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August 31, 2007

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
SINGLE ENVIRONMENTAL IMPACT REPORT

PROJECT NAME: Lowell Connector Park Redevelopment
PROJECT MUNICIPALITY: Lowell
PROJECT WATERSHED: Merrimack
EEA NUMBER: 13943
PROJECT PROPONENT: Connector Park Holdings, LLC c/o National Development
DATE NOTICED IN MONITOR: July 25, 2007

As Secretary of Energy and Environmental Affairs, I hereby determine that the Single Environmental Impact Report (Single EIR) submitted for this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (MEPA) (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

Project Description

As described in the Single EIR, the project proposes the redevelopment of the existing Lowell Connector Park office/industrial site in Lowell, MA with a new Lowe's Home Improvement Store as Phase 1 and construction of a new manufacturing building as Phase 2. The project will retain two existing four-story office buildings on-site that contain 210,000 square feet (sf) of total building area, but will require demolition of 174,000 sf of existing manufacturing space. The proposed Lowe's will be on the southwest portion of the site and contain approximately 153,800 sf total gross floor area including a garden center. A new manufacturing facility will be constructed on the northerly portion of the property and have 65,000 sf gross floor space. The proposed site redevelopment will result in a net increase of approximately 44,000 sf of building space. The entire project site has been altered by past activities.

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. 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. Access to the site will be provided via Wellman Street and Composite Way.

Since the MEPA review of the EENF, the planned phasing for the project has changed. Originally, the project was envisioned to include retention of the existing onsite manufacturing operation of Venture Corporation (formerly Eltech, Inc.) which would have been relocated onsite into a new 65,000 sf manufacturing building. It was assumed that this would be the first phase of the project. However, due to the specific needs of their operations, Venture Corporation has chosen to relocate offsite to another manufacturing location elsewhere in Lowell. Due to Venture Corporation's decision to relocate, Phase 1 of the project will now consist of construction of the Lowe's store. Completion of Phase 1 will be followed by construction of the new manufacturing building at a time to be determined.

As part of the project, the proponent has agreed to fund and construct a 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 filed a Notice of Project Change in December of 2006 to enable the sewer separation elements for the Wellman Street and Industrial Avenue West drainage area to move forward. The Secretary's Certificate on the NPC and a Record of Decision dated February 8, 2007 stated that the Wellman Street/Industrial Avenue West portion of the project could proceed under a Phase 1 Waiver.

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; Site Plan Approval from the Lowell Planning Board; Special Permits from the Lowell Zoning Board of Appeals; and local Water and Sewer Connection Permits. The Proponent has clarified that no Sewer Connection/Extension Permit is required for the project from the Department of Environmental Protection.

The Proponent has received an OOC from the Lowell Conservation Commission permitting temporary wetland impacts associated with construction of the storm drain and sewer

system upgrades. A second Notice of Intent will be filed with the Commission for wetland impacts that will result from Phase 2 of the project.

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.

Review of the Single EIR

The purpose of MEPA review is to ensure that a project Proponent studies feasible alternatives to a proposed project; fully discloses environmental impacts of a proposed project; and incorporates all feasible means to avoid, minimize, or mitigate Damage to the Environment as defined by the MEPA statute. I have fully examined the record before me, including but not limited to the Scope issued on February 15, 2007; the Single EIR filed in response; and the comments entered into the record. I find that the Single EIR is sufficiently responsive to the requirements of the MEPA regulations and the Scope to meet the regulatory standard for adequacy. The proponent has provided a considerable amount of detailed information about the project and its potential impacts and proposed mitigation. Remaining issues outlined in this Certificate may be addressed during permitting.

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. The analysis of alternatives in the EENF revealed that the Preferred Alternative works best to meet the needs of the project while minimizing and mitigating environmental impacts. The Proponent also 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 Certificate on the EENF confirmed that the Preferred Alternative was appropriate and should be carried forward to the Single EIR.

Stormwater

The Single EIR 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. Under existing conditions, stormwater runoff from the project site is directed through existing drainage infrastructure to four discharge points along the east and west property boundaries. Currently, there is little to no water quality treatment of site-generated runoff and a portion of runoff discharges to the existing public combined sanitary sewer/storm sewer system serving the area.

Under proposed conditions, stormwater runoff from the proposed home improvement center and its associated parking will be collected through a closed-pipe drainage system. The drainage system will tie into a proposed 66-inch drainage interceptor to be located on the site, connecting Chelmsford Street to the outfall located south of the site along the River Meadow Brook. The proposed interceptor is part of the Wellman Street Drainage Area Sewer Separation project. Stormwater runoff from the existing office buildings will be treated by water quality structures and then will be discharged to the existing vegetated area, on the eastern part of the site, along the Lowell Connector. The remaining runoff will discharge onto Composite Way. No water will be discharged into the combined sewer system in Chelmsford Street.

The Single EIR provided a discussion of how the proposed stormwater management policy would comply with MassDEP's Stormwater Management Policy (SMP) guidelines. Best management practices (BMPs) will include a comprehensive source control program, deep sump hooded catch basins, and water quality structures such as Vortechs. MassDEP has submitted detailed comments on the project's proposed stormwater management system and the project's compliance with the SMP. I strongly encourage the Proponent to consult with MassDEP to resolve the Department's concerns in advance of filing the Notice of Intent for Phase 2 of the project.

During construction activities, a Stormwater Pollution Prevention Plan (SWPPP) will be prepared and implemented in accordance with EPA's National Pollutant Discharge Elimination System General Permit. The Single EIR included a detailed discussion of measures that will be implemented during construction to prevent adverse impacts to resource areas. In accordance with NPDES requirements, the Proponent submitted a draft of the SWPPP with the Single EIR. The Proponent also prepared an Operations & Maintenance (O & M) Plan for the stormwater management system that outlined the maintenance and management of structural and non-structural BMPs. The O & M Plan, included as an Appendix to the Single EIR, outlines proposed inspection and maintenance schedules, identifies responsible parties, and proposes back-up systems.

Wetlands

According to the Single EIR, the only on-site wetland consists of a man-made depression that collects part of the site runoff with conveyance to a man-made drain channel. This resource area is classified as Bordering Vegetated Wetlands (BVW) pursuant to the Wetlands Protection Act (WPA). The first phase of the development will result in the temporary alteration of approximately 116 sf of BVW associated with the construction of the cross country sewer. This temporary wetland impact will be mitigated through in-kind restoration. The Lowell Conservation Commission has issued an Order of Conditions for this work. The second Phase of the project, the construction of the relocated manufacturing facility and associated parking areas in the northeastern portion of the site, will result in the alteration of approximately 2,950 sf of BVW. Construction activities will also occur within the 100-foot buffer zone to BVW. A separate Notice of Intent will be submitted to the Lowell Conservation Commission for this portion of the work.

The Proponent will mitigate permanent impacts to wetlands with the construction of an approximately 2,950 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. The Proponent submitted a preliminary wetland replication plan in the Single EIR. The proponent will implement an erosion and sedimentation control plan to prevent indirect impacts to wetlands during construction. The Single EIR provided an overview of this plan.

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 prepared a Traffic Impact and Access Study (TIAS) in accordance with Executive Office of Environmental Affairs/Executive Office of Transportation (EOT) guidelines. The study was prepared in consultation with the City of Lowell. The TIAS was submitted as part of the EENF. The Certificate on the EENF stated that the TIAS adequately assessed potential traffic impacts and that the Proponent has proposed adequate mitigation. In the Single EIR, the Proponent provided responses to comments submitted on the EENF related to traffic. The following transportation-related matters were addressed in the Single EIR:

- Traffic signal warrants at Industrial Avenue/Lowell Connector northbound ramps: As requested by EOT, the Proponent performed a traffic signal warrant analysis at this intersection. The analysis indicates that none of the three volume based warrants for signalization are satisfied under the Existing Condition, No-Build Condition or Build Condition. The Proponent concludes that a traffic signal should not be considered at this location.
- Lowell Connector Weave Analysis: In response to comments on the EENF, the Proponent conducted a study on the Lowell Connector southbound weave section between Industrial Avenue and Route 495. The analysis shows that the deficiency lies in the available weave distance rather than the capacity of the available lanes in the area. The study indicates that project-related traffic represents less than 1% of the weekday traffic and less than 3% of the Saturday traffic on the southbound section of the Lowell Connector. The capacity analysis indicates that the additional traffic projected to be generated by the project in the subject weave section will not result in a perceptible degradation in traffic operations. As part of the study, the Proponent generated three possible improvement concepts for further consideration by MassHighway.

Transportation Demand Management

The Single EIR 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. 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 request the Lowell Regional Transit Authority (LRTA) to consider adding additional buses to Route #16 on weekends to better serve the residential and commercial land uses on Chelmsford Street.

Construction Period Impacts

The Single EIR included a discussion proposed measures to avoid or eliminate construction-period impacts related to noise, air quality, wetlands, water quality and traffic. The Proponent outlined a proposed construction phasing schedule. As noted in the Certificate on the EENF, I encourage the Proponent to consider participating in MassDEP's Clean Construction Equipment Initiative consisting of an engine retrofit program and/or use of low sulfur fuel to reduce exposure to diesel exhaust fumes and particulate emissions during construction.

Mitigation

The Single EIR contained a separate chapter on all mitigation measures to which the proponent has committed and draft Letter of Commitment for use by MHD. The proponent committed to the following mitigation measures in the Single EIR:

Transportation

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 cut through activity by directing drivers to use major roadways and not neighborhood streets.

Transportation Demand Management (TDM):

The Proponent will implement a TDM program at the project site with the objective of reducing single occupancy vehicle (SOV) traffic to and from the site. The Proponent will implement the following measures:

- 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
- Provision of onsite services and amenities to reduce off-site travel

Stormwater and Wetlands

- An erosion and sedimentation control program will be implemented to minimize temporary impacts to wetlands during construction.

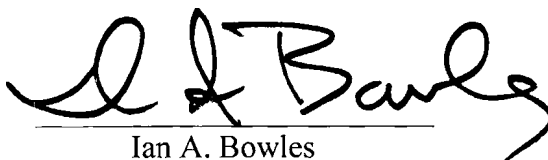
- The Proponent will implement a stormwater management system that meets MassDEP’s SMP standards by providing peak discharge rate attenuation, groundwater recharge and water quality treatment.
Wetlands that are temporarily impacted during construction will be restored. Permanent impacts to BVW during Phase 2 of the project will be mitigated through construction of a wetland replication area at a 1:1 ratio.

Conclusion

I find the Single EIR to be adequate and am allowing the project to proceed to the state agencies for permitting. The Single EIR contained sufficient information on project alternatives, impacts, and mitigation, and provided the state permitting agencies with sufficient information to understand the environmental consequences of their permit decisions. No further MEPA review is required.

August 31, 2007

Date



Ian A. Bowles

Comments received:

- 8/13/2007 Northern Middlesex Council of Governments
- 8/20/2007 Vanasse Hangen Brustlin, Inc., for the Proponent
- 8/24/2007 Executive Office of Transportation
- 8/24/2007 **Department of Environmental Protection, Northeast Regional Office**

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