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November 6, 2020

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

PROJECT NAME : 495 Woburn Street
PROJECT MUNICIPALITY : Tewksbury, Billerica and Lowell
PROJECT WATERSHED : Concord River
EEA NUMBER : 16276
PROJECT PROPONENT : Seefried Industrial Properties
DATE NOTICED IN MONITOR : October 7, 2020

Pursuant to the Massachusetts Environmental Policy Act (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** an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the project consists of the redevelopment of a site currently occupied by an approximately 446,000-square foot (sf) warehouse, parking lots with 1,935 spaces, internal roadways and utilities. The project includes demolition of the existing building and construction of a 775,263-sf logistics center with 393 automobile parking spaces and 329 trailer parking spaces. In addition, the existing roadways will be reconfigured and a new stormwater management system will be constructed.

Project Site

The site is comprised of an 80.3-acre parcel, including 45.9 acres in Tewksbury and 34.2 acres in Billerica.¹ It is bordered to the west by the Concord River, to the south by an industrial use, to the north by wetlands and to the east by railroad tracks serving the Massachusetts Bay Transportation Authority's (MBTA) Lowell commuter rail line and by commercial uses on the

¹ The Proponent owns an adjacent 38.40-acre wetland parcel in Lowell; however, no activities are proposed on this parcel.

west side of Lowell Street. Access to the site is provided from Woburn Street by a full access driveway that crosses a bridge over the MBTA railroad tracks. The Interstate-495 (I-495)/Lowell Street interchange is located approximately 1,700 ft (0.32 miles) north of the site driveway's intersection with Woburn Street.

Bordering Vegetated Wetlands (BVW) and Riverfront Area associated with the Concord River extend onto the west and north sides of the site. An Isolated Vegetated Wetland (IVW) is located at the southeastern corner of the site. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) number 25017C0256F (effective July 7, 2014), the western and northern parts of the site are located in the 100-year floodplain (Zone AE) with a Base Flood Elevation of 105 ft North American Vertical Datum of 1988 (NAVD88).

Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include the addition of 3.1 acres of impervious area (38.1 acres total); alteration of 250 sf of BVW, 4,246 sf of IVW, 94,178 sf (2.2 acres) of Bordering Land Subject to Flooding (BLSF) and 720 sf of Riverfront Area; generation of 2,612 average daily trips (adt); consumption of 3,740 gallons per day (gpd) of water; and generation of 3,400 gpd of wastewater.

Measures to avoid, minimize and mitigate transportation impacts include restoration of wetland resource areas; construction of sidewalks on Woburn Street; funding of roadway improvements at the I-495/Lowell Street interchange; funding of pedestrian improvements; installation of a traffic signal at the site driveway if warranted; construction of a bus shelter if warranted; and implementation of a Transportation Demand Management (TDM) program s to minimize single-occupancy vehicle trips. The project includes the construction of a stormwater management system designed consistent with the Stormwater Management Standards (SMS). It will maintain pre-development peak discharge rates and volumes and remove 85 percent of Total Suspended Solids through the use of Best Management Practices such as deep-sump, hooded catch basins, subsurface water quality units, infiltration chambers and bioretention areas.

Jurisdiction and Permitting

The project is undergoing MEPA review and requires preparation of an ENF pursuant to 301 CMR 11.03(6)(b)(13) because it requires Agency Actions and will generate 2,000 or more adt on roadways providing access to a single location. The project requires a Vehicular Access Permit from the Massachusetts Department of Transportation (MassDOT).

The project has received two Orders of Conditions (OOC) from the Tewksbury Conservation Commission (DEP File Nos. 305-1112 and 305-1113) and one OOC from the Billerica Conservation Commission (DEP File No. 109-1409). The OOCs were not appealed. The project requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Permit for Construction Activities from the U.S. Environmental Protection Agency (EPA).

Because the Proponent is not seeking Financial Assistance from the Commonwealth for the project, MEPA jurisdiction for any future review would extend to those aspects of the project that are within the subject matter of required or potentially required Agency Actions and that may cause Damage to the Environment as defined in the MEPA regulations.

Review of the ENF

The ENF included a project description and plans of existing and proposed conditions. It identified environmental resources and potential impacts and included a transportation study.

Alternatives Analysis

The ENF reviewed No Build and As-of-Right Alternatives to the project. The No Build Alternative would leave the vacant 446,000-sf warehouse in place. According to the ENF, the building is obsolete and could not be reused without modification. The As-of-Right Alternative includes the construction of two buildings with a combined area of 515,000 sf and 1,885 parking spaces. One building would be constructed in Billerica and the other in Tewksbury, and each building would be constructed in accordance with the applicable zoning requirements. The As-of-Right Alternative includes a 265,500-sf research and development facility and a parking lot with 885 spaces in Tewksbury and a 250,000-sf floriculture/horticulture production and warehouse facility, a 1,000-space parking lot and open space in Billerica. The As-of-Right Alternative would generate 4,432 adt, use 35,700 gpd of water, and generate 32,400 gpd of wastewater. It would decrease impervious area by four acres compared to existing conditions and have less impact to wetlands than the Preferred Alternative. The Preferred Alternative includes a larger building than proposed in the No Build and As-of-Right Alternatives. Both the Preferred Alternative and As-of-Right Alternative would be constructed within the existing altered land area, but the Preferred Alternative includes less open space and will increase impervious area by 3.1 acres compared to existing conditions. However, its water and wastewater usage is lower and it will generate fewer adt than the As-of-Right Alternative. The Proponent will construct a new stormwater management system that provides better treatment of runoff, implement a TDM program to minimize single occupant vehicle (SOV) trips to and from the site, will provide funding to improve pedestrian and vehicular travel and will implement additional roadway improvements if necessary based on post-occupancy monitoring.

Traffic and Transportation

The ENF included a Transportation Impact Assessment (TIA) prepared in conformance with the MassDOT/EEA *Transportation Impact Assessment Guidelines*. It described existing and proposed traffic volumes and operations; roadway, pedestrian, and bicycle conditions; public transit service; site access conditions; and roadway safety issues. The TIA provided intersection capacity analyses documenting traffic conditions under 2019 Existing, 2026 No Build and 2026 Build scenarios. It identified mitigation, including roadway improvements and TDM measures that will be implemented to minimize impacts to the local transportation network. The TIA analyzed the transportation impacts of the project in a study area including the following unsignalized intersections:

- I-495 Southbound (SB) Ramps at Woburn Street;
- I-495 Northbound (NB) Off-Ramp at Woburn Street/Christman Avenue;
- Christman Avenue at I-496 NB On-Ramp;
- Woburn Street at Site Driveway/Greenwood Avenue;
- Billerica Avenue at Billerica Business Center Driveway; and,

- Billerica Avenue at Mount Pleasant Street.

Limited pedestrian facilities are provided in the study area; they include sidewalks along the site driveway to Woburn Street and along sections of Woburn Street and Mount Pleasant Street. There are no bicycle facilities in the study area. The Lowell Regional Transit Authority (LRTA) operates bus service on weekdays and Saturdays between the MBTA's Lowell and North Billerica commuter rail stations that includes a stop on Woburn Street at the Site Driveway.

Trip Generation

Based on the ITE *Trip Generation Manual* 10th edition using Land Use Code (LUC) 130 (Industrial Park), the project will generate 2,410 adt, including 482 truck trips (20 percent of adt). The TIA provided estimates of peak hour trips using ITE data for overall trips and empirical data from a similar use for peak hour trips by trucks. The project will generate 286 trips, including 26 truck trips, during the weekday morning peak hour and 286 trips, including 32 truck trips, during the weekday evening peak hour. The analysis split truck trips equally between I-495 northbound and southbound. Fifty-five percent of non-truck vehicles are expected to use I-495 and 45 percent will use local streets to access the site.

Traffic Operations

The TIA provided capacity analyses and level-of-service (LOS) designations for each intersection at peak periods. For unsignalized intersections, LOS reflects conditions experienced by traffic on side streets attempting to enter the intersection. In general, LOS A denotes limited delays and LOS F is associated with long delays and congested conditions; LOS D is considered to be acceptable for urban intersections. The 2026 No Build condition reflects a background traffic growth rate of one percent per year and traffic generated by the potential expanded use of one other site in the study area. The 2026 Build condition reflects the addition of project-generated trips to the 2026 No Build scenario.

Under 2019 Existing conditions, the following intersection movements operate at LOS E or F during both peak periods: left turns from the I-495 SB off-ramp onto Woburn Street; left turns, right turns and thru traffic at the intersection of I-495 NB off-ramp and Woburn Street; left turns from the Site Driveway onto Woburn Street; and the northbound and southbound approaches to the Billerica Avenue at Mt. Pleasant Street intersection. These intersections will operate at LOS F under the 2026 No Build and 2026 Build scenarios, and project-generated traffic will not cause significantly longer delays at these intersections. As noted by MassDOT, the project will cause little to no impact on traffic operations.

According to the ENF, the Northern Middlesex Council of Governments (NMCOG) completed a Woburn Street Corridor Study that recommended the signalization of the three Woburn Street intersections in the study area, including Woburn Street at Site Driveway/Greenwood Avenue, I-495 SB Ramps at Woburn Street and I-495 NB Off-Ramp at Woburn Street/Christman Avenue. The TIA indicated that signal warrants may be met for all three of the intersections. Capacity analyses of the intersections under future signalized conditions demonstrated that signalization and associated roadway markings and lane designations would significantly improve operations at the intersections under 2026 Build

conditions. The Proponent will provide \$100,000 to fund potential signal and roadway improvements at the I-495 intersections. The Proponent will install a signal at the Woburn Street at Site Driveway intersection, if necessary, based on post-occupancy monitoring; a police detail may be used during peak periods as an interim measure. Comments from NMCOC indicate that the proposed mitigation measures are consistent with the Woburn Street Corridor Study. The Proponent should consult with MassDOT regarding the need for Road Safety Audits (RSA) at the intersections of I-495 Northbound (NB) Off-Ramp at Woburn Street/Christman Avenue and Billerica Avenue at Mount Pleasant Street.

Transportation Demand Management

The TIA included a TDM program that will be implemented with the goal of reducing SOV trips associated with the project. The Proponent will implement the following TDM measures:

- Join the Middlesex 3 Coalition, which was formed to address transportation issues to promote the quality of life and economic development in the region;
- Consult with MassDOT regarding use of the Workforce Transportation Program, which provides funds to meet workforce transportation needs;
- Designate an Employee Transportation Coordinator to implement the TDM plan;
- Provide direct deposit for employees;
- Promote the use of public transportation by posting schedule information for the MBTA and LRTA, evaluating bicycle sharing and promoting carpools and ride matching;
- Offer transit subsidy program and/or pre-tax payroll deductions for transit passes;
- Provide preferential parking locations for carpools, vanpools and low-emissions vehicles; and,
- Provide on-site amenities such as showers and a cafeteria.

The Proponent will enhance pedestrian and public transportation facilities by providing an internal sidewalk network to facilitate pedestrian access to the LRTA bus service on Woburn Street, consulting with LRTA regarding the installation of a new bus shelter near the site and contributing \$50,000 for the installation of a rectangular rapid flashing beacon at the crosswalk at the intersection of Woburn Street at Commonwealth Avenue. I encourage the Proponent to implement additional TDM measures, including installation of electric vehicle charging stations in the parking lots.

Transportation Monitoring Program

The Proponent will conduct an annual traffic monitoring program for a period of five years, beginning six months after occupancy of the full-build project. The monitoring program should include:

- Simultaneous automatic traffic recorder (ATR) counts at the site driveway for a continuous 24-hour period on a typical weekday;
- Travel survey of employees at the site;
- Weekday morning and evening peak hour turning movement counts (TMCs) and

- operations analysis at “mitigated” intersections, including the site driveway; and
- Transit ridership counts.

The results of the monitoring program will be used to determine whether a signal is required at the intersection of Woburn Street at Site Driveway and to assess the effectiveness of the TDM plan in reducing SOV trips associated with the project.

Wetlands and Stormwater

The Billerica and Tewksbury Conservation Commissions have issued OOCs that approve demolition and construction activities and confirm that the design of the proposed stormwater management system complies with the SMS. According to the ENF, the project will temporarily impact BVW and BLSF; impacts to Riverfront Area and IVW will be both temporary and permanent. Vegetated wetlands will be replicated and the monitored over a three-year period and the project will increase the vegetated portion of the Riverfront Area by removing pavement from an existing parking lot and replanting the area with native plants. According to the ENF, the project includes the construction of a stormwater management system that will treat the one-inch water quality volume as required by the SMS for land uses with higher potential pollutant loads. As the project design is finalized, I encourage the Proponent to evaluate options to minimize impervious area and incorporate Low Impact Design (LID) measures such as filter strips, tree box filters and infiltration trenches.

Hazardous Waste

The site is subject to MGL c. 21E and the Massachusetts Contingency Plan (MCP) due to releases of hazardous materials associated with the site’s historical use as the Lowell Ordinance Plant. Ongoing remedial actions will address chlorinated volatile organic compounds (CVOC) in soil and groundwater and lead, zinc and copper in the soil. The site is subject to an Activity and Use Limitation (AUL) which restricts the uses allowed at the site and requires that the building be designed to prevent the intrusion of contaminant vapors. The proposed commercial use is a permitted use under the AUL. The building will be constructed with a sub-slab ventilation system and overlying vapor barrier layer to prevent impacts to interior air quality from vapors. According to the Massachusetts Department of Environmental Protection (MassDEP), remediation measures must be undertaken as part of the redevelopment of the site, including additional treatment and monitoring of CVOC-impacted areas of the site; Release Abatement Measures associated with demolition and construction including soil and groundwater management; and Utility-Related Abatement Measures for the purpose of installing utilities at the property.

Climate Change

The region’s climate is expected to experience higher temperatures and more frequent and intense storms. The Northeast Climate Science Center at the University of Massachusetts at Amherst has developed projections of changes in temperature, precipitation and sea level rise for each river basin in Massachusetts. This data is available through the Climate Change Clearinghouse for the Commonwealth at www.resilientMA.org. By the end of the century, average temperature in the Sudbury-Assabet-Concord (SuAsCo) Basin is expected to rise by 3.8 to 10.9 degrees Fahrenheit (F), including an increase in the number of days with temperatures

over 90 degrees F from eight observed in the period from 1971 to 2000 to 14 to 76 days. During the same time span, the average annual precipitation in the SuAsCo Basin is expected to increase by 1.2 to 8.0 inches, most of which is expected to occur in the winter.

The Towns of Tewksbury and Billerica are participants in the Commonwealth's Municipal Vulnerability Preparedness (MVP) program. The MVP program is a community-driven process to define natural and climate-related hazards, identify existing and future vulnerabilities and strengths of infrastructure, environmental resources and vulnerable populations, and develop, prioritize and implement specific actions a municipality can take to reduce risk and build resilience. The site is adjacent to the existing floodplain of the Concord River, which may experience increased flooding under projected climate conditions. The Proponent should consult with the towns regarding the potential effects of climate change to the project site and design features that could be incorporated into the project that will increase the resiliency of the site to likely climate change impacts. I encourage the Proponent to consult the data available from the towns, including the findings of reports identifying climate vulnerabilities and potential resiliency measures. The resilientMA.org website includes data to help develop climate change scenarios for the site and identify potential adaptation measures. The *Massachusetts Integrated State Hazard Mitigation and Climate Adaptation Plan (2018)*² and EEA's *Climate Change Adaptation Report (September 2011)*³ may provide additional resources to assist in this analysis. Potential design elements that could increase the site's resilience include:

- Ecosystem-based adaptation measures to reduce heat island effect and mitigate stormwater runoff, such as integration of tree canopy cover and LID stormwater management techniques;
- Stormwater management system design that will accommodate rainfall under projected climate conditions;
- Use of on-site renewable energy systems that may provide added resiliency during periods of power loss during storms;
- Protection of critical infrastructure and emergency generator fuel supplies from effects of extreme weather;
- Elevation of first floor uses and critical infrastructure above designated or projected base flood elevations or riverine peak flows, based on best available data and modeling; and,
- Emergency generators to allow for select common areas and other emergency and life safety systems, including water and wastewater pumps, to remain operational in the event of an extended power outage.

The proposed building will have large roof area that may be well-suited to the installation of a rooftop solar photovoltaic (PV) system. I encourage the Proponent to review information provided on the Department of Energy Resources' (DOER) web site (<http://www.mass.gov/eea/energy-utilities-clean-tech/renewable-energy/solar/>), which includes information on financial incentives that may be available for the project to install rooftop PV. At a minimum, the roof should be constructed in such a way that it is "solar ready" in order to facilitate future installation of PV systems.

² <https://www.mass.gov/service-details/massachusetts-integrated-state-hazard-mitigation-and-climate-adaptation-plan>

³ <https://www.mass.gov/service-details/2011-massachusetts-climate-change-adaptation-report>

Construction

All construction and demolition activities should be managed in accordance with applicable MassDEP’s regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponent to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). If oil and/or hazardous materials are found during construction, the Proponent should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR 40.00). All construction activities should be undertaken in compliance with the conditions of all State and local permits. I encourage the Proponent to reuse or recycle construction and demolition (C&D) debris to the maximum extent. The Proponent must perform asbestos surveys of these buildings prior to disturbance of the buildings. If asbestos is found, MassDEP must be notified prior to its handling or removal in accordance with the Asbestos regulations (310 CMR 7.15). The Proponent should consult MassDEP’s comment letter, which provides additional details on applicable regulations for construction period activities.

Conclusion

The ENF has sufficiently defined the nature and general elements of the project for the purposes of MEPA review and described measures to avoid, minimize and mitigate environmental impacts. Based on review of the ENF and comments received, and in consultation with State Agencies, I have determined that no further MEPA review is required. The project may proceed to State permitting.



November 6, 2020
Date

Kathleen A. Theoharides

Comments received:

- 10/27/2020 Massachusetts Department of Environmental Protection (MassDEP)/Northeast Regional Office (NERO)
- 10/27/2020 Massachusetts Department of Transportation (MassDOT)
- 10/28/2020 Northern Middlesex Council of Governments (NMCOG)

KAT/AJS/ajs



Northern Middlesex Council of Governments

October 28, 2020

A Multi-Disciplinary
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Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office
Alexander Strycky: EOEAA #16276
100 Cambridge Street, Suite 900
Boston, MA 02114-2509

RE: EOEAA #16276/NMCOG #680 –495 Woburn Street Project, Billerica, Lowell and
Tewksbury

Dear Secretary Theoharides:

The Northern Middlesex Council of Governments (NMCOG) has reviewed the Environmental Notification Form for the 495 Woburn Street project located in Billerica and Tewksbury. The project includes demolition of an existing warehouse building and construction of a 775,000-square foot Home Depot logistics facility with 724 parking spaces, a new stormwater management system and landscaping. The project will be constructed in Billerica and Tewksbury; while an adjacent parcel owned by the proponent in Lowell consists of wetlands and will not be developed. The project exceeds one MEPA review threshold under 310 CMR 11.03 (6)(b)(13): Generation of 2,000 or more new ADT on roadways providing access to a single location, and requires a MassDOT Indirect Access Permit.

The proponent has received a number of local permits from the communities of Billerica and Tewksbury. The local approvals in both communities included the following conditions relative to traffic mitigation:

- Membership in the Middlesex 3 TMA;
- TDM measures such as a workforce transportation program, employee transportation coordinator, payroll direct deposit, posting public transit and alternative transportation information, preferential parking for low-emission vehicles, carpooling and vanpooling, pedestrian infrastructure improvements, and on-site amenities;
- The communities must be notified of any significant shift changes;
- Peak hour traffic signal if warranted at the applicant's or tenant's sole cost and expense;
- An LRTA bus stop is to be located at the Discovery Way intersection with Woburn Street;

- Post-occupancy traffic monitoring one year after site occupancy. If the post-occupancy monitoring demonstrates adverse impacts directly related to the Project, the Applicant and/or Tenant will consult with the communities to implement reasonable corrective traffic mitigation;
- The Applicant, at its sole cost and expense, shall construct a sidewalk consistent with Town standards from Discovery Way along the front of 451 Woburn Street to the terminus of the existing sidewalk in front of the existing self-storage facility; and
- If improvements are sought by the Northern Middlesex Council of Governments (“NMCOG”) and/or the Middlesex 3 Coalition, the Applicant and/or Tenant shall engage a qualified transportation engineering consultant to prepare conceptual plans and supporting traffic and safety analysis of sufficient detail to verify feasibility and order-of-magnitude construction costs for signal and geometric improvements at the Woburn Street/I-495 Interchange in Lowell.

Based on the Traffic Impact Assessment prepared by the proponent, and taking into account NMCOG’s previous analyses of traffic conditions along the Woburn Street corridor, NMCOG staff has determined that the mitigation outlined above is reasonable given anticipated traffic impacts. The traffic monitoring measures outlined are key to ensuring that potential future traffic issues are adequately analyzed and assessed. Therefore, we do not believe there is a need for further review under the MEPA process.

Sincerely,



Beverly Woods
Executive Director

Cc: Billerica: Board of Selectmen, Town Manager, Planning Board, Town Engineer, Community Development Director, Conservation Commission, Board of Health, DPW Director and NMCOG Councilors

Tewksbury: Board of Selectmen, Town Manager, Planning Board, Town Engineer, Town Planner, DPW Director, Conservation Commission, Board of Health, and NMCOG Councilors

Lowell: City Council, City Manager, DPD Director, Planning Board, City Engineer, DPW Director, Conservation Commission, Board of Health, NMCOG Councilors



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

October 27, 2020

Kathleen A. Theoharides, Secretary
Executive Office of
Energy & Environmental Affairs
100 Cambridge Street
Boston MA, 02114

RE: Tewksbury, Billerica, and Lowell
495 Woburn Street
EEA # 16276

Attn: MEPA Unit

Dear Secretary Theoharides:

The Massachusetts Department of Environmental Protection Northeast Regional Office (MassDEP-NERO) has reviewed the Environmental Notification Form (ENF) for the proposed 495 Woburn Street in Tewksbury, Billerica, and Lowell. MassDEP provides the following comments.

M.G.L. Chapter 21E and 310 CMR 40.0000

The 495 Woburn Street property is 80.3 acres of land, of which 45.9 acres are located at 495 Woburn Street and 40-41 Discovery Way in Tewksbury, and 34.2 acres are located at 495 Rear Billerica Avenue in Billerica. The property was formerly the Lowell Ordinance Plant, and is currently the location of a vacant warehouse facility and adjacent parking lots formerly owned by Raytheon Corp. The owner also owns the adjacent 38.4-acre parcel at 801 Interstate 495 Highway in Lowell, however this parcel consists entirely of wetlands and will not be redeveloped.

The project proponent is proposing a new Home Depot logistics facility that involves construction of an approximately 775,263 square foot building, guardhouse, and concrete pads; reconfiguration of access roads and existing parking lots to provide 393 automobile parking spaces and 329 trailer storage spaces; and construction of stormwater improvements and ancillary landscape improvements.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

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Current MGL Chapter 21E Status

There are two active Massachusetts Contingency Plan (310 CMR 40.0000, the “MCP”) Release Tracking Numbers (RTNs) associated with oil and hazardous materials releases at the site where the 495 Woburn Street Redevelopment Plan will be implemented.

The earlier RTN, 3-00035, pertains to the detection of chlorinated volatile organic compounds (CVOCs) in soil and groundwater at the site due to historical releases at the Lowell Ordinance Plant. This RTN is in Phase IV Temporary Solution status. RTN 3-23581 pertains to elevated levels of lead, zinc and copper in soils due to the historical operation of a firing range that was an adjunct to the ordinance plant. This RTN is also in Phase IV Temporary Solution status. There are five other RTNs that were assigned to the site historically that are now closed (3-21662, 3-26581, 3-29811, 3-30076, and 3-36202).

The portion of the site proposed for development is subject to an Activity and Use Limitation (AUL) recorded in 2010 which requires precautions sufficient to prevent the potential intrusion of contaminant vapors into new structures constructed on-site. Therefore, the new building will be constructed with a sub-slab ventilation system and overlying vapor barrier layer. In addition, other restrictions including no residential development or use of the site for a school or day care facility, no growing fruits/vegetables for human consumption, and no use of groundwater (except for sampling and remediation) apply to the site. The proposed development is commercial in nature and does not include any of these restricted activities. The AUL also requires the development of Soil Management and Health and Safety Plans for activities that will disturb soil. These plans have been prepared for the proposed site redevelopment work.

Future Compliance Required by the MCP for the 495 Woburn Street Redevelopment Project

The Phase IV Temporary Solution Statement for the site under RTN 3-00035, submitted to MassDEP on August 6, 2020, states that, as part of the redevelopment, the property owner and their consultants will be required to undertake the following:

- installation of a vapor barrier and/or depressurization system as part of the proposed building construction to mitigate the potential for vapor intrusion;
- in-situ chemical oxidation injections and soil vapor extraction in the former Building 50 Area prior to building construction to eliminate residual mass within this former source area, and conducting the associated remedial additive monitoring;
- Release Abatement Measures associated with demolition and construction including soil and groundwater management; and
- Utility-Related Abatement Measures for the purpose of installing utilities at the property.

The project proponent is advised that excavating, removing, and/or disposing of contaminated soil, pumping of contaminated groundwater, or working in contaminated media must be done under the provisions of M.G.L. c. 21E and all other applicable federal, state, and local laws, regulations, and bylaws. If contamination at the site is known or suspected, the appropriate tests should be conducted well in advance of the start of construction and professional environmental

consulting services should be readily available to provide technical guidance. If dewatering activities are to occur at a site with contaminated groundwater, or in proximity to contaminated groundwater where dewatering can draw in the contamination, a plan must be in place to properly manage the groundwater. A Licensed Site Professional (LSP) must be employed or engaged to manage, supervise or actually perform the necessary response actions at the site.

Solid Waste

MassDEP's current *Massachusetts 2010-2020 Solid Waste Master Plan*¹ –*Pathway to Zero Waste*, issued in April 2013 identifies a key goal to reduce solid waste disposal by 30% by 2020, from 6,550,000 tons of disposal in 2008 to 4,550,000 tons of disposal by 2020. MassDEP encourages the Proponent to review the plan to identify project management and operations practices that will assist the Commonwealth in meeting its material management goals. More information on the *Solid Waste Master Plan* and yearly update reports can be found at: <https://www.mass.gov/guides/solid-waste-master-plan>.

Waste Ban

Section 310 CMR 19.017 *Waste Bans* of the Massachusetts Solid Waste regulations prohibit the disposal of certain construction-related wastes in Massachusetts, including, but not limited to, metal, wood, asphalt pavement, brick, concrete, clean gypsum wallboard. Further guidance can be found at: <https://www.mass.gov/guides/massdep-waste-disposal-bans>.

MassDEP regulations also ban disposal of food and other organic wastes from businesses and institutions that dispose of more than one ton of these materials per week. The ban is one of MassDEP's initiatives for diverting at least 35% of all food waste from disposal statewide by 2020. Diverted food waste may be composted, converted to energy (through anaerobic digestion), recycled, or reused. Additional information on the Commercial Food Material Disposal Ban can be found at: <https://www.mass.gov/guides/commercial-food-material-disposal-ban>.

C&D Recycling

Many construction and demolition materials are currently banned from disposal or transfer for disposal in Massachusetts (<https://www.mass.gov/guides/massdep-waste-disposal-bans>). Therefore, MassDEP encourages the Proponent to make a significant commitment to construction and demolition (C&D) waste recycling activities as a sustainable measure for the project and to assist in complying with waste ban requirements. MassDEP considers an asphalt, brick, and concrete (ABC) rubble processing or recycling facility (pursuant to the provisions of Section (2)(b) under 310 CMR 16.03), the Site Assignment regulations for solid waste management facilities), to be exempt from the site assignment requirements, if the ABC rubble at such facilities is separated from other solid waste materials at the point of generation. In accordance with 310 CMR 16.03(2)(b), ABC can be crushed on-site with a 30-day notification to

¹ Note the Draft 2020-2030 Solid Waste Master Plan is in review and may be finalized in late 2020.

MassDEP. However, the asphalt is limited to weathered bituminous concrete (no roofing asphalt), and the brick and concrete must be uncoated or not impregnated with materials such as roofing epoxy. If the brick and concrete are not clean, the material is defined as C&D waste and requires either a Beneficial Use Determination (BUD) or a Site Assignment and permit before it can be crushed.

Pursuant to the requirements of 310 CMR 7.02 of the Air Pollution Control regulations, if the ABC crushing activities are projected to result in the emission of one ton or more of particulate matter or other pollutant to the ambient air per year, and/or if the crushing equipment employs a diesel oil fired engine with an energy input capacity of three million or more British thermal units per hour for either mechanical or electrical power which will remain on-site for twelve or more months, then a plan application must be submitted to MassDEP for written approval prior to installation and operation of the crushing equipment.

Asbestos

Pursuant to 310 CMR 7.15 the removal of asbestos from the buildings must adhere to the special safeguards defined in the Air Pollution Control regulations. An asbestos survey to identify all asbestos containing materials (ACM) shall be conducted by a Massachusetts Department of Labor Standards certified Asbestos Inspector. All identified ACM shall be abated prior to demolition activities. The Proponent is required to submit to MassDEP an Asbestos Removal Notification (Form AQ04 (ANF-001)) at least 10 working days prior to initiating work for any project involving asbestos abatement, removal, or disposal. If any ACM will need to be abated through non-traditional abatement methods, the Proponent must apply for and obtain approval from MassDEP, through Application BWP AQ36 - Application for Non-Traditional Asbestos Abatement Work Practice Approval.

Pursuant to 310 CMR 7.09, for any Construction and Demolition, except in a residential building with fewer than 20 units, the Proponent is required to submit to MassDEP a Construction/Demolition Notification (Form BWP AQ06) at least 10 working days prior to initiating work. MassDEP Asbestos, Construction and Demolition Notifications can be found at: <https://www.mass.gov/guides/massdep-asbestos-construction-demolition-notifications>.

Pursuant to 310 CMR 19.061, disposal of ACWM within the Commonwealth must be at a facility specifically approved by MassDEP. The Proponent is advised that asbestos containing waste materials (ACWM) are a special waste as defined in the Solid Waste Management regulations. There are specific ACWM disposal exceptions for intact vinyl asbestos tile (VAT) and asphaltic-asbestos felt and shingles. The disposal of the ACWM outside the jurisdictional boundaries of the Commonwealth must comply with all the applicable laws and regulations of the state receiving the material. Pursuant to 310 CMR 16.05, ACM including VAT, and/or asphaltic-asbestos felts or shingles may not be disposed of at a facility operating as a recycling facility.

Recycling Infrastructure

MassDEP supports voluntary initiatives to institutionalize source reduction and recycling into operations. Adapting the design, infrastructure, and contractual requirements necessary to incorporate reduction, recycling and recycled products into existing large-scale developments has presented significant challenges to recycling proponents. Integrating those components into developments during the planning and design stage enables the project's management and occupants to establish and maintain effective waste diversion programs.

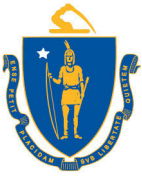
The MassDEP appreciates the opportunity to comment on this proposed project. Please contact Stephen.Johnson@mass.gov at (978) 694-3350 for further information on MCP/21E hazardous waste issues. Please contact John.MacAuley@mass.gov at (978) 694-3262 for further information on solid waste, asbestos or recycling issues. If you have any general questions regarding these comments, please contact me at John.D.Viola@mass.gov or at (978) 694-3304.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

John D. Viola
Deputy Regional Director

cc: Brona Simon, Massachusetts Historical Commission
Eric Worrall, John MacAuley, Steve Johnson, MassDEP-NERO



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO



October 27, 2020

Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2150

RE: Billerica and Tewksbury: 495 Woburn Street – ENF
(EEA #16276)

ATTN: MEPA Unit
Alex Strysky

Dear Secretary Theoharides:

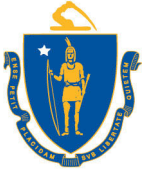
On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Environmental Notification Form for the 495 Woburn Street project in Billerica and Tewksbury, as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (857) 368-8862.

Sincerely,

David J. Mohler
Executive Director
Office of Transportation Planning

DJM/jll

cc: Jonathan Gulliver, Administrator, Highway Division
Patricia Leavenworth, P.E., Chief Engineer, Highway Division
Paul Stedman, District 4 Highway Director
Neil Boudreau, Assistant Administrator of Traffic and Highway Safety
Planning Board, Town of Billerica
Planning Board, Town of Tewksbury
Department of Planning and Development, City of Lowell
Metropolitan Area Planning Council



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO



MEMORANDUM

TO: David Mohler, Executive Director
Office of Transportation Planning

FROM: J. Lionel Lucien, P.E, Manager
Public/Private Development Unit

DATE: October 27, 2020

RE: 495 Woburn Street– ENF
(EEA #16276)

The Public/Private Development Unit (PPDU) has reviewed the Environmental Notification Form (ENF) for the proposed 495 Woburn Street redevelopment project. The project site consists of 80.3 acres of land located in Billerica and Tewksbury bounded by vacant land containing wetlands to the north, the Lowell commuter rail line to the east, the Baker Commodities rendering plant to the south, and the Concord River to the west. The owner also owns a parcel north of the project site, which is in Lowell and extends north to Interstate 495 (I-495); however, this parcel is not part of the proposed development. The project site currently contains a vacant 445,957 square foot warehouse facility, formerly occupied by Raytheon.

The project consists of removing the existing facility and constructing a 775,263 square foot logistics facility. The intended initial tenant is Home Depot. Access is proposed via the existing site entrance drive, Discovery Way, which connects to Woburn Street in Tewksbury, travelling over the commuter rail line. Emergency access will be maintained through the parcel to the south of the project site. The project is expected to generate 2,612 unadjusted daily vehicle trips and will include provisions for 724 parking spaces, including 393 vehicle spaces and 329 trailer storage spaces. The project will reduce the parking by about 1,211 spaces, from the current parking provision of 1,935 spaces. The project trip generation exceeds the Massachusetts Environmental Policy Act (MEPA) ENF transportation threshold and requires an Indirect Access Permit from MassDOT because there are potential impacts to the I-495 ramps on Woburn Street.

The ENF includes a Transportation Impact Assessment (TIA) prepared in conformance with the current MassDOT/EOEEA *Transportation Impact Assessment Guidelines*.

Trip Generation

As presented in the TIA, the project is estimated to generate 2,410 vehicle trips on an average weekday, including 286 vehicle trips during the weekday morning peak hour and 286 vehicle trips during the weekday evening peak hour. The trip estimate calculation is based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition) Land Use Code 130 – Industrial Park. The TIA also presents the trip generation by passenger vehicle trips and truck trips. Based on observation at the Middleborough Business Park, it is estimated that nine percent of the morning peak hour trips and 11 percent of the evening peak hour trips would be truck trips. Based on the ITE Trip Generation Handbook (3rd Edition), 20 percent of the daily trips are estimated to be truck trips.

The planned tenant for the site, Home Depot, provided trip generation estimates based on other similar facilities and the projected employment and delivery truck activity for this site. Using this data, the project is estimated to generate 442 vehicle trips on an average weekday, including 117 vehicle trips during the weekday morning peak hour and 46 vehicle trips during the weekday evening peak hour. The traffic analysis, however, is based on the ITE trip generation rather than this empirical data. The TIA also presents a comparison to the estimated trip generation if the site were to be re-occupied based on its former use. This trip generation was also used only as a comparison and the analysis did not include an existing use credit.

Trip Distribution

The project trip distribution is based on U.S. Census Journey to Work Data. The trip distribution for the project estimates that 25 percent of the project trips will travel to/from I-495 south, 30 percent to/from I-495 north, 20 percent to/from Woburn Street north of the site, and 25 percent to/from Woburn Street/Billerica Avenue south of the site. The truck trips are assigned to I-495 with 50 percent assigned to I-495 north and 50 percent to I-495 south.

Traffic Operations

Project-related impacts were analyzed at six intersections surrounding the project, including three locations at the I-495 ramps at Woburn Street which are partially under MassDOT jurisdiction. The existing volumes reflect counts conducted in September 2019. The future roadway volumes are based on a one percent per year compounded annual growth rate and the trips associated with full occupancy of the currently half vacant office/flex facility at 95 Billerica Avenue in Billerica. As presented in the TIA, in the 2026 Build scenario, two intersections exhibit a decrease in LOS at only one movement at each intersection, compared to the 2026 No-Build conditions. Overall, the project causes little to no impact on traffic operations.

Safety Analysis

The TIA includes a summary of crash rates derived from MassDOT for the continuous five-year period of 2014 through 2018. Two of the five intersections that were analyzed experience crash rates below the District 4 and statewide averages for unsignalized intersections. These intersections include Woburn Street at I-495 northbound off ramp/Christman Street, and Billerica Avenue at Mount Pleasant Street. None of the study locations were included in MassDOT Highway Safety Improvement Program (HSIP) clusters. The Proponent should coordinate with MassDOT to determine if a Road Safety Audit (RSA) is warranted at the intersections where crash rates exceed the District and statewide averages.

Off Site Mitigations

The TIA mentions that the two major intersections associated with the I-495 ramps, Woburn Street at I-495 southbound ramps and Woburn Street at I-495 northbound on-ramp/Christman Avenue, could be improved through signalization and that this improvement is identified in the Northern Middlesex Council of Governments (NMCOG) Woburn Street Corridor Study. The TIA notes that preliminary review of an 8-hour traffic signal warrant supports signalization based on existing conditions at both ramps. However, the TIA notes that this deficiency is not independently triggered by the project and the signal improvements would not be necessary to support occupancy by the identified tenant. The Proponent should work with the District Office during the permitting process to identify interim improvements that would address the impacts of the project pending the installation of the traffic signal.

At the project driveway (Woburn Street at Discovery Way/Greenwood Avenue), the Proponent describes that movements in and out of the driveway may experience notable peak hour delays based on the ITE trip generation described above. However, because the anticipated tenant projects lower peak hour trip generation, the Proponent commits to monitoring the intersection and implementing a signal if/or when appropriate warrants are met. Until such time, the TIA states that the Proponent may need to consider use of a police detail during peak periods.

The Proponent has agreed to contribute \$50,000 to the City of Lowell for the installation of a rectangular rapid flashing beacon (RRFB) at the crosswalk at Woburn Street at Commonwealth Avenue. The remainder of the contribution, after this improvement, will be used for other pedestrian enhancements in the same area of Lowell.

Site Design Mitigations

The site design will include sidewalks within the project site connecting to Woburn Street and the Lowell Regional Transit Authority (LRTA) bus stop. The Proponent has also agreed to construct an LRTA bus stop on Woburn Street, if warranted. The section of the TIA that discusses the design of a signal at Woburn Street at Discovery Way includes construction of new or reconstructed sidewalks on the westside of Woburn Street. MassDOT recommends

that the sidewalk improvements at this location be implemented when the project is constructed, independent of the potential installation of a signal.

Transportation Demand Management (TDM) Program

The ENF states that the Proponent is committed to implementing a comprehensive TDM program. The goal of the program should be to minimize single-occupancy vehicle (SOV) travel and Transportation Network Company (TNC, i.e. Uber and Lyft) trip generation, and encourage walking, biking, and riding transit. The Proponent plans to join the Middlesex 3 Coalition Transportation Management Association (TMA). The TIA includes the following TDM measures:

- Consultation with MassDOT regarding use of the Workforce Transportation Program which provides funds to meet workforce transportation needs;
- Assignment of a Transportation Coordinator;
- Provision of direct deposit;
- Provision of transit information;
- Encouragement to tenants to provide a transit subsidy program and/or pre-tax payroll deductions for transit passes;
- Provision of preferential parking for carpools and vanpools;
- Provision of sidewalk connections within the site and to Woburn Street;
- Provision of bicycle racks; and
- On-site amenities such as showers and a cafeteria.

MassDOT recommends that the Proponent inquire with the Rail and Transit Division as soon as possible to assess eligibility for participation in the Workforce Transportation Program. Furthermore, since the tenant is known, MassDOT asks that the Proponent provide a firm commitment to provide a transit subsidy program and/or pre-tax payroll deductions for transit passes, rather than merely encouraging this measure.

Transportation Monitoring Program

The Proponent will be required to conduct an annual traffic monitoring program for a period of five years, beginning six months after occupancy of the full-build project. As mentioned in the Traffic Operations section, the Proponent has committed to monitoring the intersection of Woburn Street at Discovery Way and installing a signal if or when it is warranted. Monitoring should include:

- Simultaneous automatic traffic recorder (ATR) counts at the site driveway for a continuous 24-hour period on a typical weekday;
- Travel survey of employees at the site (to be administered by the Transportation Coordinator);
- Weekday AM and PM peak hour turning movement counts (TMCs) and operations analysis at “mitigated” intersections, including those involving site driveways; and
- Transit Ridership counts.

The goals of the monitoring program would be to evaluate the assumptions made in the ENF and the adequacy of the mitigation measures, as well as to determine the effectiveness of the TDM program.

MassDOT recommends that no further environmental review be required based on transportation-related issues. The Proponent should continue consultation with the towns of Billerica and Tewksbury, the City of Lowell and appropriate MassDOT units, including PPDU and the District 4 Office to implement the above mitigation. If you have any questions regarding these comments, please contact me or Catrina Meyer at *Catrina.Meyer@dot.state.ma.us*.