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February 27, 2009

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Commons at Prospect Hill (formerly Prospect Point)  
PROJECT MUNICIPALITY : Waltham  
PROJECT WATERSHED : Charles River  
EOEA NUMBER : 13952  
PROJECT PROPONENT : Watch City Development, LLC  
DATE NOTICED IN MONITOR : January 21, 2009

As Secretary of Environmental Affairs, I hereby determine that the Supplemental Draft Environmental Impact Report (SDEIR) submitted for 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).

The Commons at Prospect Hill project involves the mixed-use redevelopment of the 120-acre former Polaroid manufacturing site adjacent to Route 128 (I-95) in Waltham. The prior MEPA review of this project has consisted of an Environmental Notification Form (ENF) and a Draft Environmental Impact Report (DEIR). The review of those prior documents demonstrated that the proposed project—at nearly 1.7 million square feet with over 5,800 parking spaces—could potentially have long-term and significant impacts upon not only the City of Waltham, but also upon the local and regional transportation infrastructure in the project area. In response to concerns expressed by state and local agencies during the review of the DEIR, I required the proponent to submit a Supplemental Draft Environmental Impact Statement to allow for additional analysis of traffic and other impacts associated with the project before a final preferred alternative and associated mitigation could be identified. I also directed the proponent to coordinate closely with the Executive Office of Transportation (EOT) and the City of Waltham to ensure that concerns of these commenters would be addressed by any revised proposal. The

resulting SDEIR has presented a substantially revised traffic mitigation program.

The comments I have received from EOT on the SDEIR indicate that, since the filing of the DEIR, the project proponent has conducted an extensive review process of traffic impacts with EOT and provided EOT with “unprecedented cooperation”. I commend the proponent on its coordination and outreach efforts in this regard. As a consequence of these efforts, EOT has indicated that it strongly supports the proponent’s request that I allow the SDEIR to serve as the Final Environmental Impact Report (FEIR) for the project. As discussed in further detail below, several other commenters, including the communities of Waltham and Weston, have expressed continuing reservations about the project’s proposed traffic mitigation plan as well as the project’s potential impacts on regional mobility and local roadways. I have fully considered all of the comments received on the SDEIR and, on balance, I am convinced that the proponent has satisfactorily evaluated the project’s projected traffic impacts and committed to an appropriately scaled mitigation package. While I acknowledge the remaining concerns of the local communities and their residents, I am confident that the concerns will be adequately addressed by the project proponent and EOT during the state and local permitting processes. Towards that end, I am directing the project proponent to continue the same high-level of coordination and cooperation with state and local officials that it has shown in recent months as the project proceeds to permitting.

Thus, after careful review of the SDEIR and comment letters, and after consultation with MassHighway, MassDEP and others, I believe that the SDEIR has addressed the substantive issues outlined in the scope and has demonstrated to MEPA’s and the permitting agencies’ satisfaction that the Proponent has avoided, minimized, and mitigated impacts to the maximum extent feasible. There are no substantive issues that remain to be addressed in a Final EIR because any outstanding issues are at a permitting-level of design detail. Therefore, I am allowing the SDEIR to be reviewed as a Final EIR (the SDEIR/FEIR) in accordance with 301 CMR 11.08(8)(b)(2).

### Project Description

The preferred project alternative involves the redevelopment of the Polaroid Corporation’s former 120-acre office headquarters and chemical manufacturing facility (Polaroid campus). As described in the SDEIR, the project’s design program was revised subsequent to the issuance of the Secretary’s Certificate on the DEIR and now includes the demolition of 10 former Polaroid buildings and the phased construction of a total of approximately 1.69 million square feet (sf) of new general office space (approximately 450,000 sf) and retail/restaurant space (approximately 1,240,000 sf) in thirteen separate buildings located on Route 117 (Main Street) in Waltham. The construction program for the Commons at Prospect Hill project also includes a total of 5,874 new parking spaces (2,525 enclosed parking spaces, 3,348 surface parking spaces) and associated utilities and stormwater management infrastructure. The Proponent has proposed an extensive

program of off-site traffic mitigation roadway improvements (Route 20/117 Corridor Improvement Plan).

The site is bordered by Route 128 (I-95) to the west, Route 117 to the south, and Prospect Hill Park to the east. The proposed project will be connected to existing municipal and private water supply and wastewater treatment systems. It will consume approximately 176,100 gallons per day (gpd) of water and will generate approximately 193,685 gpd of wastewater flow. The Proponent proposes to discharge the wastewater generated from the project to the City of Waltham's municipal sewer collection system for treatment by the Massachusetts Water Resources Authority's (MWRA) Deer Island Wastewater Treatment Facility (WWTF). The project site currently contains approximately 864,000 sf of existing manufacturing and office space in approximately 12 separate buildings, and approximately 66 acres of impervious area comprised of roadway and surface parking (1318 parking spaces). The existing buildings will be demolished to make way for the proposed mixed-use redevelopment project. As currently proposed, the project includes three separate site driveways located along Route 117: the Primary Driveway located opposite Stow Street; Central Driveway located opposite Cutting Lane; and, East Driveway located further east of the Central Driveway.

Using the Institute of Traffic Engineers Trip Generation Land Use Codes (LUC) 710 for General Office Building and 820 for Shopping Center, the project, as currently proposed, is estimated to generate approximately 33,400 new vehicle trips on the average weekday and 41,500 new vehicle trips on an average Saturday on an unadjusted basis. The SDEIR includes an air quality mesoscale analysis for ozone that assesses the total volatile organic compounds (VOC) and nitrogen oxides (NOx) emissions associated with all project-related vehicle trips.

### Permits and Jurisdiction

The project requires a mandatory EIR pursuant to Sections 11.03(1)(a)(2), 11.03(6)(a)(6) and 11.03(6)(a)(7) of the MEPA regulations because it creates 10 or more acres of impervious area (62 acres total), generates 3,000 or more new vehicle trips (30,785 new vehicle trips), and includes the construction of 1,000 or more new parking spaces (4,997 new parking spaces). It will require an Access Permit and Traffic Signal Permits from the Massachusetts Highway Department (MassHighway). The project may require consent from the Executive Office of Transportation and Construction for construction on former railroad property under Chapter 40 Section 54A. According to MassHighway, because the project may require minor modifications to the existing Route 128/I-95 state highway layout, the project may also require review by the Federal Highway Administration (FHWA) pursuant to the National Environmental Policy Act (NEPA) of 1969. The project may require a Construction Dewatering Permit, a Notice of Construction & Demolition, a Limited Air Plan Approval/Fossil Fuel Emission Permit, a Notice Regarding Demolition and Construction, and a Modification Permit for the water distribution system from the Department of Environmental Protection (MassDEP). Because the project is estimated to generate more than 6,000 daily vehicle trips it requires MassDEP review of the project's air quality impacts (review of the proponent's mesoscale analysis). The project may

need to obtain a Construction Dewatering Permit and a Sewer Connection Permit from the Massachusetts Water Resources Authority (MWRA). The project requires a National Pollutant Discharge Elimination System (NPDES) Programmatic Construction General Permit (CGP) for stormwater discharges from a construction site of over one acre from the U.S. Environmental Protection Agency. The project may also require MassDEP's review and approval of a Stormwater Pollution Prevention Plan for Construction or Industrial General Permits Discharging to Outstanding Resource Waters (ORWs) (BRP WM 09). The project will also require several approvals from the City of Waltham including Special Permits and Variances under the local zoning by-laws and an Order of Conditions from the Waltham Conservation Commission.

Because the project is not seeking Financial Assistance from the Commonwealth, MEPA jurisdiction is limited to those aspects of the project that are within the subject matter of required or potentially required state permits and that may cause Damage to the Environment as defined in the MEPA regulations. In this case jurisdiction extends to environmental impacts associated with traffic, air quality, wetlands, stormwater, and wastewater.

## REVIEW OF THE SUPPLEMENTAL DEIR

### Alternatives Analysis

The SDEIR includes an Alternatives Analysis section that provides an analysis of project alternatives and describes the environmental impacts and corresponding mitigation associated with each alternative, particularly as they pertain to traffic and stormwater. In addition to the No-Build Alternative and the Preferred Alternative for the Commons at Prospect Hill project, this section of the SDEIR includes a 25% Reduced Build alternative and a discussion of alternative site access designs involving site access from the I-95/Winter Street/Totten Pond Road interchange.

The 25% Reduced Build development alternative describes the tradeoffs between project size, impacts, and mitigation. According to the Proponent, the costs to implement the necessary roadway infrastructure to support the proposed project and address the existing project area roadway deficiencies cannot be supported under a reduced build development alternative. The proponent's evaluation of providing an additional northern site access from the I-95/Winter Street/Totten Pond Road interchange via a direct connection to private roadways indicates that this northern site access alternative poses significant topographical, infrastructure and legal issues and would require private property land takings, significant roadway improvements and the relocation of existing public utilities that make this alternative infeasible for the Proponent to undertake.

According to the comments previously provided by EOT on the DEIR, a roadway connection

between Route 117 and I-95/Route 128/Winter Street/Totten Pond Road interchange is a viable long-term transportation improvement strategy to address potential future capacity constraints along Route 128, Route 20, Route 117 and local roadways located in Waltham. EOT requested that the Proponent preserve the necessary right-of-way for the potential future construction of a connector roadway or any future ramps as the project moves forward. As presented in the SDEIR, the Proponent's preferred project alternative includes the Proponent's commitment to reserve an adequately sized portion of the project site's frontage along Route 128/I-95 for specific long-range highway improvements including the construction of a potential frontage roadway and buttonhook-style ramp system to Route 128/I-95 northbound. In its comments on the SDEIR, EOT has indicated that the current project design, including the Proponent's land reservation commitment, is sufficient to accommodate the implementation of future long-range highway improvements to this section of the Route 128/I-95 corridor.

## Traffic

### *Traffic Analysis*

In response to the comments received from MassHighway on the DEIR, the SDEIR includes a revised traffic impact and access study that conforms to EOEAEOTPW and Institute of Traffic Engineers (ITE) guidelines for Traffic Impact Assessment. The Proponent's revised traffic study evaluated a ten-year planning horizon based on the assumption that the proposed project would be completed within the next ten years. The Proponent has consulted with the planning departments for communities located within the project area including Waltham, Weston, Wayland, Lexington and Lincoln, and identified a total of fifteen development projects, planned, permitted or under construction, to be located within the project area and likely to be completed during the 10-year planning horizon for the Commons at Prospect Hill project. As described in the SDEIR, these fifteen development projects include approximately 2.15 million sf of future new office space, 129,200 sf of retail space, 780 apartment/condo units, and 500,000 sf of new Research and Development (R&D) space in the project area. The Proponent's revised traffic study incorporates these fifteen development projects and their respective future potential traffic impacts in the revised TIAS. The Proponent has also revised the trip generation estimate for the project to include a 5 percent credit for TDM measures to be implemented as mitigation for the project, and a 25 percent credit for pass-by/diverted link traffic. Using the Institute of Transportation Engineers (ITE) Trip Generation manual's land use code 710 (General office Building) and 820 (Shopping Center) and the adjustments noted above, the Proponent estimates that the project will generate 27,590 new trips on an average weekday and 33,090 on an average Saturday.

The main site drive for the project (Primary Driveway) will be provided via a new 4-lane site drive located at the existing Polaroid Site driveway/Route 117 signalized intersection. A second 2-lane site drive (Central Driveway) will be located east of the Primary Driveway at the existing Polaroid Site driveway/Route 117/Cutting Lane un-signalized intersection. A third 2-lane site

drive (East Driveway) will be located further east of the Central Driveway at an existing Polaroid Site driveway/Route 117 unsignalized intersection. The Proponent has committed to install a new traffic signal at the East Driveway intersection.

### *Traffic Mitigation*

The proposed mixed-used redevelopment project has the potential to generate over 30,000 new daily trips in what many consider an already congested area and will thus require a concerted effort by the Proponent to provide infrastructure improvements sufficient to accommodate the increased traffic generated by the project and to reduce single employee and customer vehicle trips to the maximum extent feasible. The SDEIR includes a description of the Proponent's transportation mitigation commitments (Route 20/117 Corridor Improvement Plan) to address project-related traffic impacts and existing deficiencies in project area transportation infrastructure.

The Proponent's Route 20/117 Corridor Improvement Plan includes many of the transportation infrastructure improvements initially proposed as traffic mitigation commitments by the proponent for the 40 Green Street Development project (EEA #13071, September 29, 2006). The Proponent has committed to complete the construction of the 40 Green Street Development's traffic mitigation commitments as part of the Proponent's proposed Route 20/117 Corridor Improvement Plan prior to project occupancy. As described in the SDEIR, the Route 20/117 Corridor Improvement Plan contemplates the completion of all the proposed roadway improvements associated with MassHighway's Winter Street Bridge improvement project serving the Route 128/Winter Street interchange, and the City of Waltham's Route 128/Trapelo Road interchange improvement project.

The Proponent's Route 20/117 Corridor Improvement Plan includes the following transportation infrastructure improvements:

#### Route 117 Connector Bridge

- constructing a new three-lane 2-way travel bridge, with Wayside Trail pedestrian and bicycle accommodations, over Route 128/I-95 from the project's Primary Driveway on Route 117 to the proposed Green Street extension.

#### Green Street Corridor/Route 117/Bear Hill Road Intersection

- widening of Green Street northbound approaches to Route 117 to provide exclusive left-turn and through/right-turn lane;
- modification of signal timing at Green Street/Route 117/Bear Hill Road intersection;
- modification of traffic signal timing;

#### Green Street Corridor

- construction of southbound through lane along Green Street Development site frontage;
- widening of Green Street northbound approach to Route 117 Connector Bridge;
- installation of a new traffic signal at the Green Street/Route 117 Connector Bridge /40 Green Street Development northern site driveway intersection; and
- installation of a new traffic signal at the Green Connector Bridge /40 Green Street Development southern site and driveway/Green Street intersection.

#### Route 20 Rotary

- modifications to the Route 20 Rotary which will serve as the primary access route to the project site, including:
  - construction of a flyover Bridge from Green Street to the Route 128/I-95 southbound on-ramp;
  - widening to 2 lanes the Route 128/I-95 southbound on-ramp;
  - installation of a new traffic signal at the Route 20 eastbound with the Route 20 Rotary;
  - new traffic signal at the Route 20 eastbound/Route 128/I-95 northbound off-ramp intersection;
  - widening of Route 128/I-95 northbound off-ramp to provide three lanes;
  - installation of a new traffic signal at the Route 20 westbound/Route 117 Connector Bridge intersection; and,
  - construction of a new five-lane bridge from the Route 20 westbound/Route 20 Rotary to Green Street (Green Street Connector Bridge).

#### Route 117 (Main Street)

- Primary Driveway – installation of a new traffic signal at the primary project site drive/Green Route 117 Connector Bridge intersection, modify lane geometry to provide additional capacity;
- Central Driveway - modification of lane geometry to provide additional capacity; and,
- Eastern Driveway – installation of a new traffic signal, and modification of lane geometry to provide additional capacity.

#### Route 20 Intersections

- modification of signal timing, replacement of signage and refreshment of pavement markings at the following Route 20 intersections:
  - Route 20/Route 117 intersection;
  - Route 20/Bacon Street intersection;
  - Route 20/Moody Street intersection;
  - Route 20/Lexington Street intersection; and,
  - Route 20/Church Street intersection.

#### *Route 128 Corridor Noise Study*

According to comments from EOT, the Proponent has committed to complete a noise study along a portion of the Route 128 corridor located within the project area to determine existing and 2017 Build noise conditions and the need for any required mitigation measures in accordance with MassHighway's Type I Noise Abatement Policy. The study should be submitted to MassHighway during project permitting.

*Review of the Traffic Analysis, Proposed Mitigation and Comments Received*

According to the comments received from EOT, the SDEIR satisfactorily demonstrates that the Proponent's proposed traffic mitigation and transportation infrastructure improvement plan addresses existing roadway deficiencies in the Route 20 and Route 117 corridors and will accommodate the project's daily and peak traffic impacts to state and local roadways in the project area. EOT concurs with the proponent's conclusion that the interchange area will operate better upon implementation of the Route 20/117 Corridor Improvement Plan than under current conditions. While EOT acknowledges that some of the ramp merge operations would still operate at a poor level of service and will require further design-level modifications, it indicates that those deficiencies can be addressed by refinements to the proponent's mitigation plan. EOT has also asked that the Proponent work with MassHighway and the City of Waltham during the permitting process to further improve Route 128 ramp merge operations under the 2017 Build scenario.

In addition to the mitigation commitments reflected in the SDEIR the proponent has, according to EOT, committed to undertaking the following additional measures to address EOT's final outstanding comments. As a condition of this Certificate, I am requiring that the proponent confirm in writing to the MEPA Office, and circulate to all commenters on the SDEIR prior to the close of the public comment period on the SDEIR/FEIR, its commitment to perform these additional mitigation measures:

- Modification of the Route 128 northbound off-ramp to accommodate 2017 Build queue storage and deceleration length, to the extent feasible;
- Modification of the Route 128 southbound off-ramp to accommodate 2017 Build deceleration length, to the extent feasible;
- Modification of the Route 128 southbound on-ramp to accommodate 2017 Build acceleration length, to the extent feasible;
- Widening Route 128 northbound off-ramp (south) to two lanes immediately after the exit and include a third approach lane at the Route 20 eastbound signalized intersection;
- Widening of the Route 128 southbound on-ramp (north) to two lanes before the Route 128 merge;
- Striping the Route 20 Rotary to provide three through lanes and a standard 12-ft lane and an appropriate offset/shoulder within the existing 40-ft wide roadway cross section, to the extent feasible; and,



- Providing 12-foot wide travel lanes on all proposed new ramps and bridges to the extent feasible. Where not feasible, MassHighway will make the final determination of the acceptable lane and shoulder width accommodations at the rotary.

Although EOT has indicated unqualified support for the project as revised in the SDEIR, comments received from the City of Waltham, the Town of Weston, the 128 Central Corridor Coalition (comprised of the communities of Lexington, Lincoln, Waltham and Weston and the Metropolitan Area Planning Council) and other local residents continue to express concerns about the project's proposed transportation mitigation proposal. In particular, comments submitted by MDM Transportation Consultants, Inc. (MDM) on behalf of the Town of Weston (and supported by the 128 Central Corridor Coalition) outline specific concerns with the functionality of the proposed Route 20/117 Corridor Improvement Plan and propose additional mitigation measures which could be employed to address such concerns. The suggested additional mitigation includes: construction of an additional lane on Green Street to avoid queuing associated with the right turn lanes; inclusion of a traffic signal at the I-95 Southbound Off-Ramp to address the weave condition at Route 20 Westbound; greater signal coordination at sites adjacent to the Route 20 Westbound/I-95 Southbound On-Ramp signal; and the addition of a third lane for the I-95 Northbound Off-Ramp. I note that the recommended third lane for the I-95 Northbound Off-Ramp has already been included in the additional mitigation commitments noted above. In addition, MassHighway has assured me that it will fully consider the recommendations for an additional lane on Green Street and greater signal coordination at sites adjacent to the Route 20 Westbound/I-95 Southbound On-Ramp signal during the permitting process and will require refinements to the mitigation program where necessary. MassHighway further indicated that it has previously reviewed the recommended additional traffic signal at the I-95 Southbound Off-Ramp but rejected the alternative because it was satisfied that the proposed design will function adequately and due to concerns that the additional signal could exacerbate traffic queuing on the highway. I am therefore satisfied that the concerns expressed by MDM on behalf of the Town of Weston can be and will be fully and adequately addressed through the MassHighway permitting process.

Similarly, comments received from the City of Waltham, the Tavern Square Neighborhood Association as well as other Waltham residents raise concerns that the impacts to local roadways associated with the Route 20/117 Corridor Improvement Plan have not been conclusively addressed. The concerns outlined in the comments center primarily on the potential for the Route 20/117 Corridor Improvement Plan to result in cut-through traffic on local roadways. Several options have been considered to address this potential impact, including conversion of Stow Street to a cul-de-sac, limiting traffic to one direction on Cutting Lane, and design modifications to Tavern Square and Ravenswood Street to discourage cut-through traffic. Although I share the commenters' concerns that these important details be resolved prior to construction of the project, I am confident that the issues are discrete enough that they can be fully addressed during the MassHighway and local permitting process. To ensure this is the case,

I am directing both MassHighway and the proponent to coordinate closely with the City and its residents in resolving these final design details.

Thus, after a thorough consideration of the proposal presented in the SDEIR and the comments received from EOT, the Town of Weston, the City of Waltham and others, I am satisfied that any outstanding design issues relating to roadway improvements will be fully considered and addressed during state and local permitting. As noted elsewhere in this Certificate, the Proponent should continue to work closely with MassHighway and the City of Waltham during final project design to evaluate the feasibility of constructing any additional traffic, transit, pedestrian, and bicycle improvements within the project area in response to remaining regional and local traffic concerns.

#### *Traffic Monitoring Program*

The SDEIR includes a detailed description of the Proponent's proposed traffic monitoring program. The Proponent has committed to implementing a traffic monitoring program that will be conducted bi-annually<sup>1</sup> for a period of 5 years from project completion and occupancy and will include peak hour manual turning movements and 24-hour automatic traffic recorder (ATR) counts for a seven-day period. The Proponent's traffic monitoring program also includes a commitment to monitor participation in each component of the proposed TDM program which will help to determine the success of the TDM program to achieve a 10% vehicle trip reduction.

The Proponent's traffic monitoring program should be designed and implemented to provide information to evaluate the effectiveness of the Proponent's traffic mitigation commitments included with the proposed Route 20/117 Corridor Improvement Plan and the Transportation Demand Management (TDM) program discussed below. As described in the comments received from MDM on behalf of the the Town of Weston, project-generated traffic at a number of signalized intersections along Route 117 and Green Street may require additional signal timing adjustments and synchronization to avoid unanticipated impacts within the Route 20 Rotary. The Town of Weston has requested that the Proponent expand its traffic monitoring commitments to include the monitoring of traffic volumes and performance at these intersections.

The Proponent will provide MassHighway with the bi-annual results of these traffic monitoring studies. I ask that Proponent also provide a copy of the bi-annual monitoring program results to the City of Waltham and the Route 128 Business Council. According to MassHighway, the Proponent will be responsible for implementing further operational improvements to its Route 20/117 Corridor Improvement Plan and the Transportation Demand Management (TDM) program where the results of the Proponent's traffic monitoring program indicate that the proposed mitigation is less than adequate. I anticipate that MHD's permitting process will review the Proponent's proposed traffic monitoring program and require necessary

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<sup>1</sup> The SDEIR indicates that the proponent will conduct an annual monitoring program, but comments from EOT indicate, and the proponent has confirmed, that the proponent will conduct bi-annual traffic monitoring.

modifications to ensure that it provides the necessary information to evaluate the effectiveness of the Proponent's traffic mitigation commitments.

### *I-95/Route 128 Corridor Study*

The Certificate on the DEIR discussed the need for a regional land use and transportation corridor study to inform responsive environmental, economic, housing, and transportation policy and future MEPA review of specific development proposals along the 128 Central Corridor (the Corridor Study). At that time I asked the proponent to consider providing funding support for the Corridor Study as partial mitigation for this project's impacts to regional mobility in the corridor. The SDEIR indicates that the proponent is willing to commit to funding a portion of the Corridor Study, but does not specify the amount to be committed.

As contemplated in the DEIR Certificate, the Executive Offices of Energy & Environmental Affairs, Transportation and Public Works, and Housing and Economic Development have worked with the Metropolitan Area Planning Council (MAPC) to design a scope of work for the Corridor Study that would achieve the objectives set forth in that Certificate. While a study has not yet commenced, I am confident that this valuable project will proceed in the near future under the leadership of the state Executive Offices, through their supervision of a third-party consultant, and that the Corridor Study will ultimately provide an essential tool for transportation and development planning in this region. I ask that the study continue to include the participation and cooperation of MAPC and the affected communities. And, to further the goals and progress of this important regional initiative, I am requiring as a condition of this Certificate that the proponent provide an updated letter of commitment during review of the SDEIR/FEIR firmly acknowledging the proponent's commitment to provide funding for the Corridor Study in an amount certain as part of the overall mitigation package for the Commons at Prospect Hill project. I understand that the proponent has previously considered providing up to \$100,000 to this state and regional effort.

### *Transportation Demand Management*

The TDM measures that the Proponent develops and implements will play a critical role in reducing single passenger vehicle trips generated by the project. As described in the SDEIR, the Proponent has proposed a comprehensive multi-modal TDM plan for the project's general office and retail/restaurant uses designed to minimize the reliance on single occupant private vehicles for employees and patrons of the Commons at Prospect Hill development.

The proposed TDM plan includes the following commitments:

- membership and active participation in the Route 128 Business Council;

- provide off-site shuttle bus connection to downtown Waltham and the MBTA Waltham Commuter Rail Station;
- provide a free-of-charge on-site internal shuttle bus system connecting all buildings to the MBTA bus stop for service Routes #70 and #170 located along the project's Route 117 frontage;
- provide a project site connection between the proposed on-site shuttle bus stop and the existing MBTA bus stop for service Routes #70 and #170;
- provide a Transportation Demand Management (TDM) Coordinator;
- provide comprehensive commuter information from central commuter information centers to be located within office building lobbies, retail facility entrances, common areas and other high viability location throughout the project site;
- promote carpool/rideshare programs;
- promote guaranteed ride home programs;
- promote scheduling non-standard hours employee work shifts;
- promote providing subsidized monthly or multi-trip transit passes for employees;
- investigating the use of on-site banking and employee direct deposit banking;
- promote alternate transportation modes;
- incorporate office and retail specific TDM measures;
- facilitate on-site bicycle and pedestrian travel;and,
- improve off-site pedestrian and bicycle infrastructure.

Comments received from MassDEP indicate that the proponent should undertake additional TDM measures to ensure that vehicle trips to the site are reduced to the maximum extent feasible to mitigate project-related traffic, greenhouse gas, and air quality impacts. In particular, MassDEP recommends that the proponent make a strong commitment to identify responsible parties and funding sources for all on and off-site TDM measures described in the SDEIR and that the proponent actively promote future employer incentives through tenant lease arrangements or other means, including the use of pre-tax dollars for transit and vanpool commuting costs and the provision of subsidized transit passes to employees. I strongly encourage the proponent to make the additional commitments MassDEP has requested. The proponent should review DEP's recommendations and provide a response to DEP's comments on this topic to MassHighway during project permitting.

### *Parking*

Parking at the site will include a total of 5,874 spaces consisting of approximately 2,550 spaces located in two separate parking garages, and approximately 3,330 surface parking spaces located throughout the project site.

According to the information provided in the SDEIR, the Proponent's parking needs analysis incorporates the use of a shared-parking methodology which allows for different land uses in mixed-use developments to share some or all of the same parking facilities. As described in the

SDEIR, the Proponent's proposed parking plan will provide significantly less parking spaces than the 7,763 parking spaces required under the City of Waltham's zoning by-laws. The Proponent has requested a Special Permit from the Waltham City Council for a reduction in the retail parking requirements.

### *Transit*

The SDEIR includes an analysis of the project's potential impacts on existing project area public transit systems including the Massachusetts Bay Transit Authority (MBTA)'s existing project area bus service and commuter rail service. Two MBTA bus services (Routes #70 and #170) provide stops along the project site's Route 117 frontage. As described in the SDEIR, the existing MBTA bus service (Routes #70 and #170) and commuter rail service via the MBTA Commuter Rail Fitchburg line maintain sufficient capacity to accommodate future ridership generated by the proposed project. As part of the Proponent's Transportation Demand Management (TDM) program, the Proponent has committed to provide an off-site shuttle bus service for employees and patrons from within the project site to downtown Waltham and the MBTA Waltham Commuter Rail platforms. The Proponent has also committed to coordinate its proposed off-site shuttle bus service with the Route 128 Business Council Transportation Management Association (TMA) and other project area development projects. As requested by several commenters, the Proponent should continue discussions with the MBTA, the 128 Business Council TMA, and other transit providers to identify opportunities for enhancing and/or expanding existing MBTA bus service and shuttle service within the project area.

### *Pedestrian and Bicycle Facilities*

The SDEIR includes detailed description of the project's proposed internal vehicular and pedestrian and bicycle circulation plans that identify the Proponent's commitments for new on-site and off-site sidewalks, pedestrian crossings and vehicle/pedestrian safety signage. I ask that the Proponent commit to construct sidewalks along each of the three proposed project site driveways connecting the project site's internal pedestrian circulation plan to Route 117 to encourage pedestrian and bicycle access to the and through the project site. The Proponent has also committed to provide an on-site continuous internal shuttle bus service for employees and patrons in loop routes that will connect to the MBTA bus stop located on Route 117 from a proposed internal shuttle bus stop to be located at the Central Driveway and all buildings and areas of the project site. According to the Proponent, the internal shuttle bus service will also encourage neighborhood residents to walk to the project site and use the internal shuttle bus service to access the project site.

The Proponent has committed to install bicycle racks and storage lockers close proximity to proposed buildings throughout the project site to enhance bicycle commuting to the project site. I ask that the Proponent also consider incorporating dedicated shower and locker facilities in close proximity to proposed bicycle racks to support and enhance bicycle commuting to the project site.

Comments received from WalkBoston on the project identified a number of ongoing concerns with the pedestrian safety and convenience along the rail trail, in the Main Street corridor, in the Lifestyle Center, and in the big box areas of the site. The comments provided by WalkBoston are highly detailed and relate to very specific aspects of site design. Clearly, pedestrian safety and convenience must be a high priority for any development of this magnitude in order to ensure that visitor health and safety are protected and environmental impacts from vehicle trips reduced to the maximum extent feasible. I am therefore directing the proponent to continue its consultations with WalkBoston to identify further improvements to the project design that will enhance pedestrian use and access to the site.

A number of commenters have also expressed concern with the Proponent's currently proposed on-site and off-site bicycle facilities designs. According to the comments received from the Waltham Bicycle Coalition, the proposed on-site and off-site bicycle routes will need further design refinements to enhance their use for bicycle travel to and from the project site. I find that the Waltham Bicycle Coalition's comments are thoughtful and instructional. I adopt the Waltham Bicycle Coalition's as my own, and ask that the Proponent work closely with the Waltham Bicycle Coalition and the City of Waltham's Planning Board during the final project design to incorporate these comments into the final project design to the extent feasible to ensure that the Proponent's proposed on-site and off-site bicycle accommodations and routing plans are safe, accessible and user-friendly.

### *Wayside Rail Trail*

The Proponent has committed to construct a portion of the Wayside Trail, located within the project site, to improve bicycle infrastructure in the project area and encourage employees and patrons to bicycle to the project site. A Department of Conservation and Recreation (DCR) initiative, the Wayside Rail Trail (26 miles) will extend from Belmont to Berlin, and pass through parts of Belmont, Waltham, Watertown, Weston, Wayland, Stow, Sudbury, Marlborough, Hudson, Bolton, and Berlin, and will serve as an important segment of the 104-mile Massachusetts Central Rail Trail (MCRT) that has been proposed as the first cross-state, public inter-modal (bike/hike) trail connecting Boston to North Hampton. A portion of the abandoned Massachusetts Bay Transportation Authority (MBTA) railroad right-of-way includes an abandoned MBTA railroad bridge that crosses over I-95/Route 128 and passes along the southeastern portion of the project site.

As described in the SDEIR, the Proponent's Wayside Trail improvement commitments involve the construction of two separate sections of the Wayside Trail including a 1,850 linear foot (lf) section of a shared-use Wayside Trail path along the southern portion of the project site. The Proponent has also committed to incorporate Wayside Trail amenities in the design and construction of the proposed Route 117 Connector Bridge as part of the Proponent's Route 20/117 Corridor Improvement Plan. This section of the Proponent's Wayside Trail commitments will extend approximately 1,400 lf from the proposed Green Street extension, across RT128/I-95

via the proposed Green Street Bridge Connector, to the Primary Driveway/Route 117 intersection and along the southeastern portion of the project site. In its comments, DCR has identified a number of multi-use path design issues with the proposed Wayside Trail improvements that will require further design refinements to enhance its multi-modal use for pedestrians and bicyclists. The proponent should consult with DCR concerning the design of the Wayside Trail improvements to ensure that the work undertaken by the proponent is designed and constructed to be consistent with this important DCR initiative. In addition, the proponent should consult with DCR concerning appropriate guidelines for the long-term management and stewardship of these portions of the trail.

### Wetlands and Stormwater

The project site is located within the Stony Brook sub-basin of the Charles River Watershed that serves as a tributary to the Stony Brook Reservoir, a drinking water supply for the City of Cambridge. As a result, the wetlands and waterways located within and immediately adjacent to the project site are classified as Outstanding Resource Waters (ORWs). As described in the SDEIR document, the project will result in impacts to approximately 589 lf of inland bank and approximately 107 lf of wildlife habitat associated with the on-site construction of the Proponent's proposed stormwater management best management practices (BMPs) and approximately 58,100 sf of previously disturbed Riverfront Area associated with the Proponent's comprehensive roadway improvements commitments for the Commons at Prospect Hill project (Route 20/ 117 Corridor Improvement Plan) including the construction roadways, drainage infrastructure, retaining walls and grading and landscaping. The Proponent has committed to construct approximately 975 lf of on-site Bank mitigation consisting of three new stream channels to convey surface water flows through the project site.

The stormwater runoff from the project site and a segment of the I-95/Rt 128 corridor drains to the MassHighway and City of Waltham stormwater drainage systems (Municipal Separate Storm Sewer Systems (MS4) and one outfall (WA-17) located adjacent to the Route 20/Route 128/I-95 interchange and approximately 2,000 lf downgradient of the project site). The project will result in the creation of approximately 25 acres of new additional on-site and off-site impervious surface area and corresponding increases to on-site and off-site stormwater flows.

According to the information provided in the SDEIR, the Proponent's on-site and off-site stormwater management plan has been designed in consultation with MassHighway and the Cambridge Water Department and is consistent with MassDEP's Stormwater Management regulations and guidelines for stormwater discharges to ORWs and the City of Waltham's stormwater requirements. The project's stormwater management plan will accommodate the on-site and off-site stormwater flows generated by the project and provide water quality treatment for sections of Route 20, the Route 20 Rotary, GreenStreet and Route 117 that currently lack sufficient water quality treatment for existing stormwater flows.

*On-Site Stormwater Management*

As described in the SDEIR, The proposed on-site stormwater management plan will include the use of best management practices (BMPs), deep sump hooded catch basins with water quality treatment units and the use of five subsurface stormwater detention structures, six subsurface infiltration structures, three wet basins and four constructed gravel wetlands to provide for the on-site water quality treatment, peak flow attenuation and recharge or release of surface stormwater and roof runoff. The on-site stormwater management design also integrates the use of landscaped elements including a rain garden and a vegetated water quality swale to enhance the removal of stormwater pollutants and total suspended solids (TSS). According to the information provided in the SDEIR, the Proponent's stormwater management plan has been designed to achieve a TSS removal rate of 80 percent.

*Off-Site Stormwater Management*

According to the information provided in the SDEIR, the Proponent has worked closely with MassHighway and the Cambridge Water Department and has committed to design the project's off-site stormwater management plan to accommodate the off-site stormwater flows generated by the project and provide water quality treatment for sections of Route 20, the Route 20 Rotary, GreenStreet and Route 117 that currently lack sufficient water quality treatment for existing stormwater flows. As described in the SDEIR, the project's off-site stormwater flows will be conveyed to a proposed series of three (A, B, C) constructed gravel wetland systems designed to provide water quality treatment of stormwater runoff through a process involving settlement, filtration, chemical and biological processes, and microbial breakdown.

This proposed gravel wetland system will also include the construction of outlet control structures that will enable the controlled-rate release of stormwater from the three gravel wetland areas to a new water quality stormwater detention basin to be constructed by MassHighway and located within the Route 128/Route 20 Rotary (Rotary Basin). I note that significant project area roadway infrastructure improvements and stormwater mitigation commitments were previously proposed by MassHighway and reviewed by the MEPA Office as part of the Hobbs Brook/Stony Brook Watersheds/Highway Drainage Improvements Project (HBSB Drainage Improvements, EEA #8263, May 1999). MassHighway's mitigation commitments included the construction of the Rotary Basin. In their comments on the SDEIR, EOT has indicated that its is currently designing drainage improvements to be located at the Route 128/Route 20 Rotary interchange area that will include the construction of the Rotary Basin. The Proponent in turn has committed to design and construct the necessary inlet and outlet infrastructure required as part of the future construction of the Rotary Basin.

The Cambridge Water Department has noted in its comments and consultations with the MEPA Office that the overall stormwater management program will only function as optimally designed if the Rotary Basin is constructed at the same time as the proponent's other stormwater



management improvements. As noted above, EOT has committed in its own comments on the SDEIR to construct the Rotary Basin as part of the drainage improvements it is undertaking at the Route 128/Route 20 Rotary interchange area. However, I urge EOT to construct the Rotary Basin concurrently with the proponent's infrastructure improvements to maximize the functionality of the entire system and improve water quality. I also remind EOT that the construction of the Rotary Basin is an outstanding MEPA commitment that must be fulfilled.

The SDEIR includes a detailed description of the Proponent's source control and pollution prevention plan (SCPPP), and the Stormwater Pollution Prevention Plan (SWPPP). The SCPPP contains a discussion of particular best management practices (BMPs) that will enable shutdown and containment of contaminants within the stormwater drainage system in cases of emergency contaminant spills. The SDEIR also includes an Operations and Maintenance plan (O&M) that describes the maintenance procedures proposed by the Proponent to ensure the proper functioning of the proposed stormwater BMPs.

The Department of Environmental Protection (MassDEP) and the Cambridge Water Department have provided detailed comments indicating that the SDEIR includes sufficient information to satisfactorily demonstrate that the Proponent's stormwater management plan as currently designed is generally consistent with MassDEP's Stormwater Management Regulations and Performance Standards associated with critical areas and ORWs, as well as the City of Waltham's Storm Water Program and its National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater Construction General Permit (CGP). In its comments, MassDEP has indicated that the Proponent will need to identify specific stormwater treatment units and provide revised calculations pertaining to the removal of total suspended solids (TSS) to enable the Waltham Conservation Commission to evaluate the plan's compliance with the stormwater management standards.

The Proponent will also need to provide MassDEP with additional information and further refinements to the Proponent's SWPPP in response to MassDEP's comments on the SDEIR. In particular, the Proponent's SWPPP must demonstrate that stormwater discharges from the project site will achieve the necessary pollutant reduction requirements associated with the EPA approved Nutrient Total Maximum Daily Loads (TMDLs) for the Lower Charles River Basin which can be found on the MassDEP website at:  
<http://www.mass.gov/dep/water/resources/tmdl.htm>.

I ask that the Proponent respond to the Cambridge Water Department's comments and commit to establish and implement a two-year post construction water quality monitoring program for the project's on-site and off-site stormwater management systems. The Proponent's water quality monitoring program should include a commitment to conduct wet-weather monitoring for priority pollutants at modeled design locations and/or specific BMPs. The results of this monitoring program will help to determine the success of the Proponent's stormwater management program in meeting its designed performance standards. The Proponent's water

quality monitoring program should also include a commitment to provide the annual results of this monitoring study to the City of Waltham, the Cambridge Water Department, and MassDEP.

The proponent must continue to work closely with MassDEP and the City of Waltham during final project design to ensure that the project's proposed stormwater management system is consistent with standards for water quality, recharge to groundwater, and peak runoff impacts, and with the City of Waltham Storm Water Program and its National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater Construction General Permit (CGP).

I also note the comments received from the Charles River Watershed Association (CRWA) that identifies numerous design and operational improvements that could significantly improve the Proponent's proposed stormwater management plan. In the spirit of the proponent's commitment to achieve LEED Certification, I strongly encourage the Proponent to continue to explore additional opportunities to further reduce the project's impacts to water resources within the project area by incorporating additional sustainable design alternatives and Low Impact Development (LID) techniques including landscaping features and naturally vegetated areas during final site design.

#### Water and Wastewater

As currently proposed, the project will require approximately 176,100 gpd of potable water supply and will generate approximately 193,685 gpd of wastewater flow. Both water and wastewater needs will be met through existing municipal systems, administered by the City of Waltham. According to the information provided in the SDEIR, the City of Waltham has the capacity to serve the project's water supply and wastewater flow needs. The Secretary's Certificate on the DEIR noted that the City of Waltham is a member of the Massachusetts Water Resources Authority's (MWRA) Regional Sewer System. As a member community to the MWRA's sewer system, the City of Waltham is required to assist in the ongoing coordinated efforts of MassDEP and MWRA in reducing infiltration and inflow (I/I) to ensure that the additional wastewater flows will be offset by the removal of I/I flows. The Proponent provided additional information to the MEPA Office subsequent to the issuance of the Certificate on the DEIR which demonstrated that wastewater flows generated from the prior use of the project site (Polaroid facility) on May 12, 2003 were greater than the estimated wastewater flows for the currently proposed Commons at Prospect Hill redevelopment project. Based on the additional information proved by the Proponent to the MEPA Office and consultations with MassDEP, the MEPA Office issued an Advisory Opinion to the Proponent on May 16, 2008 indicating that the proposed Commons at Prospect Hill redevelopment project is not subject to the City of Waltham's I/I removal program.

#### Greenhouse Gas Emissions

As noted in the Certificate on the DEIR, because the Environmental Notification Form for this project was filed prior to November 1, 2007, the project is not subject to the requirements of

the EEA Greenhouse Gas (GHG) Emissions Policy and Protocol (the GHG Policy). The proponent has nonetheless provided a voluntary analysis of the project's greenhouse gas emissions and committed to measures related to site planning, green-building design and transportation demand management in an effort to avoid, minimize and mitigate the project's GHG emissions. I commend the proponent for its proactive approach to this issue and for undertaking the voluntary analysis. As noted below, the proponent has achieved some notable reductions in project-related emissions.

The analysis provided in the SDEIR uses the Department of Energy (DOE) EQUEST model to calculate carbon dioxide (CO<sub>2</sub>) emissions associated with the project's direct and indirect energy usage (stationary sources) and project-related vehicle trips (mobile sources) for the following alternatives:

- Scenario #1A: Code Compliant Baseline. This scenario is based on the previous Building Code that was in effect when the DEIR Scope was issued.
- Scenario #2: Enhanced Baseline. This scenario is based on the current Building Code<sup>2</sup> and assumes reduced window areas (33.6%).
- Scenario #2: Enhanced Design Case. This scenario includes a reduction in the Solar Heat Gain Coefficient (SHGC) for windows from .42 to .38 and includes further reductions to window areas (26.9%).
- Scenario #3: Leadership in Energy and Environmental Design (LEED) GHG Mitigation Case. This scenario includes an increase in window performance (from U-value of .45 to .42), improved insulation (from R-24 to R-30) and incorporation of a high-efficiency HVAC system for buildings #6 and #9.

The SDEIR indicates that the Proponent's Preferred Alternative is Scenario #3: LEED GHG Mitigation Case. The proponent intends to pursue LEED Core & Shell certification for all buildings and LEED Core & Shell certification at the Silver level for the Class A office space. In addition, the proponent will encourage tenants to pursue LEED Certification for Commercial Interiors (CI) and support these efforts through delivery to tenants of building infrastructure and systems that are compatible with LEED CI standards, retention of a sustainable design specialist on its development team to work with tenants and development of a sustainable design manual for tenants.

Total CO<sub>2</sub> emissions for Scenario #1A: Code Compliant Baseline are identified as 22,162 tons per year (tpy) including 17,520 tpy of stationary source emissions and 4,642 tpy of mobile source emissions. The Preferred Alternative reduces CO<sub>2</sub> emissions by 6,642 tpy for a total of 15,520 tpy which is a 30% reduction in CO<sub>2</sub> emissions compared to the Code Compliant Baseline. This represents a significant reduction in GHG emissions. Comments from MassDEP and the Massachusetts Department of Energy Resources (DOER) indicate that the GHG

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<sup>2</sup> 780 CMR 61.00 7<sup>th</sup> Edition which adopts and integrates either the International Energy Conservation Code (IECC) 2006 with 2007 Supplement or ASHRAE Standard 90.1 2006 with 2007 supplement.

mitigation commitments set an excellent sustainable design standard. Although the voluntary GHG analysis included in the SDEIR is not entirely consistent with the protocols identified in the GHG Policy, I am satisfied that the analysis presented provides a fair assessment of the project's emissions and mitigation reductions on the whole.

While I acknowledge the proponent's substantial efforts to reduce the project's direct and indirect energy consumption, including its commitment to constructing solar-ready buildings, a project of this scale must explore every available opportunity to reduce energy consumption in order for the project to avoid, minimize and mitigate project-related emissions to the maximum extent feasible. To that end, I am asking that the proponent consider the feasibility of securing a power purchase agreement with a third-party solar provider that would allow the project to further reduce GHG emissions by deriving a portion of its electricity from solar power. The proponent should consult with DOER to explore the feasibility of this option and should provide the MEPA Office with an update concerning its efforts to enter into a solar power purchase arrangement prior to my issuance of the Certificate on the SDEIR/FEIR.

The Proponent has also committed to use numerous mitigation measures to reduce the Project's GHG emissions from mobile sources. These are discussed in more detail in the Transportation Section and include roadway and signal improvements to increase roadway capacity and reduce delays at project-area intersections and development of a comprehensive TDM program.

Comments from MassDEP, while acknowledging the proponent's substantial commitment to mitigate emissions from mobile sources, request that the Proponent incorporate additional mitigation measures to further reduce project trip generation and resulting air quality impacts. I encourage the proponent to continue coordination on improving transit service and access within the project area, to post anti-idling signs and to consult with MassRIDES to further strengthen and tailor its TDM program.

#### Berry Farm Development Parcel

The SDEIR contains a discussion of the potential future use of the 20-acre residentially zoned Berry Farm development parcel located in the southeastern corner of the project site. According to the comments previously received on the DEIR from the Prospect Hill Park Advocacy Group, the Waltham Land Trust, and others, this portion of the project site contains a certified vernal pool (cvp) that has long been cared for and enjoyed for science and nature studies under agreement with the prior property owner (Polaroid). As described in the SDEIR, the Proponent has committed to permanently preserving the entire 20-acre Berry Farm parcel as undeveloped open space for the City of Waltham. According to the information provided in the SDEIR, the Proponent is working with the City of Waltham to identify the appropriate mechanism with which to permanently preserve the entire Berry Farm parcel as undeveloped open space for the City of Waltham. I strongly encourage the Proponent to continue working closely with the City of Waltham and community residents to identify opportunities to permanently preserve and

maintain the Berry farm parcel as public open space.

### Construction Period Impacts

The proposed project involves the demolition of numerous existing Polaroid campus buildings. The proposed demolition and removal of existing buildings must comply with both MassDEP's Solid Waste and Air Quality Control regulations. I encourage the proponent to consult with MassDEP for additional guidance on developing a successful waste management program and use of recycled materials. The Proponent should integrate recycling at the planning and design stage to enable the project's management and occupants to establish and maintain an effective waste diversion program and coordinate demolition and construction activities with town officials and abutting property owners.

The Proponent should also carefully review MassDEP's comments and demonstrate the project's consistency with the applicable Air Quality control regulations. MassDEP recommends that the Proponent commit to requiring all project contractors install after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs). I ask that the proponent participate in MassDEP's Clean Air Construction Initiative (CACI) and the MassDEP Diesel Retrofit Program to mitigate the construction-period impacts of diesel emissions to the maximum extent feasible. The CACI program helps proponents identify appropriate mitigation for minimizing air pollution from construction vehicles such as retrofit of construction equipment with particulate filters and oxidation catalysts and/or use of on-road low sulfur diesel (LSD) fuel.

### SUMMARY OF SUPPLEMENTAL DEIR MITIGATION COMMITMENTS

The SDEIR included mitigation measures and draft Section 61 Findings. The draft Section 61 Findings contained a clear commitment to implement mitigation measures, estimated the costs of specific mitigation measures, and identified the parties responsible and schedule for implementing the mitigation. The Proponent committed to the following mitigation measures in the SDEIR:

#### Transportation Infrastructure:

##### Route 117 Connector Bridge

- constructing a new three-lane 2-way travel bridge, with Wayside Trail pedestrian and bicycle accommodations, over Route 128/I-95 from the project's Primary Driveway on Route 117 to the proposed Green Street extension.

##### Green Street Corridor/Route 117/Bear Hill Road Intersection

- widening of Green Street northbound approaches to Route 117 to provide exclusive left-turn and through/right-turn lane;
- modification of signal timing at Green Street/Route 117/Bear Hill Road intersection;
- modification of traffic signal timing;

#### Green Street Corridor

- construction of southbound through lane along Green Street Development site frontage;
- widening of Green Street northbound approach to Route 117 Connector Bridge;
- installation of a new traffic signal at the Green Street/Route 117 Connector Bridge /40 Green Street Development northern site driveway intersection; and
- installation of a new traffic signal at the Green Connector Bridge /40 Green Street Development southern site and driveway/Green Street intersection.

#### Route 20 Rotary

- modifications to the Route 20 Rotary which will serve as the primary access route to the project site, including:
  - construction of a flyover Bridge from Green Street to the Route 128/I-95 southbound on-ramp;
  - widening to 2 lanes the Route 128/I-95 southbound on-ramp;
  - installation of a new traffic signal at the Route 20 eastbound with the Route 20 Rotary;
  - new traffic signal at the Route 20 eastbound/Route 128/I-95 northbound off-ramp intersection;
  - widening of Route 128/I-95 northbound off-ramp to provide three lanes;
  - installation of a new traffic signal at the Route 20 westbound/Route 117 Connector Bridge intersection; and,
  - construction of a new five-lane bridge from the Route 20 westbound/Route 20 Rotary to Green Street (Green Street Connector Bridge).

#### Route 117 (Main Street)

- Primary Driveway – installation of a new traffic signal at the primary project site drive/Green Route 117 Connector Bridge intersection, modify lane geometry to provide additional capacity;
- Central Driveway - modification of lane geometry to provide additional capacity; and,
- Eastern Driveway – installation of a new traffic signal, and modification of lane geometry to provide additional capacity.

#### Route 20 Intersections

- modification of signal timing, replacement of signage and refreshment of pavement markings at the following Route 20 intersections:
  - Route 20/Route 117 intersection;

- Route 20/Bacon Street intersection;
- Route 20/Moody Street intersection;
- Route 20/Lexington Street intersection; and,
- Route 20/Church Street intersection.

In addition, subsequent to the SDEIR the proponent has also committed to the following measures (which are to be confirmed by the proponent prior during the review of the SDEIR/FEIR):

- Modification of the Route 128 northbound off-ramp to accommodate 2017 Build queue storage and deceleration length, to the extent feasible;
- Modification of the Route 128 southbound off-ramp to accommodate 2017 Build deceleration length, to the extent feasible;
- Modification of the Route 128 southbound on-ramp to accommodate 2017 Build acceleration length, to the extent feasible;
- Widening Route 128 northbound off-ramp (south) to two lanes immediately after the exit and include a third approach lane at the Route 20 eastbound signalized intersection;
- Widening of the Route 128 southbound on-ramp (north) to two lanes before the Route 128 merge;
- Striping the Route 20 Rotary to provide three through lanes and a standard 12-ft lane and an appropriate offset/shoulder within the existing 40-ft wide roadway cross section, to the extent feasible; and,
- Providing 12-foot wide travel lanes on all proposed new ramps and bridges to the extent feasible. Where not feasible, MassHighway will make the final determination of the acceptable lane and shoulder width accommodations at the rotary.

#### Route 128 Corridor Noise Study

The Proponent has committed to complete a noise study along a portion of the Route 128 corridor located within the project area to determine existing and 2017 Build noise conditions and any the need for any required mitigation measures in accordance with MassHighway's Type I Noise Abatement Policy.

The Proponent's TDM plan includes the following commitments:

- membership and active participation in the Route 128 Business Council;
- provide off-site shuttle bus connection to downtown Waltham and the MBTA Waltham Commuter Rail Station;
- provide a free-of-charge on-site internal shuttle bus system connecting all buildings to the MBTA bus stop for service Routes #70 and #170 located along the project's Route 117 frontage;

- provide a project site connection between the proposed on-site shuttle bus stop and the existing MBTA bus stop for service Routes #70 and #170;
- provide a Transportation Demand Management (TDM) Coordinator;
- provide comprehensive commuter information from central commuter information centers to be located within office building lobbies, retail facility entrances, common areas and other high viability location throughout the project site;
- promote carpool/rideshare programs;
- promote guaranteed ride home programs;
- promote scheduling non-standard hours employee work shifts;
- promote providing subsidized monthly or multi-trip transit passes for employees;
- investigating the use of on-site banking and employee direct deposit banking;
- promote alternate transportation modes;
- incorporate office and retail specific TDM measures;
- facilitate on-site bicycle and pedestrian travel;and,
- improve off-site pedestrian and bicycle infrastructure.

#### Traffic Monitoring Program

The Proponent has committed to implementing a traffic monitoring program that will be conducted bi-annually for a period of 5 years from project completion and occupancy and will include peak hour manual turning movements and 24-hour automatic traffic recorder (ATR) counts for a seven-day period.

The Proponent's traffic monitoring program also includes a commitment to monitor participation in each component of the proposed TDM program.

#### Wayside Rail Trail

The Proponent has committed to construct two separate sections of the Wayside Trail including a 1,850 lf section of a shared-use Wayside Trail path along the southern portion of the project site, and a 3,200 lf section from the proposed Green Street extension, across RT128/I-95 via the proposed Green Street Bridge Connector and to the Primary Driveway/Route 117 intersection.

#### Berry Farm Parcel

As described in the SDEIR, the Proponent has committed to permanently preserving the entire 20-acre Berry Farm parcel as undeveloped open space for the City of Waltham.

#### Off-Site Stormwater Management

The Proponent has committed to construct a series of three (A, B, C) constructed gravel wetland systems designed to provide water quality treatment of stormwater runoff through a process involving settlement, filtration, chemical and biological processes, and microbial breakdown. This proposed gravel wetland system will also include the construction of outlet



control structures that will enable the controlled-rate release of stormwater from the three gravel wetland areas to a new water quality stormwater detention basin to be constructed by MassHighway and located within the Route 128/Route 20 Rotary (Rotary Basin).

### GHGs

The following measures are also included to reduce the Project's stationary source GHG emissions:

- solar PV-ready roof systems;
- high-albedo roofing materials;
- high-efficiency HVAC Systems including evaporative-cooled rooftop units with VAV series fan-powered terminals and hydronic heating with high efficiency gas-fired condensing boilers for buildings #6 and #9;
- energy efficient building envelope including high performing windows and insulation (R-15.4 for walls, R-30 for roofs, and U-.42 for windows with SHGC of .38);
- energy efficient lighting consisting of high-efficiency fluorescent with electronic ballasts;
- use of environmentally friendly and certified building materials;
- construction waste management program to divert 50% of construction materials by weight;
- water conserving low-flow fixtures;
- energy management systems to control HVAC and lighting systems; and
- third party building commissioning.

The Proponent should revise the Draft Section 61 Findings provided in the SDEIR to include any revisions to the mitigation commitment described in the SDEIR and any new mitigation commitments the Proponent may propose during the final project design and permitting process. The revised Draft Section 61 Findings should contain 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's proposed mitigation measures should accommodate each phase of the project and must be completed prior to project occupancy. A copy of the Proponent's revised Draft Section 61 Findings should be forwarded to the MEPA Office for the project file prior to final project permitting. MassDEP and MassHighway should forward copies of the Section 61 Findings, once issued, to the MEPA Office for publication in accordance with 301 CMR 11.12.

### Conclusion

The SDEIR adequately assessed potential project impacts and committed to measures that will avoid, minimize and mitigate adverse impacts. I am satisfied that any remaining outstanding issues can be addressed through the state and local permit and review process. The Proponent

should continue to work closely with MassHighway, the City of Waltham, the City of Cambridge and others to finalize the project's roadway infrastructure improvement mitigation measures and TDM commitments. The proponent must also provide the additional information I have requested elsewhere in this Certificate during the review of the SDEIR/FEIR. I am allowing the SDEIR 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 March 11, 2009 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.

February 27, 2009  
Date



Ian A. Bowles, Secretary

Comments received:

02/17/09	Kerrie Clark
02/20/09	Ingeborg Uhlir
02/20/09	Town of Weston, Board of Selectmen
02/20/09	Department of Conservation and Recreation (DCR)
02/19/09	Waltham West Suburban Chamber of Commerce
02/19/09	Bryan R. Stascavage
02/19/09	Tavern Square Neighborhood Association
02/20/09	Lesya Struz
02/20/09	Arthur Uhlir, Jr.
02/20/09	Department of Environmental Protection (MassDEP) – NERO
02/20/09	Vanasse Hangen Brustlin, Inc.
02/19/09	John S. Allen
02/20/09	John S. Allen
02/19/09	Charles River Watershed Association (CRWA)
02/20/09	Prospect Hill Park Advocacy Group
02/23/09	City of Waltham – Office of the Mayor
02/20/09	Massachusetts Highway Department (MassHighway)
02/20/09	128 Central Corridor Coalition: City of Waltham Mayor Jeannette A. McCarthy, Jeanne Krieger – Chairman Town of Lexington Board of Selectmen, Sara Mattes - Town of Lincoln Board of Selectmen, Michael H. Harrity - Town of Weston Board of Selectmen, Marc Draisen, Executive Director, Metropolitan Area Planning Council
02/23/09	City of Cambridge – Water Department
02/19/09	NSTAR Electric & Gas Corporation
02/20/09	Vanasse Hangen Brustlin, Inc.

EEA#13952

SDEIR Certificate

February 27, 2009

SDEIR #13952  
IAB/NCZ/ncz