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December 12, 2007

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

PROJECT NAME : Chicopee Crossing
PROJECT MUNICIPALITY : Chicopee
PROJECT WATERSHED : Chicopee River
EOEA NUMBER : 14I25
PROJECT PROPONENT : The Colvest Group. Ltd.
DATE NOTICED IN MONITOR : November 12, 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).

The project as proposed in the Environmental Notification Form (ENF) consists of a commercial shopping plaza to include a bank, hotel, office and retail buildings, two restaurants, and a parking lot on an approximately 12-acre site. The gross square footage of proposed buildings is approximately 87,000 square feet (sf). The proposed parking lot will include 673 parking spaces.

The project is undergoing environmental review because it requires state agency action and meets or exceeds MEPA review thresholds. The project requires a mandatory EIR pursuant to Section 11.03(6)(a)(6) because it will result in generation of 3,000 or more new average daily trips. The project is also undergoing review pursuant to Section 11.03(1)(b)(2) because it will result in creation of five or more acres of impervious area and Section 11.03(6)(b)(15) because it involves construction of 300 or more new parking spaces.

According to the ENF, the proposed project will result in approximately 9 acres of land alteration, which will be altered to create 9 acres of new impervious area. Approximately 1.67 acres on-site has already been altered and includes a parking lot (60 spaces) and high tension electric wires and towers. The project will not directly alter any wetlands resources. However,

work is proposed within the 100-foot buffer zone. The ENF proposes water and sewer connections to the City of Chicopee municipal supply and estimates water demand and wastewater generation for the project at 31,300 gallons per day (gpd). The project will result in approximately 5,334 new vehicle trips per day and construction of 613 new parking spaces (for a total of 673).

The project requires a State Highway Access Permit from the Massachusetts Highway Department (MHD) for access to Route 33. The project requires an Order of Conditions from the Chicopee Conservation Commission (and, on appeal only, a Superseding Order of Conditions from the Massachusetts Department of Environmental Protection (MassDEP)). The project site abuts the Massachusetts Turnpike (Route I-90) and the project may require a permit(s) from the Massachusetts Turnpike Authority (MTA). The project also requires a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA).

A MassDEP Sewer Permit for the proposed sewer connection to the Chicopee wastewater collection system is not required because the wastewater flow is less than 50,000 gpd. However, the proponent must meet all the regulatory requirements of 314 CMR 7.05 (h)(1), which includes filing a certification to MassDEP (BRP WP 73) within 60 days after use of the new sewer connection. I refer the proponent to the MassDEP comment letter for additional information on solid waste management, waste site cleanup and air quality regulations that may be applicable to the project.

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 state permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to transportation, wetlands, land, stormwater and drainage.

SCOPE

General

The proponent should prepare a Draft EIR (DEIR) in accordance with the general guidance for outline and content found in Section 11.07 of the MEPA regulations as modified by this Scope. The DEIR should include a copy of this Certificate and a copy of each comment letter received. The DEIR should include a clearly labeled existing conditions plan of the project site and its immediate context, and a plan of proposed conditions. Maps and plans should be of a reasonable scale to facilitate review and comment and should identify wetlands and any other sensitive resources in the project area.

The DEIR should include a project summary, with an update on any changes since the ENF filing, an update on permit consultations, and a summary of alternatives analyzed and mitigation measures proposed.

Alternatives

The ENF indicates that a number of layout alternatives were explored. The DEIR should provide a description and analysis of all feasible alternatives. The DEIR should compare and quantify the impacts associated with each alternative (including but not limited to acres of land use and alteration, volume of earthwork, impervious area, wetlands and buffer zone impacts, water use and wastewater generation, traffic and parking).

The alternatives analysis should include a reduced-build scenario that minimizes impervious area and transportation impacts. The alternatives analysis should consider structured parking and include a parking needs assessment. The alternatives analysis should also consider a mixed-use development as recommended by the Pioneer Valley Planning Commission (PVPC) in its comment letter, and discuss the project's consistency with the Commonwealth of Massachusetts Sustainable Development Principles, including principle #1, Concentrate Development and Mixed Uses. The alternatives analysis should clearly describe the rationale for selection of certain alternatives and elimination of others.

The proponent should evaluate sustainable design alternatives such as Low Impact Development (LID) and High-Performance/Green Buildings that can serve to avoid or minimize potential environmental impacts, and describe measures to which the proponent is committed. The alternatives analysis should consider options to reduce wetlands buffer zone impacts and retain existing trees to the extent feasible.

Wetlands and Stormwater Management

The proponent should delineate jurisdictional resource areas as recommended by MassDEP in its comment letter. The DEIR should provide an update on the local permitting process with regard to the Request for Determination of Applicability of the Wetlands Protection Act and the Notice of Intent (NOI) process.

The DEIR should include a description of wetlands resources in the project area, potential impacts to wetlands, and proposed measures to avoid, minimize or mitigate wetlands impacts. The DEIR should clarify proposed project activities and structures in the buffer zone of Bordering Vegetated Wetlands (BVW) and quantify buffer zone impacts, both temporary and permanent. The DEIR should discuss the feasibility of retaining existing trees on-site as a measure to reduce impacts to buffer zone and wetland resources on and in the vicinity of the project site.

The DEIR should include a detailed pre- and post-development drainage analysis and a detailed description of the proposed stormwater management system. The DEIR should provide information on proposed Best Management Practices (BMPs) for stormwater and describe how the project will comply with the MassDEP Stormwater Management Policy standards and the proposed new MassDEP stormwater management regulations, which will become effective January 2, 2008. The DEIR should describe any potential changes in hydrology (on and in the vicinity of the project site) that may result from the proposed impervious coverage. The DEIR should discuss the incorporation of LID techniques in site design and storm water management

plans to reduce impacts to land and water resources and conserve natural systems and hydrologic functions.

The DEIR should discuss how the project may affect the Massachusetts Turnpike (I-90) drainage system. The proponent should consult with the MTA and the City of Chicopee regarding stormwater discharge and jurisdictional issues. The DEIR should provide an update on consultations and clarify if the stormwater system is subject to MTA review and what state permits or approvals, if any, are required for stormwater discharge to the MTA right-of-way.

Transportation

The DEIR should include a transportation study prepared in conformance with the EEA/EOTPW Guidelines for EIR/EIS Traffic Impact Assessments and should identify appropriate mitigation measures for areas where the project will have an impact on traffic operations. The DEIR should include clear commitments to mitigation and describe the timing of mitigation based on phases of the project, if any.

The transportation analysis in the DEIR should consider the cumulative impact of the proposed project, existing and potential future developments in the area (including the Deady Bridge construction as recommended by PVPC in its comment letter). The DEIR should include capacity analyses and a summary of average and 95th percentile queues for each intersection within the study area, as well as a merge and diverge analysis for each ramp junction. Any proposed traffic signal must include a traffic signal warrant analysis according to the Manual of Uniform Traffic Control Devices (MUTCD) standards. The DEIR traffic study should analyze the following intersections:

- Route 33/I-90 ramps interchange;
- Route 33/Main Street intersection;
- the Westover Rotary;
- Route 33 at Westover Road;
- Route 33 at the Stop and Shop and Home Depot Access Roads;
- Route 33 at BJ's Wholesale Club/Big Y access driveways;
- Route 33 at MassPike Exit 5 off ramp and Walmart access driveway;
- Route 33 at Fuller Street;
- Sheridan and Fuller Street;
- Montgomery Street at the BJs/Big Y access; and
- Granby Road at Montgomery and McKinstry Ave.

The DEIR should include conceptual plans for the proposed roadway improvements of sufficient detail to verify the feasibility of constructing such improvements. The conceptual plans should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and the land uses (including access drives) adjacent to areas where improvements are proposed. Any mitigation within the state highway layout must confirm to MassHighway standards, including but not limited to, provisions for lane, median and shoulder widths, and bicycle lanes and sidewalks.

The DEIR should include a comprehensive Transportation Demand Management (TDM) program that investigates all feasible measures aimed at reducing site trip generation. The TDM program should identify measures and incentives to encourage the use of alternative modes such as transit, walking, and bicycling. The DEIR should describe proposed monitoring and quantitative measures that will be used to demonstrate improvements for each mode. The proponent should work closely with the Pioneer Valley Transit Authority (PVTA) and other area transit providers to evaluate the feasibility of extending bus services to the site. Project plans should clearly show the location of any proposed bus stop and discuss design of driveways and pedestrian amenities to accommodate transit use. The DEIR should include clear commitments to implement and continuously fund any evaluated measures deemed feasible to sustain and/or increase mode usage over time to ensure a balanced and functional transportation system along the corridor.

The DEIR should include an update on consultations with MassHighway, PVTA, PVPC and other parties on transportation issues. The DEIR should include an update on the local permitting process for the project with regard to state highway issued being discussed. The DEIR should include a draft Letter of Commitment to EOT that outlines all of the transportation mitigation measures the proponent will implement for the project.

Air Quality

As further detailed in the MassDEP comment letter, there may be air quality approval and permit requirements applicable to the project for boilers, emergency generators, and other internal combustion engines to meet project energy needs. The DEIR should clarify if any air quality approvals or certifications will be required for on-site combustion processes.

Greenhouse Gas Emissions (GHG)

Because the project was filed before November 1, 2007, when the EEA/MEPA Greenhouse Gas Emissions (GHG) Policy and Protocol became effective, the project is not required to quantify GHG emissions and the benefits of potential mitigation. However, the project is required to identify and describe all project-related GHG emissions and discuss proposed measures to mitigate for those emissions. I encourage the proponent to voluntarily provide a quantitative analysis pursuant to the final policy.

Response to Comments

The DEIR should respond to the comments received on the ENF to the extent that they are within MEPA jurisdiction. The DEIR should present any additional narrative or quantitative analysis necessary to respond to the comments.

Mitigation and Section 61 Findings

The DEIR should include a separate chapter on mitigation and draft Section 61 Findings that include a detailed description of all feasible measures to avoid, minimize and mitigate adverse effects on the environment which will be incorporated as part of the project. The Section

61 Findings should identify parties responsible for implementation and include a schedule and cost estimate for mitigation measures.

Circulation

The DEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should be sent to the list of "comments received" below, to state agencies from which a permit or approval will be required, and to the City of Chicopee. A copy of the DEIR should be made available for public review at the Chicopee Public Library.

December 12, 2007

DATE



Ian A. Bowles, Secretary

Comments received

- 11/30/07 Executive Office of Transportation and Public Works (EOTPW), Office of Transportation Planning
- 12/04/07 Pioneer Valley Planning Commission
- 12/05/07 Department of Environmental Protection, Western Regional Office

IAB/AE/ae