



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT
GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

March 28, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Colony Place (formerly Plymouth Gateway)
PROJECT MUNICIPALITY : Plymouth
PROJECT WATERSHED: : South Coastal
EOEA NUMBER : 12868
PROJECT PROPONENT : Saxon Real Estate Partners
DATE NOTICED IN MONITOR : February 20, 2008

As Secretary of Energy and Environmental Affairs (EEA), I hereby determine that the Supplemental Environmental Impact Report (EIR) submitted on this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00). No further MEPA review is required.

Project Description

The original project involved development of 864,700 square feet (sf) of new retail space on a 140-acre site in Plymouth and Kingston abutting Route 44 and Commerce Way. The site previously consisted of a sand and gravel removal operation and did not contain any buildings or paved surfaces. The project proposed the construction of nine new buildings, access drives and other associated infrastructure. Approximately, 706,000 square feet of retail and restaurant space has been constructed as of the date of the filing of the Supplemental EIR. The project is served by municipal water and sewer.

The Supplemental EIR describes the addition of a 27.87-acre parcel, located to the south and west of the existing project, to allow a 250,000 sf expansion of the shopping plaza. At full build-out, the project will include a total of 1,115,000 sf of retail space. Access to the expansion will be provided via Colony Drive and through an extension of Plaza Way, which intersects Commerce Way across from Industrial Park Road. The site is located within the Zone II of a Public Water Supply. The site does not contain any buildings or paved surfaces. It is bounded by Colony Place to the north, a residential subdivision to the south and the Hampton Inn Plaza to the east and undeveloped land to the west.

The expansion will increase traffic generation by 4,950 trips per day (tpd) on a weekday and 6,240 tpd on a Saturday. An additional 1,125 parking spaces will be constructed for a total of 5,300 spaces. The project will add 17 acres of new impervious area to the existing site for a total of 110 acres of impervious surfaces. The project change will require re-design and expansion of the stormwater system. Stormwater Management Area C will be expanded to treat and discharge new flow. Clean roof-top runoff will be recharged through a combination of aboveground and underground recharge areas. Water use will increase by 16,935 gpd for a total of 92,935 gpd and wastewater generation will increase by 12,500 gpd for a total of 92,935 gpd.

Permits and Jurisdiction

The original project was subject to MEPA review and required the preparation of an EIR pursuant to Section 11.03 (1)(a)(1), 11.03 (1)(a)(2), 11.03 (6)(a)(6) and 11.03 (6)(a)(7) of the MEPA regulations because it requires a state permit and will alter over 50 acres of land, create over 10 acres of new impervious surface, generate over 3,000 new average daily vehicle trips (adt) and create over 1,000 new parking spaces. The project required a Sewer Connection Permit from the Department of Environmental Protection (MassDEP), and an Access Permit from the Massachusetts Highway Department (MassHighway). The project required a National Pollutant Discharge Elimination System (NPDES) Stormwater Permit for construction activities.

The project change requires additional MEPA review in the form of a Supplemental EIR pursuant to Section 11.10 (6) and 11.03 (1)(a)(2), 11.03 (6)(a)(6) and 11.03 (6)(a)(7) because it consists of a significant increase in environmental impacts, requires a state permit and will create over 10 acres of new impervious surface, generate over 3,000 new vehicle trips and create over 1,000 new parking spaces. The project change requires an Amended Access Permit from MassHighway. In addition, it will require a NPDES Stormwater Permit for construction activities.

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction is limited to those aspects of the project within the subject matter of required or potentially required state permits that may have significant environmental impacts. These include land alteration, traffic/transportation, air quality and wastewater.

Review of the Supplemental EIR

The Supplemental EIR includes a revised project description, analysis of impacts, updated Section 61 Findings and a revised letter of commitment that identifies transportation related mitigation measures. Also, it contains a copy of this Certificate, a copy of each comment received and a Response to Comments Section.

As required, the EIR includes a revised traffic study that is consistent with the EOEEA/Executive Office of Transportation (EOT) Guidelines for EIR/EIS Traffic Impact Assessments. It indicates that trip generation, when revised to reflect pass-by trips, is estimated at 3,712 adt on a weekday and 4,680 adt on a Saturday. The Supplemental EIR also indicates that, based on traffic monitoring, actual trip generation rates associated with the existing shopping center are significantly lower than the Institute of Traffic Engineers (ITE) trip rates. The EIR indicates that additional roadway improvements will be implemented to minimize the traffic impacts associated with this project. The EIR includes conceptual plans for physical roadway improvements. In addition, it describes changes to the Transportation Demand Management (TDM) program, including an annual \$10,000 operating subsidy for transit service to the site.

Mitigation includes signalization of the Commerce Way/Route 44 westbound ramps intersection, geometric improvements at the Commerce Way/Plaza Way/Industrial Park Road intersection and interconnection and coordination of the traffic signal system along Commerce Way between Route 44 and Plaza Way/Industrial Park Road. Comments from EOT indicate that the proposed mitigation is adequate to address the impacts of the project. In addition, they note that no further review of transportation issues is warranted. The Old Colony Planning Council has provided thoughtful comments regarding safety issues associated with the existing design and proposed improvements. I expect the proponent will consider these comments as design of the project proceeds. As noted above, the Supplemental EIR describes the TDM program in more detail and indicates that it will provide a minimum of \$10,000 annually to support implementation of specific measures. I note that the letter of commitment for use by MassHighway does not include the TDM subsidy. I expect MassHighway will incorporate this commitment into its Section 61 Findings. The Supplemental EIR identifies existing transit service and infrastructure and identifies infrastructure improvements.

Mitigation

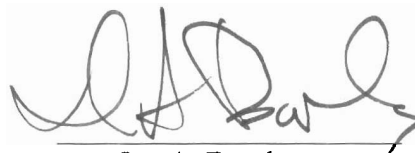
The EIR includes updated Section 61 Findings and a revised letter of commitment reflecting additional mitigation measures. These include the following:

- signalization of the Commerce Way/Route 44 westbound ramps intersection;
- widening of Commerce Way southbound approach to extend two through lanes from the Colony Place intersection through the Plaza Way intersection and provide an exclusive left-turn lane, a through lane and a shared through/right-turn lane at the Plaza Way intersection;

- widening of Commerce Way southbound of Plaza Way to continue two through lanes between Plaza Way and Plympton Road (Route 80)
- widening of Commerce Way will include provision of a minimum 4-foot wide paved shoulders to accommodate bicycle travel;
- interconnection and coordination of the traffic signal system along Commerce Way, between Route 44 and Plaza Way/Industrial Park Road;
- provision of bus stop within the expansion site, if extension of existing transit service to the site is feasible;
- implementation of a TDM Program including extension of bicycle and pedestrian infrastructure to the expansion site; and
- a minimum annual expenditure of \$10,000 to support transit service to the site. A minimum of \$5,000 of this expenditure will be provided to the Greater Attleboro Taunton Regional Transit Authority (GATRA) for calendar year 2009 operations.

March 28, 2008

Date



Ian A. Bowles

Comments received:

- | | |
|---------|--|
| 3/21/08 | Department of Environmental Protection/ Southeast Regional Office (MassDEP/SERO) |
| 3/21/08 | Executive Office of Transportation (EOT) |
| 3/17/08 | Old Colony Planning Council |

IAB/CDB/cdb