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July 11, 2007

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
NOTICE OF PROJECT CHANGE

PROJECT NAME: Kettle Brook Lofts  
PROJECT MUNICIPALITY: Worcester  
PROJECT WATERSHED: Blackstone  
EOEA NUMBER: 13763  
PROJECT PROPONENT: Kettle Brook Lofts, LLC  
DATE NOTICED IN MONITOR: June 11, 2007

Pursuant to the Massachusetts Environmental Policy Act (M. G. L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it **does not require** further MEPA review.

Project Description

As originally outlined in the Environmental Notification Form (ENF) submitted in March 2006, the project involves the renovation and partial demolition of a partially abandoned brick manufacturing building and the subsequent construction of 109 residential units. The property at 1511 Main Street, historically known as the Ashworth and Jones Woolen Textile Factory, is individually listed in the State Register of Historic Places. The proponent proposed the construction of 168 new parking spaces to be located in the rear of the building. Access to the rear of the site was proposed via a new bridge constructed over Kettle Brook, which is dammed just west of the existing building and runs under the building.

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 also listed on the National Register of Historic Places as the Ashworth and Jones Factory. 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.

### Jurisdiction

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 requires 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 (MassDEP); 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.

### Review of the NPC

Since the review of the ENF, the proponent has purchased an adjoining parcel, 1543 Main Street that includes a structure historically known as the Thomas Ashworth II – Jones House, which is included in MHC's Inventory of Historic and Archaeological Assets of the Commonwealth. According to the NPC, the proponent has consulted with the Worcester Historical Commission and Preservation Worcester to determine if the structure could be salvaged for reuse on-site or relocated to another location. It was determined that the structure was in such disrepair and had undergone such significant modification that reuse and/or relocation was not feasible or warranted. The proponent has received a waiver from the Worcester Historical Commission from the one year delay in demolition of the structure.

The project as proposed in the ENF and the NPC must be reviewed by MHC for its effects to significant historical properties in compliance with 950 CMR 70-71 and 36 CFR 800. As outlined in MHC's comments on the ENF and reiterated in comments on the NPC, the proponent must submit the following information to MHC: 1) current original photographs of the

subject properties and adjacent properties, keyed to a sketch map, indicating the portions that are proposed for removal or have been removed; 2) a description of the proposed replacement windows, including any window drawings or sketches; 3) project plans, elevations and perspective views; and 4) mortar repointing specifications.

With the purchase of the abutting parcel, the proposed bridge to the rear of the property can be relocated to the west, making the span over Kettle Brook shorter. The relocation of the bridge provides more area in front of building for the construction of parking spaces. The relocation of some of the project parking to the front of the building allows for more green space in the rear of the building, the elimination of 15 foot tall retaining walls, and better overall circulation for vehicle and pedestrian traffic at the project. The rear of the site borders land owned by the Greater Worcester Land Trust; therefore the reduction of the parking field in the back of the project allows for a land use that is more closely related to the protected open space.


I remind the proponent to note comments submitted by DCR's Office of Dam Safety on the ENF. 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.

### Conclusion

Based on a review of the information provided in the NPC, and after consultation with the relevant public agencies, I find that the potential impacts of this project change do not warrant the preparation of an EIR. No further MEPA review is required at this time.

July 11, 2007

Date



Ian A. Bowles

Comments Received:

6/27/2007 Massachusetts Historical Commission

IAB/BA/ba