



The Commonwealth of Massachusetts

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June 9, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE 2ND NOTICE OF PROJECT CHANGE

PROJECT NAME : Pembroke Business Park
PROJECT MUNICIPALITY : Pembroke
PROJECT WATERSHED : North River
EOEA NUMBER : 11859
PROJECT PROPONENT : KDM/Pembroke Realty, LLC
DATE NOTICED IN MONITOR : May 10, 2006

Pursuant to the Massachusetts Environmental Policy Act (MEPA) (M.G.L. c.30, ss.61-62H) and Section 11.17 of the MEPA regulations (301 CMR 11.00), I have reviewed the second Notice of Project Change (2nd NPC) submitted on this project and hereby determine that it **does not require** the preparation of an Environmental Impact Report.

Project History

Originally proposed in a March 2001 Draft Environmental Impact Report (DEIR), the project consisted of the two-phased development of 600,000 square feet (sf) of light industrial and warehouse space on a 100-acre site located off Oak Street in Pembroke. A Certificate on the Draft EIR was issued on April 30, 2001, and found that the project adequately and properly complied with MEPA.

In August 2002, the proponent filed a Notice of Project Change (NPC) which described the changed project as the construction of 240 residential apartment units in 15 clustered buildings, and 75,000 sf of office space in two buildings (40,000 sf and 35,000 sf), to replace the previously proposed light industrial and warehouse development program. The proponent anticipated that the change to the project would result in the reduction of:

- 222,950 sf of floor area (377,050 sf total);
- 384 daily vehicle trips (2,638 vtd total);
- 10.73 acres of impervious surface (17.97 acres total); and
- 18,500 sf of wetlands alteration (3,550 sf total).

A Certificate on the NPC was issued in September 2002 that required the proponent to prepare a Final Environmental Impact Report (FEIR) for the project to provide additional information regarding the project's wastewater and traffic impacts. The Certificate on the FEIR was issued in June 2003 and determined that the FEIR submitted for the project adequately and properly complied with MEPA

Second Notice of Project Change

As described in this second Notice of Project Change (NPC), the proponent has proposed additional project changes involving the construction of 144 additional affordable multi-family residential units to be located in six separate buildings in the western portion of the original 100-acre project site on Oak Street in Pembroke. Construction activities for the project, as now proposed, will result in approximately 1.6 acres of additional impervious surface area (19.64 acres total) and 216 new surface parking spaces (1,097 surface spaces total). The potable water supply needs (25,740 gpd) for the additional 144 residential units will be served by the Town of Pembroke's municipal water supply system. As described in the 2nd NPC, the wastewater flow generated from the additional residential units, approximately 25,740 gallons per day (gpd), will be served by expanding the previously proposed on-site package wastewater treatment plant.

Wastewater

As described in the NPC, the proponent proposes to expand the on-site package wastewater treatment plant, previously reviewed in the May 2003 FEIR, to accommodate the additional wastewater flows (25,740 gpd) anticipated from the 144 additional residential units, which will require a Modification of a Discharge Permit with Plan Approval from the Department of Environmental Protection (DEP).

In its comments, DEP indicated that the proponent must obtain approval for the construction of the proposed on-site wastewater treatment plant, and a Major Groundwater Discharge Permit for the plant's discharge of treated wastewater flows from the residential apartment complex and community center. According to DEP, if the project results in a commonality of ownership between the proposed office buildings and the proposed residential apartment complex, the proponent will be required to connect the wastewater flows from the proposed office buildings to the proposed wastewater treatment plant.

Transportation

According to comments received from the Massachusetts Highway Department (MHD), the proponent has completed a limited traffic impact study that included an analysis of operating and safety conditions within the project area. MHD anticipates that a number of highway improvement projects including the Route 3 Improvement Project, as well as numerous traffic improvements to Route 139, will serve to mitigate the impacts of the proposed project. Together

with traffic signal phasing and timing modifications at the Route 139/Route 53 intersection to be completed by the proponent, the existing transportation infrastructure in the project area can accommodate the traffic impacts associated with the proposed project change. The project, as now proposed, will require a revised State Highway Access Permit access to Route 3 via Oak Street and Route 139.

The proponent should continue to work closely with MHD's District 5 Office and the Town of Pembroke in implementing all feasible Transportation Demand Management (TDM) measures to minimize the project's traffic impacts. Specifically, the proponent should facilitate the residents' use of transit, walking, and bicycling. Residents should also be encouraged to use MHD's park-and-ride lot, located on Route 139 at Old Church Street, for ridesharing. The proponent should provide adequate connections from the project site to the existing sidewalks located along Route 139.

Mitigation

The proponent and state agencies should forward copies of the final Section 61 Findings to the MEPA Office for completion of the file.

I am satisfied that the project has avoided and mitigated environmental impacts to the extent feasible, and that the state permitting agencies have adequate information upon which to base their permit decisions, and sufficient permitting authority to ensure that any remaining issues are adequately addressed.

June 9, 2006
DATE


Stephen R. Pritchard, Secretary

Comments received:

5/26/06	Massachusetts Department of Environmental Protection – SERO
6/02/06	Massachusetts Highway Department (MHD)
6/01/06	Town of Pembroke, Board of Selectmen

2nd NPC #11859
SRP/NCZ/ncz