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October 31, 2008

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

PROJECT NAME : Proposed Retail Development
PROJECT MUNICIPALITY : 256 Washington Street (Route 85) – Hudson
PROJECT WATERSHED : Sudbury-Assabet-Concord Rivers
EOEA NUMBER : 14086
PROJECT PROPONENT : **The Richmond Company**
DATE NOTICED IN MONITOR : September 24, 2008

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

Project Description

As described in the Single EIR, the project involves the construction of a three lot retail/commercial development containing approximately 17,200 square feet (sf). The project includes approximately 103 parking spaces. The 9.8-acre site presently contains a residence and a barn. The existing structures will be demolished. The proponent is proposing to construct the project in two phases. Phase I includes the construction of a 15,300 sf Walgreens Pharmacy and a 1,750sf/30-seat Starbucks Coffee facility. Phase II includes the construction of a 16 vehicle fueling position gas station and an approximately 164 sf convenience mart.

A Phase I Waiver was requested and on October 25, 2007 a Final Record of Decision was issued granting a waiver to allow Phase I of the project to proceed prior to the preparation of a mandatory EIR. As proposed, Phase I of the project involved construction of the Walgreens

Pharmacy and a Starbucks Coffee facility, and is expected to generate approximately 2,216 vehicle trips.

The proponent is proposing a right-in/right-out access driveway onto Route 85 and a full-access driveway onto Technology Drive. Using the Institute of Traffic Engineers (ITE) Handbook and land use codes 881 (Pharmacy with a drive through), 934 (Fast food restaurant with a drive through), and 945 (Gas station with convenience market), the proponent estimates that the project will generate approximately 4,820 new vehicle trips on weekdays. The proponent is proposing to provide approximately 103 new parking spaces.

The project will be supplied with potable water by the local municipal water system. Each lot will have its own Title 5 wastewater system. The proponent has estimated that the project will consume about 2,435 gallons per day (gpd) of potable water. The project will generate approximately 2,214 gpd of new wastewater flow.

Jurisdiction

This project is subject to a mandatory EIR pursuant to Section 11.03(6) (a) (6) because it generates 3,000 or more new vehicle trips. The project will need to obtain an Access Permit for changes to the Route 85/Technology Drive intersection from the Massachusetts Highway Department (MassHighway). The project must comply with the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges. It also requires two Orders of Conditions from the Hudson Conservation Commission (one of which has been obtained and one of which is currently pending) for impacting a wetland's buffer zone and, on appeal only, a Superceding Order of Conditions (SOC) from the Massachusetts Department of Environmental Protection (MassDEP).

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 Damage to the Environment as defined in the MEPA regulations and that are within the subject matter of required or potentially required state permits. In this case, jurisdiction extends to traffic, wetlands and drainage.

Review of the Single EIR

The Single EIR included a description of the project, a summary of changes since the filing of the EENF and a listing of permits and approvals and project phasing. The Single EIR identified and described the proposed project phasing. The Single EIR discussed how this project is compatible with Executive Order 385, the Metropolitan Area Planning Council's (MAPC) MetroPlan, and Hudson's Master Plan, Open Space Plan, and Zoning.

Alternatives Analysis

The Single EIR summarized and compared the Preferred Alternative, the Full Site Build Out and the No-Build Alternative. It also provided a comparative analysis that clearly showed the differences between the environmental impacts associated with each of the alternatives.

Given the commercial nature of the surrounding area, the site zoning, and the extensive traffic in the areas, the only reasonable proposed alternatives feature commercial uses.

Traffic

The Single EIR included a traffic assessment prepared in conformance with the EOEEA/EOTPW Guidelines for EIR/EIS Traffic Impact Analysis and in response to comments received on the EENF. The capacity analysis indicates that the projected traffic volume increases associated with the proposed development can be accommodated on the surrounding roadway system provided that the recommended site access roadway improvements are implemented. The proponent has committed to developing a progressive traffic mitigation program to improve traffic flow and pedestrian safety in the vicinity of the site. The Single EIR also discussed the Proponent's coordination efforts with MassHighway and the Town of Hudson as they address regional and local traffic concerns within this area.

The proponent has committed to fund the design and construction of site access and off-site improvements needed to accommodate traffic increases associated with the proposed project. These improvements include widening of Technology Drive proximate to the site, extending the sidewalk northeasterly along Technology Drive to the existing Stop and Shop entrance, and provide a left turn in lane proximate to the site entrance. Further, the site is being developed with 15' more buffer area along Route 85 than required by zoning to accommodate future ROW expansion that may be conducted by MassHighway and/or the Town of Hudson.

At the recommendation of MassHighway, the traffic analysis also evaluated additional improvements to address existing deficiencies, outlined additional traffic mitigation measures, and included updated Transportation Demand Management (TDM) measures. EOTPW has indicated that the Single EIR adequately analyzed the project's traffic impacts and proposed mitigation measures that will address the impact on the State highway system.

Parking

The Single EIR described how the number of parking spaces was determined. It identified the number of parking spaces required by local zoning for the land uses proposed on the project site. Ninety five (95) spaces will be provided for the development featuring the Walgreens, Starbucks, and fueling station facilities. The proposed number of parking spaces is expected to meet the municipal zoning requirements of 1 space/250 SF of retail, 1 space/4 seats in a restaurant, and 2 space/use.

Pedestrian and Bicycle Facilities

The Single EIR showed where sidewalks currently exist in a map of the area and where the proponent proposed sidewalks. Sidewalks are proposed along Technology Drive by the proponent and on a portion of Route 85 in anticipation of future sidewalk improvements by the town and surrounding developments. The proponent will provide a bicycle rack at the proposed development.

Wetlands/Drainage/Water Supply

All resource area boundaries, riverfront areas, applicable buffer zones, and 100-year flood elevations were clearly delineated on a plan in the Single EIR. The Walgreen's Pharmacy and Starbucks components of the project have site plan approval from the Planning Board, and an Order of Conditions from the Hudson Conservation Commission. The third component of the project, the proposed fueling facility, is currently under review for Site Plan Review by the Planning Board and for an Order of Conditions from the Hudson Conservation Commission. It is expected that these reviews will be completed in the early fall of this year.

The Single EIR included a detailed description of the proposed drainage system design. Approximately 1.81 acres of impervious area associated with the Walgreens Pharmacy, Starbucks Coffee building and fueling facility will be constructed over areas that are currently grassed and wooded. The resulting increases in runoff will be mitigated by the construction of underground detention basins that will reduce post-development flows to below pre-development rates. Appendix D of the Drainage Report contains more detailed information on the fueling facility drainage design.

The underground detention basins, all located 50 feet or more from onsite bordering vegetated wetlands, will eventually discharge to on-site wetlands. Eighty percent Total Suspended Solids (TSS) removal will be achieved by a variety of treatments, including parking lot sweeping, the use of deep sump, and hooded catch basins. The project will also be consistent with the provisions of the National Pollution Discharge Elimination System (NPDES) General Permit from the U.S. EPA for stormwater discharges from construction sites by implementing several Best Management Practices (BMPs) including deep sump catch basins, parking lot sweeping, 80% TSS Removal, and groundwater recharge. These BMPs were detailed in Appendix A, Draft Pollution Prevention Plan of the Single EIR.

The Single EIR states that based on conversations with the Hudson Department of Public Works, the municipal water system in this area has sufficient capacity to supply this project with potable water. The project will be serviced by public water supply located on Technology Drive.

Hazardous Waste

The Single EIR presented a summary of the results of hazardous waste studies and remediation efforts undertaken at the site by the proponent to comply with the Massachusetts Contingency Plan, 310 CMR 40.0000. The results of a Phase I investigation indicate no significant environmental impacts exist on the site.

Construction

The Single EIR presented a discussion on potential construction period impacts and analyzed feasible measures to avoid or eliminate these impacts. Specifically, the proponent has committed to minimize the impacts of noise during construction. The project vicinity currently has substantial ambient noise levels associated with traffic along Rte. 85 and Technology Drive. It should be noted that blasting is not required for this project. The Single EIR details efforts to

be undertaken to minimize impacts of noise associated with construction efforts and will include the items detailed below:

- Equipment will not needlessly idle on site during construction.
- Enclosures or barriers will be provided on equipment that operates continuously.
- Equipment used throughout construction will be maintained properly with a particular attention put to proper operation of equipment mufflers.

The proponent will place erosion and sediment controls throughout construction with periodic site inspections being conducted by third party professionals. The downgrade perimeter of the site and abutting wetlands will be protected through the installation of sedimentation barriers. Additionally, the site will be prepared at construction commencement to feature temporary sedimentation control basins for stormwater runoff, construction lay down areas, and construction exit pads consisting of anti-tracking materials to limit offsite migration of soils and dust. All reasonable dust mitigation efforts will be undertaken during earthwork operations including specifications for the contractor to reduce potential dust emissions from the site.

Mitigation and Draft Section 61 Findings

The Single EIR included a separate chapter on mitigation measures. This chapter on mitigation included Proposed Section 61 Findings for MassHighway. The Proposed Section 61 Findings contained a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation was also included.

The Single EIR identified the mitigation components for each project phase. The proponent had redesigned the project site to accommodate the Town of Hudson's Master Plan for the Route 85 corridor. During the review of the Expanded ENF, the proponent had committed to the following mitigation measures in support of its request for a Phase I Waiver:

- Implement Route 85 access improvements that are listed above;
- Construct a new five-foot wide sidewalk along the Route 85 and Technology Drive frontages (approximately \$40,000);
- Donate to MassHighway and the Town of Hudson a fifteen-foot wide strip of land (approximately 12,334 sf) along the site frontage on Route 85 to accommodate the future corridor widening;
- Complete final design of the Technology Drive improvements for the access driveway and roadway widening;
- Construct roadway widening to accommodate bicycles within the shoulder areas; and
- Provide a bicycle rack at the proposed development.

As part of the Phase II development, the Proponent has committed to the following additional roadway improvements along Technology Drive which augment Phase I commitments and will be designed to further enhance traffic operations along Technology Drive and offset project impacts. The Proponent proposes to:

- Widen the north side of Technology Drive to provide an exclusive westbound left-turn

lane at the site driveway;

Restripe the westbound left-turn lane at the Route 85 (Washington Street) signal, increasing lane storage capacity from 125 feet to 225 feet;

- Construct a sidewalk along the south side of Technology Drive from the site drive to the easterly Stop & Shop Plaza driveway.

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 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.

October 31, 2008

Date



Ian A. Bowles

Comments received:

10/27/2008 Executive Office of Transportation and Public Works

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