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August 25, 2006

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

PROJECT NAME	: Wayland Town Center
PROJECT MUNICIPALITY	: Wayland
PROJECT WATERSHED	: Sudbury Assabet Concord (SuAsCo)
EOEA NUMBER	: 13844
PROJECT PROPONENT	: Twenty Wayland, LLC
DATE NOTICED IN MONITOR	: July 25, 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 a mandatory Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the project entails the construction of a mixed use development project on a site formerly occupied by the Raytheon Company on Boston Post Road (Route 20) in Wayland. The zoning to enable the project has been approved at Wayland Town Meeting for a maximum of 167,500 square feet (sf) of residential use (100 units), 156,750 sf of retail space, and 8,250 sf of office space. Additionally, a portion of the redevelopment site will be deeded to the Town of Wayland for the construction of a 40,000 square foot municipal building.

The project site is approximately 56.5 acres in area and located north of Route 20 and west of Route 27, abutting the Sudbury River. Adjacent uses include commercial properties along Route 20, residential uses along Route 27, and open space associated with the Sudbury River and local conservation land. Route 20 adjacent to the project site is a State highway, whereas Route 27 is owned by the Town of Wayland. The project will result in the creation of 1.8 acres of new impervious area (for a total of 23.4 acres) and reduce the number of existing on-site parking spaces by 340 (for a total of 1,296 spaces). The project entails the alteration of approximately 5,000 sf of Bordering Vegetated Wetlands (BVWs) and may impact inland bank

or riverfront area. The ENF states that the project is anticipated to generate an additional 7,834 vehicle trips per day (for a total of 11,792 trips). The project will generate an additional 9,900 gallons per day (GPD) of wastewater, with a total generation on site of 54,900 GPD at full capacity.

The proponent has outlined mitigation measures within the ENF that are further clarified within a Development Agreement with the Town of Wayland. The proponent is providing $4.2 million to the Town of Wayland to address a number of community mitigation requirements for the project. Anticipated traffic mitigation includes the widening of the westbound lanes of Route 20 at the intersection of Route 27. The proponent is also proposing to grant a conservation restriction of at least ten acres within the project site to a non-profit corporation specified by the Town. Finally, the applicant is proposing to provide $250,000 for the creation of a bicycle path and possibly a historic interpretive railroad site along a Massachusetts Bay Transportation Authority (MBTA) right-of-way that abuts the southeastern edge of the site.

The project site has been reviewed previously under the MEPA regulations (EOEA No. 12984) for on-site hazardous waste remediation. The Secretary issued a Certificate on the Single EIR on July 17, 2003 finding that no further review was required. This project consisted of the remediation of 3,700 cubic yards of wetland soil and sediment contaminated with polycyclic aromatic hydrocarbons (PAH), polychlorinated biphenyls (PCB) and heavy metals from a 74,000 sf area of BVWs.

This project is subject to a mandatory EIR pursuant to Sections 11.03(6)(a)(6) of the MEPA regulations because it will generate 3,000 or more new vehicle trips. The project may also alter more than 500 linear feet of Bank and/or 5,000 sf of BVWs both of which are ENF thresholds under the MEPA regulations. The project will require a Massachusetts Highway Department (MHD) State Highway Access Permit for access to Route 20 and a Minor Sewer Connection Permit (BRP WP 18) from the Department of Environmental Protection (DEP) for wastewater discharges. The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit from the U.S. Environmental Protection Agency (U.S. EPA) for stormwater discharges from a construction site of over one acre. Additional wetlands related permits may be necessary from the DEP or the U.S. Army Corps of Engineers (USACOE) based upon the final design of roadway mitigation measures. A Conservation and Management Permit may be required from the Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP) under the Massachusetts Endangered Species Act (MESA). The project will require an Order of Conditions from the Wayland Conservation Commission (or a Superseding Order of Conditions from the DEP if the local Order is appealed) for work within wetland resource areas. A Master Special Permit, Site Plan Approval, Title V permits, Roadway Modification Permit, Utility Connection Permit and Building Permits will also be required from the Town of Wayland.

Because the proponent is not seeking 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 traffic/air quality, wetlands, wastewater, rare species and stormwater.

The proponent must prepare a Draft and a Final EIR in fulfillment of the requirements 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.

Project Description and Permitting

The EIR should include a detailed description of the proposed project. The EIR should also include existing and conceptual proposed grading plans. The EIR should identify other adjacent landholdings under the ownership of Raytheon or an affiliated entity, and those areas under Federal or State management. The EIR should identify and describe any project phasing. The EIR should characterize adjacent uses (commercial, residential and open space) and their relationship to the proposed project.

The EIR should briefly describe each state permit required for the project, and should demonstrate that the project meets any applicable performance standards.

Alternatives

The EIR should analyze the following alternatives:

- No-Build Alternative;
- **Preferred Alternative** (maximum build out under zoning) as proposed by the proponent; and
  A Low-Impact Design (LID) Alternative, incorporating the use of low-impact design development techniques to reduce stormwater runoff and wetland impacts.

The EIR should identify the impacts for each of the alternatives on land alteration (impervious area), traffic, parking, drainage, wastewater, rare species, and wetlands in a tabular format. Wetland impacts should include direct alteration, flood storage impacts and location and feasibility of proposed compensation areas (wetlands and/or flood storage). This table, along with a supporting narrative, should provide a comparative analysis that clearly shows the

differences between the environmental impacts associated with each of the alternatives.

The EIR should identify and explain any project phasing, including potential impacts on construction sequencing and traffic patterns. It should discuss how this project is compatible with Executive Order 385 – Planning for Growth, by discussing its consistency with local land use plans, including the updated Master Plan and Open Space and Recreation Plan, and applicable regional plans.

Traffic and Transportation

The ENF states that the project is expected to generate 7,834 new vehicle trips on an average weekday for a total of 11,792 trips. A State Highway Access Permit is required from MHD for access to Route 20 from the project site.

The EIR should include a transportation study prepared in conformance with EOEA/EOT Guidelines for EIR/EIS Traffic Impact Assessments. The EIR should present capacity analyses and a summary of average and 95th percentile vehicle queues for each intersection within the study area. In the ENF, the proponent has taken a vehicle trip generation credit of approximately 4,000 trips for existing land uses on the site. The EIR should include documentation to demonstrate that the site activity has not exceeded the three-year time limitation allowed for trip credit. If this time limitation has been exceeded, the Traffic Impact Assessment must include revised trip generation estimates. The traffic study should include a signal warrant analysis for the Route 20/Site Drive Intersection and the Route 27/Site Drive Intersection. Sight distance analyses should be performed for each proposed site drive intersection alternative discussed within the EIR. The EIR should present detail regarding peak hour traffic impacts, with consideration for the mixed uses proposed for the project site, weekend retail traffic, and commuter traffic along Route 20. The EIR should consider a maximum buildout scenario under the approved zoning, and assume a high trip generating use for the 40,000 sf municipal building (such as a community center with an indoor pool as suggested at the site consultation meeting).

To ensure that site drainage can be adequately accommodated on the site, the EIR should contain a comprehensive drainage analysis of the state highway culverts. The proponent should make every effort possible to redirect, retain and infiltrate all stormwater discharge on-site.

Traffic Study Area

The traffic study should analyze the following state highway and local roadway locations:

In Wayland

- the Route 20 (Boston Post Road)/south site drive intersection;
- the Route 20/Old Country Road intersection;
- the Route 20/Route 27/Route 126 (Cochituate Road) intersection;
- the Route 20/Pelham Island Road intersection;

the Route 27(Old Sudbury Road)/Route 126 (Cochituate Road)/Millbrook Road/Pelham Island Road intersection;
the Route 27/Route 126 (Concord Road) intersection;
the Route 27/north site drive intersection; and
- the Route 27/River Road intersection.

In Sudbury
- the Route 20/Union Avenue intersection; and
the Route 20/Nobscot Road intersection.

Additionally, the proponent has agreed to analyze the following local neighborhood roadways, as outlined in the Development Agreement: Bow Road, Glezen Lane, Moore Road, Training Field Road, Claypit Hill Road, Plain Road, Millbrook Road, Glen Road and Pelham Island Road.

MHD has requested that the proponent study the feasibility of constructing a modern roundabout at the intersection of Route 20 and the proposed site drive. The traffic study should present alternative designs for the location of the Route 20/site drive intersection including a scenario in which the site drive remains in its present location and another in which the site drive is realigned opposite the Russell's Garden Center site drive. The EIR should provide an update on discussions with adjacent property owners regarding the realignment or elimination of curb cuts along Route 20 to accommodate the Route 20 site drive. The EIR should present an alternatives analysis with various site drive access scenarios including:

- only one site access point (i.e., along Route 20);
two site drives (i.e., one along Route 20 and the other along Route 27); and
any other possible scenarios.

Each alternative must provide a summary of traffic flow patterns, environmental impacts (including wetlands, drainage, flood storage, etc.), provisions for pedestrian and bicycle use, a discussion of easements required, and relationship to the MBTA right of way.

The EIR should include conceptual plans for the proposed roadway improvements that should be of sufficient detail to verify the feasibility of constructing such improvements. The conceptual plans should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and the land uses (including access drives) adjacent to areas where improvements are proposed. Any mitigation within the state highway layout must conform to MassHighway standards, including but not limited to, provisions for land, median and shoulder widths, and bicycle lanes and sidewalks. Environmental impacts associated with each improvement location should be identified and quantified within the EIR (i.e. stormwater, wetlands, flood storage and compensation areas, etc.). The EIR should discuss the right-of-way (ROW) implications of widening and describe how such ROWs would be acquired, if applicable.

Parking

The EIR should describe opportunities for shared parking, structured parking or low-volume parking areas as a means of reducing impervious area and stormwater runoff. The EIR should discuss the feasibility of an alternative with either fewer spaces or reserve parking on-site that may be used only if demand warrants, and could be left in an unimproved (i.e. non-altered or landscaped) condition, in lieu of pavement. The EIR should identify reserve parking areas for employee ridesharing or other comparable Transportation Demand Management (TDM) measures.

Pedestrian and Bicycle Movement

This project provides a unique opportunity to establish pedestrian and bicycle connections to existing businesses and municipal uses along the Route 20 and Route 27 corridors. The EIR should present potential locations for pedestrian and bicycle connections to the surrounding area including existing businesses along Route 20 near the project site, adjacent historic districts, residential uses, and municipal uses within the Wayland Center area. The EIR should provide a history of the proponent's involvement with funding a portion of the Wayside Rail Trail and the feasibility for a connection to the project site. The EIR should demonstrate that the project and its mitigation will not preclude the creation of the Wayside Rail Trail or the historic railroad interpretive site as outlined in the Development Agreement. Bicycle parking/storage areas on the project site should be identified on a plan.

Transportation Demand Management/Air Quality

The EIR should include a comprehensive Transportation Demand Management (TDM) plan that investigates all feasible measures aimed at reducing site trip generation. The TDM plan should included specific measures that have been successful in reducing trip generation for retail and/or residential projects. The TDM plan should also identify the existing modes along the corridor such as public transportation, walking, and bicycling; analyze their existing and future conditions based on the project's impacts; and propose improvements to encourage increased mode usage. The proponent should work with the Town of Wayland to provide local transportation services for elderly residents. The proponent should develop transportation and parking demand management measures to reduce single passenger automobile trips to the project and encourage ridesharing by employees to the site through the use of preferential parking. DEP implements the Rideshare Regulation (310 CMR 7.16), a clean air program that applies to employers with 250 or more daily employees. The EIR should indicate if this program is applicable to the development project and if so, outline incentives to be implemented to reduce the number of trips made by employees who drive alone to work. The proponent should provide a clear commitment to implement and continuously fund any evaluated TDM measures deemed feasible to sustain and increase mode usage.

The EIR should identify appropriate mitigation measures for areas where the project will have an impact on traffic operations, especially where delay and queue length increases at

intersections. The EIR must demonstrate that the proposed mitigation measures are feasible and will effectively mitigate the impacts of each alternative. The proponent should provide a clear commitment to implement mitigation measures and should describe the timing of their implementation based on the phases of the project.

The EIR should examine consistencies of the proposed traffic mitigation improvements with the proposed Route 20 bridge improvements by MHD and provide information on design and construction. The EIR should also discuss the status of the Route 20/Route 27/Route 126 intersection improvements by MHD and the relationship of any proposed improvements for the Wayland Town Center project to restrictions (procedural, geometrically, environmental) associated with this intersection. The EIR should reflect the most current information on the construction schedule for any roadway improvements in the area.

The EIR should include an air quality mesoscale analysis of Build and No Build condition conducted in accordance with DEP's mesoscale analysis requirements as outlined its comment letter. Emission increases due to the project must be mitigated and the EIR should include the proponent's commitment to implement these 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.

The EIR should discuss measures the proponent will implement to restrict truck deliveries during peak hours to minimize traffic impacts on the project area. The EIR should discuss how the project will comply with DEP's anti-idling regulations (310 CMR 7.11), which prohibits unnecessary idling over five minutes.

Wetlands

The Commonwealth has endorsed a "No Net Loss Policy" that requires that all feasible means to avoid and reduce the extent of wetland alteration be considered and implemented. The EIR should conform to this approach by first examining options that avoid impacts to wetland resource areas, their associated buffer zones, riverfront protection areas and 100-year flood plain areas. Where it has been demonstrated that impacts are unavoidable, the EIR should demonstrate that the impacts have been minimized, and that the project will be accomplished in a manner that is consistent with the performance standards of the Wetlands Regulations (310 CMR 10.00).

The EIR should identify the wetland resource areas (including any Bordering Vegetated Wetlands, banks, intermittent streams, perennial streams, riverfront area, land under water, bordering land subject to flooding, and isolated land subject to flooding) and buffer zones present on the project site and immediately adjacent on a reasonably scaled plan. I strongly urge that the delineation of these wetland resource areas be approved by the Wayland Conservation Commission prior to the submission of the EIR so that impacts can adequately be assessed during the MEPA process. Wetland areas identified should include those immediately on the project

site and those that may be impacted as a result of potential roadway improvements associated with the project. The EIR should identify the significance of all the wetland resources present, including value to public and private water supply, flood control, storm damage prevention, prevention of pollution, and fisheries and wildlife habitat. The EIR should analyze both direct and indirect impacts (i.e., changes in drainage patterns) on wetlands and habitat resulting from the project.

Low-lying portions of the project site are susceptible to flooding during moderate to extreme storm events. The EIR should provide graphical and numerical data outlining the limits of floodplain areas, the frequency of flooding events, and development impacts on flood storage within the project site and areas of roadway improvements, if applicable, under existing and proposed conditions.

The project, as presented within the Expanded ENF, will impact approximately 5,000 square feet of BVWs. The Expanded ENF states that wetland impacts associated with proposed roadway improvements have not been confirmed. If additional wetland areas are identified in association with off-site improvement areas, additional DEP permits may be necessary that were not identified in the Expanded ENF. If applicable, the EIR should describe these permits and consistency with any related performance standards. The EIR should demonstrate that the proponent has minimized impacts (to both on-site and adjacent off-site wetlands) to the maximum feasible extent. If compensatory wetlands are required to mitigate wetland impacts, the EIR should identify the location of proposed compensatory wetlands and compliance with the *Massachusetts Inland Wetland Replication Guidelines*. The EIR should explain any local wetland requirements, and how compliance with these requirements affects project design.

The Sudbury River adjacent to the project site is designated a Wild and Scenic River and is located within the Great Meadows National Wildlife Refuge. The EIR should discuss the visual impact of the proposed buildings and parking structures (if proposed) on the recreational and aesthetic values of the Sudbury River. Information on buffer zones, site elevations and viewsheds may aid in determination of overall impact. The EIR should outline consistency of the proposed project with any performance standards for a designated Wild and Scenic River.

Stormwater

The proposed redevelopment project presents opportunities to improve and upgrade stormwater management systems on the project site. The project contains considerable areas of impervious surface within a Zone II Wellhead Protection Area. As part of the alternatives analysis, the EIR should investigate the feasibility of reducing impervious surfaces and implementing Low Impact Development (LID) techniques within the project site. The drainage calculations provided in the EIR should reflect the use of feasible LID measures and quantify their ability to manage and treat stormwater to meet DEP Stormwater Management Policy standards.

The EIR should present drainage calculations and conceptual plans for the management of stormwater from the proposed project. It should include a description of the proposed drainage system design, including a discussion of the alternatives considered along with their impacts. The EIR should discuss the feasibility of maximizing stormwater infiltration and identify the quantity and quality of flows. The EIR should include stormwater design plans at a readable scale and conceptual best management practice (BMP) designs. The EIR should consider the impacts of stormwater runoff to the adjacent Sudbury River (an Outstanding Resource Water and Wild and Scenic River) and wetlands areas, as well as impacts to the Zone II aquifer recharge area to drinking water supply wells. The EIR should demonstrate that stormwater discharges are consistent with standards set for Zone II aquifer recharge areas and should provide a graphic illustrating the relationship of the development area to Zone I and Zone II regulatory areas.

The EIR should demonstrate that source controls, pollution prevention measures, erosion and sediment controls during construction, and the post-development drainage system will be designed to comply with the Massachusetts Stormwater Policy and standards for water quality and quantity impacts, and with the Town of Wayland's Storm Water Program required for compliance with its NPDES Phase II Stormwater General Permit issued by the U.S. EPA. The EIR should provide information demonstrating that the proposed drainage system is consistent with the Town of Wayland's NPDES Phase II Stormwater General Permit requirements relating to Category 5 impaired waterbodies as classified by the Massachusetts 2002 303(d) List of Impaired Waterbodies. A Total Maximum Daily Load (TMDL) is required for this class of impaired waterbodies and the EIR should outline controls to be implemented to meet water quality standards associated with stormwater runoff from the project site.

The EIR should present an operation and maintenance plan for the drainage system to ensure its effectiveness. This plan should be consistent with the Stormwater Pollution Prevention Plan required under the NPDES Construction General Permit and should outline the actual maintenance operations, sweeping schedule, responsible parties, and back-up systems.

The EIR should address impacts of salt and sand associated with parking lot snow removal on the quality and quantity of stormwater runoff, functionality of BMPs, and viability of wetland areas for each alternative. Snow disposal areas should be graphically depicted on a site plan showing relationship to catch basins, wetland areas, or other sensitive receptors.

Wastewater and Water

The project will require a Minor Sewer Connection permit from the DEP. The owner of the existing development on-site (and per the Development Agreement, the owner of the proposed project) has a contractual right to discharge up to 45,000 gallons per day (GPD) into the Wayland Municipal Wastewater Treatment Plant (WMWTP). The WMWTP is located on the

project site, but is owned and operated by the Town of Wayland. The WMWTP is presently permitted for up to 52,000 GPD on average, with a maximum flow of 65,000 GPD. The EIR should confirm the discharge volumes allocated to the proponent under their contractual agreement with the WMWTP operator. This facility also treats wastewater from several nearby commercial properties on Route 20 and is slated for use by an adjacent housing development (Wayland Commons) presently under construction. The WMWTP discharges to the Sudbury River under a NPDES Permit that is presently under review for renewal by the U.S. EPA.

The EIR should characterize the wastewater quality and quantity to be conveyed to this facility from this project and assess the capacity of the treatment plant to treat wastewaster in compliance with the current and proposed NPDES discharge permit limitations. The EIR should include a detailed history and summary of the permitting and treatment capabilities of the WMWTP, including flow sources and the relationship of discharge areas to the Sudbury River. The EIR should provide an update on the NPDES permitting process for the WMWTP and how potential limitations on discharges may affect site development.

The proponent has indicated that it is preparing an analysis of the WMWTP's viability and recommendations for upgrades. The proponent should coordinate the review of the treatment facility with the Town of Wayland and operators at the plant. This information should be included in the EIR, along with a discussion of the possibility of expansion of the WMWTP to accept additional wastewater flows from the project or properties in the Route 20 vicinity.

The proponent will also be conducting subsurface testing on-site and anticipates constructing a subsurface disposal septic system to discharge 9,900 GPD of wastewater. The proponent has indicated that if subsurface capacity cannot be achieved on-site, the development program will be revised to provide uses with lower wastewater generation rates. The EIR should provide the results of this subsurface soil testing. If groundwater discharge is proposed, the EIR should identify the average and peak wastewater flows from the project, which should be described in terms of the amount of square feet in each use category that would be discharging to the proposed septic system. Information provided in the EIR should demonstrate that the flow to each of the two proposed treatment systems (septic and the WMWTP) would be separate and distinct. The EIR should provide information regarding treatment areas, conformance with Title V discharges within Zone II wellhead protection areas, and areas adjacent to Outstanding Resource Waters (ORW), as well as feasibility for groundwater discharge given anticipated Activity and Use Limitations (AULs) and deed restrictions on the project site.

The proposed project does not require a State agency permit associated with water usage (estimated at 45,000GPD in the ENF), nor does it exceed a threshold under the MEPA regulations. However, because the project site is located within a Zone II wellhead protection area and adjacent to the Sudbury River, I strongly encourage the proponent to address certain elements of the project as they relate to water resources.

These elements include:

- demonstration that stormwater runoff, wetland alteration and construction period impacts associated with ongoing remediation efforts meet appropriate performance standards related to protection of Zone II areas;
- confirmation that the breakdown of uses within the development area will not exceed estimated water usage in excess of 45,000 GPD; and
- confirmation of sufficient water capacity to serve the estimated demands generated by the project from the Wayland municipal water system. The EIR should outline any anticipated impacts to the distribution system, including the potential need for any upgrades.

Additionally, given the stressed nature of the Sudbury-Assabet-Concord (SuAsCo) watershed and DEPs Administrative Consent Order (ACO) in place due to the Town's exceedance of its authorized volume under the Water Management Act, I strongly encourage the proponent to consider xeriscaping opportunities associated with on-site landscaping to reduce water consumption. The EIR should outline any water use reduction measures to be implemented within the building and exterior garden center in association with sustainable design principles.

Hazardous Waste

The EIR should provide a summary of the history of hazardous material releases on the project site, including the nature of the releases, location within the project site, status of remediation efforts, and any deed restrictions or AULs that have been imposed upon the project site. Locations of remediation areas or areas encumbered by AULs should be represented graphically in the EIR and show the relationship to proposed development or mitigation areas. The EIR should demonstrate that the infrastructure, stormwater system, and construction work for the proposed development are compatible with the remedial activities planned under the Massachusetts Contingency Plan (MCP). The EIR should describe how the removal of soil, pumping of groundwater or work in contaminated media as part of the demolition and construction process will comply with the provisions of MGLc.21E/21C and Occupational Safety and Health Administration (OSHA). The EIR should outline how the proposed project will not impede the ongoing data collection from monitoring wells or preclude remediation efforts through the demolition or construction or the proposed project. The EIR should detail how project phasing will affect remediation efforts on the project site.

Rare Species

The project site is presently mapped by NHESP as containing Estimated and Priority Habitat of Rare Species. NHESP has indicated that their database lists the American Bittern (*Botaurus lentiginosus*), Least Bittern (*Ixobrychus exilis*), Pied-billed Grebe (*Podilymbus*

podiceps) and Common Moorhen (*Gallinula chloropus*) as occurring on the project site. The 12th edition of the Massachusetts Natural Heritage Atlas, due out in October 2006, indicates that a portion of the project will remain in Priority Habitat. Proposed activities located in Priority Habitat require a direct filing with the NHESP in compliance with the Massachusetts Endangered Species Act (MESA) (321 CMR 10.18).

The EIR should provide a project history of correspondence and studies, if any, conducted regarding the presence of rare species on the property. The EIR should provide a summary of the rare species identified on-site by NHESP, characterize preferred species habitat and potential impacts due to the proposed project, and outline mitigation measures, if any. The EIR should provide an update on consultation with NHESP and, if possible, a determination as to whether a Conservation and Management Permit will be required under MESA.

The proponent has indicated that a Conservation Restriction (CR) will be placed on no less than ten acres of the project site. The EIR should conceptually idenitfy the location of this CR, and provide draft language outlining reserved rights, prohibited uses and opportunities for public access to the CR area. The EIR should discuss the relationship of potential public access to the CR area with any AULs or ongoing site remediation that may limit access. The Sudbury Valley Trustees (SVT) have indicated a positive interest in receiving the CR grant contingent on agreements satisfactory to its Board of Directors. The EIR should provide an update on negotiations with SVT or another non-profit organization related to the granting of this CR.

Construction Period

The EIR should discuss potential construction period impacts (including but not limited to noise, vibration, dust, and traffic flow disruptions) and analyze and outline feasible measures that can be implemented to eliminate or minimize these impacts. The EIR should outline the proposed methodology for demolition on-site and removal of demolition debris. DEP encourages the proponent to incorporate construction and demolition waste recycling activities as a sustainable measure for the project. The EIR should describe how demolition activities will performed in compliance with both Solid Waste and Air Pollution Control regulations, pursuant to M.G. L. Chapter 40, Section 54.

I encourage the proponent to consider participating in DEP's Clean Construction Equipment Initiative / Diesel Retrofit Program consisting of an engine retrofit program and/or use of low sulfur fuel to reduce exposure to diesel exhaust fumes and particulate emissions during construction. The EIR should identify traffic routes to be used during construction of the project and provide recommendations on restrictions for construction-related traffic to ensure that nearby residential neighborhoods are not adversely affected.

Sustainable Design

To the maximum feasible extent, the proponent should incorporate sustainable design elements into the project design. The EIR should summarize the proponents' efforts to obtain a Leadership in Energy and Environmental Design (LEED) Certification for the buildings. The basic elements of a sustainable design program may include, but not be limited to, the following measures:

- Optimization of natural day lighting, passive solar gain, and natural cooling;
- Use of energy efficient HVAC and lighting systems, appliances and other equipment, and use of solar preheating of makeup air;
- Favoring building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- Provision of easily accessible and user-friendly recycling system infrastructure into building design;
- Development of a solid waste reduction plan;
- Development of an annual audit program for energy consumption, waste streams, and use of renewable resources;
- LEED certification;
- Feasibility of "green roofs" to reduce stormwater runoff; and
- Water conservation and reuse of wastewater and stormwater.

The EIR should include a narrative describing policies regarding waste reduction, water use, and other sustainable design initiatives that may be implemented on site.

Mitigation

The EIR should include a separate chapter summarizing proposed mitigation measures. This chapter should also include draft Section 61 Findings for each state agency that will issue permits for the project. The draft Section 61 Findings should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and a schedule for implementation. The mitigation summary should compare anticipated mitigation costs to the funds promised by the proponent within the Development Agreement.

Comments/Circulation

The EIR should contain a copy of this Certificate and a copy of each comment letter received. The EIR should respond fully to each substantive comment received to the extent that it is within MEPA jurisdiction. The EIR should present additional technical analyses and/or narrative as necessary to respond to the concerns raised.

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, and to any parties specified in section 11.16 of the MEPA regulations. A copy of the EIR should be made available for review at the Wayland Public Library.

August 25, 2006
Date

Robert W. Golledge, Jr.

Comments Received:

08/02/2006	Maurice Rockett
08/02/2006	Joy Viola
08/08/2006	Judith Canty Graves
08/08/2006	MA Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP)
08/09/2006	Department of Environmental Protection – Boston
08/10/2006	Mass Central Rail Trail
08/10/2006	Jean Ann Schulte
08/10/2006	Alan D. Mandl
08/10/2006	Susan Reed
08/11/2006	Spencer Shearer
08/11/2006	Molly Upton
08/13/2006	William J. Murphy, Jr.
08/13/2006	Frank Kennedy
08/13/2006	Richard Payne
08/14/2006	MetroWest Growth Management Committee
08/14/2006	Kim Reichelt
08/14/2006	Sherre Greenbaum
08/14/2006	Tom Sciacca
08/14/2006	Executive Office of Transportation (EOT)
08/15/2006	Wayland Highway Department
08/15/2006	Sudbury, Assabet and Concord Wild Scenic River Stewardship Council
08/15/2006	Wayland Conservation Commission
08/15/2006	Julia and Kevin Leney
08/15/2006	Phil Kling
08/15/2006	Sudbury Valley Trustees
08/15/2006	Molly Upton (2nd comment)
08/15/2006	Stan Robinson
08/15/2006	Linda Segal

08/15/2006 Department of Environmental Protection - NERO
08/16/2006 Wayland Planning Board
08/16/2006 Department of Environmental Protection – NERO (2nd comment)
08/18/2006 Metropolitan Area Planning Council (MAPC)

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