



# *The Commonwealth of Massachusetts*

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August 16, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS  
ON THE  
SINGLE ENVIRONMENTAL IMPACT REPORT

PROJECT NAME: BJ's Wholesale Club  
PROJECT MUNICIPALITY: Haverhill  
PROJECT WATERSHED: Merrimack  
EOEA NUMBER: 13780  
PROJECT PROPONENT: Coastal Partners, Inc.  
DATE NOTICED IN MONITOR: July 10, 2006

As Secretary of Environmental Affairs, I hereby determine that the Single Environmental Impact Report (Single EIR) submitted for this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (MEPA) (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

### Project Description

As described in the Single EIR, the project proposes the development of a 120,000 square foot (sf) BJ's Wholesale Club with 12 vehicle fueling positions and 470 parking spaces on a 14.1-acre site on Shelley Road in Haverhill, MA. An existing 176,000 sf building on the site will be demolished. Access to the site will be provided by way of a full-access driveway that will intersect the north side of Shelley Road. Environmental impacts associated with the project result from an increase in impervious area on the site; the alteration of 670 sf of Bordering Vegetated Wetlands (BVW); the generation of approximately 4,808 new daily vehicle trips; and the construction of 307 new parking spaces.

### Jurisdiction and Project Review

The project is undergoing environmental review and required the preparation of an Environmental Impact Report pursuant to Section 11.03(6)(a)(6) of the MEPA regulations because it requires state permits 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 an Indirect Highway Access Permit from the Massachusetts Highway Department (MHD); an Order of Conditions (OOC) from the Haverhill Conservation Commission (and therefore a Superceding Order of Conditions from the Department of Environmental Protection (DEP) if the local Order is appealed); Site Plan Review from the Haverhill Planning Board; and a Variance from the Haverhill Zoning Board of Appeals (ZBA).

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction is limited to those aspects of the project that may cause significant Damage to the Environment and that are within the subject matter of required or potentially required state permits. In this case, jurisdiction extends to transportation, wetlands and stormwater management.

### MEPA History

In accordance with Section 11.05(7) of the MEPA regulations, the proponent submitted an Expanded ENF (EENF) with a request that I allow the proponent to fulfill its EIR obligations under MEPA with a Single EIR, rather than the usual process of a Draft and Final EIR. The EENF received an extended comment period pursuant to Section 11.06(8) of the MEPA regulations. In a Certificate issued on May 26, 2006, I found that the EENF met the regulatory requirements and I allowed the proponent to file a Single EIR in fulfillment of Section 11.03 of the MEPA regulations. The Certificate on the EENF laid out the issues to be addressed in the Single EIR.

### Alternatives

The Certificate on the EENF required that the proponent provide an alternatives analysis in order to ascertain which site layout minimized overall impacts to land, open space, wetlands and traffic. In addition to the No-Build and a new Preferred Alternative, the SEIR considered the site plan that was submitted with the EENF, and an alternative that brought the site plan closer to compliance with the Haverhill zoning requirements for parking. This alternative would have provided an additional 545 parking spaces and resulted in an additional 4,835 sf of wetland impacts. This alternative was not chosen due to the excessive amount of impervious area and wetland impacts that would be created.

Since the submission of the EENF, the project has been reviewed by the Haverhill Conservation Commission. During this process, the preferred site plan has been modified to further reduce BVW impacts from 1,940 sf to 670 sf and to reduce the overall impervious area by approximately 500 sf. The preferred plan also avoids all impacts to the intermittent stream located adjacent to the property. The preferred site plan requires a variance from the Haverhill Zoning Board of Appeals for a reduction of 128 parking spaces less than what is required by zoning regulations. This variance was approved at the ZBA hearing in May 2006. In addition, 91

of the proposed parking spaces will be compact spaces to minimize impervious area and impacts to wetlands.

### Stormwater

The proposed project will result in an additional 2.2 acres of impervious area on site. The site does not provide any stormwater management or water quality mitigation for paved parking area runoff into adjacent wetlands. The proposed stormwater management system will significantly improve the quality of stormwater runoff leaving the site. The system will incorporate new catch basins with deep-sumps and hoods, and add secondary treatment in the form of hydrodynamic swirl concentrator devices (Vortech units). In addition to the new drainage system, a program of regular parking lot sweeping, stormwater management system maintenance, and proper control of deicing agents and fertilizers will be followed. An operation and maintenance plan has been developed for the proposed project and submitted with the Single EIR. The proponent should note comments from DEP regarding snow management and disposal at the site.

According to the Single EIR, the stormwater management system has been designed in accordance with DEP's Stormwater Management Policy and Standards (SMP). The SEIR provided a discussion of how the project will meet each of the standards, including Standard #5, which dictates requirements for projects containing land uses with higher potential pollutant loads. The proponent will apply for a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the Environmental Protection Agency (EPA) prior to the start of construction and during construction the contractor will comply with the Stormwater Pollution Prevention Plan (SWPPP) for the project. A copy of the SWPPP was submitted with the SEIR. In addition, a sediment and erosion control plan will be implemented to protect resource areas during and after construction.

In response to the Scope for the SEIR, the proponent considered the use of Low Impact Development (LID) development techniques for the project. LID components that have been incorporated into the project include landscaping islands within the parking lots, subsurface infiltration systems, and the preservation of existing vegetated areas. In addition, the proponent has made a significant effort in reducing the amount of impervious area on site.

DEP has noted records of hazardous materials being released to the soil and groundwater at the site (Release Tracking Numbers (RTN) #3-14587 and #3-3743). A Class B-1 Response Action Outcome (RAO) Statement was submitted to DEP in 2005 for the subject property to address the RTNs above. The disposal site is an 80 sf area located near a previous above-ground plasticizer storage tank. The disposal site is located on the southern side of the existing building and the proposed subsurface detention/infiltration systems are located to the north and west, approximately 500 feet from the disposal site. Based on the separation between the disposal site and proposed subsurface systems, the project is not anticipated to infiltrate stormwater into contaminated areas or disperse any residual contaminants that may remain on-site.

### Wetlands

Two Bordering Vegetated Wetland (BVW) resource areas are located on the property. Since the submission of the EENF, the project has been reviewed by the Haverhill Conservation Commission. During this process, the preferred site plan has been modified to reduce BVW impacts from 1,940 sf to 670 sf and to reduce overall impervious area by approximately 500 sf. The preferred plan also avoids all impacts to the intermittent stream located adjacent to the property.

The proposed mitigation package consists of a 2:1 ratio wetland replication area for BVW impacts and proposes to provide bank restoration for approximately 130 linear feet of the intermittent stream on-site, even though there are no longer any proposed stream impacts. The Single EIR contained a revised wetlands report that outlined plant species and sequences of construction for the replication areas as well as long-term monitoring specifications. The proponent also detailed the location, elevations, cross section and test pit location with groundwater elevations for the area to be altered and replicated. Groundwater elevations were determined to be at or near the surface in the wetland replication area.

### Traffic

Based on Institute of Traffic Engineers (ITE) Land Use Codes 861 (Discount Club) and 944 (Gasoline/Service Station), the proposed project is anticipated to generate 4,808 new daily vehicle trips to the project site. Access to the site will be provided by way of a full-access driveway that will intersect to the north side of Shelley Road. A MHD Access Permit is required for the project. The proponent submitted a Traffic Impact and Access Study (TIAS) with the EENF that was prepared in accordance with Executive Office of Environmental Affairs/Executive Office of Transportation and Construction guidelines. The study was developed in consultation with the City of Haverhill, MHD and the Merrimack Valley Planning Commission. The analysis of traffic operations indicated that the proposed project will result in a degradation of level-of-service at the intersection of the Route 125 Connector, Shelley Road Connector, and Ward Hill Avenue; and at the Shelley Road Connector and Shelley Road intersection.

The proponent has proposed a series of improvements to the Route 125 Connector and the Shelley Road Connector to mitigate the impacts of project-related traffic on local roadways. The Single EIR concludes that with the implementation of the proposed traffic mitigation, safe and efficient access will be provided to the planned development and the proposed project can be constructed with minimal impact on the roadway system. MHD states in its comments that the Single EIR has adequately addressed its concerns related to traffic. The proponent should continue to work with MassHighway's District 4 Office during the permitting process to design and implement the proposed improvements.

### Construction Period Impacts

The Stormwater Pollution Prevention Plan (SWPPP) and the SEIR outline construction phasing and proposed measures that will be taken to prevent erosion, dust, noise and odor

nuisance conditions which may occur during the construction activities. The proponent also states that it will encourage contractors to conform to DEP's Diesel Retrofit Program and to use low-sulfur diesel fuel to reduce air pollutant emissions from construction equipment.

### Mitigation

The SEIR contained a separate chapter on all mitigation measures to which the proponent has committed and draft Section 61 Findings for state agencies, including a Letter of Commitment for use by MHD. A schedule for the implementation of mitigation was also included. The proponent committed to the following mitigation measures in the SEIR:

- The proponent will provide wetland replication at a ratio of 2:1 to mitigate for impacts to BVW areas.
- The proponent will undertake intermittent stream bank restoration to address extensive bank erosion at the site.
- The proposed development will implement a stormwater management system design that decreases peak rates of runoff for the 2, 10, 25 and 100-year storms. A subsurface detention system will be constructed to mitigate stormwater peak runoff rates and to recharge groundwater. The system was designed in accordance with DEP's SMP.
- A sediment and erosion control plan in accordance with the NPDES general permit will be implemented during construction of the project.
- The median break on the Shelley Road Connector will be closed.
- The proponent will provide a bump-out on the Route 125 Connector to allow heavy vehicles to make a U-turn from the connector.
- The proponent will install new signal poles and mast arms at the Route 125 Connector intersection with the Shelley Road Connector and Ward Hill Avenue.
- The Shelley Road Connector approach will be widened to accommodate two lanes: an exclusive left-turn lane and shared left-turn through lane. The signal timing and phasing will be modified accordingly.
- The proponent will widen the Shelley Road Connector at its intersection with Shelley Road to provide an exclusive right-turn lane, and will widen the Shelley Road eastbound approach to provide a widened shoulder so vehicles traveling straight on Shelley Road can by-pass vehicles waiting to turn left onto the Shelley Road Connector. Shelley Road and the Shelley Road Connector will be striped within the study area.
- The proponent has committed to an aggressive program to prevent erosion, dust, noise and odor nuisance conditions during construction.

I remind the permitting agencies to forward copies of Section 61 Findings, once issued, to the MEPA Office for completion of the project files.

### Conclusion

I find the Single EIR to be adequate and am allowing the project to proceed to the state agencies for permitting. The Single EIR contained adequate information on project alternatives, impacts, and mitigation, and provided the state permitting agencies with sufficient information to

understand the environmental consequences of their permit decisions. No further MEPA review is required.

August 16, 2006

Date



Robert W. Golledge, Jr.

Comments received:

8/8/2006 Executive Office of Transportation

8/8/2006 Department of Environmental Protection, Northeast Regional Office

RWG/BA/ba