

The Commonwealth of Massachusetts

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SECRETARY

November 2, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE SINGLE ENVIRONMENTAL IMPACT REPORT

PROJECT NAME: Highland Commons
PROJECT MUNICIPALITY: Hudson and Berlin
PROJECT WATERSHED: Concord (Assabet)
EOEA NUMBER: 13795
PROJECT PROPONENT: Sullivan Hayes Companies Northeast, LLC/Benderson
Properties Development, LLC
DATE NOTICED IN MONITOR: September 26, 2006

As Secretary of Environmental Affairs, I hereby determine that the Single Environmental Impact Report (Single EIR) submitted for this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (MEPA) (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

Project Description

As described in the Single EIR, the project proposes the development of a commercial shopping center and hotel on a site located in the extreme western part of Hudson south of Coolidge Street (Route 62) and approximately 1/3 of a mile east of the I-495 Exit 26 interchange. The project site encompasses 161 acres straddling the Hudson/Berlin municipal boundary. The site's primary roadway frontage is on Coolidge Street in Hudson. In the vicinity of the site, Coolidge Street is a numbered state highway (Route 62) but is under the jurisdiction of the Town of Hudson. The portion of the project site in Berlin has frontage on Gates Pond Road, a local roadway. Hog Brook passes through the north central part of the site and also forms the northeast and east boundary of the site. An unnamed tributary to Hog Brook forms the southeast boundary of the site in Berlin.

The project will be constructed in two phases. Phase 1 will involve construction of a shopping center on the easterly portion of the Hudson site with approximately 338,018 square feet (sf) of commercial building area and a 1,706 sf wastewater treatment plant building. The removal and reconstruction of a municipal water supply tank will also be part of Phase 1 of the project. Phase 2 of the project will involve construction of an approximately 133,000 sf hotel with approximately 222 rooms on the westerly portion of the Hudson site and an internal connector road between the two phases of the project. In 1989-90, a hotel and industrial park development was proposed on part of the site under the name "Metro-West Business Park". The project underwent MEPA review (EOEA #7574), but was never constructed.

Only the Hudson portion of the site is proposed to be developed at this time; there are no specific plans for development of the site area in Berlin. However, based on the existing Town of Berlin zoning and the topographic characteristics of this portion of the site, a residential subdivision with approximately 30 single family homes could be developed. The Single EIR considers the traffic and wastewater impacts that would be associated with this potential future development. The proponent states in the Single EIR that it will file a Notice of Project Change (NPC) with the MEPA office when development plans for the Berlin site are confirmed.

A portion of the project site (approximately 26 acres) is presently owned by the Town of Hudson. The municipally-owned property contains an existing water storage tank owned and maintained by the Town. Under its development agreement with the Town, the proponent will purchase this property from the Town and will construct and provide the Town with a new water storage tank at a new onsite location. The Town of Hudson will own and maintain the new municipal water tank and will be responsible for obtaining all state or federal permits for its construction and connection to the municipal water distribution system.

Jurisdiction

The project is undergoing MEPA review and requires the preparation of an EIR pursuant to Section 11.03(1)(a)(1) and 11.03(1)(a)(2) of the MEPA regulations, because it will result in the direct alteration of more than 50 acres of land and the creation of more than 10 acres of new impervious surface; and Section 11.03(6)(a)(6) and 11.03(6)(a)(7), because the project will result in more than 3,000 new average daily trips (adt) and require the construction of more than 1,000 new parking spaces. The project also exceeds the following ENF review thresholds: Section 11.03 (3)(b)(1)(f) because the project will result in the alteration of more than ½ an acre of any other wetlands; and Section 11.03(5)(b)(3)(c) and Section 11.03(5)(b)(4)(c)(ii) because the project requires the construction of more than half a mile of new sewer main and will discharge more than 50,000 gallons per day (gpd) of wastewater to groundwater.

The project requires the following permits and/or review: a National Pollutant Discharge and Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (EPA); a Groundwater Discharge Permit and a Sewer Extension/Connection Permit from the Department of Environmental Protection (MassDEP); a Traffic Signal Control Permit from the Massachusetts Highway Department (MassHighway); review from the Massachusetts Historical Commission (MHC); an Order of Conditions from the Hudson Conservation Commission; and Site Plan Approval from the Hudson Planning Board. When the Town of Hudson intends to connect the new water storage tank to the municipal system, the

Town will need to file an application for a Water Distribution System Modification Permit (BRP WS33) with MassDEP.

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 cause significant Damage to the Environment and that are within the subject matter of required or potentially required state permits. In this case, MEPA jurisdiction extends to land alteration, stormwater, transportation, wetlands, wastewater and historic resources.

MEPA History

In accordance with Section 11.05(7) of the MEPA regulations, the proponent 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 the usual process of a Draft and Final EIR. The EENF received an extended comment period pursuant to Section 11.06(8) of the MEPA regulations. In a Certificate issued on June 16, 2006, I found that the EENF met the regulatory requirements and I allowed the proponent to file a Single EIR in fulfillment of Section 11.03 of the MEPA regulations. The Certificate on the EENF laid out the issues to be addressed in the Single EIR.

The purpose of MEPA review is to ensure that a project proponent studies feasible alternatives to a proposed project; fully discloses environmental impacts of a proposed project; and incorporates all feasible means to avoid, minimize, or mitigate Damage to the Environment as defined by the MEPA statute. I have fully examined the record before me, including but not limited to the Scope issued on June 16, 2006; the Single EIR filed in response; and the comments entered into the record. I find that the Single EIR is sufficiently responsive to the requirements of the MEPA regulations and the Scope to meet the regulatory standard for adequacy. The proponent has provided a considerable amount of detailed information about the project and its potential impacts and proposed mitigation. Remaining issues outlined in this Certificate may be addressed during permitting.

Alternatives

The proponent presented a detailed alternatives analysis for the project in the EENF. In addition to the No-Build Alternative and the Preferred Alternative, the proponent assessed two other alternatives for the building program and site layout including an "all retail" development plan and a site plan that does not have an internal connector road linking the Phase 1 and Phase 2 areas. The proponent's Preferred Alternative reduces overall environmental impacts by minimizing impervious coverage; minimizing wetland impacts by use of a bridge crossing; and avoiding impacts on the Town's sewer and wastewater treatment facilities by providing on-site wastewater treatment. In the Single EIR, the proponent responded to specific comments regarding the alternatives analysis.

The proponent states in the Single EIR that the proposed site development plan minimizes land alteration and the creation of impervious surface. As opposed to many typical retail centers, the project is not designed to provide an "over supply" of parking. The proposed parking supply of 1,099 parking spaces for the Phase 1 shopping center would provide

approximately 3.25 parking spaces per 1,000 sf of retail space, which is at the low end of the generally accepted 3.0 to 5.0 parking ratios per 1,000 sf for retail uses. The proposed parking supply is also below what is required by the Town of Hudson Zoning Bylaw, and the proponent will require a variance from the Hudson Zoning Board of Appeals for the proposed design.

The Single EIR also provides a discussion of the potential use of permeable paving and green roofs to reduce the project's stormwater impacts in response to comments from the Organization for the Assabet River. The project's site engineers have determined that the use of porous pavement is not feasible at the site due to high installation and maintenance costs; pavement life span; and maintenance problems related to sediment clogging. The proponent has committed to using a pervious gravel surface for the maintenance drive in the northeast part of the site that will lead to the wastewater leaching fields.

Due to the nature of the commercial development, the retail tenants and hotel operator will determine the basic design specifications for their respective buildings. The proponent states that there are no potential tenants interested in green roofs. According to the Single EIR, one potential retailer has identified using "white roofs" as a potential option for reducing passive heat gain. The proponent does plan to infiltrate stormwater runoff from building roof areas to groundwater and has committed to a number of other sustainable design measures to reduce the project's environmental impacts.

The Certificate on the EENF also required that the proponent consider reducing the length of site drives to the shopping center and hotel in order to minimize impacts related to driving and emissions. The proponent states in the Single EIR that the proposed lengths of the East and West Site Drives are a result of the topographic features of the site. The profiles of the site access drives must traverse a significant change in elevation throughout the site in order to meet safe and acceptable roadway design grades. Alternative designs that would allow more "immediate" entry into the parking areas would require substantially more earth work and land alteration impacts to reach required grades.

Land Alteration/Drainage

Phase 1 of the project will disturb approximately 34 acres, while Phase 2 will disturb approximately 10 acres. The project will result in the creation of approximately 30 new acres of impervious surface on the project site. The proponent proposes to construct approximately 1,436 surface parking spaces for the project. The proposed parking supply is less than the amount required by the Town of Hudson zoning bylaw regulation, and the proponent may require a variance from the Hudson Board of Appeals. The proponent plans to build the parking supply as proposed while providing land area to accommodate a future expansion of the parking supply in the event that future parking demands warrant construction of some or all of the additional spaces required by the Town of Hudson zoning bylaw. The proponent has recently applied to the ZBA for the necessary variances and has agreed to evaluate the parking situation at a point 6 to 12 months after the shopping center commences operations to determine if the supply is sufficient.

The drainage analysis and proposed stormwater management plan components for the project were described in detail in the project's EENF. The project includes construction of a stormwater management system designed to maintain the existing stormwater runoff peak

discharge rates from the site and to provide water quality treatment of the runoff. The stormwater management system will include a piped collection system, deep sump catch basins with hoods, three detention ponds with forebays, water quality sand filters ("rain gardens"), infiltration galleries, and outlet control systems. Stormwater runoff from the site will be collected from the impervious surfaces throughout the site via deep sump catch basins with hooded outlets. Stormwater will flow to one of three detention basins with forebays and outlet control structures to provide water quality improvement and control peak rates of runoff.

The proposed stormwater management system will fully comply with the provisions of the Massachusetts Stormwater Management Policy and guidelines and the Town of Hudson Wetlands Protection By-law. The stormwater management system has been reviewed in detail by the Hudson Conservation Commission during the Notice of Intent process. The EENF included an erosion and sedimentation control plan to be implemented during construction of the project, and an Inspection and Maintenance Manual for stormwater facilities. The proponent will own and operate Highland Commons and will assume responsibility for ownership and maintenance of structural BMPs and for implementation of non-structural BMPs.

The Certificate on the EENF encouraged the proponent to consider Low Impact Development (LID) techniques in site design and storm water management plans. In the Single EIR, the proponent discusses how the project's "compact" and "compressed" design and use of BMPs such as rain gardens and underground detention and infiltration systems will help to protect the site's natural resources. The Organization for the Assabet River has raised concerns in its comments on the EENF and Single EIR regarding the volume of stormwater recharge at the site. I encourage the proponent to consult with OAR about stormwater infiltration and groundwater recharge at the site.

Wetlands

The Hudson Conservation Commission issued a final Order of Conditions for the project's impacts to wetland resources on October 17, 2006. Construction of the internal connector road associated with Phase 2 of the development will require the crossing of a wetland that includes an intermittent stream channel that contributes flow to Hog Brook. The crossing will be accomplished by a bridge to avoid direct impacts to the wetland system. The proposed bridge will completely span the wetland and stream complex approximately 65 feet above the floor of the wetland. The proponent states that the bridge will result in indirect impacts to 5,164 sf of Bordering Vegetated Wetlands (BVW) as a result of tree trimming and some shading impact from the bridge.

In its comments on the EENF, MassDEP suggested that the proponent provide wetland replication at a ratio of 1:1 to mitigate for impacts to BVW resulting from this crossing. In response, the proponent developed a conceptual mitigation plan that was presented to the Hudson Conservation Commission. The plan involved excavation of the upland embankment along the existing boundary of the BVW adjacent to the existing gravel roadway north of the proposed Detention Pond B. According to the proponent, this grading would likely remove a significant amount of vegetation and would eliminate a portion of a proposed Riverfront Restoration area. The proponent states in the Single EIR that the Hudson Conservation Commission decided during the public hearing for the project that the BVW replication area was not warranted.

The project also includes work within the Riverfront Area associated with access to the site, stormwater management facilities, site development and wastewater management. MassDEP's comments on the EENF indicated that the project did not appear to conform to the no significant adverse impact standard at 310 CMR 10.58(4)(d) because proposed impacts to Riverfront Area were greater than 10 percent of the total amount of Riverfront Area on site. Since the review of the EENF, the site development plan has been modified to reduce impacts to Riverfront Area to 57,738 sf, or 8.96 percent of the total Riverfront Area on the project site. Approximately 4.85 percent or 31,267 sf of Riverfront Area impacts are related to stormwater management facilities. As allowed in 310 CMR 10.58(4)(d)(1), work within the Riverfront Area for construction of structural stormwater management measures may be excluded from the calculation of Riverfront Area impact. The remaining activities in Riverfront Area include portions of a parking facility, access roadways, the wastewater treatment system, and the maintenance roadway to the wastewater disposal area. These activities represent 4.11 percent or 26,471 sf of work within the Riverfront Area.

The project includes restoration of approximately 10,026 sf of existing degraded habitat within the Riverfront Area associated with Hog Brook in the northerly part of the site. An existing gravel road enters the project site from Coolidge Street, and crosses Hog Brook via a solid fill culvert crossing. In the past, illegal dumping took place in this area leaving piles of debris and trash. The proponent will restore these areas by removal of the debris and trash and replanting of disturbed areas.

According to the proponent, the project will not impair the wildlife habitat functions of the Riverfront Area. A Wildlife Habitat Evaluation was performed at the project site and was submitted to and evaluated by the Hudson Conservation Commission. The proponent submitted the Wildlife Habitat Evaluation with the Single EIR.

Wastewater

The project includes construction of an onsite wastewater treatment and disposal facility to treat and dispose a projected wastewater flow of approximately 82,000 gpd. This design flow is based on an estimated wastewater generation from the proposed development in Hudson and an additional allowance for flow to accommodate a potential future development on the Berlin portion of the site. The wastewater treatment facility will be located on the west side of the East Site Drive serving the shopping center in Hudson. The selected treatment process is a Membrane Bioreactor System manufactured by Zenon Systems. A leaching system to be located in the far eastern portion of the Hudson site will be used for disposal of the treated effluent. The treated effluent will be pumped from the treatment plant through force mains and then flow via gravity to the leaching field recharge area. Soil testing information and the geo-hydrologic report undertaken for the proposed effluent disposal area indicate that the soils are suitable for groundwater recharge. The wastewater treatment plan and disposal facilities will be fully constructed in Phase 1 to accommodate the full build scenario.

The proposed on site wastewater disposal facility will discharge to groundwater and not directly to Hog Brook or any other surface water body. The operations of the wastewater treatment plant will involve testing for total nitrogen in the treated wastewater effluent. The

Single EIR states that the proponent can also test for phosphorus on a monthly basis. According to the proponent, there is no MassDEP regulatory limit established for phosphorus in treated effluent that is discharged to groundwater. It is expected that the effluent will be limited to less than 2 mg/l of phosphorus in the discharge to the leaching area based on an effluent flow of 82,000 gpd. The Single EIR states that this level of concentration has been discussed with MassDEP staff and deemed acceptable at this location. The proponent should consult with the Organization for the Assabet River regarding their concerns about the impacts of phosphorus loading on Hog Brook.

Since the review of the EENF, the proponent has submitted an application to MassDEP for a Groundwater Discharge Permit for the onsite sewage collection system and the proposed wastewater treatment and disposal facilities. When the future plans for development of the Berlin portion of the site are confirmed, the proponent will need to obtain a separate Sewer Extension/Connection permit from MassDEP to construct any proposed extension of the sewage collection system to serve that portion of the site.

In response to comments from MassDEP on the EENF, the proponent considered the installation of double plumbing in the retail buildings that could enable selective reuse of treated wastewater effluent for certain plumbing functions such as flushing of toilets or urinals. According to the proponent, retail use is one of the lowest water demand and wastewater generation types of land use, and the installation of double plumbing would not result in significant water conservation at the project. While the proposed hotel has a more substantial water demand and wastewater generation potential, the current MassDEP regulations on reclaimed water prohibit the installation of double plumbing and the use of treated effluent in a hotel facility. According to the Single EIR, if the MassDEP guidelines change prior to the development of the hotel, the proponent would consider the installation of double plumbing for the appropriate use of reclaimed water in the hotel.

Transportation

The EENF for the project included a transportation analysis that was prepared in accordance with the Executive Office of Environmental Affairs (EOEA)/Executive Office of Transportation (EOT) guidelines. The traffic impact analysis and proposed mitigation were developed in coordination with the Massachusetts Highway Department (MassHighway) and local officials. In addition, the traffic impact analysis was peer-reviewed by an engineering firm selected by the Town of Hudson. While the project does not require a direct access permit from MassHighway, the proponent is proposing off-site traffic signal improvements at the I-495 ramps that will be subject to MassHighway review and approval and issuance of a Traffic Signal Control Permit. The project is anticipated to generate approximately 15,030 new vehicle trips on a typical workday and approximately 20,480 vehicle trips on a typical Saturday. These traffic generation levels are based on the full-build condition, and also account for projected traffic from the potential future residential development on the Berlin portion of the site.

The traffic impact analysis submitted with the EENF quantified the existing and projected future traffic conditions in the vicinity of the project and identified potential capacity and safety improvements that address existing deficiencies and mitigate for project-related traffic impacts. The traffic study examined 29 intersections in the Towns of Hudson and Berlin. The study

indicated that the unsignalized intersections and driveways in the study area currently experience delays during peak hours and that without the implementation of any capacity improvement measures, delays and congestion in the project area would continue to increase in the future.

In the Single EIR, the proponent responded to comments regarding safety concerns at the intersection of Route 62 and Gates Pond Road, related to the proximity of the Gate Pond Road intersection to that of the northbound I-495 ramp. The existing right turn lane from the I-495 northbound off-ramp is under yield sign control. Due to the proximity of the ramp to the Route 62/Gates Pond Road intersection, it is desirable to control the right turn movement from the northbound off-ramp to minimize potential conflicts with the eastbound through vehicles on Route 62 as well as turning vehicles at the Gates Pond Road intersection. According to the Single EIR, the proposed mitigation at the Route 62/I-495 northbound ramps intersection includes signalization, additional turn lanes and synchronized operations with the proposed signal at the southbound ramps. The signal design will include full signal control of the right turn lane from the northbound off-ramp thereby controlling movement from the northbound ramp onto Route 62 eastbound. The proponent anticipates that these measures will improve vehicular safety at the intersection.

The Single EIR also responded to concerns about the potential use of Gates Pond Road as a cut-through to the City of Marlboro and the Solomon Pond Mall. The proponent examined four potential routes from the Solomon Pond Mall to the Highland Commons site and evaluated the travel time runs for each route. Based on this analysis, the proponent concluded that cut-through activity along Gates Pond Road would not likely be an issue as a result of the project given the circuitous nature of Gates Pond Road, the narrow width of this and other local roads, and the fact that there are other more direct opportunities for gaining access to the site from the regional roadway system.

In the Single EIR, the proponent presents a suite of traffic mitigation involving physical roadway improvements and traffic control measures that will result in increased roadway capacity. The Single EIR also outlines proposed Transportation Demand Management (TDM) strategies that the proponent will encourage its tenants to implement to reduce vehicular traffic to and from the site. Proposed measures include the promotion of ridesharing and the provision of on-site services that will be provided to decrease employee mid-day trip-making. The proponent has also committed to developing and promoting pedestrian and bicycle connections to the project site.

Transit

Public transportation does not currently exist in the Hudson/Berlin area. There are no logical connections to an existing public transit system, nor at the present time is there any responsible entity to which the proponent could make a financial contribution that would reliably support public transit. The proponent states in the Single EIR that it is concerned about accommodations for seniors and persons with disabilities, and is committed to maintaining communications with local officials to monitor public transit options in the future to help identify and support such options if they occur in the future.

Air Quality

The projected vehicle trips from the project triggered MassDEP's requirement that the proponent conduct an air quality mesoscale analysis to determine if the proposed project will increase the amount of volatile organic compounds (VOCs) and nitrogen oxides (NOx) in the project area and to assess the project's consistency with the Massachusetts State Implementation Plan (SIP).

The mesoscale air quality analysis for Highland Commons evaluated existing and future levels of VOC and NOx emissions for the study area using the traffic volumes, delay and speed data presented in the project's TIAS. The analysis evaluated emissions in the 2006 Existing Conditions to establish a baseline condition. Then the assessment involved evaluation of the changes in emissions in the study area in the future 2011 analysis year for the No-Build and Build Condition. The difference in emissions between the No-Build Condition and the Build Condition represents the increase in emissions resulting from development of the project. The analysis also evaluated the future 2011 analysis year Build condition with proposed mitigation to determine the reduction in emissions that would result from implantation of the proposed roadway improvement and traffic signalization measures.

According to the Single EIR, the results of the mesoscale analysis demonstrate that the project complies with the federal Clean Air Act Amendments (CAAA) and the State Implementation Plan (SIP) for Massachusetts. Consistent with MassDEP guidelines, the proponent will incorporate mitigation measures to reduce VOC and NOx emissions resulting from the project. These mitigation measures include construction of roadway and traffic signal improvements and a program of TDM measures. MassDEP has indicated to MEPA that the mesoscale analysis conducted for the project is adequate and consistent with the requirements of the 1991 *Guidelines for Performing Mesoscale Analysis of Indirect Sources*.

Historic Resources

In their comments on the EENF, the Massachusetts Historical Commission (MHC) stated that a review of the Inventory of Historic Archaeological Assets of the Commonwealth indicates that the project area contains the Potash Hill Terraces Site (MHC site #HUD-HA-3). MHC also stated that the project area is archaeologically sensitive and likely to contain significant archaeological sites associated with ancient and historical period occupation and land use. The proponent retained the Public Archaeology Laboratory, Inc (PAL) to perform an intensive archaeological survey at the site as directed by MHC. The preliminary results of the survey were submitted with the Single EIR.

According to the Single EIR, the project will not impact any identified historic, archaeological or cultural resources. The PAL archaeological survey determined that the Potash Hill Terraces Site is not significant and that there is no evidence that the site was used extensively for the production of potash. PAL identified two other small archaeological sites within the boundaries of the project site. However, these sites are within or adjacent to wetland areas where no work or development activities are proposed, and therefore they will not be adversely impacted.

The proponent has submitted a technical report of the results of the archaeological survey to MHC. MHC has indicated to MEPA that it is currently reviewing the report. The proponent should continue to consult with MHCC to ensure that impacts to significant historic and archaeological resources are avoided, minimized or mitigated.

Sustainable Development

The Certificate on the EENF directed the proponent to evaluate sustainable design alternatives that could serve to avoid or minimize potential environmental impacts. According to the Single EIR, the project will incorporate the following sustainable design and operational measures:

- The tentatively identified anchor tenants for the shopping center (a home improvement store and a Supermarket) are national retailers that engage in the following practices: the home improvement store's HVAC systems will be EPA EnergyStar compliant; the design of the home improvement store's garden center will incorporate solar/photocell lighting; the Supermarket design specifies energy efficient heating, cooling, refrigeration, and illuminations systems; and the Supermarket retailer will conduct an annual energy audit and will closely monitor water consumption.
- The tentatively identified home improvement store and Supermarket tenants are national retailers that include the sale of "green" products.
- The tentatively identified home improvement store and Supermarket tenants are national retailers that incorporate product and packaging recycling as an integrated part of their operations.
- The project's landscape design will focus on the use of native plants, drought tolerant plants, and naturalized landscaping elements in order to promote water conservation and a long term sustainable landscape.

Mitigation

The Single EIR contained a separate chapter on all mitigation measures to which the proponent has committed and draft Section 61 Findings for state agencies, including a Letter of Commitment for use by MassHighway. The proponent committed to the following mitigation measures in the Single EIR:

Wastewater

- The project will not impact the local public sanitary sewer system since all project-generated wastewater will be collected, treated and disposed on the site.
- The proposed advanced wastewater treatment system will produce effluent discharge meeting or below the limits that will be established in the Groundwater Discharge Permit for the project.
- The onsite recharge from the wastewater flow provides base groundwater for the river basin and will contribute to a sustained groundwater regime.
- To reduce wastewater flows, the proponent has committed to using water conservation measures such as low-flow toilets, water closets and faucet aerators. The proponent has also

committed to work with the hotel operator to investigate opportunities to implement water conservation measures at the hotel.

- The project will incorporate grease traps for kitchen and food service area flows.

Transportation

- Route 62 at I-495 Southbound Ramps: According to the Single EIR two mitigation alternatives were considered at this location; the first involves the installation of a traffic signal while the other involves the construction of a modern roundabout. Following the submission of the Single EIR, the proponent and MassHighway indicated that physical constraints prohibit the construction of a roundabout at this location. Instead, the proponent has indicated that it is committed to install a fully-actuated, multi-phase traffic signal at this location. In conjunction with the new signal, the proponent will implement geometric improvements at this intersection, consisting of widening on the eastbound and westbound Route 62 approaches to accommodate a right-turn and through lane and a left-turn and through lane, respectively. This intersection will be coordinated with the Route 62 at I-495 Northbound Ramps location.
- Route 62 at I-495 Northbound Ramps: The proponent is committed to install a fully-actuated, multi-phase traffic signal at this location. In conjunction with the new signal, the proponent will implement geometric improvements consisting of widening on the eastbound, a left-turn and through lane westbound, and a left-turn lane and a channelized right-turn lane northbound. This intersection will be coordinated with the Route 62 at I-495 Northbound Ramps location.
- Route 62 at Westerly Site Drive: The proponent will implement geometric improvements at this intersection, consisting of widening on Route 62 to accommodate acceleration and deceleration lanes eastbound. The westbound approach will be widened to accommodate an exclusive left-turn lane, while the northbound approach will accommodate a right-turn only exit lane.
- Route 62 at Easterly Site Drive: The proponent will install a fully-actuated, multi-phase traffic signal at this location. In conjunction with the new signal, geometric improvements will be implemented consisting of widening on Route 62 to accommodate an exclusive left-turn lane and a through lane westbound, a through lane and a right-turn lane eastbound, and an exclusive left-turn lane and a channelized right-turn lane northbound.
- Route 62 at Central Street: The proponent will install a fully-actuated, multi-phase traffic signal at this location. In conjunction with the new signal, geometric improvements will be implemented consisting of widening on Route 62 to accommodate a single left-turn lane and a through lane eastbound, a through lane and a right-turn lane westbound, and right-turn and left-turn lanes southbound.
- Hudson Roundabout: The proponent is committed to fully fund improvements at a cost of \$500,000 to the Hudson Roundabout. Initially, channelized paint safety improvements will be implemented and monitored. If the initial improvements are found adequate by the Town, the proponent will fund the conversion of this temporary solution to a permanent configuration by installing cobbles at the appropriate locations. Otherwise, the proponent will fund alternative improvements including additional lanes through the roundabout's northern section and on its Route 62 approaches.
- Packard Street/Lincoln Street/Cox Street: The Proponent will provide traffic signal design services at this intersection.

- Cox Street and Manning Street: The proponent will provide signage upgrade and trimming within the roadway layout at this intersection.

Pedestrian and Bicycle Measures

- The proponent will construct an on-site system of sidewalks and crosswalks to promote safe and pleasant pedestrian activity on the site.
- The proponent will construct a new sidewalk along the site's frontage on Coolidge Street.
- The proponent will install an actuated pedestrian crosswalk at the proposed east site driveway which will provide a controlled connection to the future expansion of the Hudson Rail Trail initiatives.
- The proponent will designate an area for taxi pick-up for patrons.
- The proponent will provide secure bicycle storage racks at key locations near building entrances.
- The proponent will provide a \$50,000 contribution toward Town of Hudson sidewalk/bike path initiatives in the area.
- The proponent will consider a shuttle to downtown Hudson as part of the hotel development.

Transportation Demand Management

To supplement and enhance other transportation mitigation, the proponent has developed a Transportation Demand Management (TDM) program to reduce the number of peak period trips to and from the site. The following TDM measures are proposed:

- The proponent will designate an on-site Transportation Coordinator to prepare and implement its TDM programs.
- The proponent will encourage shopping center tenants and the hotel operator to promote employee ride sharing and car-pooling.
- Information regarding carpooling and its benefits will be distributed to new employees.
- The names of those employees interested in car-pooling will be posted in employee areas, or listed in internal communications produced for Highland Commons.
- A guaranteed ride home will be provided, in case of an emergency, for registered ride-sharers via a local taxi service.
- Preferential parking spaces will be designated for employees that rideshare.
- The proponent will work with the tenants' association to devise and establish financial incentives to encourage employees to rideshare.
- The proponent will provide on-site services such as an ATM, food services, and employee refrigerators which could help reduce some of the vehicle trips generated by employees during the day.

Construction Period Measures

The project will have an overall construction period of approximately 24 to 36 months. The Single EIR outlines a rigorous erosion and sedimentation control program to minimize potential impacts to wetlands and all down-gradient resources during project construction. The proponent also outlines permanent measures that will be implemented following construction and site stabilization to control erosion and sediments. A Construction Management Program will be

developed by the proponent to address construction impacts and mitigation related to noise and air quality.

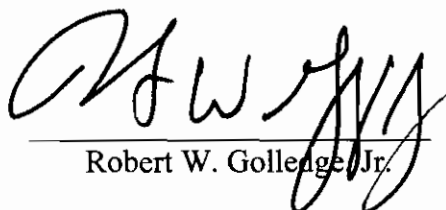
I remind the permitting agencies to forward copies of Section 61 Findings, once issued, to the MEPA Office for completion of the project files.

Conclusion

I find the Single EIR to be adequate and am allowing the project to proceed to the state agencies for permitting. The Single EIR contained adequate information on project alternatives, impacts, and mitigation, and provided the state permitting agencies with sufficient information to understand the environmental consequences of their permit decisions. No further MEPA review is required.

November 2, 2006

Date



Robert W. Gollidge Jr.

Comments received:

10/13/2006	Massachusetts Historical Commission
10/16/2006	Diane M. Peterson
10/25/2006	Organization for the Assabet River
10/26/2006	Massachusetts Historical Commission
10/26/2006	Department of Environmental Protection, Central Regional Office
10/30/2006	Executive Office of Transportation

RWG/BA/ba