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April 6, 2007

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
7th NOTICE OF PROJECT CHANGE

PROJECT NAME: : The Pinehills
PROJECT MUNICIPALITY : Plymouth
PROJECT WATERSHED : South Coastal
EOEA NUMBER : 11519
PROJECT PROPONENT : Pine Hills LLC
DATE NOTICED IN MONITOR : February 20, 2007

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62H) and Section 11.00) of the MEPA regulations (301 CMR 11.00), I have reviewed this seventh Notice of Project Change (NPC 7) submitted on this project and have determined that it **does not** require the preparation of an Environmental Impact Report (EIR).

Project Description and History

Under the terms of a Special Review Procedure to which the proponent and the Secretary agreed in April 1998, the proponent is required to file a separate document for each proposed phase of development. Phase I of the project, for which MEPA review was concluded on December 8, 1998, included a mixed-use Neighborhood Green District consisting initially of a village green, conference center with a 250-room hotel, 50,000 sf of general commercial space, 100,000 sf of retail space, 100,000 sf of office space, and 400 residential units, the majority in a cluster pattern adjacent to an eighteen hole golf course with clubhouse located north of the Neighborhood Green District; a 139,000 gpd wastewater treatment plant (to service Phases 1-6); 26,300 linear feet of private roadway; and a public water supply system to service the "full build-out" project. Phase I involved the development of approximately 797 acres of the 3,037-acre Pinehills project site.

Phase 2 of the project, for which MEPA review was concluded on September 16, 1999, included 425 homes, 100,000 sf of general commercial space, 50,000 sf of retail space, 100,000 sf of office space, an eighteen hole golf course with clubhouse, a tree farm and/or nursery, and approximately 6,200 linear feet of private roadway. Phase 2 also expanded the geographic area of the Pinehills project site by 13.49 acres to include a total of 3,050 acres of developable area. Phase 2 involved the development of approximately 701 acres of proposed new development (1,498 acres - total proposed development).

Phase 3 of the project, for which MEPA review was concluded on April 13, 2001, included 800 homes, 50,000 sf of general commercial space, a wastewater treatment and disposal facility, and a pond; a water supply tank and booster station; and approximately 74,300 linear feet of private road. Phase 3 further expanded the geographic area of the Pinehills project site by 9.71 acres to include a total of 3,059.71 acres of developable area. Phase 3 involved the development of approximately 546 acres of proposed new development (2,044 acres - total proposed development).

Phase 4 of the project, for which MEPA review was concluded on August 30, 2002, involved the construction of 350 homes; an 18-hole private golf course; an irrigation pond, an irrigation well; and approximately 28,000 linear feet of private roadway within the 635-acre Phase 4 development area. Also in Phase 4, the Pinehills project area was expanded to include the addition of a 42-acre parcel (3,102 acres total) located in the northwestern corner of the project site adjacent to the Route 3 and Bump Rock Road intersection. As proposed, Phase 4 involved the development of approximately 635 acres of proposed new development (2,679 acres - total proposed development).

The Secretary's Certificate for the Phase 5 document was issued in October 2004. The Phase 5 development plan involved the construction of 320 Planned Retirement Deed Restricted homes, and approximately 17,400 linear feet of private roadway on two separate development parcels (156 acres total) located within the Pinehills project area. The north parcel (84 acres) is located in the northeastern portion of the Pinehills project site adjacent to Old Sandwich Road. The south parcel (72 acres) includes Clam Pudding Pond, and is located at the southern boundary of the Pinehills project site and east of Old Sandwich Road. In Phase 5, the Pinehills project area was been expanded to include approximately 3,174 acres total. The Phase V work also included the wetland restoration of an existing nonproductive cranberry bog complex (approximately 1.9 acres) located midway between the North and South development parcels, approximately 500 feet north of the historic Tavern and Rye Field east of Old Sandwich Road. The Phase 5 development activities increased the total Pinehills development area reviewed by MEPA to 2,835 acres.

Seventh Notice of Project Change

As described in this NPC 7 submittal, the project change involves the expansion of the Pine Hills project area with the addition of a 69.41-acre parcel of property (3,244.36 acres total) located in the northeast section of the Pinehills project area near Old Sandwich Road. Consistent with the formula established in the Town of Plymouth's zoning bylaws, this additional 69.41-acre development parcel will allow an increase in the project's total number of Limited Occupancy Community homes from 2,063 to 2,132. I note that the proponent intends to file a separate Phase VI Review Document (PRD 6) to describe the development activities proposed for the 69.41-acre parcel identified in this NPC 7 submittal. The Phase VI document should respond to the comments received from MassHighway, the Natural Heritage and Endangered Species Program (NHESP), and the Town of Plymouth.

Rare Species

In their comments, the Natural Heritage and Endangered Species Program (NHESP) indicated that the project site is located within priority and estimated habitat for the Eastern Box Turtle (*Terrapene carolina*). According to NHESP, the proponent has initiated consultations with NHESP regarding the potential impacts to the Eastern Box Turtle from the future development of the 69.41-acre NPC7 project site. The Phase VI document should include a detailed discussion of how the proponent has developed a final project design that will avoid impacts to rare species or will meet the requisite performance standards to support a Conservation and Management Permit pursuant to the Massachusetts Endangered Species Act (MESA) and MESA Regulations (321 CMR 10.04(3)(b)).

Traffic

Using the Institute of Traffic Engineers Trip Generation land use code 250 for Retirement Community, the proposed development of the NPC 7 parcel is estimated to generate approximately 138 additional new vehicle trips on the average weekday, of which 148 will be external (again, based on a mean internal capture rate of 35 percent).

According to the comments received from MassHighway, the cumulative traffic impacts resulting from the development of this NPC7 parcel, and the prior six NPCs/PRDs, may have a significant impact on the state and local roadway infrastructure located in the project area.

I note that the proponent committed to implement and continue an annual traffic monitoring program for the Pinehills development project as part of the conditions set forth in the Section 61 Finding originally issued by MassHighway as part of the MEPA review of the 1998 ENF submittal. In their comments on the proponent's PRD 6 submittal (September 2004), MassHighway requested that the proponent begin implementing the traffic monitoring program to substantiate the proponent's continued use of an internal capture rate of 35 percent, and the use of the Retirement Community land use code (LUC 250) for estimating the traffic impacts from the Pinehills development project. In their comments on this NPC7 submittal, MassHighway requests that the proponent provide to MassHighway's Public/Private Development Unit and the MassHighway District 5 Office the results of the proponent's traffic monitoring program.

MassHighway has also requested that the proponent's traffic monitoring program include 24-hour Automatic Traffic Recorder (ATR) counts to determine the traffic impacts associated with those Pine Hills project construction phases completed to date. According to the revised comments received from the Town of Plymouth's Planning Board, the Town of Plymouth is no longer requesting the proponent to install 3 continuous count stations on Clark Road, east and west of the Exit 3 interchange, and on the paved section of Old Sandwich Road, north of the project site. The proponent must consult with MassHighway regarding the reporting of the project's annual traffic monitoring program, and the implementation of a Traffic Demand Management (TDM) Program for the Pine Hills project.

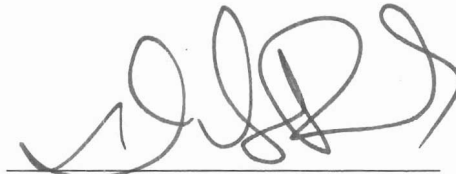
MassHighway has also requested that the proponent consider constructing an additional ramp to complete the Route 3/Clark Road interchange, rather than the proponent's proposed installation of interim traffic control signals. The proponent should include a detailed discussion of these issues and the proponent's traffic mitigation work completed and planned to date in any future submittal to the MEPA Office for The Pinehills project.

I ask that the proponent continue to work closely with MassHighway and the Town of Plymouth to implement appropriate and warranted on-site and off-site transportation improvements at each phase of the Pinehills development project as may be required. The proponent should commit to locating a transit passenger facility and ancillary amenities, including a sheltered bus stop, within the Pinehills development area to further enhance the transit-oriented nature of the proposed Pinehills development project.

I have reviewed the NPC 7 submittal and find that the changes described do not significantly increase the environmental impacts that are likely to result from the project.

Based on a review of the information provided by the proponent and others, and consultation with relevant public agencies, I find that the potential impacts of the project are not significant enough to warrant preparation of an Environmental Impact Report and can be addressed in the state and local permitting processes. No further MEPA review is required.

April 6, 2007
DATE



Ian A. Bowles, Secretary

Comments received:

03/12/07	Town of Plymouth – Planning Board
03/07/07	Massachusetts Historical Commission (MHC)
03/05/07	Division of Marine Fisheries
03/09/07	Massachusetts Department of Environmental Protection (MassDEP) – SERO
03/19/07	Massachusetts Highway Department (MassHighway)
03/16/07	Natural Heritage and Endangered Species Program (NHESP)
03/23/07	Town of Plymouth – Planning Board

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