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June 13, 2008

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

PROJECT NAME : Sippican Commerce Park
PROJECT MUNICIPALITY : Wareham Street (Route 28) – Middleborough
PROJECT WATERSHED : Buzzards Bay
EOEA NUMBER : 13771
PROJECT PROPONENT : Edgewood Development Company, LLC
DATE NOTICED IN MONITOR : May 7, 2008

As Secretary of Energy and Environmental Affairs, I hereby determine that the Single Environmental Impact Report (SEIR) submitted on the above 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).

Project Description

As described in the SEIR, the project consists of the construction of a ten-lot industrial/commercial business park containing approximately 392,000 square feet (sf) of floor space. The proposed access roadway will be approximately 2,686 linear feet. The project will include 980 parking spaces. The 148-acre site is undeveloped and forested. Two existing residential structures will be demolished. The proponent is proposing to utilize the existing Bay Colony Railroad Line, which abuts the project site, to build a railroad spur for potential tenants in the business park. It will construct a 673,000-gallon reservoir (area is 115,482 sf) on the project site which will provide water for fire protection for all the lots as well as provide for stormwater detention. If an independent developer moves forward for Lot 7 (approximately 81.14 acres), the proponent for this site will prepare a Notice of Project Change covering the specific aspects and impacts of its proposal.

This project was subject to a mandatory EIR. It requires an Access Permit for access to Route 28 from the Massachusetts Highway Department (MassHighway). The project may require a 401 Water Quality Certificate from the Department of Environmental Protection

(MassDEP). The proponent received a permanent Railroad Crossing Easement from the Executive Office of Transportation (EOT). EOT must also approve the side track agreement before it is signed by the rail operator and the proponent. The project must comply with the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges. The project will require a Programmatic General Permit from the U.S. Army Corps of Engineers. It may need to obtain Orders of Conditions from the Middleborough and Rochester Conservation Commissions for impacts to wetland resource areas and their buffer zones for both on- and off-site work. MEPA jurisdiction is limited to those aspects of the project within the subject matter of state permits and that may have significant environmental impacts (land alteration, traffic, railroad issues, wetlands, and stormwater).

The proposed access roadway into the site would connect the proposed development onto Wareham Street (Route 28). Using the Institute of Traffic Engineers (ITE) Handbook and Land Use Code 130, the proponent estimates that the project will generate approximately 2,728 average daily vehicle trips on weekdays. The proponent has reduced wetland resource area impacts by proposing retaining walls for the access roadway where feasible.

The project will be connected to the municipal water service. The proponent will extend the existing water main within Route 28 about 3,000 linear feet to the project site. Each lot will have its own Title 5 wastewater system. The proponent has estimated that the project will consume about 50,000 gallons per day (gpd) of potable water. The project will generate approximately 44,440 gpd of new wastewater flow.

Review of the SEIR

The SEIR described the project. It included existing and proposed site plans. The first phase entails infrastructure improvements to the site and each lot can be developed after the infrastructure is in place. The SEIR described the proponent's Preferred Alternative. It discussed how this project is compatible with Executive Order 385, the Southeastern Regional Planning & Economic Development District (SERPEDD) Regional Plan, and Middleborough's Master Plan, Open Space Plan, and zoning.

The SEIR summarized and compared the Preferred Alternative and the No-Build Alternative. It discussed alternative building configurations that reduced the amount of wetlands impacts and impervious area. The SEIR compared the Preferred Alternative with the No-Build Alternative.

The traffic study conforms to the EEA/EOT Guidelines for EIR/EIS Traffic Impact Assessments. The SEIR completed a Level-of-Service (LOS) analysis for the following intersections during the weekday morning and evening peak hours: Wareham Street (Route 28)/Spruce Street; Spruce Street/Locust Street; Route 28/Locust Street; Route 28/Pine Street;

Route 28/Kings Highway; and Route 28/County Road (Route 58). It summarized the LOS analysis. The SEIR included a map of the traffic study area. The SEIR's LOS tables included each movement for these above intersections. The volume/capacity ratio was also provided for the signalized intersection. The SEIR included a summary of the average and 95th percentile vehicle queues for each intersection within the study area. Traffic accident problem areas were identified. However, no solutions were proposed by the proponent because of the project will generate low traffic volumes. The SEIR discussed the suitability of the proposed signalization improvements, the visibility enhancements, and the proposed roadway widening along Route 28. It stated that the right-of-way (ROW) was sufficient to accommodate the proposed roadway widening at the site drive.

The SEIR stated that local zoning requires 980 parking spaces on the project site. It stated that no sidewalks currently exist in the area. The proponent is proposing to construct 2,650 linear feet of sidewalk along one side of the access roadway.

The SEIR outlined the proponent's Transportation Demand Management (TDM) Program that would be included in any sale or lease arrangements with prospective tenants. The TDM measures include: an on-site transportation coordinator; a ridesharing program; offering flextime and direct deposit to employees; providing a bicycle rack on each lot; and coordinating its TDM services with the Greater Attleboro Taunton Regional Transit Authority (GATRA). The SEIR reported that there are no public transportation bus routes in the project area.

The SEIR described the proponent's efforts to obtain an Order of Conditions from the Middleborough and Rochester Conservation Commissions. Two wetlands crossings are proposed by the proponent for the access roadway to reach the uplands portions of the site. The first crossing at the driveway entrance will impact 1,418 sf of cranberry bog (treated as Bordering Vegetated Wetlands (BVW)) and the second crossing at Lot 7 would impact approximately 16,750 sf of BVW. The SEIR proposed retaining walls to reduce BVW impacts. The project will also impact approximately 18,334 sf of Riverfront Area (RA) for construction of a new road and utilities. It will remove 21,377 sf of impervious surfaces within the RA area. All resource area boundaries, riverfront areas, applicable buffer zones, and 100-year flood elevations were delineated. The SEIR text explained that the local Conservation Commissions have accepted the resource area boundaries. The proponent is providing a 2,850 sf replication area, which will be comprised of a replacement cranberry bog.

The SEIR included a detailed description of the proposed drainage system design, including a discussion of the alternatives considered along with their impacts. It provided pre- and post-drainage calculations. The proponent will require the future developers of the various lots to recharge roof runoff and provide deep sump catch basins in parking areas. The SEIR indicated that stormwater from Route 28 is sheet flow.

Proposed activities, including construction mitigation, erosion and sedimentation control, phased construction, and drainage discharges or overland flow into wetland areas, were

evaluated. The locations of detention/infiltration basins and their distances from wetland resource areas were identified. This analysis addressed current and expected post-construction water quality of the predicted final receiving water bodies. Sufficient mitigation measures were incorporated to ensure that no downstream impacts would occur. The drainage analysis ensured that on- and off-site wetlands will not be impacted by changes in stormwater runoff patterns. The SEIR discussed the consistency of the project with the provisions of the National Pollutant Discharge Elimination System (NPDES) General Permit from the U.S. Environmental Protection Agency for stormwater discharges from a construction site. It included a discussion of best management practices to be employed to meet the NPDES requirements, and included a draft Pollution Prevention Plan. The SEIR described the maintenance program for the drainage system. This maintenance program outlined the actual maintenance operations, responsible parties, and back-up systems. The SEIR reduced the amount of impervious area proposed on the project site by alternative layout and reduced pavement areas. It stated that the proposed project will comply with the NPDES Phase II Stormwater General Permit.

The proponent did not propose any groundwater wells for irrigation purposes. No water storage tanks are proposed on-site. The project will be developed by the owners of each lot. Each lot will require its own Title 5 wastewater system and, therefore, will not require a Groundwater Discharge Permit from MassDEP. There is sufficient area on each lot for the location for a Title 5 septic system.

According to the proponent, no hazardous waste studies have been completed for the project site. The proponent is developing the infrastructure for this project, and not the proposed buildings on each lot. The SEIR contained a landscaping plan for the proposed access roadway and for the stormwater/pond basin and traffic island at the site entrance.

The SEIR discussed the potential construction period impacts and identified the feasible measures that can avoid or eliminate these impacts. No blasting appears to be necessary to construct the project.

Because the project proponent will not be constructing buildings on each of the lots, the proponent will consider incorporating sustainable design elements in its lease/sale agreements with each owner. The proponent has incorporated Low Impact Development (LID) measures as part of the design of its stormwater system. This project presents a good opportunity to successfully incorporate cost-effective sustainable design elements and construction practices into the project. The proponent will require developers to provide aerators on faucets and low-flow toilets to reduce water consumption.

The proponent will investigate and promote the following sustainable design elements and construction practices to the building contractors:

- water conservation and reuse of wastewater and stormwater;
- renewable energy technologies to meet energy needs;

- optimization of natural daylighting, passive solar gain, and natural cooling;
- energy efficient HVAC and lighting systems, appliances and other equipment, and solar preheating of air;
- building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- easily accessible and user-friendly recycling system infrastructure into building design;
- development of a solid waste reduction plan; and
- development of an annual audit program for energy consumption, waste streams, and use of renewable resources.

Summary of SEIR Mitigation

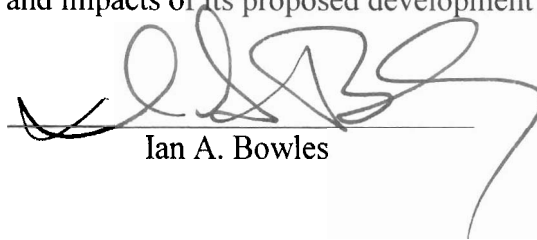
The SEIR included a separate section (Section 6.0) on mitigation measures. Draft Section 61 Findings for MassHighway/EOT and MassDEP were provided by the proponent in its May 15th supplemental submission. The Draft Section 61 Findings contained clear commitments to mitigation, estimates of the individual costs of the proposed mitigation measures, and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation was also included.

The proponent committed to the following mitigation measures in the SEIR:

- Construct a new 16-inch in diameter water main for approximately 3,000 linear feet within Route 28 from where it terminates to the project site, approximately \$375,000;
- Design and construct a signalized crossing of a railroad line, approximately \$245,000 - \$295,000;
- Widen Route 28 on the northbound side for the addition of a left turn lane within the existing ROW at the project's proposed access driveway, approximately \$25,000 - \$45,000;
- Construct a sidewalk along one side of the access roadway for about 2,650 linear feet approximately \$46,000;
- Provide a stormwater treatment system that meets MassDEP's stormwater guidelines for the proposed roadway and a portion of the existing Route 28 within the Riverfront Area incorporating LID standards, approximately \$350,000;
- Provide 2,850 sf of cranberry bog replication area, approximately \$5,500;
- Adjust the traffic signal timing at the Route 28/Route 58 intersection to address traffic impacts, approximately \$3,000; and
- Commit to the following TDM measures: provide a designated on-site transportation coordinator; a ridesharing program; flextime to employees; direct deposit of payroll; and a bicycle rack (for up to eight bicycles) on each lot, investigate the possibility of a shuttle bus between the project site and the Middleborough/Lakeville commuter rail station, approximately \$7,500 per year.

The proponent should provide electronic copies of its draft Section 61 Findings to MassHighway/EOT and MassDEP. The developer of Lot 7 will prepare a Notice of Project Change covering the specific aspects and impacts of its proposed development program.

June 13, 2008
DATE



Ian A. Bowles

Comments received:

- Edgewood Development Company, 5/27/08
- MassDEP/SERO, 6/6/08
- Middleborough Planning Board, 6/6/08
- Edgewood Development Company, 6/9/08
- EOT, 6/12/08

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