



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD
SECRETARY

Tel. (617) 626-1000
Fax. (617) 626-1181
<http://www.mass.gov/envir>

April 21, 2006

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

PROJECT NAME: Kettle Brook Lofts
PROJECT MUNICIPALITY: Worcester
PROJECT WATERSHED: Blackstone
EOEA NUMBER: 13763
PROJECT PROPONENT: Kettlebrook Lofts, LLC
DATE NOTICED IN MONITOR: March 22, 2006

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

As outlined in the Environmental Notification Form (ENF), the project involves the renovation and partial demolition of a partially abandoned brick manufacturing building and the subsequent construction of 109 residential units. The 7.68 +/- acre project site is located on the south side of Main Street (Route 9) in Worcester just east of the Leicester town line. The 135,000 +/- square foot (sf) mill building is listed on the National Register of Historic Places as the Ashworth and Jones Factory. Kettle Brook, which is dammed just west of the existing building, runs under the building. The proposed project involves the demolition of approximately 14,000 sf of non-historical portions of the building and a portion of the building that is historic, but of utilitarian use. In addition, the proponent plans to construct two single family houses on abutting parcels on Aldena Road.

The project is undergoing review pursuant to Section 11.03(10)(b)(1) of the MEPA regulations because it involves the demolition of part of a structure listed on the State Register of Historic Places. The project will require a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA);

a Sewer Connection/Extension Permit from the Department of Environmental Protection (DEP); an Order of Conditions from the Worcester Conservation Commission; Site Plan Review and a Special Permit from the Worcester Planning Board; a Zoning Change Approval from the Worcester City Council; and a Demolition Permit from the Worcester Historical Commission. The project will also require review by the Massachusetts Historical Commission (MHC) and the Department of Conservation and Recreation (DCR), Office of Dam Safety.

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 or potentially required state permits or agency actions with the potential to cause damage to the environment. The proponent has received its Order of Conditions (DEP #349-881) from the Worcester Conservation Commission for the project and the Order has not been appealed. Therefore, MEPA jurisdiction over this project extends to historic resources, wastewater and dam safety.

The proposed project involves the demolition of approximately 14,000 sf of portions of the mill complex. The project also includes replacement of all the windows, repointing the brickwork and replacing the roof. The Worcester Historical Commission has approved the demolition and the proposed project. In its comments on the ENF, MHC states that it is unable to determine what effect the proposed project will have on the historic building at the project site. MHC has requested the following additional information: 1) current original photographs of the subject property and adjacent properties, keyed to a sketch map, indicating the portions that are proposed for removal; 2) a description of the proposed replacement windows; 3) project plans, elevations, and perspective views; and 4) mortar repointing specifications. The proponent should coordinate with staff from MHC to provide the requested information and to avoid and minimize impacts to historic resources.

The historic but utilitarian portion of the building is being removed to allow for the construction of a clear span bridge over Kettle Brook that will provide access to the rear of the property for parking. The plan to provide access via a bridge was developed through negotiations between the City of Worcester, the Town of Leicester and the proponent after realizing that the alternative of providing access via Town of Leicester streets to the rear of the property was not feasible. The bridge will span Kettle Brook with the north abutment located within the current footprint of the building and the south abutment being near the top of the bank associated with the brook. The south abutment will be within the 25-foot riverfront area, and will impact approximately 350 sf of this resource area. Access to the front parking lot and the rear parking lot via the bridge will be from a new curb cut along Route 9. Route 9 in the vicinity of the project is owned and maintained by the City of Worcester, and therefore a Massachusetts Highway Department (MHD) Access Permit is not required.

The bridge and part of the access road to the rear of the site crosses land owned by the Greater Worcester Land Trust, where a current access easement exists. The proponent has secured an agreement with the Land Trust to establish new easements between the two parties. The Land Trust will grant access for the project and the proponent will provide five dedicated parking spaces on the site for the Land Trust. In addition, the proponent will construct a new trail

from the parking spaces to an existing trail head and will also provide a separate gated vehicular access to the trail head.

There is an existing municipal sanitary sewer pump station and associated force main located on the site. The pump station services only the mill building, and is over-designed for the proposed residential use of the building. The proponent has consulted with the Worcester Department of Public Works, and proposes the following changes: the pump station will be retrofitted to a storage building for a new generator and pump controls, and a new submersible pump station will be constructed adjacent to the existing station. A new force main will use the existing and over-sized force main as a sleeve where it crosses the Kettle Brook. In addition to the pump station upgrades, a new gravity sewer will be extended from the pump station to Meridale Road for future City of Worcester sewer connections on Aldena and Meridale Roads. The proponent must ensure that the proposed wastewater upgrades meet the performance standards for DEP's Sewer Extension/Connection Permit at 314 CMR 7.00.

The proponent should note comments submitted by DCR's Office of Dam Safety. The Duffy Mill Pond Dam is located on Kettle Brook just upstream (west) of the mill building. The dam is rated by DCR as a Significant Hazard potential, small size. According to DCR, the dam is in poor condition and in need of major repairs and rehabilitation. DCR has requested that the proponent provide information about the present legally recognized owner of the dam structure, including Registry of Deeds book and page number. The proponent should note that work affecting the dam may require a Chapter 253 Dam Safety Permit from DCR. I direct the proponent to coordinate with DCR regarding information required about the dam and any potential work involved with the project that may affect the dam.

I have determined that the ENF has sufficiently defined the nature and general elements of the project and proposed measures to avoid and mitigate environmental impacts. I am satisfied that any remaining issues can be adequately addressed during the state and local permitting and review process. The proposed project, as described in the ENF, requires no further review under MEPA.

April 21, 2006

Date


Stephen R. Pritchard

Comments Received:

4/3/2006	Department of Environmental Protection, Central Regional Office
4/5/2006	Massachusetts Historical Commission
4/11/2006	Department of Conservation and Recreation, Office of Dam Safety

SRP/BA/ba