



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

ROBERT W. GOLLEDGE, JR.
SECRETARY

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

September 14, 2006

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

PROJECT NAME : Proposed Redevelopment Project
(formerly Wilmington Mixed-Use Retail Project)
PROJECT MUNICIPALITY : Wilmington
PROJECT WATERSHED : Ipswich
EOEA NUMBER : 13731
PROJECT PROPONENT : Wilmington Main Realty Limited Partnership
DATE NOTICED IN MONITOR : August 8, 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 for review a Final Environmental Impact Report (FEIR).

As described in the Expanded Environmental Notification Form (EENF) and updated in the DEIR, the project involves the redevelopment of the former Wilmington Ford auto dealership property, and includes the development of a mixed-use retail shopping center on a 11.5-acre site located on the west side of Route 38 (Main Street) in Wilmington. The proponent proposes to subdivide the project site to create two separate lots. The redevelopment will be located on Lot A, a 7.54 acre parcel. No additional development is proposed for Lot B, a 4 acre parcel containing an existing Subaru dealership, although access to the site will be modified by the redevelopment project. The re-development consists of construction of 78,200 sf of retail space within five buildings (a 55,679 sf 'Main Retail Building', a 4,600 sf restaurant, a general 7,500 sf retail building, a 3,200 sf bank with a drive-thru window, an 1,800 sf coffee shop with drive-thru window, and a 1,300 sf luncheonette restaurant). It will include 312 surface parking spaces and improvements to existing roadway, sewer, water and stormwater infrastructure. The project is estimated to generate approximately 5,802 average daily trips (adt) on a weekday and 7,912 adt on a Saturday.

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 the project requires a state permit and it will generate 3,000 or more new adt. The project requires an Access Permit from the Massachusetts Highway Department (MHD). Also, it requires an Order of Conditions from the Wilmington Conservation Commission (and hence a Superseding Order from DEP if the local Order were appealed). The project must comply with the National Pollution Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over one acre.

Because the proponent is not seeking financial assistance from the Commonwealth, MEPA jurisdiction extends only 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 extends to land alteration, stormwater and traffic.

Review of the DEIR

The DEIR includes a thorough description of the project including information on lighting, landscaping, existing infrastructure and abutting land uses. The DEIR describes each state permit required for the project, and demonstrates consistency with applicable performance standards. The DEIR demonstrates the consistency of the project with applicable local or regional land use plans.

The DEIR describes alternative development scenarios that have been contemplated for the site including a 58,000 sf supermarket and 60,000 sf retail development with shared access of the existing signalized site drive at Lot B. The DEIR describes how the project has been redesigned to minimize impervious surfaces and the quality and quantity of stormwater discharge. The project will reduce existing impervious surfaces on the site by approximately ½ acre or 7.6%. These reductions are obtained by reducing the size of the retail buildings (from 78,200 sf to 74,079 sf) and the amount of parking spaces (from 361 to 312). In addition, permeable pavement will be used for the emergency access to the restaurant at the northeast corner of the site.

The DEIR includes a stormwater management plan and demonstrates its consistency with DEP Stormwater Management Policy. The system will include deep sump hooded catch basins, a Vortech treatment unit, 6 sub-surface recharge facilities to infiltrate clean rooftop runoff (up to a 5 year storm) and a grassed swale and biofiltration basin in the northwestern corner of the site. The drainage report identifies the quantity and quality of flows and demonstrates that stormwater discharge and pollutant loads will be decreased compared to existing conditions.

The DEIR provides adequate information on water supply and wastewater. The project will require an additional 12,200 gallons per day (gpd) of potable water and will generate 11,700 gpd of wastewater. The DEIR indicates that sufficient supply and infrastructure is available to serve the project and includes documentation from the Town of Wilmington consistent with this

assertion. The DEIR indicates the proponent is willing to participate in a program to reduce Infiltration and Inflow (I/I) as mitigation for wastewater impacts if it is required by local permitting.

This project is located within the Ipswich River Basin. As noted in the Certificate on the EENF, restoring the water balance within this Basin is critical to address stresses to the River's ecosystem. This will require a combination of reducing the demand for portable water supply through water conservation, reducing the amount of wastewater exported out of the basin for treatment, improved stormwater management and groundwater recharge and supplementing or replacing existing water supplies. The DEIR includes several commitments to reducing potable water use and wastewater generation including the following: the restaurant will use a low-flow dishwasher that uses 60 percent less water per cycle, and a dish pre-rinser with a water conservation aerator tip; the coffee shop will use a high-pressure steam sanitizer; the sandwich shop will not use automatic dishwashers or sanitizers; and all tenants will use low-flow plumbing fixtures. In addition, potable water will not be used for landscape irrigation. The landscape design includes drought tolerant plants and the proponent is considering use of cisterns or rain barrels for landscape water needs. As noted previously, all rooftop runoff will be infiltrated.

The DEIR includes an overview of contamination and clean-up efforts associated with the site. It indicates that the site contains low concentrations of residual contamination (Class C RAO status) and that no active remediation is required at this time. The DEIR included a groundwater mounding analysis that demonstrates that rooftop runoff can be infiltrated without mobilizing downgradient contaminants. The DEIR indicates that contamination levels may be reduced to within Class A RAO standards based on monitoring results in 2005 and 2006 that show decreasing concentrations of petroleum and volatile organic compounds (VOCx) in the groundwater.

The EENF included a traffic study that conformed to the Executive Office of Environmental Affairs (EOEA)/Executive Office of Transportation (EOT) Guidelines for EIR/EIS Traffic Impact Assessment. The DEIR includes an updated and expanded traffic analysis and additional information on traffic improvements related to site access and traffic circulation to mitigate the project's impacts to traffic. The proponent has committed to install traffic control signals at the main site drive and remove the traffic signal at the Route 38/Wilmington Plaza Middle Drive/Subaru Dealership. Additional mitigation includes the coordination of signal timing and phasing along Route 38 in the vicinity of the project area. The analysis demonstrates that the project, with mitigation, will not contribute to degraded traffic conditions with the exception of the Main Street/Church Street/Burlington Street intersection that already experiences poor levels of service (LOS).

EOT comments indicate that the proponent should clarify its commitment to updating and interconnecting the signals along Route 38 into one functioning traffic control system. In addition, the FEIR should include conceptual plans, presented at 40-scale, to verify the feasibility

of constructing proposed improvements. In addition, the FEIR should include documentation from the owners of the Wilmington Plaza that it is supportive of proposals to relocate driveways and traffic signals along the frontage of the Wilmington Plaza.

DEP comments on the DEIR indicate that it is responsive to the water, wastewater and stormwater concerns identified in the EENF. DEP comments commend the proponent for its incorporation of a retention basin to infiltrate clean roof top runoff without impacting contaminated soils. DEP has identified additional issues for consideration by the proponent in its comment letter, such as efforts to promote recycling by future tenants, but does not identify the need for additional analysis in the FEIR.

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 DEIR 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 the FEIR as a Response to Comments. The proponent must address the substantive comments received and revise its draft Section 61 Findings as appropriate. The FEIR should present any additional narrative or quantitative analysis necessary to respond adequately to the concerns identified. A notice will be published in the next Environmental Monitor (September 26, 2006) that the Response to Comments shall be filed, circulated and reviewed as an FEIR.

Mitigation/Section 61

The DEIR includes a separate chapter on mitigation measures. It indicates that the proponent is committed to the following measures to avoid, minimize and mitigate project impacts:

Development of a stormwater management system consistent with DEP's Stormwater Management Policy. It will include deep sump hooded catch basins, a Vortech Model 9000 treatment unit, 6 sub-surface recharge facilities to infiltrate clean rooftop runoff (up to a 5 year storm) and, in the northwestern corner of the site, a grassed swale and biofiltration basin.

- Use of low-flow plumbing fixtures for all tenants, use of a low-flow dishwasher and a dish pre-rinser with a water conservation aerator tip by the restaurant, use of a high-pressure steam sanitizer by the coffee shop and a commitment not to use automatic dishwashers or sanitizers in the sandwich shop.
- Use of drought tolerant plants in the landscape design and a commitment not to use potable water for landscape irrigation.
- Retention of a Licensed Site Professional (LSP) to provide oversight during design and construction and to review development of a Soils Management Plan (SMP).

- Construction of upgrades and improvements to existing and proposed access drives at the project site including: re-location of traffic signal from Lot B to the main site drive at Lot A and its intersection with Route 38; two entry and two exit lanes at the Route 38 intersection separated by a landscaped center island; construction of a new right turn only exit drive onto Route 38 in the southeastern corner of Lot A; and construction of a driveway connection from Lot A to Lot B.
- Coordination of signal timing along Route 38 including its intersections with the following: main site drive, Richmond Street, Wilmington Plaza South Drive, Clark Street, commuter rail parking lot, Church Street/Burlington Avenue.
- Implementation of a transportation demand management (TDM) program including an employee ride-matching program (carpooling and vanpooling); a "Guaranteed Ride Home" program; use of staggered employee work hours; construction of pedestrian sidewalks and crosswalks throughout the development; and development of on-site amenities including employee direct deposit banking and secured bicycle storage racks.

Circulation

The FEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to officials from the Town of Wilmington. A copy of the FEIR should be made available for public review at the Wilmington Public Library.

September 14, 2006

Date

Robert W. Golledge,

Comments received:

9/7/06 Massachusetts Department of Environmental Protection (MassDEP)

9/7/06 Executive Office of Transportation (EOT)

RWG/CDb/cdb