



# *The Commonwealth of Massachusetts*

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December 15, 2006

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

PROJECT NAME: Avalon Shrewsbury  
PROJECT MUNICIPALITY: Shrewsbury  
PROJECT WATERSHED: Assabet River  
EOEA NUMBER: 13406  
PROJECT PROPONENT: Moss Development Inc. (Originally Avalon Bay Communities, Inc.)  
DATE NOTICED IN MONITOR: November 8, 2006

As Secretary of Environmental Affairs, I hereby determine that the Draft Environmental Impact Report (DEIR) submitted for 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 proponent has addressed the substantive issues outlined in the scope and there are no substantive issues that remain to be addressed in a Final EIR. Therefore, I am allowing the DEIR to be reviewed as a Final EIR in accordance with 301 CMR 11.08(8)(b)(2).

### MEPA History

In November 2004, Avalon Bay Communities, Inc. filed an Expanded Environmental Notification Form (EENF) for a proposed mixed-use development that included 264 residential apartments; 10,000 square feet (sf) of retail space; a 7,000 sf day-care center; and associated internal roadways, parking and utilities. The project site is located on the southern side of Route 20 west of Walnut Street in Shrewsbury, MA. The project was subject to review pursuant to

Section 11.03(6)(b)(14) of the MEPA regulations because it was anticipated to generate more than 1,000 new average daily trips (ADT) and to create more than 150 new parking spaces at a single location. The project required an Access Permit from the Massachusetts Highway Department (MHD); a Sewer Connection Permit from the Department of Environmental Protection (DEP); and an Order of Conditions from the Shrewsbury Conservation Commission. On December 30, 2004, the Secretary of Environmental Affairs issued a Certificate on the EENF stating that the project did not require the preparation of an EIR.

In July of 2006, the proponent filed a Notice of Project Change (NPC) describing changes to the project including a reduction in the number of apartment units; an increase in the size of the specialty retail space; and substitution of a Dunkin Donuts store and bakery for the day care center. The impact of these changes is an increase in the expected site traffic generation to a level above 3,000 trips per day. According to the NPC, the addition of the Dunkin Donuts facility will result in a net increase of 1,273 new trips to the site, for a total of 3,740 trips as compared to the 2,467 trips reported in the EENF. The Certificate on the NPC dated August 25, 2006 issued a narrow scope for a Draft EIR that requested additional information to demonstrate that the project's additional traffic impacts could be accommodated on the state highway system.

### Jurisdiction

The project as described in the DEIR is projected to generate is 3,740 new daily vehicle trips, and is therefore subject to the preparation of a mandatory EIR pursuant to Section 11.03(6)(a)(6) of the MEPA regulations. A Massachusetts Highway Department Access Permit is required for access to Route 20. The project as described in the EENF also required a Sewer Connection Permit from the Department of Environmental Protection and an Order of Conditions from the Shrewsbury Conservation Commission. The proponent is not seeking financial assistance from the Commonwealth, and therefore MEPA jurisdiction extends 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, MEPA jurisdiction extends to issues of land alteration, stormwater, wetlands, wastewater and transportation.

The Certificate on the NPC acknowledged that many of the potential environmental impacts that could result from the project have already been reviewed at the local and state level. Therefore, the scope for the DEIR was limited to traffic issues.

### Review of the DEIR

The DEIR provided an updated description of the project, which, as currently proposed will include 251 apartment units, 16,230 sf of specialty retail and a 5,500 sf Dunkin Donuts fast food restaurant/bakery. The Dunkin Donuts building comprises 2,600 sf of restaurant space and a 2,900 sf bakery. Two curb cuts are proposed at Route 20. Each will include one entering lane and two exiting lanes.

Following MEPA review of the EENF, the project received a MassHighway Access Permit (#3-2005-0029) in May of 2005. The proponent has requested a permit modification since the filing of the NPC. The project received an Order of Conditions from the Shrewsbury Conservation Commission in May of 2005 and has received all required approvals from the

Shrewsbury Planning Board and Zoning Board of Appeals. The residential component of the project is now under construction and partially occupied.

### Transportation

The DEIR provided a Traffic Impact and Access Study (TIAS) that is an update of an earlier study prepared for the project as outlined in the EENF. The study area was determined based on discussions with MassHighway and the Town of Shrewsbury, and included the following intersections:

- Route 20 (Hartford Turnpike) at Cherry Street
- Route 20 at Green Street/South Street
- Route 20 at South Street
- Route 20 at Walnut Street
- Route 20 at Olde Shrewsbury Village

The TIAS evaluated existing and future conditions for these locations, with and without the proposed project. The study also took future planned roadway improvements in the area into consideration.

The DEIR concludes that the change in land use outlined in the NPC increases the expected number of new vehicle trips at the site driveway but due to the nature of traffic generated results in a slight decrease in the volume of new trips generated on the adjacent roadway system. Key findings of the study indicate that the current project plan generates 10 and 30 fewer new vehicle trips during morning and afternoon peak hours relative to trips expected for the original proposal. In addition, the proposed Dunkin Donuts results in a higher percentage of pass-by trips and internal trips than associated with the prior project. The DEIR contained the methodology used by the proponent to calculate internal and pass-by trips.

According to the future conditions analysis in the TIAS, project related traffic will cause a drop in peak hour operating levels of service (LOS) for a few turning movements that are presently operating with minor delays (LOS A or B). There are no new locations expected to operate with long delays (LOS E or F) as a result of the project. There are however locations where left-turn movements from side streets intersecting Route 20 at unsignalized locations presently operate with long delays during peak hours and these delays will increase as a result of project generated traffic.

### Mitigation

During the EENF review and in the DEIR, the proponent committed to a series of improvements to mitigate for the project's impacts on the state highway system. The mitigation measures include:

- Widening Route 20 from two lanes to four lanes adjacent to the project site to match the existing four-lane section east of Walnut Street. The widening will accommodate a second westbound lane and an eastbound deceleration and acceleration at the project site drive. These traffic mitigation measures have already been constructed.

- The western access driveway will be widened from 30 feet to 36 feet to accommodate two exiting lanes and one entering lane.
- Signalization is proposed at an existing intersection along Route 20 east of the site. This proposed signal and an existing signal at South Street and Green Street west of the site will help introduce gaps in the Route 20 traffic stream to benefit traffic turning left from existing unsignalized side streets and the site driveways.

The DEIR included a Draft Letter of Commitment for use by MassHighway that formalizes the proponent's commitment to the proposed mitigation measures. The proponent has not proposed any additional off-site mitigation other than what was originally required by MassHighway and outlined above.

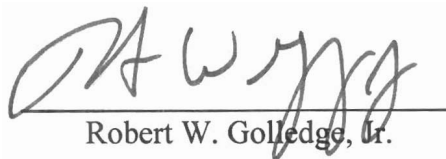
In their comments on the DEIR, the Executive Office of Transportation (EOT) states that the proponent's commitment to widen Route 20 to a four-lane cross section will adequately address the project's traffic impacts along the Route 20 corridor. In response to comments from EOT, the proponent should initiate conversations with the regional transit authority regarding the possibility of bus service to the site.

### Conclusion

The DEIR adequately assessed potential project impacts and committed to measures that will avoid, minimize and mitigate adverse impacts. I am satisfied that any outstanding issues can be addressed through the state and local permit and review process. I am allowing the DEIR to be reviewed as a Final EIR in accordance with 301 CMR 11.08(8)(b)(2). The availability of the Final EIR will be noticed in the December 23, 2006 issue of the *Environmental Monitor* and subject to a 30-day public comment period, after which I will issue a Certificate on the Final EIR.

December 15, 2006

Date



Robert W. Golledge, Jr.

### Comments Received:

11/13/2006 Department of Environmental Protection  
12/6/2006 Executive Office of Transportation

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