



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>

June 1, 2007

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

PROJECT NAME : Cumberland Farms Convenience Store and Gas Station
PROJECT MUNICIPALITY : Shrewsbury
PROJECT WATERSHED : Blackstone
EOEA NUMBER : 14003
PROJECT PROPONENT : Cumberland Farms, Inc.
DATE NOTICED IN MONITOR : April 11, 2007

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). In a Draft Record of Decision (ROD) issued today, I hereby propose to grant a waiver from the requirement to prepare a mandatory EIR. The Draft ROD will be published in the June 11, 2007 issue of the *Environmental Monitor* and subject to a 14-day public comment period, after which I will issue a Final ROD with a determination regarding the waiver request. If I deny the waiver request, I will reissue this certificate with a scope.

Project Description

The project consists of eight gasoline pumps (16 fueling positions) and a 3,600 square foot (sf) Cumberland Farms convenience store on a 1.85-acre site. Traffic impacts associated with the project are estimated at 3,044 vehicle trips per day and the project includes construction of 14 parking spaces. Access to the proposed development will be provided by three driveways, including a right-in only driveway along the south side of Route 20 and two driveways along Centech Boulevard. The proposed project will result in alteration of approximately 0.32 acres of new impervious area.



Jurisdiction and Project Review

The project is undergoing environmental review and requires the preparation of an Environmental Impact Report pursuant to Section 11.03(6)(a)(6) of the MEPA regulations because it requires a state permit and because the project will generate more than 3,000 new average daily trips on roadways providing access to a single location. The project requires a Massachusetts State Highway Access Permit from the MassHighway Department (MHD) for access onto Route 20.

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. In this case, MEPA jurisdiction extends to traffic issues.

Request for a Waiver of Mandatory EIR

In accordance with Section 11.05(7) of the MEPA regulations, the proponent has submitted an Expanded ENF (EENF) with a request that I allow the proponent a waiver of the mandatory EIR, rather than the usual process of a Draft and Final EIR. The EENF received an extended public comment period pursuant to Section 11.06(1) of the MEPA regulations. I have reviewed the proponent's request and I hereby find that the EENF meets the regulatory standards.

Traffic

The EENF included a traffic study performed in accordance with EOEA/EOT guidelines for traffic assessments. The traffic impact study was conducted based on the originally proposed 4,185 sf convenience store which has been downsized to 3,600 sf; traffic-related impacts contained in the study are, therefore, slightly conservative. Based on Institute of Traffic Engineers (ITE) Land Use Codes 853 and 934, the proposed project is anticipated to generate 3,044 new daily vehicle trips to the project site. Access to the site will be via a right-in only driveway that will intersect the south side of Route 20 approximately 160 feet west of Centech Boulevard. An entrance only driveway that will intersect the west side of Centech Boulevard will be located approximately 80 feet south of Route 20 and a full access driveway will intersect the west side of Centech Boulevard approximately 150 feet south of Route 20. A MHD Access Permit is required for access to Route 20.

MHD has stated in its comments on the EENF that the land use associated with the project and the location of the project on Route 20 typically results in trip generation mainly of a pass-by nature, and therefore the project is not likely to significantly impact the state highway system. MHD has also stated that they not object to the granting of a waiver from the preparation of an EIR.

The proponent has consulted with MHD on the design of the entrance and exit to the proposed site. However, there are issues remaining that must be resolved prior to the issuance of an Access Permit, and the proponent should continue discussion with the MHD District 3 Office. Specifically, the proponent should work with MHD on the current design of the northern

entrance along Centech Boulevard, which serves as an entrance-only driveway, and the width of the driveway along Route 20. Since the submission of the ENF, the proponent has committed to reconsider the current design of the driveway along Route 20 and redesign the entrance only driveway to prohibit left-turning vehicles. The proponent has also committed to submit to MHD recommendations for an improved sequence and timing plan for the Route 20/Centech Boulevard intersection that will optimize this traffic signal and reduce the delays resulting from this project.

In addition, the following mitigation is proposed at the site:

- Restricting the driveway on Route 20 to right-turn entering vehicles only;
- A 10-foot wide rumble strip will be provided on the Route 20 driveway on-site to slow traffic entering the site;
- The northern driveway on Centech Boulevard will be restricted to entering vehicles only to further reduce the project's impacts;

The proponent should incorporate Transportation Demand Measures (TDM) to promote pedestrian and bicycle access to and from the proposed Cumberland Farms. The proponent should ensure that the project is designed to provide safe and adequate sidewalk connections to Route 20 and consider providing bicycle facilities on-site.

Stormwater Management and Construction Activities

During the site visit for the project the proponent indicated that the project is being designed to comply with DEP's Stormwater Management Policy. The proponent should ensure that appropriate erosion and sedimentation controls are implemented to avoid and minimize adverse impacts to wetlands and surface waters during construction activities. The proponent should also ensure that appropriate measures are implemented to avoid and minimize dust, noise, odor, traffic, and nuisance conditions associated with construction activities. The proponent should ensure that effective mechanisms are in place for long-term operation and maintenance of the project's stormwater management system.

Sustainable Design

I encourage the proponent to explore, and implement to the extent feasible, sustainable design elements that can provide environmental benefits as well as economic benefits for the proponent and future building users. The basic elements of a sustainable design program may include, but not be limited to, the following measures:

- Leadership in Energy and Environmental Design (LEED) certification;
- water conservation and reuse of wastewater and stormwater;
- ecological landscaping;
- use of **Low Impact Development (LID)** techniques (the proponent may find the following web sites useful www.mass.gov/envir/lid and www.lid-stormwater.net);
- optimization of natural day lighting, passive solar gain, and natural cooling;
- use of energy efficient Heating, Ventilation, and Air Conditioning (HVAC) and lighting systems, appliances and other equipment, and use of solar preheating of makeup air;
- favoring building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;

- provision of easily accessible and user-friendly recycling system infrastructure.

I have determined that the EENF 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 EENF, requires no further review under MEPA.

June 1, 2007

Date



Ian A. Bowles

Comments Received:

04/12/07 Department of Environmental Protection, CERO
05/29/07 Executive Office of Transportation, MassHighway

IAB/ACC/acc