



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT
GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/cnvir>

December 31, 2008

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

PROJECT NAME : The Reserve & The Crossing at Olde Sibley Farm
PROJECT MUNICIPALITY : Main Street (Route 9) - Spencer
PROJECT WATERSHED : Chicopee & Quinebaug/French Rivers
EOEA NUMBER : 13399
PROJECT PROPONENT : Olde Sibley Farm Realty Partners
DATE NOTICED IN MONITOR : November 24, 2008

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

Project Description

According to the FEIR, the proposed project consists of the construction of approximately 628,000 square feet (sf) of mixed-use space with 1,386 parking spaces. The existing project site consists of a farm on 349 acres of land. The Reserve will contain a 304-unit Planned Residential Community in 62 buildings on approximately 314 acres of land. The units are two-bedroom townhouses and flat-style condominiums. The Reserve would include a 5,000 sf clubhouse with a swimming pool, tennis courts, and meeting areas. It would provide approximately 632 parking spaces. The proponent is proposing to maintain 163 acres of the site as open space. The Crossing would contain approximately 200,000 sf of retail space and 750 surface parking spaces on 35 acres. It will be comprised of three restaurants totaling about 21,000 sf and 179,000 sf of other retail space.

Using the unadjusted Institute of Traffic Engineers Trip Generation land use codes (230, 820 and 832), the project is estimated to generate approximately 12,087 average daily vehicle trips and 13,717 trips on Saturday. The main site driveway would be provided onto Main Street (Route 9) and a secondary driveway (for the residences) would be located on Greenville Street.

The proposed project will be connected to existing municipal water and sewer service. It will consume about 100,000 gallons per day (gpd) of water and will generate about 91,000 gpd of wastewater flow.

The project requires a mandatory EIR pursuant to Sections 11.03(1)(a)(1), 11.03(1)(a)(2), 11.03(6)(a)(6), and 11.03(6)(a)(7) of the MEPA regulations because it would alter 50 or more acres of land, create ten or more acres of impervious area, generate 3,000 or more new vehicle trips, and includes the construction of 1,000 or more new parking spaces. It requires an Access Permit, Traffic Signal Permits, and Permission to Enter the Highway Drainage System from the Massachusetts Highway Department (MassHighway). The project will require a Water Quality Certificate, a Water Distribution System Permit Modification, and a Major Sewer Extension Permit from the Department of Environmental Protection (MassDEP). It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. The project will require a Programmatic General Permit from the U.S. Army Corps of Engineers. On December 20, 2005, the proponent received an Order of Conditions from the Spencer Conservation Commission for The Reserve. Another Order of Conditions will be required for The Crossing (and, on appeal only, a Superseding Order of Conditions from MassDEP). The project is not subject to the MEPA Greenhouse Gas Emissions Policy & Protocol because it was filed prior to the effective date of the Policy.

Because the project is not seeking financial assistance from the Commonwealth, MEPA jurisdiction is limited to those aspects of the project that are within the subject matter of required or potentially required state permits and that may cause Damage to the Environment, as defined in the MEPA regulations (in this case: wetlands, stormwater, traffic, water, and wastewater).

Review of the FEIR

The FEIR provided a detailed project description. It included existing and proposed site plans. The FEIR provided a revised traffic analysis based on the correct lane configuration at the Route 9/Wal-Mart Drive intersection as requested by MassHighway. It summarized the proponents' discussions with Worcester Regional Transit Authority (WRTA) regarding their efforts to improve public transit along Route 9 in Spencer and Leicester.

FEIR Mitigation

The FEIR included a separate chapter on mitigation measures. This chapter on mitigation updated the proposed Section 61 Findings for MassHighway and MassDEP. On December 22, 2008, the proponent provided some additional cost estimates for its proposed mitigation measures. The Section 61 Findings contained a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation, and the identification of the parties responsible for implementing the mitigation.

In the FEIR, the proponent committed to the following mitigation measures:

- Provide 364,000 gpd of infiltration/inflow removal to the wastewater system by reconstructing 7,485 linear feet of sewer (approximately \$931,130 off-site and \$829,000 for sewer connection costs).
- Preserve 163 acres of open space through a conservation restriction to the Greater Worcester Land Trust or to the Spencer Planning Board designee. Relocate and construct the Midstate Trail with a parking area with four spaces on the project site and provide an easement for the relocated Trail to the Greater Worcester Land Trust or to the Spencer Planning Board designee (approximately \$758,000).
- Construct a booster water pump station to increase water pressure on the project site (approximately \$212,900 in water connection fees).
- Provide 15,437 sf of replacement/replicated wetlands and 4,321 sf of restored wetlands (approximately \$50,000).
- Signalize the Route 9/Site Driveway upon completion of the retail phase and widen Route 9 to add a westbound left turn and a second westbound through lane. Provide a short right turn lane on the eastbound side of Route 9 (approximately \$425,000 to \$587,500).
- Implement a Stormwater Pollution Prevention Plan (approximately \$75,000).
- Update the traffic signal equipment at Route 31(N&S)/Route 9 and interconnect them so that they act in unison to improve efficiency, restripe the roadway, and remove Wall Street from signal control (approximately \$150,000). Extend Main Street westbound two travel lanes to Wall Street and taper back to one travel lane at High Street (approximately \$150,000).
- Install an exclusive left-turn lane on the Main Street southbound approach at the Route 9/Greenville Street intersection (approximately \$60,000).
- Implement a TDM program with an on-site coordinator to promote commuter services. Provide two bus shelters on the project site for the WRTA (approximately \$90,000). Provide a subsidized monthly transit pass to employees on the site (about \$4,000 to \$7,700 in current dollars). Coordinate a ride-matching program for employees at the site. Participate in a local Transportation Management Association (TMA). Institute a guaranteed ride home for employees. Provide preferential parking for ridesharing.

Schedule deliveries to off-peak hours. Promote direct deposit of employee paychecks, and provide an ATM on-site (approximately \$350,000 for all TDM measures).

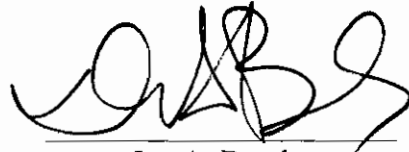
- At the Route 9/Paxton Road intersection, widen Route 9 to provide a westbound approach travel lane (12-foot wide) and a 2.5-foot wide shoulder. On the eastbound approach, provide an 11-foot wide left-turn lane, a 12-foot wide travel lane, and a 2.5-foot wide shoulder. Widen Paxton Street to provide a left-turn/through lane and an exclusive right-turn lane (approximately \$225,000).
- Provide two bicycle racks to accommodate 10 bicycles each at The Crossing and another rack at the clubhouse at The Reserve (approximately \$3,000).
- Construct sidewalks concurrent with the retail component of the project, or reserve adequate space to do so at a later date, as determined by MassHighway in its Section 61 Finding.
- Incorporate natural day lighting, passive solar gain, and natural cooling. Install energy efficient HVAC's, lighting systems, and appliances. Utilize solar preheating of makeup air. Develop an annual audit program of energy consumption, waste streams, and the use of renewable resources (approximately \$1.5 million).

I note that the proponent has agreed to a substantial package of mitigation commitments. The specific details of these mitigation measures will be resolved within the state permitting process and Section 61 Findings for each agency. MassDEP has requested that the proponent state definitively whether or not the project involves an interbasin transfer in its application for a Sewer Connection Permit. In addition, the proponent and the public water system that serves the proposed development should be aware that they should have adequate hydraulic capacity to provide safe drinking water to the proposed project area at the anticipated post-development demand flow, while maintaining compliance with the public water system's Water Management Registration and/or Permit requirements. The proponent should also consider the requirements for fire flow, minimum distribution pressure, storage capacity, etc. Because the project has not yet filed its application for a 401 Water Quality Certificate, the project will need to comply with the 20089 revised Stormwater Standards, as noted by MassDEP. The project should consider additional Low Impact Development (LID) techniques to control stormwater discharges, and this may cause modifications to the stormwater management plan currently proposed. MassDEP has also stated that the 401 Water Quality Certificate application should include the 2,115 sf isolated wetland that is being altered as part of the project.

The proponent should submit a revised letter of commitment to MassHighway which includes better pedestrian connections to the David Prouty High School that abuts the project site. This may be accomplished by constructing a sidewalk along Route 9 within the limits of the proposed project and/or providing a direct pedestrian connection between the residential housing component of the project and the rear of the high school. The proponent must finalize its permitting requirements with the state agencies as indicated above; agencies must forward final Section 61 Findings to the MEPA Office.

I find the FEIR to be adequate and am allowing the project to proceed to the state agencies for permitting. The FEIR contained adequate information on the project 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.

December 31, 2008
Date



Ian A. Bowles

Comments received:

Pesce Engineering & Assoc., 12/8/08
BSC Group, 12/17/08
Walk Boston, 12/17/08
Mass Audubon, 12/22/08
BSC Group, 12/22/08
BSC Group, 12/22/08
BSC Group, 12/22/08
Pesce Engineering & Assoc., 12/23/08
MassDEP/CERO, 12/23/08
EOT, 12/29/08

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