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September 14, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE EXPANDED ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Bridgewater Place Shopping Center
PROJECT MUNICIPALITY : Bridgewater
PROJECT WATERSHED : Taunton River
EOEA NUMBER : 13846
PROJECT PROPONENT : Property Investors LLC
DATE NOTICED IN MONITOR : August 8, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.03 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **requires** the preparation of an Environmental Impact Report (EIR).

As described in the Expanded Environmental Notification Form (EENF), the project involves development of 135,000 square feet of a retail shopping center along Pleasant Street (Route 104) in Bridgewater and the entails the relocation of the Motor Cars International Dealership to a new lot on the south side of Route 104. The shopping center would be constructed on the 28.46 acre parcel of land on the north side of Pleasant Street and an existing business, Motor Cars International, would be relocated from the north parcel to a 2.53 acre parcel on the south side of Pleasant Street. The existing Honey Dew Donut Shop will remain in its current location and will share parking spaces with the new shopping center. Access to the site will be provided at a full-access driveway on Route 104. Based on ITE Land Use Code 820, the project is expected to generate 8,254 vehicle-trips on an average weekday and 11,164 vehicle trips on an average Saturday. The project will create 9.89 acres of impervious surface. Stormwater from the project site will infiltrate and flow north and west towards the Hockomock Swamp and Lake Nippenicket.

All but 2.53 acres of the proposed project site 30.99 acre project are located in the Hockomock Swamp Area of Critical Environmental Concern (ACEC). The Hockomock Swamp ACEC acts as a large water reservoir and serves as the headwaters for the Town River, which flows into the Taunton River. The wetlands and floodplains of the ACEC are connected to an extensive

underlying system of medium- and high-yield aquifers which feed public water supplies in the area. The ACEC is also important for its natural and cultural values and recreational opportunities.

The proposed project also involves a land transfer with the Massachusetts Highway Department (MHD). The proponent has met with MHD to discuss a land transfer to provide adequate land for the development of the project. As a result of the discussions, the EENF included a traffic study that was prepared to address the project's traffic impacts, and a conceptual design was developed to allow the land swap without compromising MHD's ability to construct new on-and-off ramps between Route 24 and Route 104 in the northeast quadrant of the interchange. The on-and-off ramps will partially complete the interchange and address the long-term regional traffic at the interchange and along the Route 104 corridor. As addressed below, the required EIR must include a clear commitment to advance the design for the interchange beyond the conceptual plans previously discussed with MHD.

The project is undergoing review and requires the preparation of a mandatory EIR pursuant to section 11.03 (6)(a)(6) of the MEPA regulations, because the project will generate more than 3,000 new vehicle trips per day. The project is also undergoing review pursuant to Section 11.03 (1)(b)(2) and Section 11.03 (11)(b) of the MEPA regulations, because the project will involve creation of more than 5 acres of new impervious surfaces and is located within a designated Area of Critical Environmental Concern (ACEC) and requires state agency action. The project requires an Access Permit from the Massachusetts Highway Department (MHD) and Sewer Connection/Extension Permit from the Department of Environmental Protection (MassDEP), and an Order of Conditions from the Bridgewater Conservation Commission (and hence a Superseding Order from DEP if the local Order were appealed). The proposed project also involves a land transfer with MHD. The project construction activities will disturb one or more acres of land and therefore, may also require a NPDES Stormwater Permit for Construction Activities.

Because the proponent is not seeking direct 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/air quality, wetlands, stormwater, and wastewater.

In accordance with Section 11.05 (7) of the MEPA regulations, the proponent has submitted an Expanded ENF (EENF) with a request that I allow the proponent to fulfill its EIR obligations under MEPA with a Single EIR, rather than require the usual two-step Draft and Final EIR process. The EENF received an extended comment period pursuant to Section 11.06 (8) of the MEPA regulations. The comments received on the EENF have been generally positive, and none have raised objections to a Single EIR process. I hereby find that the Expanded ENF meets the regulatory requirements to allow the preparation of a Single EIR, and I am hereby allowing the

proponent to file a Single EIR in fulfillment of Section 11.03 of the MEPA regulations.

SCOPE

General

The EIR should follow the general guidance for outline and content contained in section 11.07 of the MEPA regulations, as modified by this Certificate. The EIR should contain a copy of this Certificate and a copy of each comment received. The proponent should circulate the EIR to those parties who commented on the ENF, to any state agencies from which the proponent will seek permits or approvals, the MassDEP's Division of Air Quality in Boston, and to any parties specified in section 11.16 of the MEPA regulations.

Project Description and Permitting

The EIR should include a description of the proposed project, including as much information as possible on lighting, grading and landscaping for the site. The EIR should also include existing and proposed grading plans. The EIR should briefly describe each state permit required for the project, and should demonstrate that the project meets any applicable performance standards. In accordance with section 11.01 (3)(a) of the MEPA regulations, the EIR should also discuss the consistency of the project with any applicable local or regional land use plans. The EIR should provide an update of the local permitting processes for the proposed project, particularly with respect to any state highway issues being discussed.

Alternatives

The EIR should analyze the no-build alternative to establish baseline conditions. The EIR should also evaluate alternative site layouts of the proponent's preferred alternative in order to arrive at a site layout that minimizes overall impacts.

Land Alteration

The project as currently designed results in 9.89 acres of new impervious coverage over the site. For each alternative, the EIR should quantify the amount of land altered, the amount of earth work involved in meeting final grades, and the amount of impervious surfaces created. The EIR should investigate all feasible methods of avoiding, reducing, or minimizing impacts to land.

Transportation

The transportation analysis presented in the EIR should conform to the EOEA/EOTC Guidelines for EIR/EIS Traffic Impact Assessment, as modified by this scope and the comment letter from MHD. The EIR should identify appropriate mitigation measures for areas where the project will have a significant impact on traffic operations, should include appropriate commitments to

implement the mitigation, and should specify the schedule for implementing the mitigation.

As stated previously, the proposed project involves a land transfer with MHD. The traffic study that was prepared was a direct result of discussions with MHD to address the project's traffic impacts, and a conceptual design was developed to allow the land swap without compromising MHD's ability to construct new on-and-off ramps between Route 24 and Route 104 in the northeast quadrant of the interchange. The on-and-off ramps will partially complete the interchange and address the long-term regional traffic at the interchange and along the Route 104 corridor. The EIR must include a clear commitment to advance the design for the interchange beyond the conceptual plans previously discussed with MHD. At a minimum, MHD recommends that 25% plans and environmental documentation be committed to by the proponent.

The traffic study has presented capacity analysis indicated acceptable service at the study intersections in the Future Build of the project. The proponent has committed to fund and implement a comprehensive transportation mitigation program, which entails roadway improvements along Route 104 from the project site drive to the Route 24 northbound ramps intersection, and traffic signalization along Route 104 at its intersections with the Route 24 northbound ramps, the Route 24 southbound ramps, and the project site drive. The above traffic signals will be interconnected/coordinated to improve mobility along the corridor. The project proponent has also committed to mitigation measures along Route 104 at several town-owned locations. The project proponent should ensure that those improvements are designed in accordance with the latest MHD's Project Development Design Guidebook to include adequate pedestrian and bicycle provisions.

The EENF included a commitment to provide a Transportation Demand Management (TDM) program aimed at reducing site trip generation. This included an employee rideshare matching program, work shift hours, and direct deposit payment of salaries. The proponent should also ensure safe pedestrian circulation on site. While the proponent has indicated that the potential for public transportation to the site seems limited, the proponent should continue working with the Town of Bridgewater and the Bridgewater State College to explore shuttle services for students and elderly.

The EIR should present an updated TDM program, and include appropriate commitments to implement feasible TDM measures and/or commit to a trip reduction performance standard. I strongly encourage the proponent to incorporate the TDM recommendations defined in the comments from DEP Division of Air Quality in Boston. The EIR should describe any monitoring necessary to ensure the success of the program. (I recognize the challenges inherent in developing a successful TDM program at a suburban retail site, but remind the proponent of its obligation to develop the maximum mitigation feasible for traffic/air quality impacts. TDM can and should constitute a portion of the transportation mitigation program.) I encourage the proponent to consult with the Public/Private Development Unit and MHD's District 5 Office during the preparation of the EIR.

Air Quality

The project as currently proposed will generate more than 8,000 new vehicle trips per day. The EIR should therefore include an air quality mesoscale analysis which estimates the total emissions of Volatile Organic Compounds (VOC) and nitrogen oxides (NOx) associated with all project-related vehicle trips within a defined study area. (The boundaries of the study area should generally include all roadway links that are projected to experience an increase of 10% or more in traffic due to the project and currently operate at Level of Service D or lower or will degrade to Level of Service D or Lower because of the project. Prior to undertaking the analysis, the proponent should consult with MassDEP's Division of Air Quality for confirmation of the boundaries of the study area.) If mesoscale VOC emissions from the preferred alternative prove greater than mesoscale VOC emissions from the no-build alternative, the EIR should evaluate all reasonable and feasible reduction/mitigation measures. (When discussing such measures, the proponent may reference the TDM section to the extent that the TDM program and mesoscale air quality mitigation overlap.)

Wetlands/Stormwater

The project is discharging stormwater primarily within the Hockomock Swamp ACEC to an area that is hydrologically connected to the wetlands of Hockomock Swamp and the extensive area of priority and estimated habitat that borders the west side of Route 24. Although the Hockomock Swamp is not designated as an Outstanding Resource Water (ORW), and is therefore not classified as a "Critical Resource Area" (Standard 6) under the MassDEP's Stormwater Management Standards, the Hockomock Swamp is an exceptional ecosystem that warrants a higher level of protection. In addition, the proposed shopping center will generate more than 8,000 new vehicle trips per day, making it an "area with higher potential pollutants loads" per Standard 5 of the MassDEP's Stormwater Management Policy. The EIR should discuss the ACEC program's recommendation that the proponent voluntarily size the proposed stormwater treatment system to treat the 1.0 inch storm instead of the 0.5 inch storm. I strongly advise the proponent to consult with DEP and the ACEC program on this topic.

The EIR should include at least a conceptual drainage plan, and should discuss the consistency of the drainage plan with the DEP Stormwater Management guidelines. The EIR should identify any stormwater discharge points, and describe any drainage impacts associated with required off-site roadway improvements. The EIR should investigate feasible methods of reducing impervious surfaces. The proponent is reminded that every effort should be made to maximize the retention and infiltration of storm water runoff on site. Connections to the State Highway drainage system should be avoided if possible.

The EIR should also identify the wetland resource areas (including any banks, intermittent streams, perennial streams, land under the water, bordering land subject to flooding, and isolated

land subject to flooding) and buffer zones present on the site and immediately adjacent to the site on a reasonably scaled plan. The EIR should identify the significance of the wetland resources present, including value to public and private water supply, flood control, storm damage prevention, prevention of pollution, riverfront area, and fisheries and wildlife habitat. The EIR should analyze both direct and indirect (i.e. changes in drainage patterns) impacts on wetlands resulting from the project. The EIR should demonstrate that the proponent has minimized impacts to the maximum feasible extent. The EIR should explain any local wetland requirements, and how compliance with these requirements affects project design.

Wastewater

The EIR should quantify the wastewater impacts of the project, including estimates of wastewater generation. The EIR should describe the proposed methods of wastewater management, and any mitigation for wastewater impacts deemed necessary. I remind the proponent that any expansion of the Bridgewater sewer system resulting from this project should conform to the Town of Bridgewater Comprehensive Wastewater Management Plan which should be documented in the EIR.

Historic/Archaeology

The site contains an important ancient Native American archaeological site (19-PL-169). The proponent should attempt to avoid impacts to this site. The EIR should detail any mitigation for impacts that are demonstrated to be unavoidable. The proponent should continue to work closely with the Massachusetts Historical Commission (MHC). MHC is awaiting the archaeological site examination referred to as "Phase II Survey" to be conducted for the project. The EIR should contain a summary of the results of the consultation in a manner that does not disclose the location of any archaeological sites to protect the sites.

Construction Period

The EIR should evaluate construction period impacts, including impacts from earth moving, impacts to vegetation, potential impacts from erosion and sedimentation, traffic impacts on adjacent roadways, and impacts to adjacent land uses.

Comments

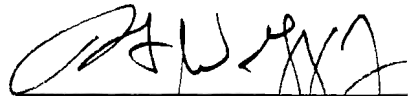
The EIR should respond to the comments received to the extent that the comments are within MEPA jurisdiction. I recommend that the proponent use either an indexed response to comments format, or else direct narrative response. The EIR should present any additional narrative or quantitative analysis necessary to respond to the comments received.

Mitigation/Section 61

The EIR should include a summary of all mitigation measures to which the proponent has committed. The EIR should also include proposed Section 61 Findings for use by the state permitting agencies. For MHD, the proposed findings may take the form of a draft Letter of Commitment.

September 14, 2006

Date



Robert W. Golledge, Jr.

Comments received:

09/07/06	Executive Office of Transportation, Massachusetts Highway Department
09/07/06	Department of Environmental Protection, SERO
09/07/06	Southeastern Regional Planning & Economic Development District
09/07/06	Town of Bridgewater Office of Selectmen
09/07/06	Bridgewater-Raynham Regional School District
09/07/06	Bridgewater State College
09/07/06	Town of Bridgewater Office of Elders
09/07/06	Town of Bridgewater Board of Health
09/07/06	Town of Bridgewater Office of Highway Superintendent
09/07/06	Town of Bridgewater Department of Inspectional Services
09/07/06	Town of Bridgewater Master Plan Implementation Committee
09/07/06	Town of Bridgewater Selectman Paul Sullivan
09/07/06	Town of Bridgewater Police Department
09/07/06	Town of Bridgewater Sewer Department
09/07/06	Town of Bridgewater Office of Transportation Management
09/07/06	Town of Bridgewater Water Department
09/07/06	Town of Bridgewater Department of Veteran's Services
09/07/06	Town of Bridgewater Zoning Board of Appeals
09/07/06	Linda Buckley
09/07/06	Bridgewater Public Library
09/08/06	Lake Nippenicket Action Focus Team
09/08/06	Old Colony Planning Council
09/08/06	Massachusetts Historical Commission
09/11/06	Department of Environmental Protection's Division of Air Quality
09/11/06	DCR's Area of Critical Environmental Concern (ACEC) Program

RWG/ACC/acc