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February 15, 2007

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

PROJECT NAME: Westpark
PROJECT MUNICIPALITY: Westfield
PROJECT WATERSHED: Connecticut
EOEA NUMBER: 13651
PROJECT PROPONENT: Pride Limited Partnership
DATE NOTICED IN MONITOR: January 9, 2007

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

Project Description

As described in the Environmental Notification Form (ENF), and updated in the Draft and Final EIR (FEIR), the proposed project involves the development of a mixed-use commercial development with approximately 68,900 square feet (sf) of building area on a 14.3-acre site on the east side of Southampton Road (Routes 10/202) near the Massachusetts Turnpike Interchange 3 in Westfield. The owner of the project site is the Massachusetts Turnpike Authority (MTA). The 14.3-acre site includes five individual lots, described as Lots 2, 3, 4, 5 and 6. The MTA describes the site as Parcel 1 (encompassing Lots 2-5) and Parcel 2 (Lots 6).

Currently there is an existing Friendly's Restaurant on the extreme southwest corner of Parcel 1 but the rest of the site is an unimproved dirt and gravel area. Parcel 2, known as the "Jug Handle Parcel" has been previously altered and contains a mixture of scrub vegetation, gravel and bare soil cover. In the early 1990s, a project similar to what is currently proposed on the site underwent MEPA review (EOEA #8680). That project was never constructed.

As currently planned, the project will include the development of a 5,000 sf sit-down restaurant on the Jug Handle Parcel and the development of four additional uses occupying approximately 63,900 sf of building space on Parcel 1 (a fast-food restaurant with drive-through window; a bank; a hotel; and a gasoline/diesel fueling station with a convenience store). The project will also include construction of 292 new parking spaces to service the new commercial uses in surface lots, a 58-space Commuter Parking Lot and a 38-space Truck Parking Lot.

The project site design provides landscape buffers for each of the commercial use sites in accordance with local zoning requirements. In addition, at the request of Tighe & Bonde, the owner of the abutting property to the north of the site, a 15-foot buffer will be provided along the north property line and a 50-foot wide buffer will be provided between that abutting property and the commuter and truck parking lot areas. These will be landscaped buffers with a combination of fencing and vegetation to provide screening.

Jurisdiction

The project is undergoing review and is subject to the preparation of a Mandatory EIR pursuant to Sections 11.03 (1)(b)(2) and 11.03 (6)(a)(6) of the MEPA regulations because it will create more than 5 acres of new impervious surface and will generate more than 3,000 new average daily trips (adt) to a single location. The project requires a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (EPA); an Access Permit from the Massachusetts Highway Department (MassHighway); a Sewer Connection/Extension Permit from the Department of Environmental Protection (MassDEP); and a Special Permit and Site Plan Approval from the Westfield Planning Board. The project site is owned by the MTA, an Agency of the Commonwealth. Therefore, MEPA jurisdiction over the project is broad, and shall extend to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment.

Review of the FEIR

The purpose of MEPA review is to ensure that a project proponent studies feasible alternatives to a proposed project; fully discloses environmental impacts of a proposed project; and incorporates all feasible means to avoid, minimize, or mitigate Damage to the Environment as defined by the MEPA statute. I have fully examined the record before me, including but not limited to the Scope issued on September 14, 2006; the FEIR filed in response; and the comments entered into the record. The Scope for the FEIR was limited for the most part to comments submitted on the project's anticipated traffic impacts and proposed mitigation. I find that the FEIR is sufficiently responsive to the requirements of the MEPA regulations and the Scope to meet the regulatory standard for adequacy. Remaining issues outlined in this Certificate may be addressed during permitting.

Transportation

According to the FEIR, the project will generate approximately 5,390 new vehicle trips per day. Two new internal site roadways (the “East/West Roadway” and the “North/South Roadway”) will be constructed and serve as the primary access to the development and will intersect with three existing roadways: Friendly Way to the south, Route 10/202 to the west, and Westfield Industrial Park Road and Owens District Road to the east. In the FEIR, the proponent responded to comments from MassHighway and the Pioneer Valley Planning Commission (PVPC) regarding the project’s Traffic Impact and Access Study (TIAS) that was submitted in the DEIR and proposed mitigation.

MassHighway is planning the implementation of a Transportation Improvement Plan (TIP) to address existing and anticipated future deficiencies along the Southampton Road (Route 10/202) corridor, including the intersection with the Massachusetts Turnpike Interchange 3. During the preparation of the TIAS, the proponent worked with the City of Westfield, MassHighway and MTA officials to help identify and confirm roadway improvements in the TIP. The proponent has shared funding responsibilities with the developers of the Target Distribution Center (EOEA #13361) for developing the 25-percent design plans for the TIP, which recently have been finalized.

In the FEIR, the proponent acknowledges that the proponents of the Westfield Pavilion project (EOEA #13819) have filed a DEIR for the project that proposes significant additional roadway and intersection changes to the area. The proponents of the three projects have met together to discuss the potential changes to the TIP. The proponent is committed to working with the Westfield Pavilion proponent, the City of Westfield and MassHighway to develop a strategy for the implementation and construction of the improvements covered by the current 25-percent design plans and to set the framework for future implementation of potential additional roadway improvements proposed by the Westfield Pavilion proponents. In their comments on the Westpark FEIR, the Executive Office of Transportation (EOT) notes that certain aspects of the mitigation for the Westfield Pavilion project conflict with improvements proposed by the Westpark proponent. The proponents for both projects should consult with the MassHighway District 2 Office to determine the appropriate mitigation for the study area intersections that will accommodate the traffic generated by both projects, as well as to determine the responsible party for each mitigation measure.

The proponent states in the FEIR that because of the continuing environmental review of the Westfield Pavilion project, there may be a delay in the implementation of TIP roadway improvements for the area. The proponent should be prepared to develop a schedule for the Westpark construction and start of operations that takes into consideration possible delays in the TIP-related roadway improvements. The proponent states that it will continue to work with MassHighway, the City of Westfield, and other interested parties as necessary to address issues related to the timing of all improvements in coordination with the Westpark construction and occupancy schedule.

In the FEIR, the proponent outlined a proposed Transportation Demand Management (TDM) program aimed to decrease single occupant vehicle travel to and from the site. The following measures will be implemented as part of the project:

- Staggered work hours to allow a flexible work schedule in order to reduce weekday morning and evening peak hour trips on adjacent roadways. The proponent notes that the very nature of the proponent's uses lends themselves to staggered work hours as these uses typically "staff up" prior to the peak drive hours.
- Shared trips provided by the wide variety of on-site uses that cater to adjacent street traffic or traffic that is already on the existing roadway.
- Pedestrian accommodations, including sidewalks, will be provided along the main site roadways to promote shared trips between the uses.
Bus turnout on Route 10/202 to accommodate the existing transit route along this corridor. The exact location of the stop will be coordinated with the City of Westfield, the the Pioneer Valley Transit Authority (PVTA) and MassHighway during the 25-percent design review process.

The proponent should commit to working with the other projects proposed in the vicinity of Interchange 3 to develop a Transportation Management Association (TMA) to help reduce the impacts of the significant increase in single occupancy vehicle travel that will result from these three developments.

Parking

The project involves construction of a 38-space truck parking lot and a 56-space commuter parking lot. The operation and maintenance of the truck parking lot will be turned over to the City of Westfield. The proponent will work with the City of Westfield to provide daily maintenance at the proposed restroom facilities at the truck parking lot facility. The City of Westfield has committed to patrolling the truck parking lot area on a routine daily basis to ensure that trucks using the area comply with the Massachusetts Anti-Idling Law (M.G.L. c. 90, ss.16A). The proponent should note comments from the Pioneer Valley Planning Commission (PVPC) regarding the need for a stand-alone facility at the truck parking lot to provide heating, ventilation and air conditioning services.

The commuter parking lot will be provided for the use of the MTA, however at this point the lot will not be designated as an official MTA Park and Ride Lot. In response to comments from the PVPC, the proponent should continue to work with the MTA, MassHighway and the City of Westfield to provide signage that helps direct traffic to the park and ride lot and helps to promote its use as a traffic mitigation measure. The proponent should also consider designing the commuter parking lot to allow for the possibility of transit service to the lot in the future.

Mitigation

The FEIR presents a Section 61 Finding for the MassDEP Sewer Extension Permit and a Letter of Commitment for use by MassHighway that include mitigation commitments covering areas of impact. While the municipal sanitary sewer system has the capacity to accommodate the

additional flows related to the project, the proponent has committed to the following measures to reduce the impacts of water consumption and wastewater generation:

- Installation of low flow plumbing fixtures
- Irrigation systems with rain sensors for automatic bypass during rain events
- Installation of grease traps for each individual development as needed
- Oil and gas separators at the gas station for the treatment of stormwater prior to discharge

MassDEP has indicated in their comments on the FEIR that the proposed Section 61 Finding for the project adequately addresses the potential environmental impacts associated with MassDEP permits.

The proponent is also committed to implementing the following traffic mitigation as outlined in the Draft Letter of Commitment for MassHighway:


- Through a combination of funding sources (TIP and Economic Stimulus Package), the area around the MTA Exit 3 Interchange will be upgraded to improve safety and traffic operations at many of the intersections near the interchange. The proponent has provided \$53,000 in funding towards the development of the 25-percent design level TIP plans (other funding was provided by the proponent of the Target Distribution Center project, EOE #13361). These design plans have recently been finalized. The proponent is committed to providing the necessary land and right-of way that will be required to implement the TIP-related roadway improvements.
- The proponent will provide additional right-of-way to provide a bus turnout along Route 10/202.
- The proponent will construct an east/west roadway connecting Westfield Industrial Park Road to Route 10/202 to provide an alternate route bypassing the intersection of Friendly Way and MassPike Interchange 3.
- The proponent will construct a 38 space truck parking lot for the City of Westfield.
- The proponent will construct a 58 space commuter parking lot.
- The proponent will construct pedestrian sidewalks along a portion of Owens District Road, Westfield Industrial Park Road and the project's east/west and north/south roadways.
- The proponent will commit to a traffic monitoring program that includes traffic counts at the intersections surrounding Exit 3 subsequent to the completion of the full-occupancy of the Westpark project.
- The proponent will implement a Transportation Demand Management program aimed to decrease single occupant vehicle travel to the site.

The proponent should submit a revised Letter of Commitment to MassHighway that outlines the specific mitigation measures that the proponent will implement on behalf of this project, as well as alternative mitigation that will be implemented should the TIP project be delayed. The proponent and state agencies should forward copies of the final Section 61 Findings and Letter of Commitment from MHD to the MEPA Office for completion of the file.

Conclusion

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

February 15, 2007
Date



Ian A. Bowles

Comments received:

- 2/7/2007 Pioneer Valley Planning Commission
- 2/8/2007 Department of Environmental Protection, Western Regional Office
- 2/8/2007 Executive Office of Transportation

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