings are necessary to implement proposed improvements and should identify the party responsible for such takings.

This chapter on mitigation should include a Draft Section 61 Finding for all state permits. Any proposed traffic mitigation must conform to MHD standards, including but not limited to, lane, median and shoulder widths, bicycle lanes and sidewalks. The Draft Section 61 Finding should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation, and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation, based on the construction phases of the project, should also be included.

Comments

The DEIR should respond to the comments received to the extent that the comments are within MEPA jurisdiction. I recommend that the proponent use either an indexed response to comments format, or else direct narrative response. The DEIR should present any additional narrative or quantitative analysis necessary to respond to the comments received.

Circulation

The DEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to Woburn, Reading, Stoneham and Wakefield municipal officials. A copy of the DEIR should be made available for public review at the Woburn, Reading, Stoneham and Wakefield Public Libraries.

October 17, 2007

Date


Ian A. Bowles, Secretary

Comments Received:

09/21/07 Representative Bradley H. Jones, Jr.
10/05/07 MassAudubon
10/09/07 Town of Reading, Conservation Commission
10/09/07 Town of Reading, Board of Selectpersons
10/10/07 Town of Wakefield, Department of Public Works
10/10/07 Massachusetts Department of Environmental Protection (MassDEP) – NERO
10/10/07 Dr. Jeffrey Everson
10/10/07 Darlene Mercer-Bruen
10/10/07 City of Woburn, Mayor's Office
10/11/07 Metropolitan Area Planning Council (MAPC)
10/11/07 Robert Soli

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