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January 13, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
EXPANDED ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Taunton Street Marketplace
PROJECT MUNICIPALITY : Plainville
PROJECT WATERSHED : Taunton River
EOEA NUMBER : 13683
PROJECT PROPONENT : Taunton Street Marketplace LLC
DATE NOTICED IN MONITOR : November 22, 2005

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.03 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **requires** the preparation of a Single Environmental Impact Report (EIR).

Project Description

As described in the Expanded Environmental Notification Form (ENF), this project consists of construction of a 169,000 square foot (sf) Lowe's Home Center and a 10-lot residential subdivision on a 32.5 acre parcel in Plainville, MA. The project includes construction of associated access drives, parking and infrastructure (including a stormwater management system and a sewer pump station). The project will be serviced by municipal water and sewer. The Lowe's will be located on a 23 acre area of the site adjacent to Route 1 (Washington Street) and Taunton Street (Route 152) south of I-495. The subdivision

will be located east of the Lowe's facility on approximately 9 acres of the site adjacent to Mirimichi Street.

Jurisdiction

The project is subject to review and mandatory preparation of an EIR pursuant to Section 11.03 (1)(a)(2) and (6)(a)(6) because it requires a state permit and will create more than 10 acres of impervious area and generate more than 3,000 new adt. The project requires a 401 Water Quality Certificate and Sewer Pump Station permit from the Department of Environmental Protection (DEP) and an Access Permit from the Massachusetts Highway Department (MHD). It also requires an Order of Conditions from the local Conservation Commission (which was issued on November 22, 2005). The proponent is not seeking financial assistance from the Commonwealth for the project, 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. These include traffic, transportation, wetlands, drainage and wastewater.

In accordance with Section 11.05 (7) of the MEPA regulations, the proponent has submitted an Expanded ENF 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 Expanded ENF received an extended comment period pursuant to Section 11.06 (8) of the MEPA regulations. The Expanded ENF includes a traffic analysis that is generally consistent with EOEA/EOTC Guidelines for EIR/EIS Traffic Impact Assessment, a description and detailed plans of the stormwater management system for the retail facility and a description of project impacts and proposed mitigation. Based on a review of the Expanded ENF and consultation with state agencies, I hereby find that the Expanded ENF meets the standards for adequacy contained in Section 11.06 of the MEPA regulations and I am allowing the proponent to file a Single EIR. The following Scope is intended to identify additional analysis and information necessary to complete MEPA review and ensure that impacts and issues are fully analyzed.

Based on the review of the Expanded ENF and the comments received, I am satisfied that the Expanded ENF meets the standard for adequacy contained in Section 11.06 of the MEPA regulations.

SCOPEProject Description and Permitting

This section should provide updates to the project description and discuss project phasing. The Single EIR should include a detailed description of construction methods. The Single EIR should also provide updates on the status of each state permit or agency action required, or potentially required, for the project and the project's consistency with applicable performance standards. The EIR should include an update on local permitting including issues related to traffic.

The Single EIR should include an existing conditions plan and comprehensive site plan for the entire project clearly showing resource areas, abutting land uses, location and dimensions of infrastructure including buildings, parking areas, driveways, and stormwater management structures.

Traffic and Transportation

The transportation analysis completed for the project generally conforms to the Guidelines for EIR/EIS Traffic Impact Assessment as required. The analysis indicates that the proposed project will increase vehicle trips per day (tpd) by 7,856 and will create 572 parking spaces. Access to the site is proposed from a right-in, right-out driveway from Route 1 and from a limited access driveway from Route 152 (Taunton Street) that will prohibit left turns into the site. The subdivision will be accessed from Mirimichi Street.

Proposed mitigation for these impacts includes roadway improvements, traffic signal coordination along Taunton Street and development of a Transportation Demand Management (TDM) program. Geometric improvements include: widening of Route 1 southbound to accommodate three through lanes; widening of Route 1 northbound to accommodate an exclusive left turn lane, two through lanes, and an exclusive right turn lane; widening of Route 152 westbound to accommodate one left turn lane, two through lanes and an exclusive right turn lane; widening of Route 152 eastbound to accommodate two through lanes, two exclusive left turn lanes. In addition, the Mirimichi Street intersection will be improved with a left-turn lane and a bypass lane and a financial contribution will be provided to the Town of Plainville to support improvements within the Route 152 corridor.

The proponent shall carefully review comments submitted on

the traffic analysis by EOTC and the Southeastern Regional Planning and Economic Development District (SRPEDD), and update the traffic analysis where appropriate and provide an updated traffic analysis in the Single EIR. In particular, the proponent should describe the rationale for analyzing the previous condition of the Route 1/Route 152 intersection in the existing conditions rather than the improved intersection completed as part of the Plainville Commons project.

MHD indicated that the Single EIR should describe how left turns will be prohibited into the site from Route 152 and explore creation of a median on Route 152 to prevent this movement. If feasible, the proponent should commit to its implementation to enforce this turn restriction. SRPEDD expressed concern that adequate signage be provided so that it is clear that a left turn will not be permitted from those traveling eastbound on Taunton Street. SRPEDD also expressed concern that prohibited left turns will continue from Route 1 to Route 152 and has suggested that a contribution to police surveillance or other enforcement would be appropriate. The Single EIR should provide updated traffic counts of this movement and discuss appropriate mitigation.

Under the 2010 Build condition, the proponent proposes to coordinate four closely spaced signalized intersections. MHD has indicated that the proponent should consider use of a closed loop coordination system for these four intersections. Detailed plans for this system should be included in the Single EIR. The 2010 Build Condition also assumes signalization of the Route 1/Madison Street intersection, which is required as mitigation for the Wrentham Business Park. MHD has indicated that the proponent should include a traffic warrant analysis for signalization of the Route 1/Madison Street intersection to determine whether construction is warranted by the proponent if the mitigation is not completed by others.

The proponent should coordinate with the owner of the property located in the southeast quadrant of the Route 1/Route 152 intersection to ensure their access plan is well coordinated with existing traffic flows. The Single EIR should provide an update on these consultations.

The ENF includes a commitment to develop a TDM program that will reduce single occupancy vehicle trips. The Single EIR should include a robust TDM program that includes measures that have been successful at reducing trip generation at retail facilities. I encourage the proponent to work with MassRIDES to

develop this program. The Single EIR should include a clear commitment to consistently fund any feasible TDM measures. The proponent should consult with the Greater Taunton Regional Transit Authority regarding the feasibility of service to the site and should consider the inclusion of transit amenities into the project design.

The Single EIR should include plans for the proposed roadway improvements of sufficient detail to verify the feasibility of constructing proposed mitigation. They should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and the land uses (including access drives) adjacent to areas where improvements are proposed.

The Expanded ENF proposes to provide 572 surface parking spaces in accordance with local zoning requirements. Of these, 48 spaces identified for the Lowe's project will be banked and left as undeveloped open space that will only be built if required by demand. The Single EIR should demonstrate that the parking supply is the minimum necessary to accommodate project demand without encouraging additional single occupant vehicle trips. Implementation of the TDM program and provision of good bicycle and pedestrian access could help reduce the amount of parking needed. The Single EIR should provide an updated site circulation plan that clearly demonstrates how pedestrian and bicycle access will be provided and how pedestrian and bicycle access to the site from abutting residential areas can be encouraged.

Wetlands/Drainage

The project, as currently designed, will create approximately 13 acres of new impervious surface area and includes work within the buffer zone of BVW consisting of excavation, filling and grading related to construction of a stormwater detention basin and retaining walls. The Lowe's project has been reviewed by the Plainville Conservation Commission for consistency with the Wetlands Protection Act (WPA) standards and the Plainville Public Health Department has approved the stormwater management design. The subdivision is at a conceptual level of design and has not been reviewed by the Conservation Commission.

The proponent has indicated that both project elements will be developed consistent with DEP Stormwater Management guidelines and that stormwater discharge will not be increased as a result of the project. For the Lowe's project, the

Expanded ENF includes a drainage plan, a discussion of its consistency with the stormwater guidelines and an operations and maintenance program for the drainage system to ensure its effectiveness. The system includes the use of catch basins, detention basins and an infiltration basin for rooftop runoff. The Single EIR should provide a final stormwater management design plan and grading plan at a reasonable scale for the entire project.

The subdivision plan includes a drainage basin in the northwest corner of the site. The Single EIR should provide additional information on wetlands impacts and stormwater design associated with the subdivision and it should indicate whether an Order of Conditions will be required for the project.

Water and Wastewater

The project will require 6,050 gpd of water and will generate 5,445 gpd of wastewater. Both water and wastewater needs will be met through the existing municipal systems. Sewage will be pumped to an existing sewer force main in Plainville and transmitted to the North Attleborough facility for treatment and disposal. DEP has indicated that the wastewater flows for the Lowe's facility should be re-evaluated based on DEP guidelines rather than data from existing Lowe's stores.

The Single EIR should describe whether a single sewer connection permit will be secured for the entire project or if they will be filed separately. The Single EIR should describe how the project will conform with all existing conditions and agreements between the Town of Plainville and the Town of North Attleborough and demonstrate available capacity at all sewer lines and pump stations.

As part of its mitigation plan, the proponent has agreed to construct a new water main in Shepard Street. This project will help address constrictions in the northern area of the town by boosting local flows and pressure. This mitigation will require another Access Permit from MHD for construction within the state highway right-of-way (ROW). In addition, the proponent has committed to working with the Town and DEP to provide sewer inflow and infiltration (I/I) on a 5:1 basis and to implement water conservation measures. The Single EIR should include an update on this consultation and describe the mitigation in more detail.

Mitigation

The Single EIR should include a separate chapter on mitigation measures. This chapter should include a Draft Section 61 Finding (in the form of an updated letter of commitment for the MHD access permit) for all state permits for both elements of the project. It should include 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, based on the construction phases of the project, should also be included.

The proponent has committed to the following mitigation measures:

- geometric improvements to the Route 1/Route 152 intersection;
- signal coordination of the intersections along Taunton Street;
- banking of 48 parking spaces to minimize creation of impervious surfaces;
- construction of .77 miles of new sewer main in Shepard Street;
- provision of sewer inflow and infiltration (I/I) on a 5:1 basis;
- implementation of water conservation measures;
- development of a Stormwater Pollution Prevention Plan (SWPPP) including use of sediment and erosion control measures during construction to control runoff, protect slopes from eroding and prevent siltation during construction;
- and, establishment of a 35 foot No Disturb Zone as required by the local wetland bylaw.

Comments

The Single EIR should respond to the comments received to the extent that the comments are within the subject matter of this scope. Each comment letter should be reprinted in the Single EIR. I defer to the proponent as it develops the format for this section, but the Response to Comments section should provide clear answers to questions raised.

Circulation

The Single EIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below, to any state agencies from which the proponent will be seeking state permits and approvals, and to Plainville officials. A copy of the EIR should be made available for public review at the Plainville Public Library.

January 13, 2006

Date


Stephen R. Pritchard

Comments received:

12/22/05 Department of Environmental Protection Southeast
Regional Office (DEP SERO)
1/6/06 Executive Office of Transportation (EOT)
1/3/06 Southeastern Regional Planning and Economic
Development District (SRPEDD)

SRP/CDB/cdb