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IAN A. BOWLES
SECRETARY

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

PROJECT NAME : Lakeshore Center
 PROJECT MUNICIPALITY : Pleasant Street (Route 104) - Bridgewater & Raynham
 PROJECT WATERSHED : Taunton River
 EOEI NUMBER : 4959
 PROJECT PROPONENT : Claremont Companies
 DATE NOTICED IN MONITOR : November 10, 2008

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

Project Description

As described in the SDEIR, the proposed project consists of the construction of approximately 761,555 square feet (sf) of mixed-use development with 3,140 surface parking spaces. The project includes approximately 482,500 sf of retail/restaurant space, an approximately 140-room hotel (102,055 sf), and 177,000 sf of general office space. The project site contains an existing 77,000 sf general office building, which will remain. The site is adjacent to Route 24 and I-495. It is comprised of approximately 162.51 acres and is located within the Hockomock Swamp Area of Critical Environmental Concern (ACEC). Another 1.9 acre site is owned by the proponent on the north side of Route 104. However, the Supplemental DEIR indicates that the proponent has no current plans to develop this site. Approximately 152.83 acres of the project site are in Bridgewater and 9.68 acres are within Raynham.

Using the unadjusted Institute of Traffic Engineers Trip Generation land use codes (310, 710, and 820), the proponent has estimated that the project will generate approximately 22,194 average weekday (unadjusted) vehicle-trips. Access to the project site from the regional highway

system would be provided from Pleasant Street (Route 104) to Route 24 and via Elm Street and Route 138 in Raynham to I-495.

The proposed project will be connected to existing municipal water and sewer service. It will consume approximately 68,800 gallons per day (gpd) of water and will generate approximately 57,300 gpd of wastewater flow.

MEPA Project History

In October of 1983, the proponent submitted an Environmental Notification Form (ENF) for the Lakeside Corporate Center. The Lakeside Corporate Center consisted of approximately 1,051,000 sf of mixed use facilities including proposed manufacturing, office and distribution space on 155 acres of land. It required a mandatory EIR and a Draft and a Final EIR was submitted. The FEIR was determined to be adequate on September 14, 1985. The project was never constructed.

In a Notice of Project Change (NPC), which was submitted in May of 1989, the proponent proposed Bridgewater Crossroads. Bridgewater Crossroads consisted of a 925,000 sf regional shopping mall with about 285,000 sf of office space and a 150-room hotel. In response to the NPC, a citizens group requested the nomination of the site and the area of Lake Nippenicket as an Area of Critical Environmental Concern (ACEC). In January of 1990, a DEIR was submitted for the Bridgewater Crossroads project. On February 10, 1990, the Secretary designated a significant surrounding area as an ACEC. On March 5, 1990, the Secretary determined that the DEIR was adequate. However, this Certificate stated that the FEIR would be subject to higher standards of review for the ACEC. On July 18, 1990, the FEIR was determined to not be adequate. In December of 1990, a Supplemental FEIR was submitted for Bridgewater Crossroads. Bridgewater Crossroads was now comprised of a 550,000 sf shopping center, 135,000 sf of office/research space, and a 150-room hotel. On January 30, 1991, the Supplemental FEIR was determined to be adequate. The project was never constructed due to subsequent market conditions.

In August of 1997, a new proponent, First Highland, filed an NPC utilizing the Lakeside Corporate Center name, and it proposed a nearly identical project as the original Lakeside Corporate Center in 1983. The November 6, 1997 Certificate on the NPC required a Supplemental EIR to address the significant changes in the regulatory review since 1991. First Highland never constructed the project and the site was subsequently purchased by the current owner and proponent.

In June of 1998, the current owner submitted an NPC. This NPC requested a waiver from the categorical inclusion regulations to allow construction of a Phase I office building of 75,000 sf. In the July 24, 1998 Certificate on the NPC, the waiver request was denied and a

Supplemental EIR was required for the entire project. A second NPC was submitted by the proponent in January of 1999 for a 1,100,000 sf project. The Certificate on this second NPC by the proponent also required the preparation of a Supplemental EIR. In June of 1999, the proponent voluntarily withdrew from MEPA review and in 2000 proceeded with the construction of a 77,000 sf office building with an on-site septic system. This building did not require any state action. However, Claremont agreed that further development of the site would require MEPA review.

In January of 2000, the proponent filed another NPC. This NPC consisted of 1,121,776 sf of mixed use development. The April 12, 2000 Certificate on the NPC determined that the project continued to require an EIR. In January of 2001, the proponent submitted a DEIR under the name of Lakeshore Corporate Center with three alternative development programs which increased the project density. On February 16, 2001, the Secretary determined that the DEIR did not adequately comply with the MEPA regulations. A Supplemental DEIR was required. In July of 2001, the proponent submitted the required Supplemental DEIR for a project consisting of 1.177 million sf of office space. On August 31, 2001, the Secretary determined that the plans submitted did not adequately and properly comply with the MEPA regulations. A second Supplemental DEIR was required. In 2002, the proponent reduced the project to 930,000 sf of office space. It eliminated an office building that posed the greatest potential impact to the turtle nesting habitat and included a Conservation Plan. On December 16, 2002, the Secretary determined that the second Supplemental DEIR was adequate, but significant issues remained to be resolved in the FEIR. The proponent did not move forward with that iteration of the project.

In May of 2007, Claremont submitted an NPC for Lakeshore Center for the addition of abutting parcels of land and a change in the overall mix of the proposed uses. The project site now totaled approximately 162.5 acres. The project now had a build-out of about 686,300 sf with about 449,000 sf of retail/restaurant space, a hotel, and about 154,000 sf of office space. On June 22, 2007, I required the preparation of a third Supplemental DEIR.

Jurisdiction and Permitting

The project requires a mandatory EIR under the MEPA regulations. It will require an Access Permit and Traffic Signal Permits from the Massachusetts Highway Department (MassHighway). It will require a Conservation and Management Permit under the Massachusetts Endangered Species Act (MESA) from the Natural Heritage and Endangered Species Program (NHESP). The project may require a Limited Air Plan Approval/Fossil Fuel Emission Permit, a Sewer Connection/Extension Permit, Superseding Orders of Resource Area Delineations, and a potential Superseding Order of Conditions from the Department of Environmental Protection (MassDEP). It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. Orders of Conditions may be required from the Bridgewater and Raynham Conservation Commissions for impacts to buffer

zones. The proponent has received Orders of Resource Area Delineations from the Bridgewater and Raynham Conservation Commissions. The proponent is not seeking state funding for the project. MEPA jurisdiction is therefore 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 land alteration, traffic, air quality, wetlands, and stormwater.

Review of the Supplemental DEIR

Project Description/Alternatives Analysis

The Supplemental DEIR included a detailed description of the project with a summary/history of the project. It described each state agency action required for the project. The project will be built in three phases, which the proponent has created based on the three upland areas. The Supplemental DEIR indicates that no time frame has been established for the proposed development because it is dependent on market conditions. The Supplemental DEIR discussed how this project is compatible with Executive Order 385 – Planning for Growth, via its consistency with local zoning, and the Old Colony Planning Council (OCPC)'s Long Range Plan.

The Supplemental DEIR developed the following alternatives: the No-Build Alternative; the Preferred Alternative; an Alternative Site Layout that avoids or minimizes the relocation of the Eastern Box Turtle; an Alternative Site Layout that avoids or minimizes impacts to archaeological sites; and an Undisturbed 100-foot buffer zone Alternative that maximizes site layout and sustainable design/Low Impact Development (LID) opportunities to minimize water, wastewater, stormwater and wetland impacts to the buffer zone. It identified the impacts of each of the alternatives on traffic, parking, wetlands, drinking water, and wastewater. The Supplemental DEIR provided a comparative analysis that showed the differences between the environmental impacts associated with each of the alternatives.

Traffic/Parking/Transportation Demand Management

Because the project is estimated to generate 19,360 new trips, the Supplemental DEIR developed a traffic study to address potential impacts. The proposed trip generation numbers were developed from the Institute of Traffic Engineers' land use codes. The proponent adjusted trip estimates utilizing pass-by trips. The Supplemental DEIR explained the trip assignment to the roadway system and provided an analysis of traffic impacts on the level of service (LOS) at the intersections listed in the prior Certificate, as well as the additional intersection of Route 104/Bridgewater Place. The LOS analysis in the Traffic Study included traffic volumes associated with the a.m. and p.m. weekday peak hours and Saturday midday peak hour and also included volume to capacity ratios, time delay, a traffic distribution map, and background growth

from other proposed developments in the area.

The analysis indicated that there would be 2,156 trips associated with the pm weekday peak hour and 2,581 trips associated with Saturday peak hour trips. For each intersection in the study area, the Supplemental DEIR included with its LOS analysis a summary of the average and 95th percentile vehicle queues. The Supplemental DEIR presented the traffic generated by the other projects undergoing MEPA review in the background traffic numbers as well as other projects identified by Bridgewater and Raynham. The proponent used 2013 as the build year. Plans for any major reconstruction of the roadways in the study area were also discussed in the Supplemental DEIR. The Supplemental DEIR contained a proposed mitigation package for traffic impacts that is summarized below.

Parking at the site will include a total of approximately 3,140 spaces in surface lots. The proponent is proposing 242 parking spaces more than zoning requires. According to the Supplemental DEIR, the number of parking spaces was determined by retail demand. The Supplemental DEIR identified the location of taxi-parking areas on its site plans. It indicated that there are no local bus routes currently servicing the site.

The Supplemental DEIR presented a Transportation Demand Management (TDM) Program designed to minimize reliance on single passenger vehicle trips for employees at the project site. Specific TDM mitigation measures proposed for the project are summarized below.

Air Quality/Greenhouse Gas

The Supplemental DEIR provided a mesoscale air quality analysis. Ozone precursor emissions from the preferred alternative were greater than the no-build case. Volatile organic compounds (VOC) were estimated at 23.0 kg/day with mitigation, and oxides of nitrogen (NO_x) were estimated at 48.1 kg/day with mitigation in 2013.

The proponent has voluntarily included a Greenhouse Gas (GHG) emissions analysis for the project. The proponent has estimated that the project's buildings will generate approximately 7,112 tons per year of carbon dioxide (CO₂) and mobile sources will generate about 5,107 tons per year of CO₂ with mitigation in 2013. The analysis indicates that total CO₂ emissions are reduced by 18.5% (from 14,995 tons per year to 12,219 tons per year) because of the energy efficiency and TDM measures selected to mitigation GHG emissions. The specific measures proposed for the project are summarized in the mitigation section below.

The proponent has indicated that it is committed to incorporating sustainable design elements into all of their projects. The Supplemental DEIR summarized the proponents' efforts to ensure that this project includes Leadership in Energy and Environmental Design (LEED) certified buildings or the equivalent. I commend the proponent on voluntarily considering ways

in which to minimize and mitigate project-related GHG emissions and on agreeing to adopt measures to achieve the overall emissions reduction noted above. However, I encourage the proponent to consider making additional commitments as outlined by MassDEP in its comment letter. The proponent should consider providing climate and lighting controls (motion sensors) for the proponent's buildings. It should consider orienting the buildings and constructing roofs capable of supporting the added weight of a solar photovoltaic (PV) system for potential installation at a future date.

Wetlands/Wildlife Habitat & Conservation

The Supplemental DEIR contained an alternatives analysis to ensure that impacts to wetlands buffer zones are avoided, minimized and mitigated to the greatest extent feasible. It quantified the amount of temporary and permanent impacts to buffer zones under each alternative. In the Preferred Alternative, the proponent has reduced the areas of its proposed impacts into the buffer zone of wetland resource areas.

Three streams flow through the project site, and they have been identified as intermittent. The Supplemental DEIR provided a measurement of the wetland resource areas and buffer zones that will be affected by the project. The project site contains an area of Coastal Atlantic White Cedar Swamp, an Exemplary Natural Community. It also contains four potential vernal pools. The Preferred Alternative is designed to avoid impacting this Exemplary Natural Community. One of the vernal pools is located within a buffer zone and the other three do not hold a large enough volume of water to be regulated. The Supplemental DEIR did not provide sufficient information that justified the impacts to approximately 5.9 acres of wetland buffer zones nor did it provide specific details on the impacted areas. According to the proponent, the buffer zone area for the Preferred Alternative is approximately 26.8 acres.

The project site is mapped as Priority Habitat for the Eastern Box Turtle. The proponent has completed an on-site habitat study and radio telemetry study of the Eastern Box Turtle. This study has identified two Eastern Box Turtles on the site. The Supplemental DEIR described the proponent's efforts to address impacts to the Eastern Box Turtle by providing an on-site Eastern Box Turtle habitat protection and management area, a turtle barrier, and a plan to protect turtles during construction. In addition, the proponent has proposed to provide approximately \$300,000 for off-site habitat protection. The proponent will provide ongoing monitoring (radio telemetry) to determine whether the mitigation measures perform as intended. The site plans submitted with the Supplemental DEIR show a conservation restriction on 11.5 acres of upland area for turtle habitat that includes a turtle barrier around the central portion of the site. The proponent has further committed to permanently protecting all of the site's 76.9 acres of wetlands with a conservation restriction. The proponent has proposed a wildlife corridor along I-495. This wildlife corridor is approximately 150 feet by 547 feet and is part of the 76.9 acres to be permanently protected. It would link the eastern and western wetlands on the project site.

Drainage/Stormwater

The Supplemental DEIR presented drainage calculations and detailed plans for the management of stormwater from the proposed project. It included a detailed description of the proposed drainage system design. The Supplemental DEIR reduced stormwater detention basins within the 100-foot buffer zone. The proponent proposes to use Low Impact Design (LID) techniques such as porous pavement for walks and a bioretention swale along Route 104 to improve the quality of the drainage to the Atlantic White Cedar Swamp. The Supplemental DEIR described the rates of stormwater runoff for the 2, 10, 25, 50 and 100-year storm events. The proponent has no plans to tie into the existing municipal stormwater system or the MassHighway stormwater system.

The Supplemental DEIR also 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 construction sites. It included a discussion of best management practices employed to meet the NPDES requirements and a draft Pollution Prevention Plan in the appendices. The Supplemental DEIR indicates that the stormwater management plan for the project is consistent with the Town of Bridgewater's stormwater program. A maintenance program for the drainage system was developed to ensure its effectiveness. This maintenance program outlined the actual maintenance operations, sweeping schedule, responsible parties, and back-up systems. The proponent has committed to use a non-sodium based deicer on pavement surfaces. Dewatering of the construction site is not anticipated by the proponent, but if it becomes necessary, a groundwater monitoring program will be implemented to ensure that there is no impact to the groundwater level. The project site is located within an Aquifer Protection Zone for Raynham's municipal water wells. The Supplemental DEIR discussed that this project will be constructed utilizing best management practices and maintained in accordance with MassDEP stormwater regulations within a Zone II of a water supply. The proponent has proposed a groundwater monitoring program a spill prevention program to safeguard the nearby water supply.

Water/Wastewater

The Supplemental DEIR indicates that the proponent will provide on-site wells to supply irrigation for landscaping. The Supplemental DEIR outlined the proponent's efforts to reduce water consumption by utilizing 1.6 gallon water tanks for toilet fixtures, flow controllers, and low consumption shower heads. The Supplemental DEIR indicated that the municipal wastewater system has sufficient capacity to handle the project's additional wastewater flows. To facilitate connection to the municipal wastewater treatment plant, the proponent has funded a 3-mile sewer extension along Route 104 to the project site.

Construction Impacts

The Supplemental DEIR presented a discussion on potential construction period impacts. It estimated that the project will require approximately 376,771 cubic yards of fill, which was estimated at about 15,071 truck trips to the site. The truck routes have not been determined beyond the use of Route 104 from either Route 24 or I-495 via Broadway depending on where fill will be obtained. No blasting has been proposed in the Supplemental DEIR.

Historical/Archaeological Issues

The project site contains two significant Native American archaeological sites that are included in Massachusetts Historical Commission's (MHC's) Inventory of Historic and Archaeological Assets of the Commonwealth. According to MHC, the project will adversely affect the Tomb Road Area B Site and preserve the Bassett Site. After consultation with MHC, the proponent determined that if the Tomb Road Area is preserved that the project would lose frontage along Route 104 for proposed retail uses and about 29,000 sf of retail space. Because of the prior NPC submission and the addition of 18 acres to the project site, the proponent summarized its intensive (locational) archaeological survey of the 18 acres in the Supplemental DEIR. The Supplemental DEIR reported that no potentially significant cultural resources were discovered in this area. As indicated in the MHC comment letter, a draft Memorandum of Agreement should be developed for this project to ensure protection of potentially affected archaeological sites.

Supplemental DEIR Mitigation

In the Supplemental DEIR, the proponent committed to the following mitigation measures:

- Installing a new traffic signal, coordinating with existing and proposed traffic signals along Route 104, and making the necessary geometric improvements at the Elm Street East/Route 104/West Site Driveway, approximately \$400,000.
- Installing a new traffic signal, coordinating with existing and proposed traffic signals along Route 104, and making the necessary geometric improvements at Route 104/Main (Central) Site Driveway, approximately \$750,000.
- Widening the northbound Fruit Street approach to Route 104 from a single lane to a shared left/through lane and an exclusive left-turn lane, approximately \$100,000.
- Constructing a new eastbound lane from just west of the Route 24 Southbound ramps to just east of the Route 24 Northbound ramps and installing a second southbound left-turn lane at the Route 24 Southbound ramps onto Route 104. Coordinating the two signalized intersections with the new and existing adjacent signalized intersection. The cost is approximately \$350,000.

- At the Route 138/Elm Street East intersection, restriping the Elm Street westbound approach to provide one exclusive left-turn lane and one shared left-turn/through/right-turn lane, modifying the signal phasing, and adjusting signal timings, approximately \$75,000.
- Providing traffic signal timing adjustments at the following intersections: Route 104/Bridgewater Place; Route 104/Elm Street; North Main Street/Mill Street; Route 138/I-495 Southbound ramps, approximately \$40,000.
- Developing a Transportation Demand Management (TDM) that includes an on-site transportation coordinator, rideshare/carpool program/preferred parking, flextime/compressed workweek, direct deposit/on-site banking, and on-site restaurants, telecommuting, internet shopping, signage with directions to the regional highways, scheduling truck deliveries to off-peak hours, bicycle incentives (bike lockers, racks, locks and helmets), guaranteed ride home, establishing a Transportation Management Association (TMA), and conducting a transit feasibility study. The TDM program is estimated to provide a five percent reduction in daily traffic.
- Providing the following measures to mitigate GHG emissions from stationary sources: using high-albedo roofing material; high efficiency HVAC systems, increasing boiler/furnace efficiency to 95 percent; maximizing interior day-lighting; incorporating energy efficient windows; increasing insulation to minimize heat loss (roof to R-30 and walls to R-19); installing energy efficient interior/exterior lighting; duct insulation; providing for storage and collection of recyclables in building design; using water-conserving fixtures that exceed building code requirements; re-using gray water and/or collecting and re-using rain water; re-using building materials and products; and building commissioning.
- Utilizing the following measures to protect habitat: continue tracking turtles by radio telemetry; conserving 11.5 acres of upland (\$5.5 million) for turtle habitat; constructing a turtle barrier (\$250,000); naturalizing stormwater management sediment forebays and infiltration basins located within buffer zone; providing \$300,000 for off-site conservation efforts.
- Upgrading the water line to 16-inch diameter and extended the sewer line for three miles within Route 104 to the center of the project site, approximately \$2.5 million.
- Extending the water line another 2,000 feet to the western portion of the property, approximately \$150,000.
- Extending the sewer line within Route 104 another 2,000 feet to the western portion of the property, approximately \$200,000.
- Providing on-site wells for irrigation, approximately \$25,000.
- Requiring contractors to comply with the Massachusetts Diesel Retrofit Program.
- Providing for a data recovery (archaeological resources) program for the Tomb Road Area B Site, approximately \$250,000.

SCOPE

The FEIR should address the issues outlined below and should follow Section 11.07 of the MEPA regulations for outline and content, as modified by this Certificate.

Project Description and Permitting

The FEIR should provide a project description. It should include updated existing and proposed site plans. The FEIR should identify the state, local, and federal permits that this project will require. It should outline the status of each state permitting process. The FEIR should also provide an updated timeline on the expected schedule for construction of the various phases of the project.

Traffic

The FEIR should include a traffic signal warrant analysis for any proposed traffic signals. In its comment letter, MassHighway has requested that the proponent provide additional mitigation measures at the Route 24 southbound off-ramp right-turn movement onto Route 104. The proponent proposed to construct a second eastbound through lane on Route 104 from west of the Route 24 southbound ramps to just east of the Route 24 northbound ramps. MassHighway believes that there is insufficient roadway width on the bridge over Route 24 to accommodate the construction of this additional traffic lane. The FEIR should provide additional information indicating whether the extra through lane can be accommodated within the existing right-of-way or whether additional mitigation at this location will be necessary. As indicated in the Executive Office of Transportation's (EOT) comment letter, the use of Land Use Code (LUC) 820, shopping center, takes into account internal capture trips when calculating the trip generation. However, the project is proposed in three distinct areas in order to minimize impacts to on-site wetlands. The FEIR should therefore analyze each of the retail components separately based on the three separate driveways with no internal connections. The FEIR should include a detailed breakdown of the revised trip generation calculations, as well as supporting graphics showing the site generated traffic distributed through the roadway network as requested by MassHighway. MassHighway has requested that the proponent justify negatively impacting mainline traffic on Route 138 at the Elm Street East intersection for the minor street approach. The FEIR should investigate alternative improvements to this intersection.

The FEIR should include a revised mitigation package for traffic impacts that includes additional mitigation measures in response to the revised analysis required above. EOT and other commenters have noted serious concerns that the project has not adequately mitigated its traffic impacts. The proponent should work closely with MassHighway and EOT to prepare a revised mitigation plan that addresses these concerns.

Parking

The FEIR should provide a breakdown of parking needs by land use category/use, time of day, and employee/customer/hotel guest/visitor category to demonstrate the need for the proposed 3,140 spaces. The parking needs assessment should take into account the turnover rates for employees, customers, and visitors. The FEIR should identify the parking requirements recommended by the Institute of Traffic Engineers and the Urban Land Institute. It should consider reducing parking by 242 parking spaces to the minimum required by zoning.

Transit

The proponent has committed to funding a transit study to explore enhancing transit service to this area. It should evaluate opportunities for a transit connection to Bridgewater center and Bridgewater State College. The transit study should be completed prior to submitting the FEIR and the FEIR should present the results of the transit study. The FEIR should show the location of local transit bus stops on the project's site plan. It should also contain an update on any discussions with the Brockton Area Transit Authority and/or the Greater Attleboro Taunton Regional Transit Authority concerning expansion of service to the Site and a firm commitment to any proposed mitigation.

Pedestrian and Bicycle Facilities

The FEIR should show existing and proposed pedestrian facilities in the study area on a site plan. It should also evaluate the feasibility of providing sidewalks and bike lanes along its frontage with Route 104 and in those areas where the proponent is proposing improvements along Route 104 that will promote non-vehicular connections between the different components of the project site and to other residential, retail and commercial developments in the area. It should show where traffic calming measures are proposed. The FEIR should identify the number of bicycle parking spaces and their location on the project site.

Wetlands

The FEIR should contain an evaluation of the feasibility of incorporating additional Low Impact Design (LID) techniques into the site design and eliminating additional parking spaces, in order to reduce the impacts on buffer zones. The proponent should make every effort to design the project in a manner to minimize impacts to wetlands buffer zones to the maximum extent feasible in this Area of Critical Environmental Concern. For example, in the central development portion of the site, the proponent may also be able to provide shared parking between the office building and the retail uses, which could reduce parking requirements further

as well as the ultimate buffer zone impacts. For any wetlands buffer zone impacts that cannot be avoided as required above, the FEIR should contain a detailed discussion of the Preferred Alternatives' impacts (stormwater structures and landscaping) in each impacted area with figures.

Habitat Conservation/Rare Species

The FEIR should include an update on any changes to the habitat conservation and mitigation measures described in the Supplemental DEIR.

Water

The FEIR should estimate the amount of water required to irrigate the site, and it should identify the potential locations for the proponents' wells.

Mitigation

The FEIR should include a separate chapter on mitigation measures. It should identify measures to provide a transit option to the project site. This chapter on mitigation should include a Draft Section 61 Finding for MassHighway, MassDEP, and the NHESP. The 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 should also be included. I ask the proponent to reconsider including the 1.9 acre parcel on the north side of Route 104 as part of its proposed Conservation Restriction.

Response to Comments


In order to ensure that the issues raised by commenters are addressed, the FEIR should include detailed responses to comments submitted on the Supplemental DEIR. This directive is not intended to, and shall not be construed to enlarge the scope of the FEIR beyond what has been expressly identified in this Certificate and prior Certificates.

Circulation

The FEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to local officials in Bridgewater and Raynham. A copy of the FEIR should be made available for public review at the Bridgewater and Raynham Public Libraries. The proponent should provide a hard copy of the FEIR to each state agency from which the proponent will seek permits or approvals

and to Bridgewater's commenting agencies.

December 17, 2008
DATE



Ian A. Bowles

Comments received:

- H.W. Moore Assoc., 11/10/08
- H.W. Moore Assoc., 11/12/08
- MHC, 11/24/08
- H.W. Moore Assoc., 12/4/08
- Bridgewater Highway Department, 12/5/08
- Patricia Neary, 12/8/08
- Jim Noyes (Greenman – Pedersen, Inc.), 12/10/08
- DCR, 12/10/08
- Thomas and Barbara Morrissey, 12/10/08
- Lake Nippenicket Assoc., 12/10/08
- MassDEP/SERO, 12/10/08
- EOT, 12/10/08
- Mass Wildlife (NHESP), 12/10/08
- Mass Audubon, 12/10/08
- Bernice and David Morrissey, 12/10/08
- OCPC, 12/12/08

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