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November 21, 2008

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

PROJECT NAME : Walgreen's Pharmacy
PROJECT MUNICIPALITY : Amesbury
PROJECT WATERSHED : Merrimack
EOEA NUMBER : 14328
PROJECT PROPONENT : Arista Development, LLC
DATE NOTICED IN MONITOR : October 22, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) 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).

As described in the Environmental Notification Form (ENF), the project involves the construction of a new one-story 14,468 square foot (sf) Walgreen's Pharmacy with drive-thru service, on a 4.51-acre parcel of property located on Macy Street (Route 110) between Route 95 and Route 495 in Amesbury. The project includes the construction of 49 surface parking spaces, and supporting utilities and stormwater management infrastructure. Site access will be provided directly from Macy Street. The project's estimated potable water supply need and wastewater flows, approximately 724 gallons per day (gpd) respectively, will be served by the Town of Amesbury.

Jursidiction

The project is subject to environmental review pursuant to 301 CMR 11.03 (3)(b)(1)(d) of the MEPA regulations because the project involves the alteration of 5,000 or more square feet bordering vegetated wetlands (BVW).

The project will require a 401 Water Quality Certification from MassDEP, a Programmatic General Permit from the U.S. Army Corps of Engineers (ACOE) pursuant to Section 404 of the Clean Water Act, and an Order of Conditions from the Amesbury Conservation Commission (and hence Superseding Order(s) from MassDEP if any local Orders were appealed). The project will also require a vehicular access permit from the Executive Office of Transportation (EOT). The project must comply with the National Pollution Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over one acre from the U.S. Environmental Protection Agency.

The Proponent is not seeking state funding or financial assistance for the proposed project. MEPA jurisdiction therefore is limited to those aspects of the project within the subject matter of any required or potentially required state permits that have the potential to cause significant Damage to the Environment as defined in the MEPA regulations including traffic, wetlands, and water quality.

Future Development Parcel

The project site is comprised of approximately 2.8 acres of commercially-zoned land and approximately 1.7 acres of residentially-zoned land. As currently proposed, the Walgreen's Pharmacy project will be located entirely within the commercially-zoned development parcel. The Proponent has no plans to develop the remaining residential land. According to additional information the Proponent has provided to the MEPA Office, the residential-zoned parcel consists of forested upland area and is located in an R-20 zoning district which requires a minimum of 20,000 SF lots with 150 feet of frontage each. Upon completion of construction of the Walgreen's Pharmacy project, the remaining residential parcel will be without sufficient frontage for development under current zoning.

Wetlands

As described in the ENF, the project will result in permanent impacts to approximately 8,614 sf of Bordering Vegetated Wetlands (BVW) and 135 linear feet (lf) of bank associated with an intermittent stream to accommodate the construction of project's site driveway from Macy Street. The project is being proposed as a limited project under the wetlands protection regulations (310 CMR 10.53(3)(e)) to construct a driveway from a public way across BVW to access developable uplands. The project will also involve the alteration of approximately 1.85 acres of the 100-ft wetlands buffer area resulting from site grading and roadway construction, buildings, and stormwater management infrastructure. The Proponent has proposed to construct approximately 17,000 sf of on-site wetlands replication area (a ratio of 2:1) to be located in four separate locations adjacent to existing BVW resource areas in the eastern half of the project site.

Stormwater

According to the Proponent, the proposed stormwater management plan has been designed to comply with MassDEP's Stormwater Management regulations and standards, the Town of Amesbury's Stormwater Program and the United States Army Corps of Engineers (ACOE) National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater Construction General Permit (CGP). The stormwater management plan will achieve a Total Suspended Solids (TSS) removal rate in excess of 80 percent and includes the use of structural and non-structural best management practices (BMPs), deep sump hooded catch basins, three water quality treatment units and two subsurface Stormtech detention/recharge chambers to provide for the on-site infiltration of surface stormwater and roof runoff.

Stormwater flows from the western portion of the project site, including the parking area and building roof runoff, will be collected in deep sump hooded catch basins and water quality treatment units and conveyed to two subsurface Stormtech detention/recharge chambers prior to recharge to groundwater. The Stormtech units will be located under the project's parking area and internal driveway located immediately north and east of the Walgreen's building. Stormwater overflows from these detention/recharge chambers will be discharged to outlet control structures abutting wetland resource areas located in the northern and central sections of the project site. Stormwater flows from the eastern portion of the project site including the site driveway and driveway connection to the auto dealership property abutting the project site's eastern boundary will be collected in deep sump hooded catch basins and water quality treatment units prior to discharging to BVW and an intermittent stream located along the northern boundary of the project site.

The Proponent will be required to implement a long term Operation and Maintenance Plan (O&M Plan) to ensure that best management practices (BMPs) are maintained to function as designed. The O&M should incorporate MassDEP's Snow Disposal Guidelines (<http://mass.gov/dep/water/laws/policies.htm>) and require that no snow will be placed in or adjacent to wetland resource areas, and commit to using a minimal amount of deicing and abrasive agents. The plan should also commit to using the minimum amount of deicing and abrasive agents, and include catch basin stenciling to discourage illicit discharges to storm drains on site. The Proponent has also committed to implementing a Stormwater Pollution Prevention Plan (SWPPP) that will exceed the minimum requirements established for SWPPPs in accordance with EPA's NPDES General Permit. The SWPPP will include a Sedimentation and Erosion Control Plan that outlines measures that will be implemented to minimize and mitigate construction period impacts.

In addition, I strongly encourage the proponent to continue to evaluate opportunities for incorporating sustainable design alternatives including LID techniques in the project's site design and stormwater management plans. LID techniques incorporate stormwater best management practices (BMPs) and can reduce impacts to land and water resources by conserving natural

systems and hydrologic functions. The primary tools of LID are landscaping features and naturally vegetated areas, which encourage detention, infiltration and filtration of stormwater on-site. Other tools include water conservation and use of pervious surfaces. LID can also protect natural resources by incorporating wetlands, stream buffers and mature forests as project design features. For more information on LID, visit <http://www.mass.gov/envir/lid/>. Other LID resources include the national LID manual (Low Impact Development Design Strategies: An Integrated Design Approach), which can be found on the EPA website at: <http://www.epa.gov/owow/nps/lid/>.

Traffic

The ENF includes a traffic study that generally conforms to the EEA/EOT Guidelines for Traffic Impact Assessment. Using the Institute of Traffic Engineers Trip Generation land use code 881 for Pharmacy/Drugstore with Drive-Through Window, and empirical data from other Walgreen's stores with drive-through windows, the project is estimated to generate a total of approximately 962 vehicle trips on the average weekday.

The Proponent has proposed to locate the project's site driveway on the south side of Route 110 directly across from the Carriagetown Marketplace Plaza and the existing signalized Route 110/Carriagetown Marketplace Plaza intersection. As described in the ENF, the proponent has committed to a number of traffic mitigation measures including the elimination of an existing curb cut associated with the auto dealership property. The ENF includes the following traffic mitigation commitments:

- widening the westbound approach to the Route 110/Carriagetown Marketplace Plaza/Walgreens Pharmacy project site driveway intersection to provide an exclusive left-turn lane to the project site;
- completing traffic signal upgrades including new mast arms and signal equipment, and timing modifications to the traffic signal located at the Route 110/Carriagetown Marketplace Plaza/Walgreens Pharmacy project site driveway intersection;
- closing an existing curb cut located on the adjacent car dealership property located adjacent to the northeastern corner of the project site; and,
- constructing a pedestrian crosswalk across Route 110 on the east side of the Route 110/Carriagetown Marketplace Plaza/Walgreens Pharmacy project site driveway intersection and a pedestrian sidewalk along the south side of the project site driveway.

In its comments, MassHighway has noted that the project site is located within MassHighway's Route 110 Corridor Project which involves roadway widening and geometric improvements to sections of roadway within the Route 110 corridor. MassHighway has requested that the Proponent continue to coordinate the final project design and construction of any new road work involving Route 110 with MassHighway's Public/Private Development Unit to successfully resolve any design and construction timing issues with MassHighway's Route 110

Project.

Transportation Demand Management

To reduce project generated vehicle trips to and from the site, the Proponent should evaluate and implement all feasible Transportation Demand Management (TDM) measures. The proponent should develop and implement a Transportation Demand Management (TDM) plan for project employees and patrons to encourage the use of transit, pedestrian and bicycle travel and to minimize the total number of project-generated vehicle trips. The proponent's proposed TDM plan should incorporate measures for reducing project generated vehicle trips such as:

- working closely with MassRides to develop, market and implement the proponent's TDM plan;
- appointment of an on-site TDM Coordinator;
- implementation of an employee ride-matching program (carpooling and vanpooling);
- the development of on-site amenities including automated teller machines (ATMs), and secured bicycle storage racks; and,
- coordination with the proponents for the Carriagetown Marketplace Plaza to identify and implement cost-sharing opportunities for expanding transit service to the project site and within the project area.

I ask that the Proponent commit to participating in the proposed TDM plan. The TDM should include a commitment to conduct any monitoring necessary to ensure the success of the program. The proponent should consult with MassRides, the Merrimack Valley Regional Transit Authority (MVRTA) and the Town of Amesbury when developing the TDM plan.

Greenhouse Gas Emissions

Although the project is not subject to the MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol because I have found that it does not require the preparation of an EIR, I strongly encourage the proponent to voluntarily undertake measures to reduce GHG emissions associated with the project. Designing buildings to include energy efficiency measures beyond those required for minimum compliance with the building code can result in significant long term utility cost savings. In addition, retail buildings such as the one proposed for this project are often suitable for the installation of roof-top solar photovoltaic (PV) systems, which can serve to offset the project's energy usage by generating clean renewable power on site. In light of the likely continued rise in electricity prices, the continued reduction in the cost of PV, opportunities for third party PV arrays with power purchase agreements, and the numerous other tax and financial incentives available for solar projects, I urge the proponent to evaluate the feasibility of installing solar PV for this project.

Based on a review of the information provided by the proponent and after consultation with the relevant public agencies, I find that the potential impacts of the proposed project do not warrant the preparation of an EIR. Issues related to drainage and stormwater management, and traffic mitigation can be addressed during the permitting and environmental review process.

November 21, 2008
Date



Ian A. Bowles, Secretary

Comments received:

- 11/10/08 W.C. Cammett Engineering, Inc.
- 11/11/08 Executive Office of Transportation and Public Works – Office of Transportation Planning (EOT)
- 11/11/08 Department of Environmental Protection (MassDEP) – NERO
- 11/19/08 RJ O’Connell & Associates, Inc.

IAB/NCZ/ncz
EEA #14328 ENF