



*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/envir>

March 14, 2008

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

PROJECT NAME : Chicopee Crossing  
PROJECT MUNICIPALITY : Chicopee  
PROJECT WATERSHED : Chicopee River  
EOEA NUMBER : 14125  
PROJECT PROPONENT : **The Colvest Group. Ltd.**  
DATE NOTICED IN MONITOR : February 6, 2008

As Secretary of Environmental Affairs, I hereby determine that the Draft Environmental Impact Report (DEIR) submitted on this project **does not adequately and properly comply** with the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00). Therefore, I am requiring that the proponent submit a Supplemental DEIR to address the alternatives analysis and transportation demand management (TDM) issues as further detailed in this Certificate.

The project as proposed in the DEIR consists of a commercial shopping plaza to include a bank, hotel, office and retail buildings, two restaurants, and a parking lot on an approximately 12-acre site. The gross square footage of proposed buildings is approximately 88,000 square feet (sf). The proposed parking lot will include 658 parking spaces.

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

According to the DEIR, the proposed project will result in approximately 10 acres of land alteration, including 8.5 acres of new impervious area. Approximately 1.7 acres on-site has

already been altered and includes a parking lot (60 spaces) and high tension electric wires and towers. The project will not directly alter any wetlands resources. However, work is proposed within the 100-foot buffer zone. The project will connect to the City of Chicopee municipal sewer and water supply. Water demand and wastewater generation for the project is estimated at 31,300 gallons per day (gpd). The project will result in approximately 5,954 new vehicle trips on an average weekday and 635 peak hour vehicle trips on an average Saturday. The project involves construction of 598 new parking spaces (for a total of 658).

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

A MassDEP Sewer Permit for the proposed sewer connection to the Chicopee wastewater collection system is not required because the wastewater flow is less than 50,000 gpd. However, the proponent must meet all the regulatory requirements of 314 CMR 7.05 (h)(1), which includes filing a certification to MassDEP (BRP WP 73) within 60 days after use of the new sewer connection.

The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to transportation, wetlands, land, stormwater and drainage.

## SCOPE

### Alternatives

The DEIR does not include an adequate description and analysis of all feasible alternatives. The Project Alternatives section of the DEIR includes a brief paragraph noting that a Plan A with comparable impacts to the preferred alternative was presented at a Planning Board meeting. An analysis of alternatives to minimize impervious area, transportation impacts, and alteration of buffer zone, as required by the Scope, is not provided. The Supplemental DEIR should include an analysis of all feasible alternatives to the project in accordance with 301 CMR 11.07 (f). The Supplemental DEIR should include alternative site plans and a quantification of impacts associated with each alternative (including but not limited to acres of land use and alteration, impervious area, buffer zone impacts, traffic and parking). The alternatives analysis should explain the rationale for selection of certain alternatives and elimination of others.

The DEIR indicates that proposed parking for the project is designed to meet the worst-case scenario, and that it exceeds Chicopee zoning requirements. The proponent has not demonstrated in the DEIR that the project will avoid and minimize land alteration to the extent feasible. The Supplemental DEIR should include an alternative layout that provides the minimum number of parking spaces to meet Chicopee requirements, and consider reserve areas for future use if needed. The Supplemental DEIR should provide additional information to substantiate the proponent's conclusion that structured parking is inappropriate and prohibitively costly. If it is feasible to reduce land alteration and impervious area associated with parking, the proponent may be able to avoid constructing buildings and parking lots in buffer zone of Bordering Vegetated Wetlands (BVW).

The PVPC in its comment letter has suggested alternative approaches to site design that promote a more pedestrian-friendly development and may reduce transportation impacts. The Supplemental DEIR should incorporate additional mixed-use development concepts as part of the alternatives analysis. As required by the Scope, the Supplemental DEIR should discuss the project's consistency with the Commonwealth of Massachusetts Sustainable Development Principles, including principle #1, Concentrate Development and Mixed Uses. I refer the proponent to following website for more information.

[http://www.mass.gov/envir/smart\\_growth\\_toolkit/pdf/patrick-principles.pdf](http://www.mass.gov/envir/smart_growth_toolkit/pdf/patrick-principles.pdf)

The Supplemental DEIR should evaluate sustainable design alternatives that can serve to avoid or minimize potential environmental impacts such as land alteration, single-occupant vehicle trips, and greenhouse gas emissions. I encourage the proponent to consult the Executive Office of Energy and Environmental Affairs (EEA) Smart Growth/Smart Energy Toolkit, which includes modules on Smart Parking, Smart Energy, Transit-Oriented Development (TOD), and Low Impact Development (LID). The toolkit is available on the following website.

[http://www.mass.gov/envir/smart\\_growth\\_toolkit/](http://www.mass.gov/envir/smart_growth_toolkit/)

### Transportation


The DEIR did not include a comprehensive Transportation Demand Management (TDM) program as required by the Scope. The Supplemental DEIR should describe in detail a proposed TDM program that incorporates all feasible measures aimed at reducing single-occupant vehicle trips to the project site. The TDM program should include measures such as ride-sharing, on-site bicycle racks, and employee incentives to encourage the use of alternative modes such as transit, walking and bicycling. The Supplemental DEIR should describe proposed monitoring and quantitative measures that will be used to demonstrate improvements for each mode. The Supplemental should include a feasibility study for extending bus services to the site. The Supplemental DEIR should include clear commitments by the proponent to implement and continuously fund any evaluated measures deemed feasible to sustain and/or increase mode usage over time to ensure a balanced and functional transportation system along the corridor.

The Supplemental DEIR should include an update on consultations with MassHighway, Pioneer Valley Transit Authority (PVTA), PVPC and other parties on transportation issues.

Circulation

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

March 14, 2008  
DATE

  
\_\_\_\_\_  
Ian A. Bowles, Secretary

Comments received

- 03/05/08 Executive Office of Transportation and Public Works (EOTPW), Office of Transportation Planning
- 03/06/08 Pioneer Valley Planning Commission
- 03/06/08 Department of Environmental Protection, Western Regional Office

IAB/AE/ae