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June 1, 2007

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

PROJECT NAME : Shops at Saugus
PROJECT MUNICIPALITY : 334-352 Broadway (Route 1) - Saugus
PROJECT WATERSHED : North Coastal
EOEA NUMBER : 14011
PROJECT PROPONENT : Shops at Saugus, LLC/Town of Saugus
DATE NOTICED IN MONITOR : April 25, 2007

Pursuant to the Massachusetts Environmental Policy Act (MEPA)(G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR). In the Expanded Environmental Notification Form (EENF), the proponent requested a Full Waiver from its mandatory EIR review threshold. The Certificate on the EENF is contingent upon the granting of a Full Waiver in the Final Record of Decision (FROD). If a Full Waiver is not granted in the FROD, then the Secretary will reissue the Certificate on the ENF with an EIR scope.

According to the EENF, the proposed project consists of the construction of an approximately 98,517 square foot (sf) shopping center with 443 surface parking spaces. The project includes retail, restaurant and professional office space. It will require the transfer of 3.82 acres of undeveloped Department of Conservation and Recreation (DCR) land, which was originally proposed for the extension of the Lynn Fells Parkway between Route 1 and Walnut Street. The proposed roadway extension was never built. Another 4.5 acres of the remainder of the DCR land from the limit of the first transfer to the intersection with Walnut Street and Central Street would be transferred to the Town of Saugus and would remain as open space. The existing site has been cleared of all buildings. It had contained a 2,000 seat function hall and about 6,390 sf of specialty retail space. The project site is comprised of 14.14 acres, which includes the DCR land.

The project requires a mandatory EIR pursuant to Section 11.03(6)(a)(6) of the MEPA regulations for the generation of 3,000 or more new vehicle trips. It will need to obtain an Access Permit from the DCR for its proposed improvements to the Lynn Fells Parkway. The project will also require an Access Permit for Route 1 from the Massachusetts Highway Department (MassHighway). It will need several 8M Permits from the Massachusetts Water Resources Authority (MWRA) for the relocation of an existing 36-inch water main from the DCR roadway right-of-way (ROW) and other improvements to the water distribution system. The project requires a real estate transfer from the Division of Capital Asset Management (DCAM). In Chapter 242 of the Acts of 2006, the Legislature authorized DCAM to convey the lands described above to the proponent and the Town of Saugus. The proponent must now comply with the EOEEA Article 97 Land Disposition Policy. The project will also need to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. The project will require an Order of Conditions from the Saugus Conservation Commission (SCC) for impacts to wetland resource areas and buffer zones. Because the proponent is seeking a land transfer from the Commonwealth for the project, MEPA jurisdiction extends to all aspects of the project that may have significant environmental impacts.

The proposed project will have two driveways onto Route 1 Northbound, both right turn in and out. The existing site has four curb cuts onto Route 1 Northbound. Based on the Institute of Traffic Engineers Land Use Code 820, the proponent has estimated that the project would generate approximately 6,414 new trips per weekday and 8,884 new trips on Saturday. In 2007, MassHighway is planning to construct interchange improvements at the Route 1/Walnut Street interchange, the nearest interchange to the north of the project site. According to the proponent these safety improvements will reduce conflict points on Route 1 and Walnut Street. The proponent has also committed to install a new traffic signal at the intersection of the Lynn Fells Parkway and the Route 1 Northbound On-Ramp to reduce delays caused by the introduction of new trips that will turn left onto the Route 1 Northbound On-Ramp.

The Town of Saugus will provide the project with potable water and wastewater service. The project is estimated to consume approximately 18,537 gallons per day of water. It is anticipated that it will generate approximately 16,683 gpd of wastewater. The proponent has committed to provide approximately 100,098 gpd of Infiltration/Inflow (I/I) reduction for wastewater generated by the project.

The proponent has estimated that the project would impact approximately 2,000 sf of Riverfront Area to the Saugus River. The Riverfront Area has been previously disturbed by the former uses on the site.

The quality of stormwater runoff generated by the project will be improved by the implementation of Best Management Practices. The proponent has committed to comply with the

Department of Environmental Protection's (MassDEP) Stormwater Management Policy. It will install catch basins equipped with deep sumps and hoods. Stormwater will flow to water quality structures with subsurface detention. Roof runoff will be infiltrated. The project will increase impervious area by approximately by 1.86 acres. The rate of stormwater discharging from the site will remain less than existing peak runoff rates. The proponent has committed to perform an annual inspection and maintenance program for the stormwater collection system and a seasonal sweeping program of the proposed driveways and parking areas.

In order to comply with EOEEA's Article 97 Land Disposition Policy and Chapter 242, the proponent has been working with DCR to identify sufficient land to transfer to DCR to compensate it for any loss. The proponent has identified 2.95 acres of land located at 481 Broadway on the southbound side of Route 1, which is adjacent to Camp Nihan. The proponent has also identified another 5.5 acres of land within the Rumney Marsh area that DCR would be interested in acquiring. It will seek to purchase this land for transfer to DCR. The proponent will also be required to provide the difference between the full market value of land to be transferred to the proponent and the parcels provided to DCR.

Because the proponent has committed to resolve and improve the existing and proposed conditions regarding the Article 97 Land Disposition Policy, traffic, water, and wastewater issues, no issues remain that require review in an EIR. The issues raised by an abutter regarding its reduced access to Route 1 northbound by the proposed project do not lend themselves to resolution through the preparation of an EIR. These issues should be resolved in the other avenues available to the abutter.

Based on a review of the information provided by the proponent, a review of the comment letters, and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR and can be handled by the permitting agencies.

June 1, 2007
Date


Ian A. Bowles

Comments received:

Engineering Alliance, 4/27/07
DCR, 4/30/07
Engineering Alliance, 5/1/07
MWRA, 5/3/07

Regency Centers, 5/9/07
DCR, 5/14/07
Hayes Engineering, 5/14/07
MassDEP/NERO, 5/14/07
TEC, 5/15/07
MWRA, 5/15/07
Engineering Alliance, 5/17/07
Hayes Engineering, 5/21/07
Gregg Tyler, 5/22/07
Engineering Alliance, 5/23/07
Gregg Tyler, 5/24/07
Engineering Alliance, 5/24/07
Saugus River Watershed Council, 5/25/07
DCR, 5/25/07
EOT, 5/25/07
DCR, 5/29/07
Engineering Alliance, 5/30/07

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