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January 10, 2020

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

PROJECT NAME : Andover Street (Route 133) and River Road Intersection
Improvements
PROJECT MUNICIPALITY : Tewksbury and Lowell
PROJECT WATERSHED : Merrimack
EEA NUMBER : 16130
PROJECT PROPONENT : Town of Tewksbury and the Massachusetts Department of
Transportation – Highway Division
DATE NOTICED IN MONITOR : December 11, 2019

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the project is proposed by the Town of Tewksbury and the Massachusetts Department of Transportation (MassDOT) and includes the full depth reconstruction and roadway widening to address safety, operational, and multimodal deficiencies at the River Road intersection with Andover Street (Route 133). It will address operational deficiencies by providing a consistent roadway cross-section, including accessible sidewalks and designated bicycle lanes, and improved intersection geometry. The project will provide wheelchair ramps in compliance with the Americans with Disabilities Act (ADA), Architectural Access Board (AAB) requirements, and MassDOT's Healthy

Transportation Policy (HTP). The project is included on the Northern Middlesex Region Metropolitan Planning Organization's (MPO's) 2020-2024 Transportation Improvement Program (TIP), and it will meet the requirements for pedestrian and bicycle accommodations. Specifically, the project includes the following activities:

- Installation of a new traffic signal at the intersection of Route 133/River Road;
- Realignment of the River Road southbound approach to form a "T" intersection with Route 133, which will allow for safer turning movements to occur;
- Relocation of the Rite Aid/Walgreen's driveway to align with River Road;
- Construction of 5.5-foot (ft) wide ADA-compliant sidewalks on both sides of River Road and Route 133 along the entire project limits and construction of 5-ft outside shoulders for bicycle travel to meet MassDOT's HTP;
- Minor widening along Route 133 to accommodate a 1,500-ft long auxiliary lane for the westbound travel lane to allow vehicles to safely access commercial properties;
- Minor widening along River Road to accommodate truck turning movements at the Route 133 approach;
- Application of new Manual on Uniform Traffic Control Devices (MUTCD) compliant pavement markings and installation of new MUTCD-compliant signage within the project limits;
- Striping of the Route 133 eastbound approach at River Road to provide an exclusive left-turn lane;
- Stormwater drainage system modifications within the project limits; and,
- Full-depth pavement reconstruction/reclamation of Route 133 and pavement resurfacing of River Road within the project limits.

Project Corridor Site

The project corridor length is 1,875 feet. Route 133 is a two-lane, east-west urban principal arterial roadway under the jurisdiction of the Town of Tewksbury east of River Road and under the jurisdiction of the Town of Lowell west of River Road. The roadway provides regional connection between the City of Lowell to the west and the Town of Andover to the east. Near the project area, Route 133 is approximately 40- to 47-ft wide with directional flow separated by a marked centerline. Land uses along Route 133 include residential and commercial uses.

River Road is a two-lane, northeast-southwest, urban minor arterial roadway under the jurisdiction of the Town of Tewksbury south of Fiske Street and under the jurisdiction of the Town of Andover north of Fiske Street. The roadway provides regional connection between the City of Lowell to the south and the Town of Andover to the north. Near the project area, River Road is approximately 26 ft wide with directional flow separated by a double-yellow centerline. Land uses along River Road include residential, commercial, recreational and cemetery uses.

Currently, the intersection of Route 133 and River Road does not adequately process traffic during peak commuting hours. A traffic analysis included in the ENF concluded that the River Road approach to the intersection experiences substandard levels of delay. The traffic

analysis also concluded that stopping sight distances are above the recommended value for safe operations and that the turning radius at the intersection is not adequate.

The ENF also indicates that multimodal accommodations are also substandard at the intersection. Existing shoulders are not wide enough for safe bicycle travel, and sidewalks are not continuous or compliant with ADA and AAB requirements. The existing pavement and pavement markings are in poor condition at the intersection.

The project corridor contains wetland resource areas including Bordering Vegetated Wetlands (BVW), Bank, and Isolated Vegetated Wetlands (IVW). A portion of the project corridor is adjacent to a site area and a property listed on the Inventory of Historic and Archaeological Resources of the Commonwealth. The project is not located within mapped *Estimated or Priority Habitat of Rare Species* according to the 14th edition of the Massachusetts Natural Heritage Atlas.

Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include creation of 0.348 acres of impervious area for a total of 3.719 acres within the project corridor limit, removal of ten (10) public shade trees, and alteration of 15 square feet (sf) of BVW alteration.

Measures to avoid, minimize or mitigate environmental impacts include stormwater management improvements, restoration of temporarily impacted wetland resources, use of erosion and sedimentation control measures during construction, and implementation of a traffic management plan. In addition, ten Maple-Red-Armstrong (*Acer Rubrun*) trees are proposed to be planted along Route 133 to offset the impact of removing ten current public shade trees

Jurisdiction and Permitting

The project is undergoing MEPA review and requires an ENF pursuant to 301 CMR 11.03(6)(b)(2)(b) of the MEPA regulations because it requires a State Agency Action and will result in the cutting of five or more living public shade trees of 14 or more inches in diameter at breast height. The project is proposed and funded by a State Agency.

The project received an Order of Conditions (OOC) from the Tewksbury Conservation Commission on October 15, 2019 which was not appealed.

The project is subject to review by the Massachusetts Historical Commission (MHC) acting as the State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (36 CFR 800). It requires a National Pollutant Discharge Elimination System (NPDES) General Permit for Construction from the U.S. Environmental Protection Agency (EPA).

Because the project is being undertaken by a State Agency, MEPA jurisdiction is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

Review of the ENF

The ENF provided a description of existing and proposed conditions, a discussion of project alternatives, preliminary project plans, and identified measures to avoid, minimize and mitigate project impacts.

Alternatives Analysis

Alternatives were evaluated on their ability to best meet the purpose and need of the project while limiting impacts to environmental resources and private property. Project goals include: improving roadway safety; compliance with MassDOT's Healthy Transportation Policy (HTP), which ensures that all MassDOT projects are designed and implemented in a way to include multimodal transportation options; widening the travel way and stabilizing its surface; improving stormwater treatment; and minimizing wetland impacts and earthmoving activities (cuts and fills). The Town of Tewksbury and MassDOT evaluated the following alternatives: No-Build Alternative; a New Sidewalk on One Side and Pavement Resurfacing Alternative; and, the Preferred Alternative (as described herein).

A No-Build alternative does not result in any impacts to public shade trees but was dismissed as a viable option, as it would not meet the project goals of improving roadway safety for all users, and the roadway surface would continue to deteriorate to unacceptable conditions. A New Sidewalk on One Side and Pavement Resurfacing Alternative consists of the construction of a new 5.5-ft wide concrete sidewalk on only one side of the roadway and roadway resurfacing. While this alternative does not result in any impacts to public shade trees and extends the life of the roadway, it does not meet MassDOT's HTP guidelines which requires multimodal safe roadway accommodations for all users including pedestrians and bicyclists. MassDOT's HTP guidelines also require that for projects along non-limited access rights-of-way in urbanized areas, sidewalks must be provided on both sides of roadway rights-of-way with added attention to ADA compliance. This alternative was dismissed because not only is it inconsistent with MassDOT's HTP because it does not provide sidewalks on both sides of the roadway or any bicycle accommodations, but it also does not address the safety and operational needs of the project or improve stormwater management.

The Preferred Alternative will install a new traffic signal at the intersection, repave within the project limits, install ADA-compliant sidewalks on both sides of the roadway and crosswalks, slightly realign the Rite-Aid/Walgreen's driveway, upgrade the existing drainage system and pavement markings, and widen the road for approximately 1,500 ft to accommodate a: 5-foot shoulder on both sides of the road for bicycle travel; 200-ft long, 11-foot wide left-turn only lane on Route 133 eastbound; and, a 1,500-ft long, 11-foot-wide auxiliary lane on Route 133 westbound. The Preferred Alternative complies with MassDOT's HTP guidelines providing safe multimodal accommodations on both sides of the roadway in an urbanized area. The ENF indicates that the Preferred Alternative will address safety deficiencies associated with roadway alignment, reduce vehicular and bicycle conflicts, extend the service life of the roadway, improve water drainage, and minimize the potential for erosion.

Land Alteration

Roadway widening will increase impervious area and require land clearing along the project corridor. The width of disturbance from roadway widening will vary within the right-of-way (ROW). All work will be conducted within the ROW; it will not require easements or land transfers from abutting property owners. Roadway widening will require the removal of approximately 10 public shade trees located within the ROW. As noted, this impact would be mitigated by the planting of 10 Maple-Red-Armstrong (*Acer Rubrun*) along Route 133.

Wetlands/Stormwater

The project will impact 15 sf of BVW due to the placement of stone rip-rap pad at one reconstructed stormwater discharge location. The Tewksbury Conservation Commission reviewed the project for its consistency with the Wetlands Protection Act (WPA), the Wetlands Regulations (310 CMR 10.00), and associated performance standards, including the Stormwater Management Standards (SMS).

The ENF indicates that the project is categorized as a redevelopment/limited project in accordance with the WPA. According to the ENF, the stormwater management system will be improved to meet the SMS to the maximum extent practicable. Proposed improvements will direct runoff into a closed drainage system for pretreatment, stormwater treatment units and discharge to a stabilized outlet. The project will add deep sump catch basins and/or combination catch basin and sump structures to treat stormwater from the road to remove suspended solids prior to discharge into existing adjacent wetlands and recharge the underground water supply.

Historic Resources

Review of the Inventory of Historic and Archaeological Resources of the Commonwealth indicates that there is one inventoried area and one inventoried property adjacent to the project corridor area. The inventoried area is located in the Belvidere Park neighborhood in Lowell and includes Holbrook Street and Wetherbee Street to the north of Route 133. The inventoried property is the Herbert Trull House which is located at 982 Andover Street/Route 133 along the eastern end of the project. The ENF indicates that the project is not anticipated to adversely impact the historic area or the historic property.

Construction Period

The project must comply with Solid Waste and Air Pollution Control regulations, pursuant to M.G.L. c.40, s.54. All construction activities should be undertaken in compliance with the conditions of all State and local permits. Consistent with the GreenDOT policy directive, MassDOT requires that contractors install emission control devices in all off-road vehicles. MassDOT's Revised Diesel Retrofit Specification also requires that emissions control standards must be met or technology must be used for non-road, diesel-powered construction equipment in excess of 50 horsepower. Contractors will be instructed to limit engine idling and use ultra-low sulfur diesel fuel. Stormwater Best Management Practices (BMPs) must be implemented during the construction period to reduce potential erosion. If oil and/or hazardous

materials are identified during construction, notification must be provided to MassDEP pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000).

Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on a review of the ENF, comments received from the Northern Middlesex Council of Governments (NMCOG), and in consultation with State Agencies, I have determined that an EIR is not required. The project may proceed to permitting, where any outstanding issues may be addressed.

January 10, 2020

Date


Kathleen A. Theoharides

Comments received:

01/02/2020 Northern Middlesex Council of Governments (NMCOG)

KAT/ACC/acc



Northern Middlesex Council of Governments

January 2, 2020

A Multi-Disciplinary
Regional Planning
Agency Serving:

Kathleen A. Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office
Purvi Patel: EOEEA # 16034
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Billerica
Chelmsford
Dracut
Dunstable
Lowell
Pepperell
Tewksbury
Tyngsborough
Westford

RE: EOEEA #16130/NMCOG #676, Andover Street (Route 133) and River Road Intersection Improvements, Tewksbury and Lowell

Dear Secretary Theoharides:

The Northern Middlesex Council of Governments (NMCOG) has reviewed the Environmental Notification Form (ENF) for the proposed project, which is intended to address safety, operational, and multimodal deficiencies at the River Road intersection with Route 133. The project proponent, the Town of Tewksbury/Massachusetts Department of Transportation, proposes to reconstruct the intersection to meet modern roadway design standards. Activities include: adding traffic signals; realignment of the River Road; approach relocation of the Walgreen's driveway; construction of ADA-compliant sidewalks; construction of outside shoulders for bicycle travel; minor widening along Route 133 and River Road; stormwater drainage system modifications; and full-depth repaving and re-striping.

Pat Wojtas
Chair

Specifically, the project will include:

Beverly A. Woods
Executive Director

- Installation of a new traffic signal at the intersection of Route 133 (Route 133) / River Road with video vehicular and bicycle detection, and pedestrian signal infrastructure.
- Realignment of the River Road southbound approach to form a "T" intersection with Route 133, which will allow for safer turning movements to occur.
- Relocation of the Rite Aid driveway to align with River Road.
- Construction of a 5.5 foot wide ADA-compliant sidewalks on both sides of River Road and Route 133 along the entire project limits to meet MassDOT's Healthy Transportation Policy.
- Construction of 5 foot outside shoulders for bicycle travel to meet MassDOT's Healthy Transportation Policy.
- Minor widening along Route 133 to accommodate a 1,500-foot-long auxiliary lane for the westbound travel lane to allow vehicles to safely access commercial properties.
- Minor widening along River Road to accommodate truck turning movements at the Route 133 approach.

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- Application of new Manual on Uniform Traffic Control Devices (MUTCD) compliant pavement markings and installation of new MUTCD-compliant signage within the project limits.
- Striping of the Route 133 eastbound approach at River Road to provide an exclusive left-turn lane.
- Restriping of the two-way left-turn lane along Route 133 west of Havilah Street.
- Stormwater drainage system modifications within the project limits.
- Full-depth pavement reconstruction/reclamation of Route 133 and pavement resurfacing of River Road within the project limits.

The project area consists of public rights of way totaling 4.37 acres. The project exceeds the MEPA review threshold for removing public shade trees (17 trees to be removed, of which 10 are greater than 10" dbh). The project will impact 15 square feet of bordering vegetated wetlands (BVW) for a stone apron to reduce erosion at the outfall (energy dissipater), but no stream bank habitat. In addition, the 100' Buffer Zone to wetlands will be impacted. As such, on October 15, 2019, project proponents received an Order of Conditions from the Tewksbury Conservation Commission approving the project under M.G.L. c. 131, § 40 and the Town of Tewksbury Wetlands Protection Bylaw.

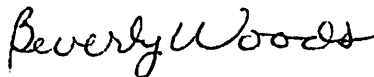
The project proponent notes that there will be a 0.37 acre increase in impervious surface, which will be mitigated for by stormwater improvements (replacing catch basins in the project area with deep sump catch basins). The drainage was designed to meet the Stormwater Management requirements of the Wetlands Protection Act for a redevelopment project to the maximum extent practicable. Additional Best Management Practices beyond deep sump catch basins were not deemed feasible due to site constraints (limited right of way, and poor soils for infiltration).

NMCOG received no comments from the town of Tewksbury or the City of Lowell. NMCOG has the following comments:

- The Rite Aid noted in the narrative is now a Walgreen's.
- Project proponents should consider upgrading the culvert beneath Route 133 to meet current stream crossing standards, if not currently met.
- There is a new Regional Transportation Plan (RTP) in effect as of October 1, 2019. The new RTP runs from 2020 to 2040.

NMCOG believes that this project does not require further environmental review under the MEPA process. Should you have any questions regarding the NMCOG staff comments please feel free to contact me directly at (978) 454-8021, ext. 120.

Sincerely,



Beverly Woods
Executive Director

cc: Tewksbury Town Manager, Board of Selectmen, Planning Board, and Conservation Commission;
Lowell City Manager, City Council, Planning Board, and Conservation Commission; NMCOG
Councilors