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June 16, 2006

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

PROJECT NAME : Shoppes at Page Pointe
(formerly Stoughton Commons)
PROJECT MUNICIPALITY : Stoughton
PROJECT WATERSHED : South Coastal
EOEA NUMBER : 13602
PROJECT PROPONENT : Stoughton (E&A) LLC
DATE NOTICED IN MONITOR : May 10, 2006

As Secretary of Environmental Affairs, I hereby determine that the Draft Environmental Impact Report (DEIR) submitted on this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00). The proponent may prepare and submit the Final EIR (FEIR) for MEPA review.

Project Descriptions

As described in the Expanded Environmental Notification Form (ENF), this project consists of the demolition of existing structures, construction of a 193,000 square foot (sf) retail center (anchored by a Target store) on a 24.6 acre site located on Route 139 in Stoughton. The project includes associated access drives, on-site parking and utility infrastructure. The site, which is zoned for industrial use, contains a 134,000 sf warehouse, a house, a gas station and 75 parking spaces. Also, the site includes undeveloped wooded areas and wetlands. Since the filing of the DEIR, the proponent has acquired a 15,000 sf parcel, containing a 5,200 sf building and 15 parking spaces, for the purpose of roadway mitigation.¹

¹ If a change in use is proposed at this site a Notice of Project Change (NPC) should be filed with MEPA.

Primary access to the site is proposed via Hawes Way off of Route 139. The project will generate 10,480 new adt on an average Saturday.² The project includes construction of 791 parking spaces based on a ratio of 4.2 spaces per 1,000 square feet of development. 500 spaces will be constructed for the Target store and 336 of these spaces will be located at grade underneath the Target building.

Potential impacts are associated with the alteration of 12 acres of land, the creation of 7.3 acres of new, impervious area and generation of 10,480 new average daily trips (adt). Proposed mitigation includes siting of parking underneath the Target building to minimize creation of impervious surfaces, construction of a stormwater management system, and roadway improvements and transportation demand management (TDM) measures to address traffic impacts.

This site was previously reviewed by MEPA as the Campanelli Commerce Park at Stoughton (EOEA #13044). Because the proposed project includes a significant change in land use, the addition of a parcel and a significant increase in potential impacts, the proponent filed a new ENF.

Jurisdiction

The project is subject to review and mandatory preparation of an EIR pursuant to Section 11.03 (6)(a)(6) of the MEPA regulations because it requires a state permit and will generate 3,000 or more new average daily trips (adt). The project requires a Sewer Connection Permit from the Department of Environmental Protection (DEP) and an Access Permit from the Massachusetts Highway Department (MHD). Also, it requires an Order of Conditions from the Stoughton Conservation Commission (and hence a Superseding Order of Conditions (SOC) from DEP in the event the Order is appealed).

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 cause significant Damage to the Environment and that are within the subject matter of required or potentially required state permits. These include traffic, air quality, wetlands, drainage and wastewater.

Review of the SDEIR

The SDEIR was required to re-assess existing traffic conditions, re-analyze traffic impacts and further develop appropriate mitigation. The SDEIR includes updated traffic counts that include traffic associated with developments recently completed (IKEA, Olive Garden and Smokey Bones restaurants, and LA-Z-Boy, Bassett and Sleepy's furniture stores) and expanded mitigation commitments. The SDEIR provides updated conceptual plans for the proposed roadway improvements as required.

The proponent has indicated that it has acquired a 15,000 sf parcel at the intersection of Page Street/Turnpike Street for the sole purpose of implementing roadway mitigation. The

² This represents revised trip generation analysis as required by the Executive Office of Transportation's (EOT) comments on the DEIR.

acquisition of this site will provide additional land to support the right turn lane for Page Street northbound and proper alignment of the curb line on the east side of Turnpike Street. The SDEIR describes additional mitigation that could be constructed at the Route 139/Page Street intersection if land were acquired from the Stoughton Crossing project site. The proponent has indicated that it will agree to construct this improvement if the Town or other entities secure the necessary easements or rights-of-way.

EOT has indicated that the updated traffic counts and revised information regarding background development provide sufficient information about existing and future No Build conditions to evaluate the project's traffic impacts on state roadways. EOT has indicated that issues identified in comments on the DEIR have been addressed sufficiently and that additional issues can be addressed during project permitting. This includes a request to provide police details and signage during holiday seasons.

The proponent provided information during the review period on its consultations with Brockton Area Transit (BAT) to discuss incorporating transit access and associated infrastructure into the development. The FEIR should include this information and provide any relevant updates. EOT has noted that, if expansion of transit to the site is feasible, transit subsidies should be considered. In addition, the proponent should consult with Mass Rides to explore measures for strengthening its TDM program and should incorporate associated measures into its Section 61 Findings.

The site circulation plan has been revised to improve internal pedestrian connections for the new development and a crosswalk at the Hawes Way/Turnpike Street (local) intersection is incorporated into the design. The proponent has not revised the site circulation plan to connect the existing buildings on Hawes Way to the site. Safe pedestrian connections between these buildings and the development could reduce potential trip generation on the site.

I note that other commentors, including the Town of Stoughton, continue to express significant concerns about the accuracy and adequacy of the traffic analysis and proposed mitigation. The analysis has been prepared in accordance with EOT and EOE Guidelines for EIR/EIS Traffic Impact Assessment and, as MHD has indicated, provides a reasonable estimate of potential impacts and the effectiveness of the mitigation package. Some of the Town's comments are specific to local roadway intersections that are outside of MEPA jurisdiction. Others are related to the Town's long-term planning for development in North Stoughton. The proponent has attended planning meetings and provided a basic level of information regarding this planning effort in the DEIR. The traffic analysis demonstrates that the project will improve conditions over 2011 No-Build conditions; however, capacity along Turnpike and Page Streets will be a limiting factor for further development and will likely be predicated on additional mitigation. The project is undergoing local review and requires several local permits including a Special Permit from the Zoning Board of Appeals. The Town will have opportunities to further assess how the project could affect future development and the adequacy of proposed mitigation and I believe the analysis provided through MEPA will be beneficial to local review efforts.

Based on a review of the DEIR, a review of comments submitted on the project and consultation with public agencies, I find that the DEIR has addressed the issues within MEPA

jurisdiction to a sufficient extent that the project may advance to the stage of an FEIR. The SDEIR has provided a reasonably complete and stand-alone description and analysis of the project and its alternatives and has addressed mitigation adequately. Therefore, I will allow the proponent to submit a response to comments as the FEIR. The proponent must address the substantive comments received and revise its Section 61 Findings if appropriate. This information is required before I can find that the proponent has met its obligations under MEPA to avoid, minimize or mitigate Damage to the Environment to the maximum feasible extent and before the state permitting agencies can meet their Section 61 obligations.

The FEIR should contain a copy of this Certificate and a copy of each comment received. The FEIR should respond to the comments received and should present additional narrative and/or technical analysis as necessary to respond to the concerns raised. A notice will be published in the next Environmental Monitor (June 21, 2006) that the response to comments shall be filed, circulated and reviewed as an FEIR.

Mitigation

The SDEIR includes a separate chapter on mitigation measures and a Draft Section 61 Finding in the form of an updated letter of commitment for the MHD access permit. Specific mitigation measures related to state agency actions include the following:

- signalization and geometric improvements to Turnpike Street (Route 139) at Hawes Way including realignment of Turnpike Street (local) and the Exxon driveway and widening of approaches to construct exclusive turn lanes;
- geometric improvements at the Turnpike Street/Page Street intersection including the acquisition of land to support provision of an exclusive right turn lane from Page Street northbound;
- coordination of signal operations for the Turnpike Street/Hawes Way, Turnpike Street/Page Street and Turnpike Street/Stoughton Crossing signals;
- geometric improvements to the Route 24 Southbound Off-ramp to Hawes Way to improve safety and weaving operations ;
- development of a TDM program to reduce single occupancy vehicle trips to the site including identification of an on-site transportation coordinator, promotion and implementation of ridesharing, a guaranteed ride home program, bicycle and pedestrian accommodations and on-site services;
- construction of an internal sidewalk and crosswalk network;
- sidewalk improvements along Route 139, including reconstruction existing sidewalks along the project frontage, pedestrian activated crosswalks at the site driveway and restriping of crosswalks at the Turnpike Street/Page Street intersection;
- post-construction traffic monitoring to evaluate project impacts;
- submission of a Release Abatement Measure (RAM) plan to DEP prior to any on-site grading and dewatering; and
- monitoring of construction activities by a Licensed Site Professional (LSP).

Other mitigation measures include:

- development of a stormwater management system consistent with DEP Stormwater Management Guidelines including deep sump hooded catch basins, two subsurface infiltration/detention basins and one water quality unit;
- relocation of the existing 16-inch water main to Hawes Way and Turnpike Street;
- relocation of the 10-inch sewage force main to Hawes Way and Turnpike Street; and
- development of a Construction Management Program (CMP), including a Stormwater Pollution Prevention Plan (SWPPP), to address construction period impacts.

Circulation

The FEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should be sent to any state agencies from which the proponent will seek permits or approvals, to the list of "comments received" below and to Stoughton officials. A copy of the FEIR should be made available for public review at the Stoughton Public Library.

June 16, 2006
Date


Stephen R. Pritchard

Comments received:

6/9/06	Department of Environmental Protection Southeast Regional Office (SERO)
6/9/06	Executive Office of Transportation
6/12/06	Metropolitan Area Planning Council
6/9/06	Old Colony Planning Council
5/25/06	Town of Stoughton/Planning Board
5/24/06	Arthur C. George
6/7/06	Camp, Dresser and McKee, Inc. (CDM)
6/8/06	J. Gavin Cockfield for Conroy Development, Inc.

SRP/CDB/cdb