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February 15, 2007

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

PROJECT NAME: Lowell Connector Park Redevelopment
PROJECT MUNICIPALITY: Lowell
PROJECT WATERSHED: Merrimack
EOEA NUMBER: 13943
PROJECT PROPONENT: Connector Park Holdings, LLC c/o National Development
DATE NOTICED IN MONITOR: January 9, 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 an Environmental Impact Report (EIR).

Project Description

As described in the Expanded Environmental Notification Form (EENF), the project proposes the redevelopment of the existing Lowell Connector Park office/industrial site in Lowell, MA with a new home improvement store and potential replacement manufacturing facility. The 26-acre project site is situated in the southern part of Lowell between Chelmsford Street (Route 110) on the west and the Lowell Connector highway on the east. Currently, the site contains approximately 174,000 square feet (sf) of manufacturing building space and 210,000 sf of office space in two, 4-story buildings. The entire project site has been altered by past activities.

The project involves construction of a new home improvement retail store and possibly a new manufacturing building on the site. The current manufacturing space on site is partially occupied by the operations of Eltec, Inc., who will be moving to another off-site location prior to the commencement of the project. The proponent plans to design the new manufacturing space to accommodate a different future manufacturing tenant. The project will require the demolition of all the existing manufacturing building space on the site to accommodate the proposed home improvement store, but will retain the two office buildings. The proposed 153,800 +/- single-story home improvement store and garden center will be on the southwest part of the site. The EENF states that 65,000 sf of new manufacturing space will be constructed on the northerly part of the site. The proposed site redevelopment will result in a net increase of about 44,000 sf of building space on the site.

The project will include approximately 1,352 parking spaces, reflecting a net decrease of approximately 142 spaces from the existing condition. A portion of the parking for the new manufacturing building is proposed to be located in a small, single-level parking deck. Site access will be from several driveways onto Wellman Street, a local roadway that connects directly to Chelmsford Street, and via a single driveway connection to Electronics Avenue, which lies west of the site and connects to Composite Way.

As part of the project, the proponent has agreed to fund and construct portion of the municipal storm drain and sanitary sewer system that are planned to cross the project site as part of the City of Lowell's sewer separation public works project for the surrounding Wellman Street and Industrial Avenue West drainage area. This work is being undertaken to assist the City in implementing its ongoing program of eliminating the existing combined sewer overflow (CSO) discharges to area waterways. The City's *CSO Long-Term Control Plan* (EOEA #12059) has undergone previous MEPA review and the City recently filed a Notice of Project Change to enable the sewer separation elements for the Wellman Street and Industrial Avenue West drainage area to move forward.

Jurisdiction

The project is undergoing environmental review and requires the preparation of an Environmental Impact Report pursuant to Section 11.03(6)(a)(6) of the MEPA regulations because it requires state permits and because the project will generate more than 3,000 new average daily trips on roadways providing access to a single location. The project requires a National Pollutant Discharge Elimination System (NPDES) General Construction Permit from the U.S. Environmental Protection Agency (EPA); an Indirect Highway Access Permit from the Massachusetts Highway Department (MHD); an Order of Conditions (OOC) from the Lowell Conservation Commission (and therefore a Superceding Order of Conditions from the Department of Environmental Protection (MassDEP) if the local Order is appealed); Site Plan Approval from the Lowell Planning Board; Special Permits from the Lowell Zoning Board of Appeals; and local Water and Sewer Connection Permits.

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction is limited to those aspects of the project that may cause significant Damage to the Environment and that are within the subject matter of required or

potentially required state permits. In this case, jurisdiction extends to transportation, wetlands and stormwater.

Request for a Single EIR

In accordance with Section 11.05(7) of the MEPA regulations, the proponent has submitted an Expanded ENF (EENF) with a request that I allow the proponent to fulfill its EIR obligations under MEPA with a Single EIR, rather than the usual process of a Draft and Final EIR. The EENF was subject to a 37-day review period pursuant to 301 CMR 11.05(7). The proponent's request for a Single EIR was discussed at the MEPA site visit held for the project on January 25, 2007. Based on a review of the EENF, I hereby find that the document meets the regulatory requirements and I am permitting the proponent to file a Single EIR in fulfillment of Section 11.03 of the MEPA regulations. While I am allowing the proponent to prepare a Single EIR, I note the receipt of many comments related to the traffic impacts of the project that must be addressed in detail in the Single EIR.

SCOPE

General

The Single EIR should follow Section 11.07 of the MEPA regulations for outline and content, as modified by this Scope. The Single EIR should include a copy of this Certificate and the attached comments. The Single EIR should include a thorough description of the project, including a detailed description of construction methods and phasing and any changes to the project since the filing of the EENF. The Single EIR should include a brief description of each state permit or agency action required or potentially required, and should demonstrate that the project will meet applicable performance standards. In accordance with Executive Order No. 385, "Planning for Growth" and Section 11.03 (3)(a) of the MEPA regulations, the Single EIR should discuss the consistency of the project with the local and regional growth management and open space plans. The proponent should also provide an update on the local permitting process for the project.

Alternatives

The project as proposed is consistent with City of Lowell planning policies to develop regional retail stores within the City while also retaining manufacturing uses and jobs in proximity to residents. In addition to the preferred alternative presented in the EENF, the proponent evaluated alternative site plan configurations during the project planning process. "Alternative A" would site the new manufacturing building within the envelope of the existing parking area in the north part of the site and therefore reduce wetland impacts, however this option would require construction of a large parking deck to provide necessary parking for the facility and has been determined to be cost prohibitive. "Alternative B" would involve the construction of a two-story manufacturing building that would result in a reduced building footprint and reduced wetland impacts, but would not work satisfactorily for most manufacturing operations. The proponent concludes in the EENF that the preferred alternative works best to meet the needs of the project while keeping wetland impacts minimal and providing a wetland

replication area to mitigate for alteration of wetland resources. In addition, the proponent evaluated optional site access options during the project planning process that led to a decision to not have any direct access to the site off of Chelmsford Street. The preferred alternative may be carried forward to the Single EIR.

Stormwater

The EENF included a discussion of existing and proposed drainage conditions for the project and described the main elements of the proposed stormwater management system designed to control project-related stormwater runoff. The project will feature a stormwater management system to control and treat runoff from site drives, parking lots and roof top areas. The stormwater management system will be designed in compliance with MassDEP's Stormwater Management Policy (SMP) for site redevelopment projects. During construction activities, a Stormwater Pollution Prevention Plan will be prepared and implemented in accordance with EPA's National Pollutant Discharge Elimination System General Permit.

The project's stormwater management system has been designed to direct stormwater runoff from the proposed home improvement store and its associated parking directly to the proposed 60-inch drain line bisecting the site (part of the Wellman Street Drainage Area Sewer Separation Project). Stormwater runoff from the site will no longer be discharged into the combined sewer system in Chelmsford Street. Stormwater runoff from the existing office buildings and the proposed manufacturing facility will be discharged to the existing vegetated area on the eastern part of the site. Runoff from the proposed manufacturing building and its associated parking will pass through water quality structures to protect the surrounding resource areas from potential stormwater runoff impacts. The EENF provided a discussion of how the proposed stormwater management system would comply with MassDEP's Stormwater Management Policy (SMP) guidelines.

The Single EIR should include a discussion of best management practices employed to meet the DEP and NPDES requirements, and should include a draft of the 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.

I encourage the proponent to consider Low Impact Development (LID) techniques in site design and storm water 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. Clustering of buildings is an example of how LID can preserve open space and minimize land disturbance. 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/>. The Single EIR should include a

discussion of any LID measures that the proponent could incorporate into project design.

Wetlands

The project will result in the filling of approximately 2,950 sf of Bordering Vegetated Wetland (BVW). According to the EENF, this wetland consists of a man-made depression that collects part of the site runoff with conveyance to a man-made drain channel. Wetland vegetation has populated the depression and channel areas. The vegetated swale runs parallel to the Lowell Connector and developed portions of the site, conveying surface water flows to the south. The swale drains into a 16-inch reinforced concrete pipe which connects into the Lowell Connector drainage system and eventually into Meadow Brook.

The EENF included a discussion of how the project will comply with the general performance standards for BVW at 310 CMR 10.55(4)(b). The proponent intends to file a Notice of Intent with the Lowell Conservation Commission for the project's impacts to resource areas. The Single EIR should outline any changes to anticipated wetlands impacts that may result from consultation with the Lowell Conservation Commission. The proponent will implement an erosion and sedimentation control plan to prevent indirect impacts to wetlands during construction. The EENF provided an overview of this plan.

The project will include compensatory mitigation through the construction of a 3,650 sf wetland replication area adjacent to the impacted area. The wetland replacement area will be constructed in accordance with the performance standards for BVW and the Massachusetts Inland Wetland Replication Guidelines. A detailed wetlands replication plan should be provided in the Single EIR which, at a minimum, should include: replication location(s); 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 long-term monitoring.

Traffic

Access to the site will be provided via Wellman Street and Composite Way. Site access will be via several driveways onto Wellman Street, a local roadway that connects directly to Chelmsford Street, and via a single driveway connection to Composite Way, which lies west of the site. There will be no direct site access to Chelmsford Street, which in the vicinity of the site is owned and maintained by the City of Lowell, even though it is designated as state Route 110. Under existing conditions, there are four unsignalized driveways along Chelmsford Street. Based on Institute of Traffic Engineers (ITE) Land Use Codes 710 (General Office), 140 (Manufacturing) and 862 (Home Improvement Store), the proposed project is anticipated to generate 3,940 new daily trips on an average weekday and 6,920 new daily trips on an average Saturday.

The proponent has prepared a Traffic Impact and Access Study (TIAS) in accordance with Executive Office of Environmental Affairs/Executive Office of Transportation and Construction guidelines. The study was prepared in consultation with the City of Lowell. The

TIAS was submitted as part of the EENF. A comparison of flow and roadway capacity within the TIAS study area for existing, No-Build and Build conditions reveals that the project will have the following impacts on the area roadway system:

The intersection of Chelmsford Street (Route 101)/Industrial Avenue/Stevens Street will operate at Level of Service (LOS) E/D in the Build condition.

- Intersection improvements are expected to be constructed at the intersection of Chelmsford Street/Route 110 in the near future and are expected to accommodate the additional traffic at this intersection in the Build condition.
- All other signalized intersections in the study area will continue to operate at LOS B in the Build condition.
- Traffic exiting both Wellman Street and Composite Way will operate poorly under future build conditions without any improvements.
- The Stevens Street/Parker Street is expected to operate at LOS F/D under No-Build conditions and F/E under Build conditions.
- There will be no change in LOS due to the project at any of the other unsignalized study area intersections.

The proponent has proposed the following measures in the EENF to mitigate for impacts to traffic:

Chelmsford Street(Route 110) at Industrial Avenue/Stevens Street

- Chelmsford Street (Route 110) southbound will be widened to provide an exclusive left turn lane, an exclusive through lane and a shared through/right turn lane.
- Industrial Avenue will be widened to provide an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane.
- The existing traffic signal equipment at this location will be replaced and upgraded.
- The traffic signal phasing will be modified to improve safety and capacity.
- Due to the proximity of this intersection to Industrial Avenue and Composite Way, traffic operations at the two signals will benefit from coordinated operations that will be implemented via hard wire interconnect cable.

Industrial Avenue at Composite Way

- Industrial Avenue will be realigned and widened to accommodate one through lane in each direction, and separate left turn and right turn lanes in the eastbound and westbound directions.
- A fully actuated traffic signal will be installed at this intersection.
- Due to the proximity of this intersection to the traffic signal at Chelmsford Street/Stevens Street/Industrial Avenue, traffic operations at the two signals will benefit from coordinated operations that will be implemented via hard wire interconnect cable.

Chelmsford Street (Route 110) at Wellman Street

Chelmsford Street will be realigned at this intersection to accommodate a southbound left turn lane into the site.

Stevens Street at Parker Street

- The proponent will design and install a new traffic signal at this operation as it meets traffic signal warrants for signalization even under existing conditions.

Signage and Pavement Marking Improvements

- As part of the off-site improvement plan for the project, the proponent is willing to replace deficient pavement markings and traffic signs within the study area.
- The proponent is also committed to working with the City and the residential neighborhood surrounding the project site to fund the implementation of a neighborhood traffic signage program to deter cur through activity by directing drivers to use major roadways and not neighborhood streets.

The Single EIR should include a commitment to implement the above referenced traffic mitigation measures and should describe the timing and cost of their implementation based on project phasing. The Single EIR should include conceptual plans for the proposed mitigation that are of sufficient detail to verify the feasibility of constructing such improvements, including lane widths and offsets, layout lines and jurisdictions and adjacent land uses.

Traffic safety problems currently exist at the Industrial Avenue on-ramp to the Lowell Connector southbound near Route 3 and I-495. According to comments from the Northern Middlesex Council of Governments, these safety problems arise due to the large volume of traffic and short weaving section between the on-ramp, Route 3 and I-495. The proposed project will contribute significant additional traffic, thereby exacerbating existing problems in this area. In response to comments from MHD, the Single EIR should include an analysis of the traffic operations at the Lowell Connector/Industrial Avenue interchange and traffic signal warrants for the Industrial Avenue/Lowell Connector northbound ramps. The Single EIR should analyze the weave along the Lowell Connector between the Industrial Avenue and I-495/Route 3 interchange to identify associated traffic and safety-related concerns. If necessary, the proponent should commit to additional mitigation at these locations. The proponent should also propose additional mitigation measures at the Chelmsford Street/Wellman Street intersection, due to the increased volume/capacity ratio and delay experienced under the Build Condition.

The EENF included a commitment to provide a Transportation Demand Management (TDM) program aimed at reducing site trip generation. Proposed TDM measures include designation of an onsite Transportation Coordinator, exploration of partnership opportunities with MassRides, promotion of use of transit services, provision of ridesharing services, provision of onsite bicycle and pedestrian amenities, and provision of onsite services/amenities to reduce off-site travel. In addition, the proponent has committed up to \$50,000 to replace the existing sidewalk along the western side of Chelmsford Street between Stevens Street and Norcross

Street. There are two existing Lowell Regional Transit Authority (LRTA) bus service routes adjacent to the project site. The proponent will install bicycle racks at the home improvement store to provide secure bike storage. In the Single EIR, the proponent should provide a clear commitment to implement and continuously fund any TDM measures.

Air Quality

The projected vehicle trips from the project triggered MassDEP's requirement that the proponent conduct an air quality mesoscale analysis to determine if the proposed project will increase the amount of volatile organic compounds (VOCs) and nitrogen oxides (NOx) in the project area and to assess the project's consistency with the Massachusetts State Implementation Plan (SIP). The proponent included the results of its microscale and mesoscale air quality analysis in the EENF.

The mesoscale air quality analysis for the Lowell Connector Park redevelopment project evaluated existing and future levels of VOC and NOx emissions for the study area using the traffic volumes, delay and speed data presented in the project's TIAS. The results of the analysis reveal that 2011 Build Condition VOC and NOx emissions are greater than the 2011 No-Build Condition VOC and NOx emissions. Consistent with MassDEP guidelines, the proponent will incorporate mitigation measures to reduce VOC and NOx emissions resulting from the project. These mitigation measures include construction of roadway and traffic signal improvements and a program of TDM measures.

According to the EENF, the results of the mesoscale analysis demonstrate that the project complies with the federal Clean Air Act Amendments (CAAA) and the State Implementation Plan (SIP) for Massachusetts. In addition, the microscale analysis evaluated site-specific impacts from vehicles traveling through congested intersections in the study area. This analysis demonstrates that all existing and future CO concentrations will be below the NAAQS.

Construction Period Impacts

The Single EIR should include a discussion of construction phasing, evaluate potential impacts associated with construction activities, and propose feasible measures to avoid or eliminate these impacts. The proponent must comply with MassDEP's Solid Waste and Air Quality Control regulations and should respond in the Single EIR to comments from MassDEP regarding demolition issues. The proponent should implement measures to alleviate dust, noise and odor nuisance conditions which may occur during the construction activities. I encourage the proponent to work with MassDEP to implement construction-period diesel emission mitigation through its Diesel Retrofit Program.

Mitigation

The Single EIR should contain a separate chapter on mitigation measures. The chapter on mitigation should include a draft Letter of Commitment for use by MHD as its Section 61 Finding. The Letter of Commitment should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation, the identification of the parties

responsible for implementation of the mitigation, and a schedule for the implementation of the mitigation.

Comments

The Single EIR should respond to the comments received to the extent that comments are within the subject matter of this scope. Each comment letter should be reprinted in the EIR.

Circulation

The Single EIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should be sent to commenters as listed below and to City of Lowell officials. A copy of the Single EIR should be made available for review at the Lowell Public Library.

February 15, 2007

Date



Ian A. Bowles

Comments received:

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|-----------|---|
| 1/29/2007 | Department of Environmental Protection, Northeast Regional Office |
| 1/31/2007 | Prudence Dooley |
| 2/3/2007 | Paul J. Janocha |
| 2/5/2007 | Bryan & Elizabeth Fawcett |
| 2/6/2007 | Juliette & Thomas Evan Desmarais |
| 2/6/2007 | John DeMatteis |
| 2/7/2007 | Donald Dooley |
| 2/7/2007 | Kathleen Tighe |
| 2/8/2007 | Northern Middlesex Council of Governments |
| 2/12/2007 | Executive Office of Transportation |

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