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April 11, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY & ENVIRONMENTAL AFFAIRS  
ON THE  
DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Meadow Walk at Lynnfield  
PROJECT MUNICIPALITY : Lynnfield and Wakefield  
PROJECT WATERSHED : North Coastal  
EOEA NUMBER : 14096  
PROJECT PROPONENT : PHF-ND Colonial, LLC  
DATE NOTICED IN MONITOR : February 20, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.08 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **adequately and properly complies** with MEPA and its implementing regulations. I am allowing the proponent to file the Final Environmental Impact Report (EIR) as a response to comments document. The next edition of the Environmental Monitor, published on April 23, 2008 will include a notice that the response to comments and Section 61 Findings will be filed, circulated and reviewed as a Final EIR.

Project Description

As described in the Expanded Environmental Notification Form (EENF) and the Draft EIR, the project consists of the construction of a mixed-use development on a 203-acre parcel in Lynnfield and Wakefield. It will include 395,000 square foot (sf) of retail space, 80,000 sf of office space, and 220-residential units. The housing will consist of 180 rental apartments (including 45 affordable units). In addition, six acres of land will be purchased by the Lynnfield Initiative for Elders (LIFE) for development of 40 units of moderate income housing for seniors.

The project includes retention of the northern half of the golf course as a 9-hole golf course and construction of a new club house. The remainder of the golf course (including the existing club house) and the conference center will be demolished. The project includes improvements to the access drives, construction of an internal roadway system, construction of 2,718 additional parking spaces and installation/expansion of associated infrastructure and utilities, including a stormwater management system. The project is being developed under M.G.L. Chapter 40R Smart Growth Zoning and Housing Production legislation.

According to the EENF, potential environmental impacts include the creation of 38.2 acres of new impervious surfaces, alteration of 1,700 square feet (sf) of Bordering Vegetated Wetlands (BVW), alteration of 400 linear feet (lf) of bank, alteration of 2,150 sf of Land Under Water (LUW), 16,000 sf of Bordering Land Subject to Flooding (BLSF) and 600 feet of Riverfront Area (RA), and generation of approximately 19,079 average daily vehicle trips (adt) on a weekday, use of an additional 73,770 gallons per day (gpd) of water and generation of an additional 76,350 gpd of wastewater.

As described in the EENF, the site is bounded by Interstate 95 (I-95)/Route 128 and the Saugus River to the south, Audubon Road in Wakefield to the west, Walnut Street in Lynnfield to the east and Reedy Meadow to the north. The site contains an 18-hole golf course including a clubhouse and maintenance buildings, a 54,000 sf conference center, a 55,000 sf Boston Sports Club, 181,400 sf Sheraton Hotel and 975 parking spaces. The site has immediate highway access from I-95/Route 128 via Exit 42 (Pleasure Island Road) and Exit 43 (Walnut Street). The Saugus River provides habitat for the passage of the American eel (*Anguilla rostrata*), riffle habitat for spawning rainbow smelt (*Osmerus mordax*) and habitat for the passage, spawning and juvenile development of river herring (*Alosa pseudoharengus* and *Alosa aestivalis*). Reedy Meadow is a 540-acre freshwater marsh that has been designated by the National Park Service (NPS) as a National Natural Landmark. According to the 12<sup>th</sup> Edition of the Massachusetts Natural Heritage Atlas, the project is located within Priority and Estimated Habitats of Rare Species, including habitat for the American Bittern (*Botaurus lentiginosus*), the Common Moorhen (*Gallinula chloropus*) and the King Rail (*Rallus elegans*).

### MEPA Jurisdiction and Required Permits

The project is undergoing review and requires preparation of an EIR pursuant to sections 11.03 (1)(a)(1), (1)(a)(2), (6)(a)(6) and (6)(a)(7) of the MEPA regulations, because the project requires state permits and will alter more than 50 acres of land, create more than 10 acres of new impervious surfaces, generate 3,000 or more new adt on roadways providing access to a single location and construct 1,000 or more new parking spaces at a single location. The project requires a Sewer Connection/Extension Permit and a 401 Water Quality Certificate from the Department of Environmental Protection (MassDEP). It requires an Access Permit from the Massachusetts Highway Department (MassHighway). The project requires the amendment of a sewer agreement with the Massachusetts Water Resources Authority (MWRA). Also, the project requires Orders of Conditions from the local conservation commissions in Lynnfield and

Wakefield. The project must comply with the United States Environmental Policy Act (EPA) National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over five acres.<sup>1</sup>

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that may have significant environmental impacts and that are within the subject matter of required or potentially required state permits. In this case, MEPA jurisdiction exists over land alteration, traffic/transportation, air quality, wetlands, drainage, rare species and wastewater.

### Review of the Draft EIR

The Draft EIR includes a thorough description of the entire project and all project elements and construction phases. The Draft EIR includes plans that depict existing conditions, including resources and abutting land uses, and proposed conditions including elevations, structures, access roads, stormwater management systems and sewage connections. The Draft EIR includes an alternatives analysis, additional traffic analysis, a stormwater management plan, a greenhouse gas analysis and additional information to help reviewers understand the project, its potential environmental impacts and identification of measures to avoid, minimize and mitigate these impacts. As required, the Draft EIR includes a site circulation plan illustrating how motor vehicles, pedestrians and cyclists will be accommodated on the site. It indicates that the project will be constructed in a single phase. It identifies mitigation measures and includes a Response to Comments section.

The Draft EIR identifies changes in the project design and additional mitigation measures to minimize impacts to wetlands, rare species and fisheries. The revised plan maximizes the amount of undisturbed buffer zone between project elements and wetland resources including Reedy Meadow and the Saugus River. Revisions include the reorientation of residential buildings and elimination of a detention basin to significantly increase the buffer zone between the project site and Reedy Meadow. A 25-foot buffer has been added between Reedy Meadow and the golf course and a 150-foot buffer will be provided on the east side of the Saugus River. The proponent will restore and re-vegetate the buffer around Reedy Meadow and re-vegetate areas around the Saugus River. The Draft EIR indicates that 114 acres of the site, including the newly established buffer zones, will be permanently protected through placement of a Conservation Restriction on the property. The Draft EIR includes draft language for the Conservation Restriction. The proponent has committed to provide \$25,000 to fund a feasibility study to address the practicality of raising the summer water levels in Reedy Meadow for the benefit of state-listed marsh birds. A multi-use path will be constructed around Reedy Meadow and pervious pavement will be used within the residential areas to minimize stormwater impacts. To mitigate the direct wetland impacts and loss of flood storage, the proponent will provide a single wetland replacement area.

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<sup>1</sup> NHESP comments indicate that the project will not result in a "take" of a rare species; therefore, a Conservation and Management Permit is not required.

These changes are consistent with comments provided by NHESP, Division of Marine Fisheries (DMF), Mass Audubon and the Saugus River Watershed Council. NHESP comments on the Draft EIR and correspondence to the proponent indicate that the project will not result in a prohibited “take” of state-listed rare species. This determination is based on the implementation of mitigation identified in the Draft EIR and dependent upon several conditions, including the provision of a draft recordable Conservation Restriction Plan by the proponent to NHESP for review. Comments from the Saugus River Watershed Council indicate that, although significant positive progress has been made, additional work is needed to identify mitigation elements and the letter identifies opportunities for expanded mitigation measures, such as creation of a re-vegetated buffer on the western side of the Saugus River.

The Draft EIR identifies and describes wetland impacts associated with the project and includes a Stormwater Management Plan (SMP). The SMP includes the use of rain gardens, vegetated swales and a dispersed system that is intended to maintain and mimic existing hydrologic functions. It includes deep sump and hooded catch basins, water quality inlets, vegetated biofiltration swales and detention basins. Groundwater recharge will be provided via infiltration basins, rooftop runoff, porous asphalt and permeable pavers. Because the Notices of Intent (NOI) for the project were filed after January 2, 2008, the project is subject to the revised stormwater management standards. These standards have been incorporated into the Wetlands Protection Act Regulations (310 CMR 10.05(6)(k)) and the Water Quality Certification Regulations (314 CMR 9.06(6)(a)). The Draft EIR does not acknowledge that the project must comply with the revised standards or demonstrate its compliance with these standards. Comments from MassDEP identify several areas where the SMP does not appear to comply with the revised stormwater standards. Also, I note that the Draft EIR does not address the project’s overall consistency with the Water Quality Certification Regulations as a whole or include a Section 61 Finding for the 401 Water Quality Certificate.

The project will alter approximately 83 acres of the site and create an additional 38.2 acres of new impervious surfaces for a total of 52.2 acres on the site. A significant amount of alteration is associated with the restoration of the buffer zone (6 acres) and changes to existing impervious surfaces (14 acres). Efforts to minimize the amount of impervious surfaces and associated impacts include locating 192 parking spaces under buildings, the use of pervious pavement for streets and sidewalks and use of second stories within the retail/commercial are of the site. The Draft EIR identifies the amount of excavation and fill planned on the site and indicates that the project may include blasting where bedrock is encountered. The document does not provide a blasting plan although it does provide general guidance and procedures associated with blasting. The Draft EIR indicates that perchlorate-containing blasting agents will not be used.

The EENF included a traffic study that, according to the Executive Office of Transportation (EOT), conforms to the EEA/EOT Guidelines for EIR/EIS Traffic Impact Assessment. The project is estimated to generate approximately 19,079 unadjusted average daily vehicle trips (adt) using appropriate Institute for Traffic Engineers (ITE) land use codes and 15,079 adt when adjusted for internal shared trips and pass-by trips. The EENF identified

significant issues with existing traffic capacity, identified roadway improvements planned by others to alleviate existing congestion and identified roadway improvements planned by the project proponent to mitigate impacts associated with its project. Improvements are proposed at the Audubon Road/Colonial Golf Club Driveway intersection, the Audubon Road/I-95 southbound ramps intersection, the Walnut Street/Salem Street/I-95 northbound ramps intersection, and the Walnut Street/I-95 southbound ramps/Colonial Golf Club Driveway intersection. These improvements consist mainly of geometric improvements, traffic signal installation, and traffic signal coordination. The Draft EIR provides additional traffic analysis for areas identified by EOT, including Route 1/Salem Street intersection, Route 128/Walnut Street and Salem Street/Audubon Road, and provides a response to EOT comments. The Draft EIR includes conceptual designs for the roadway improvements and identifies right-of-way (ROW) implications. Comments from EOT indicate that the project has provided adequate information and analysis regarding traffic impacts and proposed improvements and identifies several issues that should be addressed through the project's Section 61 Findings, including signal coordination, interim mitigation and strengthening of the Transportation Demand Management (TDM) Program.

The Draft EIR includes a mesoscale air quality analysis prepared in conformance with MassDEP Guidelines for Performing Mesoscale Analysis of Indirect Sources. Because this analysis demonstrates that hydrocarbon emissions for the 2012 Build scenario (207 kilograms per day (kpd)) exceed the 2012 No Build scenario (199.5 kpd) by 7.5 kgd, the proponent is required to provide mitigation for air quality impacts including the development of a TDM program. The proposed roadway improvements analyzed for the Build with Mitigation scenario includes roadway improvements and demonstrates a reduction of 1.3 kpd from the Build scenario. The TDM Program includes: an on-site Transportation coordinator, bicycle and pedestrian accommodations, a shuttle service for senior citizens, the provision of ZIP Car service and employer-based TDM measures. Several comment letters urge the proponent to establish shuttle service to the Andersen Regional Center (ARC) in Woburn as an effective method of strengthening its TDM Program and minimizing vehicle trips associated with the project.

In addition to the mesoscale analysis, the Draft EIR includes a revised greenhouse gas (GHG) analysis, provided on a voluntary basis. This analysis identifies the project's total emissions of carbon dioxide (CO<sub>2</sub>). I applaud the proponent for conducting this analysis and its intention to incorporate measures to reduce GHG emissions into its project design and operation. Efforts to reduce GHG emissions include the following: use of highly-reflective roofing materials for 75% of flat roofs in the commercial and office buildings, maximize interior daylighting through floor plates, increased perimeter and use of skylights and light wells in commercial and office areas, window glazing to balance and optimize daylighting, heat loss and solar heat gain performance in all buildings, use of high-efficiency HVAC systems in commercial and office areas, elimination of refrigerants in HVAC systems, incorporation of motion sensors, lighting and climate control in all public areas, use of efficient, directed exterior lighting for all buildings, provision of construction and design guidelines to support sustainable design for tenant build-out. In addition, measures to protect natural resources and transportation mitigation identified previously will provide additional GHG reductions. The Draft EIR identifies a combined direct

and indirect CO<sub>2</sub> reduction of approximately 12.6 percent. Comments encourage the proponent to make a firm commitment to offset its GHG emissions and identify additional measures for consideration.

The Draft EIR confirms that the project will increase wastewater flow by 73,770 gpd for a total of 122,010 gpd of wastewater flow. The Draft EIR indicates that the proponent has been engaged in detailed discussions with the MWRA and the Town of Wakefield regarding discharge of its wastewater to the Wakefield municipal system and how to address the capacity of the system downstream. The Draft EIR indicates that these discussions have focused on the identification of impacts on downstream MWRA communities, including the City of Melrose, and development of an adequate mitigation package. As a result of these discussions, the proponent has committed to fund a study of infiltration and inflow (I/I) sources on the project site, provide funds to identify and remove infiltration and inflow in Wakefield (on-site and off-site) and to redirect sewer flows in Melrose to relieve surcharge and overflow conditions. A formal agreement has been established between the proponent and the Town of Wakefield (and approved by the Wakefield Board of Selectmen). The proponent is working with the Massachusetts Water Resources Authority (MWRA) to finalize an amended sewer agreement. The Draft EIR does not include any details regarding how I/I will be removed or how flows in Melrose will be redirected. Comments from MassDEP indicate that the proponent will need to commit to removal of I/I on a 4:1 basis for the Sewer Connection Permit application.

Water service will be provided by Wakefield and Lynnfield, both of which are members of the MWRA water service area. The proponent has indicated that water conservation measures will be incorporated into the project design as part of an overall effort to construct sustainable buildings. The Draft EIR indicates that the proponent will employ zeriscaping and incorporate drought tolerant, native species in the landscaping plan to minimize associated water use.

The Draft EIR identifies potential construction period impacts and identifies measures to avoid, minimize and mitigate these impacts. The Draft EIR indicates that the proponent may use a contractor that is participating in the MassDEP Diesel Retrofit Program to minimize construction related air quality impacts.

Comments from the Town of Lynnfield and the Town of Wakefield reiterate the extensive amount of planning and review conducted as part of the 40R process, identify additional progress since the filing of the EENF and express strong support for the project and the ability of the project proponent to work constructively to address any outstanding issues. Although the Draft EIR does not meet the standards for a rollover to a Final EIR, I acknowledge and appreciate the progress that has been achieved on project planning and mitigation. Because agreement appears to have been reached on most of the most of the major issues identified in the Certificate on the EENF and outstanding issues are limited to demonstration of compliance with the revised stormwater standards and specification of mitigation commitments, several of which have been better developed and defined through local review processes, the proponent may prepare the Final EIR as a Response to Comments document. The next edition of the Environmental Monitor, published on April 23, 2008 will include a notice that the response to

comments and Section 61 Findings will be filed, circulated and reviewed as a Final EIR.

The Final EIR should contain a copy of this Certificate and a copy of each comment received. This directive is not intended to, and shall not be construed to, enlarge the scope of the Final EIR beyond what has been expressly identified in the initial scoping certificate or this Certificate. Each comment letter should be reprinted in the Final EIR and the Final EIR should respond to the comments received to the extent that the comments are within the subject matter of this Scope.

### **Issues for the Final EIR**

#### Wetlands, Drainage and Fisheries

The March 31, 2008 comment letter from DMF identifies the need for more information regarding design and construction of proposed improvements which is consistent with comments from MassDEP and the Saugus River Watershed Council. In addition, the DMF comments indicate that in-water silt producing work should be prohibited from February 15 through June 30 and that adequate fish passage should be maintained from September 1 until October 15<sup>th</sup> to protect migration of eels. Comments from the Saugus River Watershed Council request that the project proponent improve stormwater management and increase vegetation along the Wakefield side of the Saugus River as well as incorporate additional vegetation into the roadway widening project to minimize stormwater impacts and provide shade for fisheries. According to a second comment letter from DMF, dated April 7, 2008, the proponent did provide additional information regarding construction sequencing and phasing after reviewing DMF's original comment letter. This information was developed during local review of the project.

The Draft EIR identifies wetland alterations associated with the expansion of the secondary access drive from 19 feet to 26 feet. It will alter 210 square feet of LUW, 300 lf of Bank, 1,380 sf of BVW Wetland, 610 square feet of new development in the RA, and 22,650 square feet of land in BLSF. The Final EIR should provide more detailed information regarding the widening of the Saugus River crossing. It should clearly describe the proposed improvements, construction sequencing and design and mitigation. It should identify when water flow would be interrupted and how fish passage will be maintained, in particular from September 1 until October 15<sup>th</sup>. This additional information should be included in the Final EIR and relevant commitments and mitigation should be incorporated into the project's Section 61 Findings. It should respond to the Saugus River Watershed Council's comments regarding improved buffer zones.

The Final EIR should address all of the comments from MassDEP regarding the SMP and its consistency with the revised stormwater management standards including: revised recharge calculations, updated infiltration rates for the hydrologic soils, use of water quality swales for infiltration, depth to groundwater below the proposed infiltration basins and trenches, number of test pits required for infiltration systems, TSS calculations and requirements for new

development and redevelopment. It should address MassDEP comments regarding the floodplain boundary and whether the proposed replacement wetland meets the standards for flood storage. Also, it should address the Saugus River Watershed Council's comments regarding construction procedures, erosion and sediment control, salt use, snow management and use of pesticides and fertilizers. This information may be provided in a summary from in the document; however, a copy of the revised SMP should be provided to MEPA, MassDEP, the Saugus River Watershed Council and to any other commentator who requests it.

The Scope for the Draft EIR required an assessment of wildlife and fisheries habitat based on existing hydrology studies, fish monitoring programs and water quality analysis conducted by others. The Draft EIR does not provide this assessment although it does note that improvements to water quality and increases in recharge to support aquatic habitat are goals identified in the studies. Comments from the Saugus River Watershed Council call for the establishment of baseline water quality conditions and on-going monitoring to assess the impact of the project on the Ready Meadow and the Saugus River. None of the state permitting agencies have indicated that baseline water quality should be established or request additional information regarding wildlife and fisheries habitat nor have they indicated that these will be a condition of permitting. I encourage the proponent to consult with the Saugus River Watershed Council regarding this request and determine whether existing data collected by the Saugus River Watershed Council may be supplemented and on-going monitoring incorporated into the project. I note that the Council has offered assistance in developing the scope and identifying appropriate equipment and procedures for such a project.

### Wastewater

As noted previously, the Draft EIR identifies the development of an agreement to discharge wastewater to the Wakefield municipal sewer system but it does not include any details regarding how I/I will be removed, the amount of I/I to be removed or identify how downstream flows will be redirected to mitigate downstream impacts. The Final EIR should provide more specificity regarding wastewater mitigation. The Final EIR should include copies of the agreements between the proponent and the Town of Wakefield and between the proponent and the MWRA. The Draft EIR should include revised Section 61 Findings for the MassDEP Sewer Connection Permit that include a commitment to remove I/I on a 4:1 basis (i.e. 305,400 gpd). In addition, it should discuss the applicability of MassDEP construction requirements for protection of water supply resources (Policy BRP/DWM/WS/P03-1).

### Transportation

The Final EIR should include revised Section 61 Findings, in the form of a letter of commitment, for the MassHighway Access Permit. The Final EIR and/or the Section 61 Findings should address the comments identified in the MassHighway letter including: interconnection and coordination of traffic signals for the morning and evening peak hours,



development of interim mitigation in the event that MassHighway improvements included in the 2009 TIP are not underway or substantially complete prior to site occupancy and the feasibility of shuttle service to the ARC in Woburn. The ARC is located in close proximity to the site and would strengthen the TDM Program significantly by providing a connection to the array of transportation connections at ARC including commuter rail service, AMTRAK service and shuttle service to the Logan Airport and the Route 128 corridor. As the air quality analysis demonstrates, the proposed roadway improvements only reduce the increase in hydrocarbon emissions by 17% and, as noted in the section below, improvements and the TDM Program only reduce GHG emissions by 10%. Strengthening of the TDM Program through establishment of shuttle service to the ARC could provide additional measurable reductions in air pollution and GHG emissions. Comments from MassDEP, Saugus River Watershed Council and Walk Boston support also identify shuttle service as an effective approach to reducing vehicle emissions. I strongly encourage the proponent to analyze the feasibility of this service and, if feasible, commit to its implementation. In addition, the Final EIR should clarify whether the shuttle service for seniors will include a stop at the retail/commercial area of the site.

With the exception of improved pedestrian connections, the Draft EIR does not propose any changes to the retail and office portion of the site. The project continues to include large parking areas and a ring road around the perimeter of the retail/commercial area of the site that separates it from the residential area. The Draft EIR identifies parking ratios for each element of the project and compares it to parking ratios of similar mixed-use projects. The project will include construction of 2,718 new parking spaces (of which 2,242 will be surface parking spaces and 458 will be located underneath buildings). The Draft EIR indicates that the average parking ratio will be 4.7 to 1,000 sf of development. It indicates that shared parking is incorporated into the project but does not demonstrate the reduction in parking associated with the use of shared parking. It indicates that some retailers, including the Whole Foods store, have requested a significantly higher parking ratio (i.e. 6.5:1,000 to 7.0:1,000). This parking ratio appears high for a mixed-use development with a significant amount of housing in close proximity, although the Draft EIR indicates that this is driven by the relatively large amount of restaurant uses proposed on the site and is consistent with other mixed use developments that include parking ratios of 4.2, 4.3 and 4.7 per 1,000 sf.

I remain concerned that the inclusion of the ring road, the amount of parking and the lack of a direct pedestrian/bicycle connection to the Walnut Street neighborhood compromises the proponent's intent to create a true mixed use development that effectively minimizes vehicle trips and promoted walking and biking on the site. The Draft EIR indicates that the proponent did consult with Walk Boston regarding its comments on the EENF and identifies improvements to pedestrian and bicycle access including the multi-use trail, expansion of the width of sidewalks to a minimum of 6 feet (and up to 18 feet along Main Street) and the addition of connections between existing uses and new development. Nevertheless, the comment letter from Walk Boston identifies several opportunities for improving non-vehicular access to and through the site. I encourage the proponent to carefully consider the suggestions included in the Walk Boston comment letter including incorporation of sidewalks within the parking lot.

Greenhouse Gas Analysis

The GHG analysis calculates total CO<sub>2</sub> emissions by adding transportation emissions with direct and indirect stationary emissions (from on-site sources and energy use). The GHG Emissions analysis evaluated the change in CO<sub>2</sub> emissions for the 2007 Existing, 2012 No-Build, the 2012 Build and the 2012 Build with Improvements Conditions. Stationary source emissions were developed using the EQUEST model. Transportation emissions were developed using procedures similar to the ozone mesoscale analysis and emissions reductions associated with the TDM Program were calculated using the EPA COMMUTER model.

The Table below indicates that, under the Build Condition, CO<sub>2</sub> emissions are expected to increase by 10,399 tons per year (tpy) from the No-Build Condition. The incorporation of proposed mitigation measures, identified on page 10-10 in the Draft EIR, is estimated to reduce CO<sub>2</sub> emissions by 1,309 tons per year (tpy), which represents a 12.6 % reduction.

GHG Analysis	2007 Existing Conditions	2012 No-Build Condition	2012 Build Condition	2012 Project CO <sub>2</sub> Emissions	2012 Build w/ Improvements Condition	2012 CO <sub>2</sub> Reductions	Percent Reduction in GHG Emissions
Mobile Sources	160,802.1	173,662.8	179,578.7	5,915.9	178,993.1	-585.6	10.1%
Stationary Sources	2,327.4	2,327.4	6,810.5	4,483.1	6,086.9	-723.6	16.1%
<b>Total</b>	163,129.5	175,990.2	186,389.2	10,399.	185,080.0	<b>-1,309.2</b>	<b>12.6 %</b>

\* all units expressed in tons per year (tpy)

The proposed improvements include architectural design treatments, building systems, siting and site design and transportation measures. The Section on page 10-10 is titled Proposed Improvements; however, the language indicates that these are “mitigation measures that were considered for implementation and are reflected in the GHG analysis.” These mitigation measures have been listed in the mitigation section at the end of this Certificate. If the proponent is not committed to these measures, this should be clarified in the Final EIR. The Draft EIR indicates that the proponent is working with one of its tenants, Whole Foods Market, to identify green building components consistent with the Whole Foods Green Initiative for energy and GHG reductions. As part of this effort, Whole Foods is considering use of solar panels on its roof. I encourage the proponent and Whole Foods to explore the Commonwealth Solar initiative which could increase the financial feasibility of such an effort. This initiative provides rebates for the installation of photovoltaic (PV) projects at commercial, residential, industrial, and public facilities. Non-residential projects are eligible for rebates for PV projects up to 500 kilowatts (kW) and residential projects are eligible for up to 5 kW.

In addition, I continue to encourage the proponent to consider constructing buildings that are consistent with the Leadership in Energy and Environmental Design (LEED) standard for new buildings (and Massachusetts LEED Plus for its office buildings) and/or offsetting GHG

emissions through the purchase of carbon credits or renewable energy. According to nationally recognized energy efficiency programs, such as the USEPA energy star-rating program, commercial buildings, including office buildings, can be designed to use 40 percent less energy and about 35 percent less CO<sub>2</sub> than the average building.

As noted previously, transportation related mitigation includes roadway improvements and development of a TDM Program. Analysis of shuttle service to the ARC may demonstrate significant air quality and GHG emissions reductions.

MassDEP comments indicate that it has reviewed the GHG analysis for consistency with the GHG policy and to assess the measures that will be taken to reduce CO<sub>2</sub> emissions. These comments provide an evaluation of the analysis and its consistency with the GHG Policy that may be useful to the proponent and/or consultant if they submit projects to MEPA in the future that are subject to the GHG Policy. For instance, the proponent should pay particular attention to alternatives selected, modeling inputs (i.e. project size and configuration, type of heating, ventilation and cooling systems, amount of glazing, potential usage and hours of operation), labeling of data and charts and the justification of selected mitigation.

The proponent is not required to provide additional information on GHG emissions; however, to the extent that additional measures are proposed, I encourage the proponent to identify these in the Final EIR.

### Mitigation

The Final EIR should include an updated and revised section on mitigation measures. The Draft Section 61 Findings for state permits should be updated and revised and a Section 61 Finding for the 401 Water Quality Certificate should be provided. The Draft EIR indicates that the proponent is committed to the following measures to avoid, minimize and mitigate project impacts:

- restoration and re-vegetation of a 25-foot buffer around Reedy Meadow(with the exception of the widened roadway);
- maintenance of a 150-foot buffer on the east side of the Saugus River and provision of public access, benches and interpretive information adjacent to the canal;
- placement of a CR on 114 acres of the site, including the newly established buffer zones;
- \$25,000 to fund a feasibility study to address the practicality of raising the summer water levels in Reedy Meadow for the benefit of state-listed marsh birds;
- construction of a multi-use path on the project site within the buffer to Reedy Meadow;
- design and construction of a SMP consistent with MassDEP stormwater standards;
- use of 2.3 acres of pervious pavement within the residential area of the site;
- avoidance of in-water silt producing work from February 15 through June 30;
- perchlorate-containing blasting agents will not be used during construction;
- funding of a study of I/I sources on the project site;

- funding to identify and remove I/I in Wakefield (on-site and off-site);
- redirection of sewer flows in Melrose to relieve surcharge and overflow conditions;
- incorporation of measures to reduce GHG emissions including use of highly-reflective roofing materials for 75% of flat roofs in the commercial and office buildings, maximize interior daylighting through floor plates, increased perimeter and use of skylights and light wells in commercial and office areas, window glazing to balance and optimize daylighting, heat loss and solar heat gain performance in all project buildings, use of high-efficiency HVAC systems in commercial and office areas, elimination of refrigerants in HVAC systems, incorporation of motion sensors, lighting and climate control in all public areas, use of efficient, directed exterior lighting for all buildings, provide construction and design guidelines to support sustainable design for tenant build-out, conservation and resource protection measures identified above and transportation-related measures identified below;
- geometric improvements, traffic signal installation and/or traffic signal coordination are proposed at the Audubon Road/Colonial Golf Club Driveway intersection, the Audubon Road/I-95 southbound ramps intersection, the Walnut Street/Salem Street/I-95 northbound ramps intersection, and the Walnut Street/I-95 southbound ramps/Colonial Golf Club Driveway intersection; and
- implementation of a TDM program including: an on-site Transportation coordinator, bicycle and pedestrian accommodations, a shuttle service for senior citizens, the provision of ZIP Car service and employer-based TDM measures.

In addition, the NHESP letter included in the Draft EIR identifies specific commitments the proponent has made to avoid a “take”. These include:

- provide a draft recordable CR, showing the boundaries of the CR area, the boundary of the golf course play area within the CR area and a monumentation and signage scheme that will be approved by NHESP prior to the start of work;
- provide a revised planting plan that will be approved by NHESP prior to construction;
- incorporate information regarding the CR area and the Reedy Meadow area into the Operation and Maintenance Plans (O&M) for the golf course and development including the requirements to notify grounds crews of the presence of these restricted areas, to inspect the boundaries at least twice annually and to maintain signage and bounds;
- provide draft O&M plans to NHESP for review and approval prior to January 1, 2009; and
- development of a NHESP-approved escrow agreement for the \$25,000 feasibility funds.

### Circulation

The Final EIR should be circulated in compliance with Section 11.16 of the MEPA regulations. Copies should be sent to any state agencies from which the proponent will seek permits or approvals, to the list of “comments received” below, to Lynnfield and Wakefield officials and to the Lynnfield and Wakefield public library.

April 11, 2008

Date



Ian A. Bowles

Comments Received:

- 4/1/08 Department of Environmental Protection/Northeast Regional Office (MassDEP/NERO)
- 3/31/08 Division of Marine Fisheries (DMF)
- 4/7/08 Division of Marine Fisheries (DMF) (second letter)
- 3/18/08 Division of Fisheries and Wildlife/Natural Heritage and Endangered Species Program (DFW/NHESP)
- 3/31/08 Massachusetts Water Resources Authority (MWRA)
- 4/1/08 Executive Office of Transportation (EOT)
- 4/1/08 Town of Lynnfield/Board of Selectmen
- 3/28/08 Town of Wakefield/Board of Selectmen
- 3/18/08 Lynnfield Initiatives for Elders, Inc. (LIFE)
- 4/1/08 MassAudubon
- 4/1/08 Saugus River Watershed Council
- 3/21/08 Walk Boston

IAB/CDB/cdb