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February 20, 2009

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

PROJECT NAME : Northwoods Crossing
PROJECT MUNICIPALITY : Bay Street/ I-495 – Taunton
PROJECT WATERSHED : Taunton River
EOEA NUMBER : 12784
PROJECT PROPONENT : Koffer/GID Taunton Development, LLC
DATE NOTICED IN MONITOR : January 21, 2009

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and determine that it **does not require** further MEPA review.

The project originally consisted of the construction of 160,000 square feet (sf) of mixed-use retail and restaurant space with 1,234 surface parking spaces and an approximately 3,650 sf expansion of the existing Northwoods Medical Center for a radiation unit. The 51-acre site contained an existing 90,000 sf medical center with 191 parking spaces. The project site is located within the Canoe River Aquifer, Snake River, Watson Pond, and Lake Sabbatia Area of Critical Environmental Concern (ACEC). On March 18, 2003, the Secretary determined that the Single Environmental Impact Report (EIR) was adequate.

Summary of Project Change

This NPC was submitted for MEPA review on January 15, 2009. The proponent is proposing to expand the mixed-use project by constructing an additional 85,000 sf of commercial

space, for a total build-out of 245,000 sf. This 85,000 sf includes a 10,000 sf outdoor fenced area. Currently a total of 135,282 sf of mixed-use retail and restaurant space has been constructed and occupied, with 24,718 sf of previously approved space still to be constructed. The proponent agreed to keep the size of the development at 135,282 sf until a final geometric design for proposed roadway improvements was acceptable to the Massachusetts Highway Department (MassHighway). The improvements consisted of placing the main project intersection under traffic signal control, relocating and widening the I-495 southbound off-ramp to provide a double right-turn lane, and incorporating the proposed traffic signal into a coordinated signal system along Bay Street. At this time, construction is underway and a completion date of Spring 2009 is anticipated. MassHighway has amended its Section 61 Finding (December 23, 2008) to allow the full 160,000 sf of space to be built.

Traffic generation for the additional 85,000 sf of new space was estimated at 2,614 new trips using the Institute of Traffic Engineers Land Use Code 820 (Shopping Center). In the previously-approved Single EIR, the proponent estimated trip generation at 9,220 trips for the 160,000 sf development. In the traffic study submitted with the current NPC, the Proponent concluded that the anticipated traffic volumes can be accommodated by the previously-approved traffic mitigation improvements. In addition, the NPC indicates that the proponent has committed to implementing the following Transportation Demand Management (TDM) measures: a carpooling program; a vanpool program; the installation of bicycle racks on the site; and the posting of a monthly commuter and rideshare bulletin. The Greater Attleboro-Taunton Regional Transit Authority (GATRA) provides bus service to Northwoods Crossing via a stop at Northwoods Medical Center. The proponent has indicated it will work with GATRA to determine if additional bus stops within Northwoods Crossing development are needed.

As described in the NPC, the new buildings will replace areas currently approved and proposed as paved parking areas, and there is no increase in impervious area. The project change will continue to utilize municipal services for both water and wastewater. It will consume an additional 5,893 gallons per day (gpd) of water, and it will generate about 5,330 gpd of wastewater. The proposed project will reduce the number of parking spaces to 1,090 spaces from its existing 1,234 spaces in the Single EIR.

Permits and Jurisdiction

The project was originally subject to a mandatory EIR pursuant to Sections 11.03(1)(a)(2), 11.03(6)(a)(6), and 11.03(6)(a)(7) because it creates ten or more acres of impervious area, generates 3,000 or more new trips, and includes 1,000 or more new parking spaces. The project required an Access Permit from MassHighway. It needed a Sewer Connection/Extension Permit from the Department of Environmental Protection (MassDEP). A Conservation and Management Permit (Scientific Collection of Spotted Turtle) was required from the Natural Heritage and Endangered Species Program (NHESP). The project required an

Order of Conditions from the Taunton Conservation Commission for impacts to a buffer zone. The project was also required to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction sites. The project needed a Programmatic General Permit from the U.S. Army Corps of Engineers. It also required review by the Massachusetts Historical Commission (MHC). Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction was limited to those aspects of the project within the subject matter of required state permits that may cause Damage to the Environment, as defined in the MEPA regulations (in this case: traffic, land alteration, wetlands/ endangered species, stormwater, wastewater, and historic issues).

The NPC will require an Access Permit from MassHighway.

Review of the NPC

The proponent will be required to provide additional information to MassHighway in connection with the permitting process as indicated in the comments received from MassHighway on the NPC. The proponent must provide MassHighway with a seven-day, 24-hour traffic count at the site driveways in order to calculate daily trip generation and evaluate other potential transportation impacts. It should confer with the Public/Private Development Unit at MassHighway on the timing of these counts in order to ensure their validity. The proponent must provide the Executive Office of Transportation (EOT) with the additional traffic counts, revise their analysis, and if necessary commit to additional mitigation measures. The proponent should also coordinate with MassRides and investigate further measures to reduce vehicle trips associated with the project, such as providing: preferential parking spaces for employees who rideshare; financial incentives to encourage employees to rideshare; a guaranteed ride home program; subsidies to GATRA services; and/or an on-site transportation coordinator. The proponent should meet with the City of Taunton, Southeastern Regional Planning & Economic Development District (SRPEDD), H&L Bloom, and the Miles Standish Industrial Park for additional input on potential measures to reduce traffic.

According to comments submitted by MassDEP, the project may require a new Notice of Intent for an Order of Conditions from the Taunton Conservation Commission. If a new Notice of Intent is required by the Taunton Conservation Commission, the proponent must meet the requirements of the Stormwater Management Regulations which became effective on January 2, 2008. Because the project may disturb one or more acres of land, it may also require an NPDES Stormwater Permit.

The proponent has committed to placing two Conservation Restriction easements that will encompass the northwest wetland and its adjacent slope (4.03 acres) and the northeast wetland and its adjacent upland forests (11 acres) on the project site. The Conservation Restriction will limit future additional development of the site by protecting these wetlands and

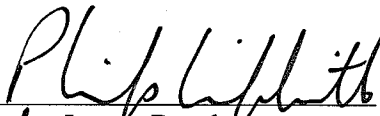
maintaining a vegetated buffer between the wetlands and the developed portions of the project site.

The proponent should confer with the City of Taunton to resolve how to best meet its required Infiltration & Inflow (I&I) removal rate at a five to one ratio for the proposed expansion of the project as indicated in the comments from MassDEP.

Based on a review of the information provided by the proponent, a review of the comment letters, and after consultation with the state agencies, I am confident that MassHighway has sufficient permitting authority to condition this project so that no significant environmental impacts will occur. No further MEPA review is required for the Northwoods Crossing project. Following MassHighway's review of the project change during permitting, MassHighway should revise its Section 61 Findings for this project and forward them to the MEPA Office for publication in accordance with 301 CMR 11.12.

February 20, 2009

Date


for Jan A. Bowles

Comments received:

Greenman-Pedersen, Inc, 1/27/09

MassDEP/SERO, 2/10/09

EOT, 2/18/09

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IAB/WG/wg