



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
100 Cambridge Street, Suite 900  
Boston, MA 02114

7/1/08  
COPY

Deval L. Patrick  
GOVERNOR

Timothy P. Murray  
LIEUTENANT GOVERNOR

Ian A. Bowles  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1181  
<http://www.mass.gov/envir>

June 27, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : 720-770 Broadway  
PROJECT MUNICIPALITY : Saugus  
PROJECT WATERSHED : North Coastal  
EEA NUMBER : 14041  
PROJECT PROPONENT : Northbound LLC  
DATE NOTICED IN MONITOR : May 21, 2008

As Secretary of Environmental Affairs, I hereby determine that the Final Environmental Impact Report (FEIR) submitted for 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). On May 16, 2008, I issued a Certificate on the Supplemental Draft Environmental Impact Report (SDEIR) that allowed the SDEIR to be reviewed as a FEIR in accordance with 301 CMR 11.08(8)(b)(2).

As described in the FEIR, the project includes the construction of two, single-story retail buildings on two adjacent parcels of land (Parcels A and B), with approximately 606 total parking spaces, associated utilities, and site improvements on Route 1 in Saugus. The total gross floor area of retail space within the two buildings is approximately 137,107 square feet (sf). The 17.34-acre project site is presently unoccupied and undeveloped, though it has previously been occupied by a landscape construction company. The project site was subject to MEPA review in

1985 (EOEA No. 5447) for a proposed 93,000 sf office building. This project never commenced and a separate review under MEPA was conducted for the currently proposed project.

The FEIR presented minor changes to the Preferred Alternative (referred to as the "current site plan" in the FEIR). The project will alter approximately 15 acres of land and create approximately 10.18 acres of new impervious area. Considerable amounts of site grading, blasting and earth materials processing will be necessary to achieve proposed building and parking area grades. Impact to Bordering Vegetated Wetlands (BVWs) has been eliminated under the current site plan. Approximately 16,580 sf of locally-jurisdictional Isolated Vegetated Wetlands (IVWs) have previously been altered and will be replicated in the form of 30,935 sf of BVW on Parcel A (720 Broadway). The 4,600-sf BVW replication area previously proposed on Parcel B (770 Broadway) has been eliminated from the development program, as all direct BVW impact has been avoided under the new Preferred Alternative. It has been estimated that the project will generate approximately 8,340 vehicle trips on an average weekday. Two new curb cuts, as well as a modified curb cut, will be constructed along Route 1 along the site frontage. The project will connect to water and sewer mains presently in place near the project site.

The project is undergoing review pursuant to Section 11.03 (1)(a)(2) and Section 11.03 (6)(a)(6) because it requires a state permit and will involve creation of ten or more acres of impervious area and the generation of 3,000 or more new average daily trips on roadways providing access to a single location. The project will require a Vehicular Access Permit from the Massachusetts Highway Department (MassHighway) for access onto Route 1 and modifications to the state highway layout. The project will require a Surface Water Discharge Permit under the National Pollutant Discharge Elimination System (NPDES) program from the United States Environmental Protection Agency (U.S. EPA). The project will also require an Order of Conditions from the Saugus Conservation Commission, and in the case of an appeal, a Superseding Order of Conditions from the Massachusetts Department of Environmental Protection (MassDEP). Finally, the project will require a Site Plan Review Special Permit and Hillside Protection Special Permit from the Town of Saugus.

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, stormwater, transportation, and wetlands.

### MEPA History

The Expanded Environmental Notification Form (EENF) for the project was noticed in the June 11, 2007 edition of the Environmental Monitor. This EENF included a request for additional review of the project to be conducted in the form of a Single EIR, in lieu of the typical two-phased EIR process. On July 18, 2007, I issued a Certificate on the EENF, denying the request for a Single EIR and outlining a scope for the Draft Environmental Impact Report (DEIR). A DEIR was filed by the proponent and noticed in the September 10, 2007 edition of the Environmental Monitor. On October 17, 2007, I issued a Certificate on the Draft

Environmental Impact Report (DEIR) that required a Supplemental DEIR (SDEIR) to address concerns regarding wetlands, stormwater, traffic, and land alteration issues. The SDEIR was filed by the proponent and noticed in the April 9, 2008 edition of the Environmental Monitor. The proponent requested that the SDEIR be reviewed as a Final EIR. The SDEIR adequately addressed those items outlined in the Scope on the SDEIR and the Secretary's Certificate issued on May 16, 2008 allowed the SDEIR to be reviewed as the FEIR.

### Review of the EIR

The purpose of MEPA review is to ensure that a project proponent studies feasible alternatives to a proposed project; fully discloses environmental impacts of a proposed project; and incorporates all feasible means to avoid, minimize, or mitigate Damage to the Environment as defined by the MEPA statute. In the Certificate on the SDEIR, I stated that the SDEIR adequately described the impacts of the project that are within the jurisdiction of MEPA.

### Mitigation and Section 61 Findings


The FEIR included draft Section 61 Findings for the MassHighway permit. EOTPW has noted that MassHighway regulations do not provide for acceptance of payment as proposed in the draft Section 61 Findings included in the FEIR. Therefore, the Section 61 Finding may need to be revised to address this issue. MassHighway should forward copies of the final Section 61 Findings to the MEPA Office for completion of the project file.

The proponent has committed to a range of mitigation measures including, but not limited to:

- Wetlands: Historic IVW filing will be mitigated by replicating 30,935 sf of on-site BVW replication.
- Wastewater: \$300,000 upgrade to the nearby Town of Saugus-owned sewer pump station.
- Water: Extension of the 12-inch municipal water main from the nearby iParty store to create a closed loop, additional stubs for future use, and allowing for fire protection for the adjacent trailer park. Relocation of the existing dilapidated water main outside the Route 1 high speed lane.
- Traffic / Transportation: Modification of the southern driveway turning movements to exit only. Installation of a traffic control signal at the Route 1/Lynn Fells Parkway intersection, should the developers of the Shoppes at Saugus not complete the work in a timely manner. A fair share contribution to MassHighway in the amount of \$65,000 should the aforementioned signal be installed by others prior to site occupancy.
- Air Quality: Participation in MassDEP's Clean Construction Equipment Initiative, and strict enforcement of Massachusetts Idling Regulations (310 CMR 7.11). A TDM program will be implemented on-site to reduce single occupancy vehicle trips.

I am satisfied that the FEIR adequately assessed potential project impacts and committed to measures that will avoid, minimize and mitigate adverse impacts. I am satisfied that any outstanding issues can be addressed through the state and local permit and review process. The proposed project requires no further review under MEPA and may proceed to state permitting.

June 27, 2008  
Date

  
\_\_\_\_\_  
Ian A. Bowles

Comments received:

None.

IAB/HSJ/hsj