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July 18, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
FINAL 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 : June 11, 2008

As Secretary of Environmental Affairs, I hereby determine that the Final Environmental Impact Report (FEIR) submitted on this 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).

The project as proposed in the FEIR 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 floor area of proposed buildings is approximately 88,000 square feet (sf). The proposed parking lot, designed in accordance with the City of Chicopee Zoning By-laws, includes 556 parking spaces. Access to the site will be provided by two paved driveways from Route 33.

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.

The project as proposed in the FEIR will result in approximately 10.5 acres of land alteration, including nine acres of new impervious area. The proponent has eliminated 102



parking spaces since the filing of the Draft EIR thereby reducing total proposed land alteration and 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 wetland resources, though 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, 4,138 vehicle trips on an average Saturday, and 635 peak hour vehicle trips on an average Saturday. The project involves construction of 556 parking spaces (including the existing 60 spaces).

The project requires a State Highway Access Permit from the Massachusetts Highway Department (MassHighway) 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 or it may be subject to Groundwater Discharge Permit requirements. 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 Connection Permit for the proposed sewer connection to the Chicopee wastewater collection system is not required because the projected 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.

REVIEW OF THE FEIR

The FEIR included additional information and analysis relating to alternatives, stormwater management, transportation and sustainable development as required by the Scope.

Alternatives

Since the filing of the Draft EIR, the proponent has reduced impervious area by eliminating 102 proposed parking spaces and increasing parking island areas. The FEIR includes a discussion and quantification of impacts associated with project alternatives, and revised site plans, as required by the Scope. The preferred alternative reduces work in buffer zone from approximately 14,500 square feet (sf) to 9,000 sf compared with Alternatives Scheme B and C, and reduces impervious area by approximately 0.2 acres. The FEIR includes an alternative minimum parking plan and quantification of impacts, which would reduce buffer zone impacts to 5,480 sf and impervious area by 0.15 acres. The FEIR indicates that the minimum parking

alternative is not feasible at this point because of potential constraints in finding tenants. The proposed site plan includes reserved parking areas that will be landscaped if not required for parking by future building tenants.

Stormwater

The FEIR includes the results of additional test pits conducted to evaluate development potential and the suitability of proposed infiltration units. The results indicate high groundwater throughout the site. The proposed stormwater management system design has been modified to account for the high groundwater levels. The system includes three underground structures that will discharge off-site. I remind the proponent to continue consultations with MassDEP to clarify registration and/or groundwater discharge permitting requirements for the underground structures, and to ensure that the project meets all applicable regulations.

Sustainable Development

The FEIR included a discussion of the project's consistency with the Commonwealth of Massachusetts Sustainable Development Principles. According to the FEIR, the project is consistent with regional and municipal planning efforts to concentrate development in an area where commercial development already exists at the intersection of Route 33 and the MassPike. The City of Chicopee's comment letter is supportive of the proposed project. The City believes that the proposed project promotes sustainable development given its location near highways and surrounding land uses, and because reducing the development footprint would drive up development costs and disperse services, creating additional impacts.

The FEIR indicates that the proponent will encourage tenants to use energy efficiency equipment. I encourage the proponent to design the project to meet Leadership in Energy and Environmental Design (LEED) for new construction.

The proponent should consider posting idling restriction signs, participating in the Massachusetts Diesel Retrofit Program, and requiring contractors to use Low Sulfur Diesel (LSD) fuel to mitigate construction-period impacts of diesel emissions, as recommended by MassDEP in its comment letter.

Transportation

The FEIR includes a revised capacity analysis and mitigation proposal as requested by Executive Office of Transportation and Public Works (EOTPW). The proponent also submitted supplemental information during the FEIR review period with a revised Section 61 Finding that describes additional traffic mitigation commitments. The FEIR included a transportation study prepared in general conformance with the Executive Office of Energy and Environmental Affairs (EEA)/EOTPW Guidelines for EIR/EIS Traffic Impact Assessments. The proponent has met with MassHighway to discuss the mitigation requested in comments on the Supplemental DEIR and has committed to specific mitigation as further detailed below and in the most recent Section 61 Findings. The proponent should continue consultations with the Massachusetts Turnpike Authority during the permitting process to address the concerns raised in its comment letter.

Mitigation and Section 61 Findings

The FEIR includes mitigation commitments and proposed Section 61 Findings, which were revised in a subsequent submittal from the proponent, dated July 9, 2008. As described in the most recent draft Section 61 Findings and the EOT comment letter, the proponent has committed to:

- Add a westbound right-turn lane on Fuller Road and restripe the jughandle to provide a two lane approach to Route 33;
- Modify the traffic signals at the Route 33/I-90 ramps/South Mall Drive and the Route 33/Stop and Shop Drive/North Mall Drive intersections; and
- Interconnect the traffic signals on Route 33 between the site Driveway and Fuller Road.

The proponent has expanded the Transportation Demand Management (TDM) commitment to include working with MassRides to promote alternatives to single vehicle occupant vehicle access/egress, while collaborating with the Pioneer Valley Transit Authority to maintain transit operations along the Route 33 corridor

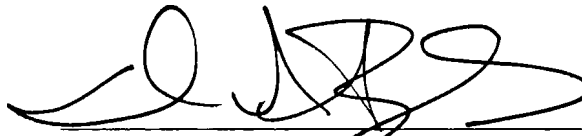
The Massachusetts Turnpike Authority (MTA) has expressed concerns regarding impacts to the toll plaza operations and level of service at Interchange 5. I ask that EOTPW and MTA coordinate as part of the traffic signal review and permitting process to ensure that any additional necessary mitigation is incorporated into the project and as part of the final Section 61 Findings.

The proponent should investigate widening the right-turn lane from I-90 to Route 33 to accommodate vehicle queues as requested by EOTPW. The proponent should provide MassHighway and EOTPW with a revised Letter of Commitment, upon which the Section 61 Finding will be based, which should include the results of the investigation recommended above. I am satisfied that mitigation details can be resolved and finalized during state agency permitting.

Based on review of the FEIR and comment letters received, as well as consultation with state agencies, I find that the FEIR adequately and properly complies with MEPA. The project may proceed to permitting. I ask that state agencies submit final Section 61 Findings to the MEPA Office for the project file.

July 18, 2008

DATE



Ian A. Bowles, Secretary

IAB/AE/ae

Comments received

6/09/08	City of Chicopee
7/01/08	Department of Environmental Protection, Western Regional Office
7/11/08	Massachusetts Turnpike Authority
7/16/08	Executive Office of Transportation and Public Works