



The Commonwealth of Massachusetts

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July 14, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE NOTICE OF PROJECT CHANGE

PROJECT NAME : Beacon @ 495 and Proposed Retail Center
 PROJECT MUNICIPALITY : Marlborough
 PROJECT WATERSHED : Millham Brook to Assabet River
 EOEА NUMBER : 13755 and 13756
 PROJECT PROPONENT : Northborough/Marlborough Land Realty Trust, an
 affiliated entity of The Gutierrez Company
 DATE NOTICED IN MONITOR : June 7, 2006

Pursuant to the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62H) and Section 11.10 and 11.11 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) and Phase I Waiver request submitted on this project. I have issued a Draft Record of Decision (ROD) today proposing to grant the proponent's request for a Phase I Waiver to allow a portion of the project to proceed prior to completion of the Environmental Impact Report (EIR) for the entire project. The DROD will be noticed in the July 25, 2006 issue of the *Environmental Monitor* and will be subject to a 14-day public comment period, after which I will issue a Final ROD with a determination regarding the Phase I Waiver request.

The proponent filed two Environmental Notification Forms (ENF) on March 15, 2006. One ENF (EOEA# 13755) was for a proposed Beacon @ 495 project, which consisted of a mixed-use development on a 73.3-acre site. The second ENF (EOEA# 13756) was for a Proposed Retail Center on an adjacent 6.6-acre site. In my Certificate on the ENF, dated May 17, 2006, I determined that the development proposed in ENFs #13755 and 13756 constitute one project and that an EIR should be prepared that considers the cumulative impacts of the entire project. The Certificate on the ENF includes a Scope for the Draft EIR. EOEА # 13755 is now being used as the reference number for the entire project.

The proposed project consists of a mixed-use development, including 675,000 square feet (sf) of office and retail space, two restaurants (12,000 sf), and associated infrastructure on a approximately 80-acre site. As discussed in the NPC, the overall project has not changed since the filing of the ENFs. However, the proponent has submitted a NPC in order to request a Phase I

Waiver for a portion of the project. The proposed Phase I includes 15,000 sf of retail space and a 6,000 sf restaurant on a 6.6-acre portion of the site.

I strongly encourage the proponent to require Leadership in Environmental Design (LEED) Certification for new construction and to incorporate sustainable design principles as part of Phase I development. The incorporation of high performance/green building elements in project design will help reduce the environmental footprint of the final project in terms of energy and water consumption, ambient and indoor air quality, land alteration, and resource consumption.

I refer the proponent, state agencies and others to the Draft Record of Decision (DROD) that I have issued separately today for additional details on the proposed Phase I, including my draft findings with regard to the proponent's Phase I Waiver request. The DROD also includes proposed conditions to ensure that adequate measures are taken to avoid and minimize, or mitigate adverse environmental impacts associated with the project.

July 14, 2006

DATE


Stephen R. Pritchard, Secretary

Comments received

7/06/06	Department of Environmental Protection, Central Regional Office
7/06/06	Ronald Bucchino
7/07/06	Ward Councilor Scott Schafer, City of Marlborough, Office of the City Council
7/07/06	City of Marlborough, Conservation Commission
7/07/06	Executive Office of Transportation, Office of Transportation Planning
7/07/06	Service Employees International Union, Local 615

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