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March 17, 2006

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

PROJECT NAME : Granite Hills Marketplace (formerly Fortune Boulevard)
PROJECT MUNICIPALITY : Milford
PROJECT WATERSHED : Charles River
EOEA NUMBER : 13668
PROJECT PROPONENT : National Development
DATE NOTICED IN MONITOR : February 8, 2006

As Secretary of Environmental Affairs, I hereby determine that the Draft Environmental Impact Report (DEIR) submitted on 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 may prepare and submit the Final EIR (FEIR) for MEPA review.

Project Description

As described in the ENF and updated in the DEIR, this project consists of the construction of a retail center on a 18.3 acre site within Granite Industrial Park (previously reviewed as EOEA #5010) in Milford, MA. The project includes construction of 100,000 square feet (sf) of retail space (within four stores) and a 5,800 sf restaurant, access drives, parking lots, a stormwater management system and associated utilities. The site is bounded by Interstate-495 to the north, a Target retail store to the east, Fortune Boulevard to the south and a Holiday Inn Express and Lowe's to the west. Approximately 16 acres of the site was previously altered from quarrying operations. An area of the site owned by Target (which was being held in reserve in the event additional parking was necessary) will be purchased by the proponent for its parking lot.

Project impacts are associated with the generation of more than 3,480 vehicle trips on an average weekday and 4,650 vehicle trips on an average Saturday, creation of 8.8 acres of new impervious area, creation of 560 parking spaces, use of 14,174 gallons per day (gpd) of water and generation of 12,885 gpd of wastewater. The proponent has proposed roadway improvements, traffic control measures and transportation demand management (TDM) strategies to increase capacity, improve traffic flow and minimize traffic generation. In addition, the project includes construction of a stormwater management system and measures to minimize construction period impacts.

The environmental impacts of Granite Industrial Park, a 2 million sf industrial park consisting of office, industrial and warehouse uses, were reviewed by MEPA (EOEA #5010) beginning in 1983. Associated mitigation, including the need for traffic improvements and transportation demand management measures, was developed for the industrial park as a whole. As planning has advanced for individual parcels, they are undergoing MEPA review if they meet or exceed thresholds.

Jurisdiction

The project is undergoing MEPA review and is subject to preparation of a mandatory EIR pursuant to Section 11.03 (6)(a)(6) because it requires a state permit and will generate more than 3,000 new average daily trips (adt). The project requires an Access Permit from the Massachusetts Highway Department (MHD). Also, it requires an Order of Conditions from the Milford Conservation Commission (and hence a Superseding Order of Conditions in the event the local Order is appealed).

Because the proponent is not seeking financial assistance from the Commonwealth for the project, 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, air quality, wetlands, drainage and water quality.

Review of the DEIR

The DEIR includes a description of the proposed project and all project elements. It includes an existing and proposed conditions plan and provides descriptions of each state permit required for the project and demonstrates how the project is designed to meet applicable performance standards.

The DEIR includes an analysis of the Preferred Alternative, a No-Build Alternative, an Office/R&D Alternative (based on a previous review of Granite Industrial Park and local zoning) and two alternative site layout options. The analysis demonstrates that the Preferred Alternative will create less impervious surfaces compared to the other alternatives. The Office/R&D Alternative would generate significantly less traffic than the Preferred Alternative while the alternative site layout options generate similar or significantly higher levels of traffic. The DEIR includes a separate chapter on mitigation demonstrating how this Alternative is designed to avoid, minimize and mitigate project impacts.

The traffic study in the DEIR generally conforms to the Executive Office of Environmental Affairs (EOEA)/ Executive Office of Transportation (EOT) Guidelines for

EIR/EIS Traffic Impact Assessments. It identifies the project's impact on traffic operations and proposes measures to mitigate impacts including geometric roadway improvements and development of a Transportation Demand Management (TDM) Program.

The DEIR provides required information on wetlands including a description of wetland resources and locations on plans. The DEIR describes a stormwater management plan, including an operation and maintenance plan, to ensure its effectiveness over time, and describes how it is consistent with DEP Stormwater Management Policy.

Based on a review of the DEIR, a review of comments submitted on the project and consultation with public agencies, I find that the DEIR has addressed the issues within MEPA jurisdiction to a sufficient extent that the project may advance to the stage of an FEIR. The DEIR has provided a reasonably complete and stand-alone description and analysis of the project and its alternatives although some additional information is required regarding mitigation. I will allow the proponent to submit a response to comments as the FEIR. The proponent must address the substantive comments received and revise its Section 61 Findings accordingly. This information is required before I can find that the proponent has met its obligations under MEPA to avoid, minimize or mitigate Damage to the Environment to the maximum feasible extent and before the state permitting agencies can meet their Section 61 obligations.

The FEIR should contain a copy of this Certificate and a copy of each comment received. The FEIR should respond to the comments received and provide revised Draft Section 61 Findings. A notice will be published in the next Environmental Monitor (March 22, 2006) that the response to comments shall be filed, circulated and reviewed as an FEIR.

Traffic and Transportation

Primary access to the site is proposed via an existing driveway that provides access to the Target store. This driveway is near the intersection with Route 85 and the Interstate 495 (I-495) interchange. A separate driveway on Fortune Boulevard will be constructed to access the building located in the southwest corner of the site. The proposed project will generate 4,360 new adt.

The traffic study identifies the project's contribution to future traffic growth in the area and describes a number of measures to avoid, minimize and mitigate its impacts including: geometric improvements to the Fortune Boulevard at Quarry Drive/Site Drive, potential signal coordination along Fortune Boulevard and development of a TDM program to reduce single occupancy vehicle (sov) travel to the site. The DEIR demonstrates how bicycles, pedestrians and vehicles will access the site. By using the flexibility provided in the Town's bylaws allowing shared parking, the amount of parking has been reduced since the filing of the ENF from 593 to 560 spaces.

The design of an effective TDM program will be an important part of this project's successful development. Comments from EOT, MAPC and the Charles River Watershed Association (CRWA) highlight this issue. As noted previously, the project will generate approximately 3,480 vehicle trips on an average weekday and 4,650 vehicle trips on an average Saturday, a significant portion of which will access the development via I-495. The traffic

analysis included in the DEIR indicates that a number of the study area intersections will experience queue lengths in excess of the available storage length provided at these locations. Also, the DEIR indicates that the intersection of Fortune Boulevard and Medway Street (Route 109) is currently operating at level of service F and will continue to do so under the No-Build and Build conditions. Comments from the Town of Milford Office of Planning and Engineering indicate that "the intersections in the project area are pretty much maxed out in terms of further improvements that can be feasibly made." The proposed mitigation may not adequately address the project's contribution to traffic growth in this area.

The proponent has indicated that it is developing a TDM Program that includes a partnership with MassRIDES, the designation of an on-site transportation coordinator and implementation of a ridematching service. As noted in the Certificate on the ENF, the continued buildout of this area provides opportunities for pooling resources to make mass transit and TDM programs more viable and effective. The project proponent has indicated its intention to coordinate with other developers but the EIR does not sufficiently address this potential. The proponent should coordinate with existing developments prior to filing the FEIR and the FEIR should outline opportunities for coordination that would strengthen the TDM program, including transit access, in conjunction with other developers.

The proponent has initiated discussions with the Framingham LIFT bus system, which currently operates between Downtown Milford, Framingham Center, and the Natick Mall, regarding extending service to Fortune Boulevard. Also, the DEIR identifies a location for a bus stop. The FEIR should provide more information on this coordination including the identification of operational and infrastructure support necessary to make a service expansion feasible. The project proponent should consider providing operational funding support for this service. The FEIR should address MAPC's comments regarding design of the bus stop.

The project proponent should address comments by the Town of Milford and MAPC regarding proposed changes to mitigation proposed for the Fortune Boulevard/Target driveway intersection. As suggested by EOT, I recommend that the FEIR provide a queue length summary including the average and 95th percentile queue lengths in table format along with the available storage lengths for the study area intersections. Provision of this information may help the Town and the proponent identify appropriate mitigation for these intersections.

Finally, the DEIR indicates that the proponent has proposed to monitor the portion of Fortune Boulevard between Cedar Street and the existing Target driveway to evaluate the possibility of providing coordination between these three signals. This analysis should be provided to MHD for review prior to making any changes to existing operations.

Wetlands/Drainage

The project does not propose any direct alterations to wetland areas; however, significant work will take place within the buffer zone to wetlands and construction activities, parking lots and buildings are located in close proximity to wetland resource areas (in some cases less than 15 feet from resource areas). Since the filing of the ENF, the project has received an Order of Conditions from the Milford Conservation Commission indicating that the project and its mitigation has been designed consistent with the Wetlands Protection Act (WPA) and the DEP Stormwater Management Policy.

The Alternatives Analysis provided in the DEIR demonstrates that this project will create less impervious surfaces than other alternatives; however, I am disappointed that the proponent is not taking advantage of an opportunity to further avoid, minimize and mitigate impacts through incorporation of sustainable design alternatives such as Low Impact Development (LID) techniques in site design and stormwater management plans. This concern was also expressed in comments from CRWA. As noted in the Scope on the ENF, LID techniques incorporate stormwater best management practices (BMPs) and can reduce impacts to land and water resources by conserving natural systems and hydrologic functions. Its primary tools -- landscaping features and naturally vegetated areas -- encourage detention, infiltration and filtration of stormwater on-site. Water conservation and use of pervious surfaces can also be employed to minimize project impacts. I continue to encourage the proponent to consider incorporation of these techniques into its design and provide an update on any changes in the FEIR.

Construction Period Impacts

The DEIR indicates that the proponent is considering participation in DEP's Clean Construction Equipment Initiative consisting of an engine retrofit program and/or use of low sulfur fuel to reduce exposure to diesel exhaust fumes and particulate emissions during construction. I continue to encourage the proponent to invest in this worthwhile program.

Mitigation

The DEIR includes a separate chapter on mitigation measures and Draft Section 61 Findings (in the form of an updated letter of commitment for the MHD access permit) for all state permits. The DEIR indicates that the proponent is committed to the following mitigation measures:

- Geometric improvements to the Quarry Drive/Fortune Boulevard intersection to add capacity to the Target driveway and Quarry Drive approaches.
- Review of the traffic signal operations on Fortune Boulevard (Route 85, Lowe's Driveway, and Quarry Drive) to determine if coordination is appropriate. If beneficial, the proponent will develop and implement a coordination plan using existing signal hardware.
- Development of a TDM plan to minimize sov trips including a partnership with MassRIDES, the designation of an on-site transportation coordinator, implementation of a ridematching service and provision of secure bicycle racks at the site.
- Reconstruction of the existing sidewalk along the project site frontage on Fortune Boulevard.
- Use of erosion and sedimentation controls during construction.
- Use of retaining walls and rock slopes to minimize disturbance to wetland resource areas.
- Stormwater management infrastructure and maintenance consistent with DEP Stormwater Policy.

The FEIR should include updated Draft Section 61 Findings.

Circulation

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

March 17, 2006

Date



Stephen R. Pritchard

Comments received:

3/8/06	Executive Office of Transportation (EOT)
2/8/06	Town of Milford/Office of Planning and Engineering
3/10/06	Charles River Watershed Association (CRWA)
3/14/06	Metropolitan Area Planning Council (MAPC)

SRP/CDB/cdb