



The Commonwealth of Massachusetts

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April 14, 2006

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

PROJECT NAME: Redevelopment of Former Bradlees Shopping Plaza
PROJECT MUNICIPALITY: Pittsfield
PROJECT WATERSHED: Housatonic
EOEA NUMBER: 13747
PROJECT PROPONENT: Berkshire Development, LLC
DATE NOTICED IN MONITOR: March 8, 2006

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62H) and Section 11.11 of the MEPA Regulations (301 CMR 11.00), I have reviewed this project and hereby determine that it does not require further MEPA review. In a separate Decision also issued today, I have proposed to grant a Waiver from the requirement to prepare a Mandatory Environmental Impact Report for the project. This Certificate sets forth the issues that must be addressed by the proponent during permitting and discusses recommendations that were submitted on the project during the MEPA comment period.

Project Description

As outlined in the Expanded Environmental Notification Form (EENF), the project involves the renovation of an existing shopping center that was originally opened in the 1960s as a Bradlees Department Store. The project site is located at the intersection of Routes 9 and 8 in Pittsfield, MA. The Bradlees store consists of approximately 88,400 square feet (sf) of floor area, with an additional retail space of approximately 13,200 sf that was added on at a later date. Currently, 5,000 sf of the Bradlees shell is an active Papa Gino's restaurant and the rest is vacant. A freestanding 6,500 sf restaurant and 2,500 sf bank are currently in operation on the site.

The proposed renovation includes demolition of the 13,500 sf of retail space at the north end of the Bradlees structure, plus about 11,500 sf of the Bradlees building shell; renovation of the remaining Bradlees structure into three new retail facilities; the addition of 15,000 sf of new retail space attached to the north end of the renovated Bradlees shell and the construction of a new 3,900 sf freestanding structure. The existing freestanding restaurant and bank will remain. The existing parking lot and site utilities will be substantially reconstructed. Access to the site is planned via three curb cuts on Route 9/Merrill Road, two of which are existing and one of which will be a relocation of the existing former main driveway.

Jurisdiction

The project is subject to a mandatory Environmental Impact Report (EIR) pursuant to Section 11.03 (6)(a)(6) of the MEPA regulations because it will generate more than 3,000 new daily vehicle trips. The project will require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (EPA); an Access Permit from the Massachusetts Highway Department (MHD); an Order of Conditions from the Pittsfield Conservation Commission; Special Permits from the Pittsfield City Council and Community Development Board; and various sign permits, site demolition permits, and utility connection permits from the City of Pittsfield.

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 or potentially required permits with the potential to cause Damage to the Environment. The City of Pittsfield Conservation Commission has already issued the Order of Conditions (OOC) for the project (DEP #263-847), which has not been appealed. Therefore, MEPA does not have jurisdiction over wetlands or stormwater. In this case, MEPA jurisdiction on this project extends to traffic.

Traffic

According to the proponent, the project is estimated to generate approximately 6,170 new vehicle trips per day over current levels. The proponent has documented the project's traffic impacts in a Traffic Impact Report that was submitted with the EENF. MHD has stated that the Traffic Impact Report was prepared in compliance with the Executive Office of Environmental Affairs (EOEA)/Executive Office of Transportation (EOT) Guidelines for EIR/EIS Traffic Impact Assessments. In preparing the traffic study, the proponent consulted with MHD District 1 and EOT's Public/Private Development Unit. In its comments on the EENF, EOT/MHD states that the increased traffic from the proposed project will be adequately mitigated by proposed improvements to the state highway. The following mitigation measures are proposed:

- The proponent will construct a two-way left-turn lane (TWLTL) on Merrill Road along the frontage of the site to allow left turns safely and efficiently into the plaza.
- The proponent will relocate the main entrance to the shopping plaza opposite the entrance to the Burger King restaurant across Merrill Road. The conceptual design for the intersection includes the addition of exclusive left-turn lanes on Merrill Road into the site driveway and into Burger King. A through lane and a through/right lane will be

maintained on each Merrill Road approach. The signal system will include all necessary signal equipment including mast arms, LED signal heads, pedestrian signals and a control cabinet that is hard wired to the existing Coltsville closed loop system.

- With the addition of the TWLTL on Merrill Road, the proponent will construct a full access driveway at the southern end of the site. The TWLTL will allow vehicles to exit the through traffic flow on Merrill Road when attempting to turn left into the southern site drive. The TWLTL will be beneficial to vehicles turning left out of the southern site drive by providing a refuge for vehicles that have cleared the southbound travel lanes before entering the northbound traffic flow. The proponent will maintain internal connections between the project site and the abutting gas station.
- The proponent will provide the following pedestrian amenities: a bus pull-out and shelter on the west side of Merrill Road; a new sidewalk on the west side of Merrill Road; and new crosswalks, handicapped accessible ramps, and pedestrian signals at the main entrance to the site.
- The TWLTL, the bus pull-out and the sidewalk along Merrill Road will necessitate a land transfer from the proponent to the Commonwealth in order to keep public infrastructure within the state layout. The proponent intends to work with the Commonwealth to facilitate the necessary transfer of land.
- The proponent will conduct turning movement counts (AM, PM & Saturday) at the following intersections 2 years after the opening of the plaza: 1) Main Site Drive/Merrill; 2) Stop & Shop/Crane Connector/Merrill; 3) Crane Connector/Dalton; 4) Dalton/Merrill/Cheshire; 5) Cheshire/Allendale; 6) Dalton/Meadowview/TJ Maxx Plaza; and 7) Dalton/Hubbard. These counts will allow MHD to check the actual impact of the project on the Coltsville closed loop signal system and will facilitate the programming of any needed adjustments.

Air Quality

The significant number of projected new daily vehicle trips has triggered DEP'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. The mesoscale analysis will also be used to determine if the project will be consistent with the Massachusetts State Implementation Plan (SIP). For the mesoscale analysis, the project proponent must conduct an analysis of all roadway segments affected by the project, specifically the area within a 0.3 to 16 km radius of the project; the exact geographical area depends on local conditions and the impact of a project on area travel patterns. The area should be large enough to include all roadway links that could experience a 10% potential increase in traffic and which currently operate at or, will be degraded to, a Level of Service (LOS) D or lower.

The proponent should consult with DEP staff to determine the boundaries of each of the project alternatives, including the Existing condition in the Base Year, and the No-Build, Build and Build-with-Mitigation conditions in the project completion and project design years. The most up-to-date MOBILE6 air modeling parameters must be used in this effort. If the mesoscale analysis indicates an increase in VOC and NOx emissions, the proponent must develop mitigation measures to offset the increase.

As noted in the Draft Record of Decision (DROD) issued today on the project, the proponent must conduct the Air Quality Analysis per DEP's guidance and submit its results to MEPA, DEP and to any parties who received a copy of the EENF, in advance of this office issuing the Final Record of Decision. In the EENF, the proponent proposed Transportation Demand Management (TDM) measures aimed at reducing site trips including: construction of pedestrian infrastructure in the vicinity of the site and a bus turnout on the west side of Merrill Road/Route 9 to encourage use of the existing Berkshire Regional Transit Authority (BRTA) bus service. These measures will also help to offset emission increases. Based on the results of the air quality analysis, the proponent should commit to further measures to mitigate for increased traffic and emissions, as suggested by DEP in their comments on the EENF.

The project will also need to comply with the Massachusetts Rideshare Regulation and the Massachusetts Idling Regulation. The proponent should note comments from DEP regarding suggested delivery restrictions for trucks, and construction period air quality mitigation measures.

Drainage/Wetlands

Almost the entire project site is located within the 100-year flood plain of the Housatonic River, as delineated on Pittsfield's Flood Insurance Rate Map (FIRM), however the extent of proposed construction at the site does not exceed the existing. Therefore, the proponent is not required to provide compensatory storage for impacts to Bordering Land Subject to Flooding. The proponent should note comments from the Department of Conservation and Recreation's (DCR) Flood Hazard Management Program (FHMP) that a registered professional engineer or architect must certify that building and construction plans comply with the structural requirements of the State Building Code, Section 3107.0. These plans must be submitted to the City of Pittsfield's Building Department prior to issuance of a building permit. The proponent should also note that the project must comply with Executive Order 11988, Floodplain Management. Compliance with E.O. 11988 will be addressed during the NPDES permit process.

Stormwater from the majority of the site is currently discharged directly and untreated into the Housatonic River, which is east of the site. A very small portion of the site discharges runoff directly and untreated through a culvert under the railroad tracks and into the adjacent wetlands to the west. According to the EENF, the project's stormwater management system will be designed in accordance with City of Pittsfield and the Department of Environmental Protection's (DEP) Stormwater Management Policy under the redevelopment standard. The stormwater management system will include: deep sump hooded catch basins, closed-conveyance drainage piping, concrete sediment traps, and Stormceptor water quality inlets. Due to a more efficient parking layout and the addition of planted islands in the parking lot, the redevelopment project will result in a reduction in the total impervious area on site. The proponent has also developed an Operation and Maintenance (O & M) Plan for the stormwater management system that was submitted with the EENF.

I encourage the proponent to consider comments from the Berkshire Regional Planning Commission (BRPC) regarding the number of proposed parking spaces at the site and the use of Low Impact Development (LID) techniques that would facilitate infiltration and help to alleviate peak storm discharges. BRPC has also requested clarification on the layout of stormwater

treatment structures and the O & M Plan.

Hazardous Waste

Based on an Environmental Site Assessment (ESA) performed on behalf of the proponent, DEP's Bureau of Waste Site Cleanup (BWSC) has noted the presence of two areas of petroleum-related contamination in both soil and groundwater at the site. DEP has stated that the groundwater concentrations are above the Reportable Concentrations of the Massachusetts Contingency Plan (MCP). The proponent must therefore comply with the notification and remediation requirements of the MCP. The proponent should consult with DEP and the City of Pittsfield Conservation Commission regarding the need for an amendment to the current OOC for the project.

In response to comments from DEP, all construction and demolition activity at the site must conform to current Air Pollution Control and Solid Waste Management Regulations.

Conclusion

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 this project do not warrant further MEPA review. Outstanding issues may be addressed during the permitting process.

April 14, 2006
Date


Stephen R. Pritchard

Comments received:

3/13/2006	David Thompson, Coler & Colantonio, for the Proponent
3/17/2006	Jane Winn, Berkshire Environmental Action Team
3/28/2006	Department of Conservation and Recreation
4/6/2006	Executive Office of Transportation
4/6/2006	City of Pittsfield, Department of Community Development
4/7/2006	Berkshire Regional Planning Commission
4/10/2006	Department of Environmental Protection, Western Regional Office

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