



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

IAN A. BOWLES
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

March 28, 2008

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

PROJECT NAME : Sutton Plaza Expansion
PROJECT MUNICIPALITY : Sutton
PROJECT WATERSHED : Blackstone
EOEA NUMBER : 13854
PROJECT PROPONENT : Centerpoint LLC c/o RK Associates
DATE NOTICED IN MONITOR : February 20, 2008

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

The proposed project consists of a 134,000 square foot (sf) retail development on an approximately 25-acre site, which also contains an existing retail center (approximately 41,800 sf) and associated parking (200 spaces) and three single-family homes. The site also contains a former gravel pit and buildings that are currently used by the Town of Sutton for sand and salt storage. The project will expand upon the existing plaza to accommodate a new supermarket, two additional retail buildings, a restaurant, and 477 new parking spaces. Several existing buildings will be demolished as part of the project. According to the FEIR, the project will result in approximately 11 acres of land alteration, including 9 acres of new impervious area and alteration of approximately 21,130 sf of Riverfront Area. The project is expected to generate 5,690 new vehicle trips on an average weekday and 7,290 new vehicle trips on a Saturday (for a total of 9,140 weekday trips and 12,330 Saturday trips including existing vehicle trips). The FEIR presents adjusted traffic impact numbers that assume a 25% pass-by rate, resulting in an estimate of 4,270 new trips on a weekday and 7,290 new trips on a Saturday.

Water use is estimated at an additional 7,550 gallons per day (gpd) for a total of 8,940 gpd (average daily use). Wastewater generation is projected at an average of 9,800 gpd. The project includes construction of 0.7 miles of new water mains, 0.4 miles of new sewer mains, and

a pump station. Water will be provided by the Wilkinsonville Water District and wastewater will be conveyed to the Town of Sutton municipal system.

The project is undergoing MEPA review and is subject to a mandatory EIR pursuant to Section 11.03(6)(a)(6) because it involves generation of 3,000 or more new average daily trips (adt) on roadways providing access to a single location. The project is also undergoing MEPA review pursuant to Section 11.03(1)(b)(2) because it involves creation of 5 or more acres of new impervious area, and 11.03(6)(b)(15) because it involves construction of 300 or more new parking spaces at a single location.

The project requires a State Highway Access Permit from the MassHighway Department (MHD) for access to Route 146. The project requires an Order of Conditions from the Sutton Conservation Commission for work within Riverfront Area (and, on appeal only, a Superseding Order from the Department of Environmental Protection (MassDEP)). In lieu of a Sewer Extension/Connection permit, the proponent will be required to file a certification with MassDEP in accordance with 314 CMR 7.00. The project may be subject to the MassDEP Environmental Results Program (ERP) or pre-construction air quality permitting requirements for fossil-fuel fired heating systems and emergency generators. The project may require a Water Supply Distribution System Modification permit. The project will require a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA).

The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required, or potentially required, state permits that have the potential to cause damage to the environment. In this case, MEPA jurisdiction extends to transportation, wetlands, land, stormwater and drainage, and may extend to water supply and air quality.

FINAL EIR REVIEW

General

According to the FEIR, there have been no major changes in the project since the filing of the DEIR. However, there was an error in the DEIR, which listed Riverfront area impacts as 12,210 sf. The correct estimate for Riverfront Area impacts is 21,130 sf as presented in the FEIR.

Since the review of the DEIR, the proponent has continued consultations with EOT/MassHighway on transportation issues. As detailed in the FEIR, the proponent has further refined the traffic improvement plan and a potential cost-sharing/mitigation phasing scheme to account for cumulative impacts associated with the project and the proposed Cold Spring Brook Place project (EEA#13249), which is located nearby.

Transportation

The FEIR included a traffic study that generally conforms to the EEA/EOTPW Guidelines for Traffic Impact Assessment and has adequately analyzed the traffic. As further detailed in its comment letter, EOT and MassHighway have met with the project proponents and the proponents of Cold Spring Brook project (EEA# 13249), which is also undergoing MEPA review. EOT has requested that the proponents agree to a final mitigation plan that will accommodate full construction of both projects and outline the steps each project will take to construct the mitigation measures. The FEIR outlines a mitigation phasing plan for two possible scenarios. One scenario involves construction of the Sutton Plaza Expansion project first and second scenario assumes Cold Spring Brook is constructed first. EOT is satisfied that the final mitigation plan proposed will adequately address the traffic impacts of both projects and that the phasing plan will allow each project to fairly contribute to the overall improvements.

However, the letter of commitment included in the FEIR did not adequately commit the proponent to the overall mitigation plan and phasing as proposed in the document. The proponent has acknowledged the need to address this issue and will coordinate with EOT/MassHighway. The proponent should submit a revised letter to the EOT Office of Transportation Planning that commits the proponent to the overall mitigation plan and outlines the improvements it will make in each phasing plan.

The Town of Sutton, in comment letters from the Police Department and the town's Planning Board and Department, requested that the proponent be required to install a traffic signal emergency vehicle management system. In a response to comments (dated March 26, 2008) the proponent indicates that opticom/pre-emption receivers will be installed at the intersection of Route 146/Boston Road by either the Sutton Plaza (EEA#13854) or Cold Spring Brook Place (EEA# 13249) depending on which project upgrades the signal hardware according to the agreed mitigation and phasing plan. The proponent will confirm that the pre-emption receivers to be installed are compatible with the emitter system to be used by town emergency vehicles.

The Central Massachusetts Regional Planning Commission (CMRPC) is in agreement with the proposed approach in the FEIR and pleased that the proponent is participating in a larger improvement plan to address cumulative impacts of the project and Cold Spring Brook. I note CMRPR and the Town of Sutton comments regarding the importance of the Route 146/Boston Road interchange construction project and the desire to expedite this project. Based on consultations with EOT, its review of the proposed Sutton Plaza Expansion project has considered the future implementation of the Route 146/Boston Road interchange project, which is in the planning phase. EOT is satisfied that the proposed project design will not conflict with the interchange design, including any right-of way that will be necessary for the construction of future frontage roads. The proponent has committed to continue to work with MassHighway as the grade-separated interchange project moves ahead.

I encourage the proponent to consult with CMRPC regarding its comments and to incorporate to the extent feasible the CMRPC recommendations to promote pedestrian, bicycle and public transit access to the site. In its response to comments (dated March 26, 2008), the

proponent included a sketch showing two potential alternative bus stop locations and suggests that the route through the site may provide a better and safer alternative for a transit stop in the area.

Air Quality

As required by the Scope, the proponent provided additional information and commitments in the FEIR to respond to MassDEP comments on air quality, including management of asbestos-containing materials. The proponent has committed to conduct surveys for asbestos-containing material (ACM) and to remove any ACM in accordance with regulatory requirements. The proponent has also committed to notify MassDEP at least 10 days prior to commencement of demolition activities in accordance with 310 CMR 7.09.

Sustainable Design

The DEIR proposes water conservation features such as low flow fixtures and drought-resistant landscaping, and a supermarket materials recycling program. I encourage the proponent to pursue Leadership in Energy and Environmental Design (LEED) certification for new construction and explore, and implement to the extent feasible, other sustainable design elements that can improve energy efficiency and provide environmental and economic benefits. The FEIR indicates that the proposed supermarket, the Stop & Shop Supermarket, will consider using LEED as a green building standard. A LEED portfolio pilot for multiple Stop & Shop stores is currently under review by the US Green Building Council. I encourage the proponent to include the proposed supermarket at the Sutton Plaza in its LEED pilot program.

Mitigation

Transportation: The proponent has committed to a "stand-alone" improvement plan for the Sutton Plaza Expansion project and a Combined Improvement Plan with shared responsibility between proponents of Sutton Plaza and Cold Spring Brook (as further detailed in Chapter 2 and Appendix D of the FEIR). The mitigation plan includes traffic signal upgrades, widening of Route 146 southbound and Boston Road at the site driveways, and extension of the existing northbound and southbound left-turn lanes on Route 146. The proponent has also committed to implement a Transportation Demand Management (TDM) program to include an on-site Transportation Coordinator, ridesharing, a guaranteed ride home program, preferential parking for carpools, bicycle racks, on-site employee services, and accommodations for taxi pick-up and bus stops.

Water Supply: The proponent has committed to water efficient plumbing fixtures and appliances, and drought-resistant landscaping to reduce water demand.

Stormwater Management and Water Quality: The proponent has committed to a stormwater Management Plan including Best Management Practices (BMPs) during and after construction in accordance with the MassDEP Stormwater Management Performance Standards and Guidelines. The stormwater management system includes catch basins, infiltration basins and constructed wetlands, and a manual shut-off valve as a precaution in the event of a spill.

Air Quality and Construction Phase: The proponent has committed to contractually require that construction contractors adhere to all applicable regulations regarding control of construction vehicle emissions, and will require that all diesel equipment used on site be fitted with after-engine emission controls. The proponent has committed to measures to control soil erosion and sedimentation and to minimize construction-related noise. The proponent has committed to an asbestos-containing material (ACM) survey and removal of any ACM as required by MassDEP

Sustainable Design: The FEIR indicates that the proponent will evaluate and implement where feasible sustainable design measures promoted by the Commonwealth

Based on review of the FEIR, comments received, and consultations with relevant state agencies, I am satisfied that the FEIR adequately complies with MEPA and the project may proceed to the state permitting process. MEPA review of the project is complete. State agencies should forward copies of final Section 61 Findings to the MEPA Office.

March 28, 2008

DATE



Ian A. Bowles, Secretary

Comments Received:

3/18/08	Town of Sutton, Planning Board and Department
3/21/08	Executive Office of Transportation, Office of Transportation Planning
3/21/08	Central Massachusetts Regional Planning Commission
3/25/08	Town of Sutton Police Department
3/26/08	VHB (response to comments on behalf of proponent)

IAB/AE/ae