



# The Commonwealth of Massachusetts

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March 15, 2007

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## CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : The Reserve & The Crossing at Olde Sibley Farm  
PROJECT MUNICIPALITY : Main Street (Route 9) - Spencer  
PROJECT WATERSHED : Chicopee & Quinebaug/French Rivers  
EOEA NUMBER : 13399  
PROJECT PROPONENT : Olde Sibley Farm Realty Partners  
DATE NOTICED IN MONITOR : February 6, 2007

As Secretary of Environmental Affairs, I hereby determine that the Draft Environmental Impact Report (DEIR) 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

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

The project is subject to a mandatory EIR. It requires an Access Permit, Traffic Signal Permits, and Permission to Enter the Highway Drainage System from the Massachusetts

Highway Department (MassHighway). The project will require a Water Quality Certificate, a Water Distribution System Permit Modification, and a Major Sewer Extension Permit from the Department of Environmental Protection (MassDEP). It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. The project will require a Programmatic General Permit from the U.S. Army Corps of Engineers. On December 20, 2005, the proponent received an Order of Conditions from the Spencer Conservation Commission for The Reserve. Another Order of Conditions will be required for The Crossing.

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

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

#### **Review of the DEIR:**

The DEIR identified that the residential portion of the project would be constructed in five phases. It identified that the proponent will protect the 163 acres of open space via a conservation restriction and an easement for the Midstate Trail with the Greater Worcester Land Trust or some other suitable organization that meets with the approval of the Spencer Planning Board.

The DEIR reviewed three alternatives: Alternative 1 - No-Build Alternative; Alternative 2 – Preferred Alternative as proposed by the proponent; and Alternative 3 – A Maximum Build-out Alternative that would be compliant with existing zoning. It identified the impacts conceptually on land alteration (impervious area), drinking water consumption, and wastewater generation in a tabular format. The proponent provided information regarding project economics for each alternative that assisted in determining which alternatives are feasible. The DEIR discussed how this project is compatible with Executive Orders 385 and 418, Spencer's Zoning, and the Central Massachusetts Regional Planning Commission's Regional Plan.

The DEIR was prepared in conformance with the EOEA/EOTC Guidelines for EIR/EIS Traffic Impact Assessment. The proposed trip generation numbers were explained from the Institute of Traffic Engineers' land use codes. The proponent summarized the analysis of impacts on the level of service (LOS) at the intersections listed in the ENF Certificate. The DEIR's LOS analysis contained the morning and afternoon peak weekday and Saturday midday peak hours, volume to capacity ratios, a traffic distribution map, and background growth from other proposed

developments in the area. The DEIR included with its LOS analysis: time delay, capacity, and a summary of the average and 95<sup>th</sup> percentile vehicle queues. The Traffic Study examined present and future build and no-build traffic volumes for all impacted roadways and intersections. A traffic signal warrant analysis was completed for the Site Drive/Main Street.

Parking at the site has been reduced to a total of 1,386 parking spaces. The DEIR identified the number of parking spaces required by Spencer's zoning as two parking spaces per residential unit or approximately 608 spaces and 24 spaces at the clubhouse. The proponent will provide a four space parking area for the Mid State Trail. The remaining approximately 750 parking spaces are located at the proposed 200,000 sf shopping center.

The DEIR identified the Route 33 transit bus service that operates along Main Street by the Worcester Regional Transit Authority (WRTA). It included the bus route on a map and bus stop locations along Route 9. It discussed the potential for a bus stop at The Crossing with the regional transit provider.

There are no sidewalks in this area of Spencer. The DEIR identified on a plan the location of the existing Midstate Trail on the project site. It showed the proponent's proposed relocation for the Midstate Trail on its property. The proponent is proposing sidewalks along the proposed project's internal roadways. The DEIR proposed two bicycle racks at The Crossing and another one at the clubhouse at The Reserve.

An air quality mesoscale analysis for ozone was completed in Section 9.0 of the DEIR to assess the total volatile organic compound (VOC) and nitrogen oxide (NOx) emissions associated with all project-related vehicle trips. Because VOC/NOx emissions from the Preferred Alternative are greater than the no-build case, the proponent has proposed reasonable and feasible VOC/NOx reduction/ mitigation measures.

In the DEIR, the proponent identified permanent impacts to 6,289 sf of Bordering Vegetated Wetlands (BVW), 2,115 sf of isolated wetland and 136 linear feet of Bank for roadway and sewer line impacts as a "limited" project. The proponent has estimated temporary impacts to the following areas: 4,321 sf of BVW and 16 linear feet of Bank. These impacts are the result of three roadway crossings and a temporary disturbance for a cross-country sewer easement. The DEIR illustrated that the impacts have been minimized, and that the project will be accomplished in a manner that is consistent with the Performance Standards of the Wetlands Regulations (310 CMR 10.00). The resource area boundaries, applicable buffer zones, and 100-year flood elevations were delineated on plans. The DEIR described that the proponent would replicate approximately 15,692 sf of BVW and restore another 4,321 sf of BVW. It included an alternatives analysis for its 401 Water Quality Certification for MassDEP.

The DEIR included a summary of the detailed rare species habitat assessment and surveys

of the project site, focusing on the Spotted Turtle and the Eastern Box Turtle. At the end of Section 11.0, the proponent provided a copy of the letter from Natural Heritage and Endangered Species Program (NHESP) indicating that it has no rare species concerns with the project site.

The DEIR summarized the drainage calculations and detailed plans for the management of stormwater. It included a description of the proposed drainage system design. The rates of stormwater runoff were analyzed for the 2, 10, 25, and 100-year storm events. The DEIR demonstrated that the proposed drainage system would control storm flows at existing levels. It addressed the performance standards of MassDEP's Stormwater Management Policy. The DEIR demonstrated that the design of the drainage system is consistent with this policy. The maintenance program for the drainage system was included in the DEIR. It outlined the maintenance operations, sweeping schedule, responsible parties, and back-up systems. A condominium association will be formed to be responsible for the maintenance of the drainage system.

The DEIR identified that the project will require a booster pump station to supply it with sufficient water pressure. An on-site water well may be developed for irrigation purposes. The DEIR identified that the proponent has committed to provide an Infiltration/Inflow (I/I) reduction of a minimum of a 4:1 ratio or approximately 364,000 gpd.

The DEIR addressed noise impacts from the proposed project. It included pre- and post-construction noise projections. The DEIR included renderings of the proposed retail buildings. It included a landscape plan of the project site.

The proponent has considered the following sustainable design elements into the project: the optimization of natural day lighting, passive solar gain, and natural cooling; the use of energy efficient HVAC and lighting systems, appliances and other equipment and the use of solar preheating of makeup air; and the development of an annual audit program for energy consumption, waste streams, and use of renewable resources.

The FEIR should resolve all the remaining issues outlined below, as required by this Certificate. It should include a copy of this Certificate.

**Project Description:**

The FEIR should provide a detailed project description with a summary/history of the project. It should include existing and proposed site plans.

**Traffic:**

The FEIR should provide a revised traffic analysis based on the correct lane configuration

at the Route 9/Wal-Mart Drive intersection as requested by MassHighway.

**Transit:**

The FEIR should summarize the proponents' discussions with Worcester Regional Transit Authority (WRTA) and the Wal-Mart proponent regarding their efforts to improve public transit along Route 9 in Spencer and Leicester. It should provide a firmer commitment to work with the WRTA in this effort. The proponent should consider providing a subsidy for monthly transit passes to all full-time employees of the retail uses to encourage transit use.

**Pedestrian Facilities:**

The FEIR should improve pedestrian facilities along Route 9, particularly along its site frontage as requested by MassHighway and the Secretary, or provide letters from both MassHighway and the Town of Spencer stating that sidewalks are not necessary. It should identify the proposed pedestrian (sidewalk) facility improvements proposed as part of this project along the Main Street and Greenville Street frontages.

**Mitigation:**

The FEIR should include a separate chapter on mitigation measures. It should develop additional transportation and parking demand management measures to reduce single passenger automobile trips to the project site and encourage ridesharing by employees to the site through incentives. I encourage the proponent to identify measures to increase transit usage to the project site when the retail project is constructed. This chapter on mitigation should include updated proposed Section 61 Findings for all state permits. The proposed Section 61 Findings should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation, and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation should also be included.

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

- Provide 364,000 gpd of Infiltration/Infill removal to the wastewater system by reconstructing 7,485 linear feet of sewer (approximately \$931,130 off-site and \$829,000 for sewer connection costs).
- Preserve 163 acres of open space through a conservation restriction to the Greater Worcester Land Trust or to the Spencer Planning Board designee.
- Relocate and construct the Midstate Trail with a parking area with four spaces on the project site and provide an easement for the relocated Trail to the Greater Worcester Land Trust or to the Spencer Planning Board designee.

- Construct a booster water pump station to increase water pressure on the project site (approximately \$212,900 in water connection fees).
- Provide 15,692 sf of replicated wetlands and 4,321 sf of restored wetlands.
- Signalize the Route 9/Site Driveway upon completion of the retail phase and widen Route 9 to add a westbound left turn and a second westbound through lane. Provide a short right turn lane on the eastbound side of Route 9 to accommodate the residential phase will be provided.
- Update the traffic signal equipment at Route 31(N&S)/Route 9 and interconnect them so that they act in unison to improve efficiency, restripe the roadway, and remove Wall Street from signal control. Extend Main Street westbound two travel lanes to Wall Street and taper back to one travel lane at High Street.
- Install an exclusive left-turn lane on the Main Street southbound approach at the Route 9/Greenville Street intersection.
- Implement a TDM program with an on-site coordinator to promote commuter services. Work with the WRTA about the feasibility of providing a bus stop at the project site. Coordinate a ride-matching program for employees at the site. Participate in a local Transportation Management Association (TMA). Consider offering the Commuter Choice program to employees. Consider a courtesy van service to Worcester and other nearby towns. Institute a guaranteed ride home for employees. Provide preferential parking for ridesharing. Schedule deliveries to off-peak hours. Promote direct deposit of employee paychecks, and provide an ATM on-site.
- At the Route 9/Paxton Road intersection, widen Route 9 to provide a westbound approach travel lane (12-foot wide) and a 2.5-foot wide shoulder. On the eastbound approach, provide an 11-foot wide left-turn lane, a 12-foot wide travel lane, and a 2.5-foot wide shoulder. Widen Paxton Street to provide a left-turn/through lane and an exclusive right-turn lane.
- Provide two bicycle racks to accommodate 10 bicycles each at The Crossing and another rack at the clubhouse at The Reserve.

The proponent has estimated that the above off-site traffic improvements will cost approximately \$1 million.

I urge the proponent to participate in any discussions and studies, which evaluate the feasibility of traffic, transit, pedestrian and bicycle improvements within this area.


### **Response to Comments:**

The FEIR should respond to the comments received to the extent that the comments are within the subject matter of this scope. Each comment letter should be reprinted in the FEIR.

**Circulation:**

The FEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to Leicester and Spencer officials. A copy of the FEIR should be made available for public review at the Leicester and Spencer Public Libraries.

March 15, 2007  
DATE



Ian A. Bowles

cc: Paul Anderson, DEP/CERO

## Comments received:

BSC Group, 2/6/07

BSC Group, 2/14/07

BSC Group, 2/15/07

Spencer Office of Development & Inspectional Services, 3/8/07

BSC Group, 3/8/07

MassDEP/CERO, 3/8/07

EOT, 3/9/07

Michelle Buck, 3/12/07

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IAB/WTG/wtg