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February 6, 2009

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

PROJECT NAME : Overlook Ridge
PROJECT MUNICIPALITY : Malden and Revere
PROJECT WATERSHED : North Coastal
EEA NUMBER : 11971
PROJECT PROPONENT : Roseland Property Company
DATE NOTICED IN MONITOR : January 21, 2009

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project change does not require the preparation of an Environmental Impact Report (EIR).

MEPA History

The project entails the phased redevelopment of the 99-acre former Rowe Quarry site in Malden and Revere, which is located on the east side of Route 1, north of its interchange with Salem Street. At full build-out, the project will include 2,800 residential units, 150,000 square feet of commercial space and a 250-room hotel. It has been the subject of review under MEPA since 1999. It was the subject of a Special Review Procedure (SRP) that required the submission of two separate EIRs – one for project-related transportation improvements (specifically, the realignment of Route 1 and associated highway improvements), and the other for the redevelopment of the project site itself for residential and commercial uses. The SRP also required the submission of a Fill Management Plan and a Stormwater Management Plan, both of which were reviewed in 2001 and found to be adequate. The Draft and Final EIRs, submitted in

2002 and also found to be adequate, analyzed the environmental impacts of Phase 1 only. Phase 1 redevelopment consisted of the 632 residential units on approximately 42 acres. Construction of Phase 1 commenced in 2001 and was completed in 2008. The project was the subject of two subsequent Notices of Project Change (NPCs). The first, reviewed in 2005, described the development of Phase 2 of the project, consisting of 770 residential units, for a total of 1,402 units. The proponent has commenced construction of Phase 2. The second NPC, reviewed in 2006, described the addition of 90 units to Phase 1, for a total of 722 units in Phase 1 and 1,492 units overall.

Concurrent with the Overlook Ridge project, the Massachusetts Highway Department (MassHighway) initiated plans for safety and operational improvements to Route 1 in the vicinity of the project site. The proponent has been working with MassHighway to develop alternatives for improvements to Route 1 that could accommodate both MassHighway's long-term goals as well as the traffic generated by the project at full build-out. The proposed project entails roadway modifications and improvements along a 2.4-mile portion of Route 1 commencing 1,500 feet south of the Route 1/Route 60 (Copeland Circle) interchange to the Route 1/Route 99 interchange. The overall purpose of and need for the project is to improve regional mobility, improve local mobility and access, reduce congestion in the project area, and improve traffic safety, particularly at the locations of on- and off-ramps. The Overlook Ridge proponent prepared and MassHighway submitted a Draft Environmental Impact Report (DEIR) in 2008 for the Route 1 Transportation Improvement Project (EEA #13149), which was found to be adequate.

Project Change Description

As described in the current NPC, the project change entails the development of Phase 3 of the project, which consists of 1,308 residential units, the hotel and commercial space, and 2,539 parking spaces. According to the NPC, Phase 3 will generate 17,914 vehicle trips on an average weekday, for a total of 25,880 average daily trips for the overall project. Phase 3 will use approximately 283,656 gallons per day (gpd) of water and generate 227,800 gpd of wastewater (for a total of 600,000 gpd of water use and 520,000 gpd of wastewater generation for the overall project). The project requires a Vehicular Access Permit from MassHighway and a Sewer Connection/Extension Permit from the Department of Environmental Protection (MassDEP).

Wastewater

The proponent has been removing infiltration and inflow (I/I) prior to the generation of additional wastewater flows from Phase 3 of the project, in accordance with the Section 61 Finding contained in the Sewer Extension/Connection Permit issued by MassDEP on January 6, 2003 for earlier phases of the Overlook Ridge project. The proponent is required to remove four gallons of infiltration and inflow (I/I) for each gallon of new flow to be generated by the project. The proponent, subject to MassDEP approval, has completed a significant amount of

this mitigation work in support of earlier phases of the project, and has executed a Memorandum of Understanding with the City of Malden for the implementation of the work. The 4:1 mitigation requirement will continue to be a condition of connecting additional flows to the sewer system during subsequent phases of the project. Because the 1,308 new units are estimated to add 283,656 gpd of wastewater, the proponent will need to remove, or cause to be removed, 1,134,624 gpd of I/I from this phase of the project. The NPC also estimates that 1,158,202 gpd of I/I have been removed in conjunction with the construction of Phases 1 and 2. MassDEP expects that I/I removal will continue as the construction of the project proceeds.

Stormwater Management

The project site is located within the southern portions of the Saugus River watershed and the stormwater management area for the project site drains directly to the Rumney Marshes Area of Critical Environmental Concern (ACEC). As recommended by the Saugus River Watershed Council in its comments, the proponent should ensure that the stormwater management system for the project can adequately handle runoff associated with the proposed full build-out as outlined in the NPC. The stormwater management plan for the full build-out should also be updated to reflect the latest Massachusetts Department of Environmental Protection stormwater policies and handbook released in 2008.

Based on comments submitted by the Saugus River Watershed Council, I encourage the proponent to incorporate additional low impact development techniques, including Leadership in Energy and Environmental Design (LEED) certified building practices for at least some of the proposed residential and/or commercial buildings, which could reduce the amount of stormwater pollution being discharged to the Rumney Marshes ACEC. Incorporating additional sustainable construction practices into this project is particularly important because of its location adjacent to significant natural resources, including shellfish beds.

Transportation

Summary of Previous Mitigation Commitments

Concurrent with the proposed development of the Overlook Ridge project, MassHighway is planning a corridor improvement project that will widen Route 1 to provide three lanes in each direction in Revere, Malden and Saugus between the Route 1/Route 60 interchange (Copeland Circle) and the Route 1/Route 99 interchange. The project will also include interchange improvements at Copeland Circle, the Route 1/Route 99 interchange, and the Route 1/Salem Street interchange, as well as roadway improvements to local streets as deemed necessary by the traffic study. The Route 1 Corridor Improvements project is expected to alleviate existing operational and safety deficiencies, and will adequately accommodate the traffic demand of the full build of Overlook Ridge within this state highway corridor. Based on MassHighway's previous review of the Overlook Ridge project, the proponent agreed to complete permitting and design work for the Route 1 Corridor Improvements project to satisfy mitigation requirements of

the full build-out of the Overlook Ridge project. To that end, the proponent's commitments to mitigation as described in the Section 61 Finding issued by MassHighway on October 5, 2006 included the following:

- Produce 25 percent design level plans for the Route 1 Corridor Improvements project;
- Complete of the MEPA/NEPA process and coordinate of environmental permitting for the Route 1 Corridor Improvements project;
- Produce 100 percent design plans and complete associated environmental permitting tasks for the Route 1 Corridor Improvements project;
- Produce 100 percent design for Early Action Projects described in detail below; and Donate, at no cost to MassHighway, any and all land necessary for the construction of the improvements along the Route 1 corridor, including improvements to the Route 1 mainline, ramps, local roads, and any other elements associated with the project.

To date, the proponent has advanced the Route 1 Corridor Improvements project to the Draft EIR stage. The proponent has continued working with MassHighway to complete the Route 1 Corridor Improvements Final EIR and all environmental permitting for the project.

Status of Previous Mitigation Commitments

The NPC also provides a status report of the proponent's previous mitigation commitments and the environmental review and permitting for the Route 1 Corridor Improvements project. The proponent has specifically noted that, as a result of additional regional highway improvements requested by the Cities of Malden and Revere and approved by MassHighway, the scope and magnitude of the Route 1 Corridor Improvements project has increased since the issuance of the original October 5, 2006 Section 61 Finding for the Overlook Ridge project. Consequently, the proponent has proposed transferring the responsibility for 100 percent design to MassHighway.

In its comments, MassHighway states that while it recognizes that the commitments identified in the MassHighway Section 61 Finding were based on a previous alternative for the Route 1 Corridor Improvements, it nevertheless wishes to ensure that a mechanism is in place to complete the project design and facilitate construction of the Route 1 Corridor Improvements. Therefore, the proponent should continue to work with MassHighway to evaluate options for resolving these issues, such as a Design/Build process for construction of the project. If this approach is selected, MassHighway would require that the proponent commit to identify all the requirements for implementing the Route 1 Corridor Improvements project through a Design/Build process, to prepare - at a minimum - the 25 percent design, and to assist in the procurement and oversight of qualified firms. Upon final determination of the process, the proponent should submit a revised Letter of Commitment to EOT's Office of Transportation Planning, which will be the basis for MassHighway to issue an amended Section 61 Finding for the project.

Phase 3 Mitigation Commitments

The NPC includes a transportation study that proposes the set of “Early Action Projects” (discussed in item 4 above) that could support site development beyond Phase 2 prior to completion of the Route 1 Corridor Improvement project. The traffic study includes a capacity analyses for the 2015 No Build scenario (which assumes that Phase 2 is built by 2009), and the 2015 Build scenario with mitigation (which assumes that Phase 3 and the Early Action Projects have been constructed). The proponent has committed to provide 100 percent design for these improvements for future construction by MassHighway. The Early Action Projects comprise the following:

- Eliminate the Route 1 Northbound on/off-ramp at Salem Street;
- Construct a new Salem Street Bridge;
Widen Salem Street and Lynn Street;
- Install traffic signals at the intersection of Lynn Street, Salem Street, and the Route 1 southbound on/off-ramp;
- Install a traffic signal at the intersection of Salem Street and Overlook Ridge Drive;
Re-Align Route 1 northbound off-ramp to Salem Street eastbound;
- Construct Overlook Ridge Drive from Salem Street to near Route 1; and
- Construct Overlook Ridge Drive on-ramp from Overlook Ridge Drive to Route 1 northbound.

MassHighway has reviewed the capacity analyses provided in the NPC and, in its comments, states that it believes that the proponent’s mitigation commitments will adequately address the additional traffic associated with Phase 3 of the project. With the implementation of the above improvements, most of the study area intersections and ramp junctions along the Route 1 corridor in the vicinity of the project are projected to operate at levels of service that are comparable to the No-Build condition.

Transportation Demand Management

The NPC describes the Transportation Demand Management (TDM) program for Phases 1 and 2 of the project, which the proponent has committed to continue as part of full build-out of the project. These TDM measures include:

- Working with MassRides to develop the TDM plan for the Overlook Ridge residents and distributing information on travel options on a regular basis;
Developing a service plan and implementing a shuttle service for the development to the Orange Line station at Malden Square;
- Providing on-site parking spaces for Zip Cars and encouraging residents to become members of Zip Car;
- Providing bus stops on each side of Salem Street at the project site for the various MBTA bus lines that serve the corridor;
- Providing a shuttle bus from the site directly to Government Center in Boston;
- Providing pedestrian and bicycle access throughout the project site, with connections to adjacent networks;
- Designating an on-site transportation coordinator; and

- Working with the MBTA to allow the sale of transit passes on-site and providing transit subsidies for residents through the on-site coordinator.

The project proponent has implemented some of the above measures as part of Phase 1 of the project. In its comments, MassHighway states that it will require the proponent to coordinate with MassRides to develop and implement appropriate TDM concurrent with occupancy of each phase of the project, and to work with the MBTA to provide bus pull-outs and secure bus shelters along both sides of Salem Street. The proponent shall provide the EOT's Office of Transportation Planning with a status report of all aspects of the TDM program as part of the monitoring program for the project required in the Section 61 Finding.

Conclusion

Based on a review of the information provided in the NPC, and after consultation with the relevant public agencies, I find that the project as outlined in the NPC does not warrant the preparation of an EIR. No further MEPA review is required at this time and the project may proceed to permitting. Once issued, MassHighway should forward a copy of the amended Section 61 Finding for the project to the MEPA Office for completion of the project file.

February 6, 2009

Date

Ian A. Bowlēs

Comments received:

- 1/27/09 Department of Environmental Protection Northeast Regional Office
- 1/27/09 Saugus River Watershed Council
- 2/4/09 Executive Office of Transportation

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