



**BY ELECTRONIC MAIL: planning@wrentham.ma.us
AND FIRST CLASS MAIL**

Wrentham Planning Board
Wrentham Town Hall
79 South Street
Wrentham, MA 02093

Re: Application for Special Permit/Site Plan Approval – 10 Commerce Boulevard (“Lot 1”)

Dear Members of the Board:

This firm represents Turnpike Truck Parts of Wrentham, Inc. (“Turnpike”), which owns and operates an automobile business at 687 Washington Street (Route 1). Turnpike’s property, comprising 19.3 acres, abuts the “Wrentham Business Center,” which is comprised of three lots with access off of Commerce Boulevard, a short, dead-end road that intersects with Route 1 across from Hawes Street. The pending application concerns Lot 1 off of Commerce Boulevard, on which is proposed a convenience store/gas station. I am writing to provide the Board with our initial comments and concerns with this proposed project.

A. The Route 1 Zoning District

As you know, the Commerce Boulevard properties are now located within the Route 1 South zoning district (C-1S), which is governed by Article XIX of the Wrentham Zoning Bylaw. The C-1S Zoning District and associated land use regulations were adopted in 2019 following an intensive master planning process for the Route 1 corridor. Prior to 2019, the Site (Lot 1) and the Commerce Boulevard subdivision was located in the C2 Zoning District. The Applicant is claiming that the current special permit/site plan approval application for Lot 1 is governed by the Zoning Bylaw in effect in 2017 (the C2 Zoning District and its associated standards) by virtue of a zoning freeze under G.L. c. 40A, § 6.

The Zoning Bylaw in effect in 2017 (when the Applicant claims the zoning freeze went into effect) did not contain express language favoring inter-connection arrangement that is included in the C1-S zoning bylaw¹, but it did require the Planning Board to consider such issues

¹ Article XIX of the current Bylaw contains specific standards regulating the site design of developments, including vehicular access, on properties located within the district. Notably, Article XIX specifically calls out “public access and circulation” and “site planning and design standards” as specific areas of concern for the development of land within the district. ZBL, § 19.2(A)(2). Concerning vehicular access, Section 19.8(A)(1) of the Bylaw states that “while access to Route 1 is ultimately controlled by [MassDOT] through the State Highway Access Permit’s program, the Planning Board shall require provisions for internal circulation systems that connect to adjacent

more broadly when reviewing special permit applications. The former Zoning Bylaw required a 100-foot front yard and a 50-foot side yard, but authorized the Planning Board to reduce those dimensions by up to half by special permit. Here, the current application seeks such a reduction, proposing a 50-foot front yard and a 25-foot side yard for the Project. The Planning Board's authority is governed by former Zoning Bylaw Section 6.1 (Table of Dimensional Requirements), footnote 9.

Footnote 9 is reproduced below:

9. The provisions of this footnote shall apply only to those LOTS that adjoin a Massachusetts Highway Department numbered route. In the C-2 ZONING DISTRICT, SETBACK requirements may be reduced by means of a SPECIAL PERMIT issued by the Planning Board (Special Permit Granting Authority "SPGA") provided the FRONT YARD SETBACK shall not be less than 50 feet, the SIDE YARD SETBACK shall not be less than 25 feet, and the REAR YARD SETBACK shall not be less than 10 feet. In considering the reduction in SETBACK requirements the SPGA shall consider:

-
- a. The effect on PUBLIC infrastructure and services;
 - b. The effect on sensitive environmental lands;
 - c. The proposed appearance of the BUILDINGS and STRUCTURES as well as landscaping features on the LOT from adjoining PUBLIC WAYS; and,
 - d. Whether the site layout serves to facilitate safe and adequate traffic circulation along adjoining PUBLIC WAYS through such means as COMMON DRIVEWAYS.

In no way shall this footnote be used to reduce the BUFFER ZONE proscribed in Article 6, Section 6.10. (Adopted 11/29/00)

Under Section 6.10, the Board may require a buffer zone on a development project site, even adjacent to properties in the same zoning district:

- c. SITE PLAN - as part of the SITE PLAN and/or SPECIAL PERMIT approval process the approving authority may require either suitable full or partial perimeter "BUFFER ZONES" between bordering LOTS and/or USES, located in either the same ZONING DISTRICT or in an abutting non-residential DISTRICT. The approving authority shall indicate the need, minimum distance and nature of any required "BUFFER ZONE" in its decision. In no case shall any "BUFFER ZONE" be greater than that distance specified in section 6.10 b. for the appropriate DISTRICT that the LOT/USE is located.

lots/developments for all developments proposed on Route 1." The Bylaw requires project proponents to initiate "cross-access connection" agreements with adjacent properties, which would include the conveyance of necessary easements. The stated goal of the vehicular access requirements in the Bylaw is to "coordinate the construction of access within and between parcels," so as to minimize access points to Route 1.

B. The Proposed Project

Development of Lot 1 is the last phase of the build-out of the Commerce Boulevard subdivision. The first phase was the construction of an indoor recreational facility on Lot 2 completed in 2019 (“Supercharged Racing”). The Planning Board granted zoning approvals in August, 2022 for a warehouse on Lot 3. In its filings last year with the Massachusetts Environmental Policy Act (MEPA) office, the developer of Lot 2, ND Acquisitions, LLC (“ND”), stated that Lot 1 would contain a coffee shop and restaurant. The plans for Lot 1 have changed to the current convenient store/gas station proposal.

As part of last year’s MEPA filings, ND disclosed that the volume of traffic generated by all three phases, collectively, would meet the state “traffic signal warrant” thresholds at the intersection of Commerce Boulevard and Route 1, and in its Draft and Final Environmental Impact Reports, it committed to plans to redesign and signalize the intersection. As ND recognized at the time, accommodating the needs of the abutting commercial property owners in this intersection plan is necessary and desirable from a public safety perspective. The signalization of this intersection would include the creation of a new left-turn lane for Route 1 northbound, with a turning restriction that would prevent vehicles exiting left (south) out of Turnpike’s property, and would prevent vehicles from entering Turnpike’s business from Route 1 southbound. A similar turning restriction would affect existing rental properties driveways located to the South and existing businesses on the west side of the intersection, including the Interstate Travel Plaza gas station (the “Interstate Plaza”). Further, the developer’s own traffic engineer in the DEIR predicted traffic queuing in front of Turnpike’s business driveway and the rental property driveways during peak hours, where no queuing exists today.² Thus, the proposed signalization of the Commerce Boulevard intersection would have a deleterious effect on Turnpike, these rental properties, and other abutting businesses, unless accommodations are made to provide Turnpike and its customers with substantially equivalent access to and from Route 1.

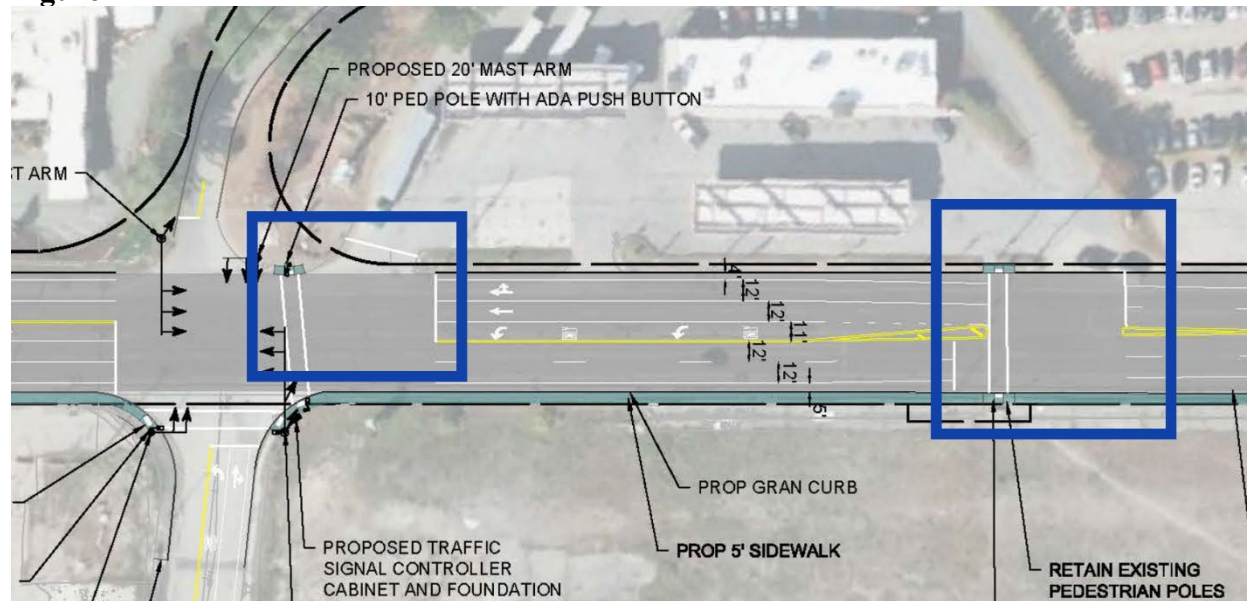
In last year’s filings, ND committed to accommodations, which included providing access into the intersection for Turnpike and the Interstate Plaza, located on the west side Route 1. Specifically, in its FEIR, ND stated that “[i]n the future, through the development of Lot 1, a connection could be implemented to the Turnpike Truck Parts property located south of Commerce Boulevard. This future connection would allow traffic to and from Turnpike Truck Parts to utilize the proposed signal. While not currently finalized, the site layout of Lot 1 has been configured in order to accommodate the potential connection to the south.”³ For Interstate Plaza, ND proposed to locate the stop bar for Route 1 (southbound) several feet back from where it would typically be, to allow Interstate Plaza’s patrons to enter and exit through the signalized intersection. The signal was proposed to contain a specific phase (light) serving the Interstate Plaza driveway.⁴ See, Figure 1 below (annotated excerpt from “signalization concept plan” attached to FIER, p. 41).

² DEIR, pp. 342, 345 (excerpt attached as Exhibit A).

³ FEIR, p. 37 (excerpt attached as Exhibit B)

⁴ Exhibit B, FEIR, p. 38 (“The intersection phasing would include a protected left-turn phase for Washington Street (Route 1) northbound and southbound traffic followed by northbound and southbound general traffic, an exclusive

Figure 1



In its most recent MEPA filing, a “Supplemental Final Environmental Impact Report” (“SFEIR”) that was filed in August, 2023 (after the special permit for the warehouse on Lot 3 was granted), ND changed course. ND is still proposing to signalize this intersection, but it has declared that it is no longer incorporating any access accommodations to Interstate Plaza and Turnpike Truck Parts properties. Notably, the revised “signalization concept plan” moves the southbound stop bar forward, blocking Interstate Plaza’s driveway exit, and leaving no safe way for vehicles exiting Northbound to cross traffic. See, Figure 2 below (plan attached to SFEIR, p. 33). Interstate Plaza’s customers will no longer have a dedicated exit into this intersection, making traffic operations less efficient and less safe.

ND states on page 35 of its SFEIR, “[w]ith the new proposed build program for Lot 1, access that was previously proposed to the property south of the project site is no longer included in the proposal and the approaches to the new signal are expected to only include Washington Street (Route 1), Commerce Boulevard, and Hawes Street.”⁵ ND further states that “[a]n easement area over Lot 1 has been reserved in order to accommodate potential future shared access,”⁶ but no immediate safe access is proposed. We do not see any such easement area marked on the current Lot 1 plans. Notably, however, the predicted queuing that will be experienced in front of abutting properties is significantly longer than the queuing depicted in ND’s prior MEPA filing.⁷

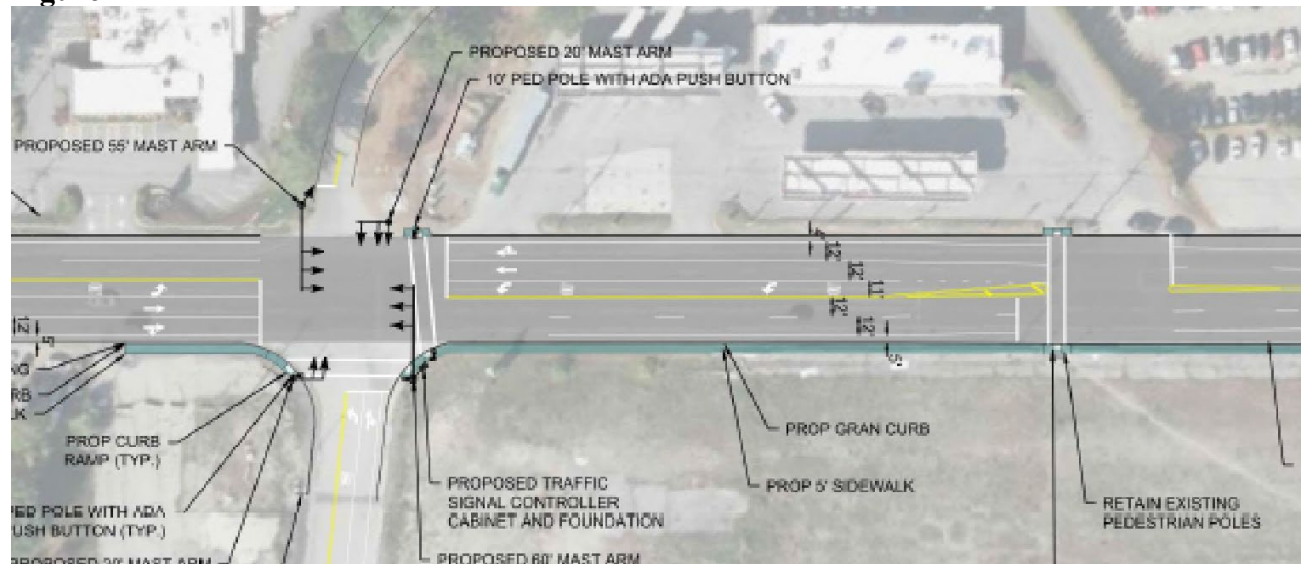
pedestrian phase activated upon push-button only, the Hawes Street/Commerce Boulevard eastbound and westbound general traffic, and the exiting Interstate Travel Plaza traffic.”)

⁵ SFEIR, p. 35 (excerpt attached as Exhibit C).

⁶ Id.

⁷ SFEIR, Traffic Impact Report, App. B. p. 3 (excerpt attached as Exhibit D, predicting queue lengths of approximately 824 feet at 50th percentile and 965 feet at 95th percentile).

Figure 2



This is a major step backwards, and contravenes the clear admonishment from the state Secretary of Energy and Environmental Affairs in her November 14, 2022 MEPA Certificate (FEIR Cert., p. 9) that the Proponent continue consultations with MassDOT on developing a sound “access management plan” for this intersection, which should include consideration of the directly affected abutters.⁸ ND’s retreat from its prior commitment is disturbing and contrary to the sentiments expressed by several of the Board members during the prior public hearings.

The Board made the signalization of this intersection a condition to its special permit for the warehouse on Lot 3. The Board did not require a cross-connection or other accommodation at that time. But, now that a development application for Lot 1 is before the Board, Turnpike's predicament must be addressed. It is only fair that a private property owner who obtains significant financial benefit from a discretionary zoning approval should also take reasonable steps to ensure that its development does not adversely impact other, existing property owners.

Under state law, planning boards enjoy broad discretion to approve, deny or condition special permits, and their decisions are measured by their adherence to the standards and criteria set forth in the relevant bylaw. As noted above, one of the four factors the Board must consider when evaluating a request to reduce setbacks under former Section 6.1, footnote 9 of the Zoning Bylaw, is whether “the site layout serves to facilitate safe and adequate traffic circulation along adjoining public ways through such means as common driveways.” This provision was written precisely for this type of situation, and is consistent with the current Zoning Bylaw’s requirement for the provision of inter-connections between adjoining properties along the Route 1 corridor, and consistent with the concerns addressed in the “Route 1 Corridor Study” report from April, 2019. This language unequivocally gives the Board discretion to deny a special permit where

⁸ Copy attached as Exhibit E.

there are inadequate access arrangements, or condition a special permit on the provision of such arrangements.

Further, this access concern is relevant to the Board's review of the Applicant's site plan, which is governed by Article 7 ("Site Plan Approval") under the former Zoning Bylaw. Specifically, under Section 7.7, the Board may impose conditions relative to, among other things, "maximizing pedestrian and vehicular safety and convenience with[in] the site and between the site and adjoining ways." The proposed development on Lot 1 triggers the need to signalize the intersection, which would materially and negatively affect vehicular safety and convenience in the immediate vicinity.

Moreover, the Board must also consider several relevant factors under Section 9.1 of the former Zoning Bylaw, governing the issuance of special permits. Specifically, uses allowed by special permit must not have "vehicular... traffic of a type and quantity so as to adversely affect the immediate neighborhood," nor "be dangerous to the immediate neighborhood." Relatedly, under Section 9.2, the Board must weigh "the impact of vehicular and pedestrian traffic on the neighborhood and the primary and secondary roads and intersections serving the project area." As discussed above, absent mitigative solutions, the signalization of the intersection will make it harder and more dangerous for Turnpike customers to enter and exit the Turnpike property.

C. Recommendations

Since a special permit under former Section 6.1, footnote 9, is being requested, the Board must consider the factors described above, and if appropriate, impose conditions. As we stated in regard to the Lot 3 development application, Turnpike is not opposed to the reasonable development of Lot 1. There are site design features that could be incorporated to minimize adverse access impacts to adjacent properties. We respectfully suggest that the Board require the Developer to propose a detailed access management plan in consultation with MassDOT, which addresses the needs of all of the affected commercial and rental abutters impacted by the signalization, and not issue a special permit until this issue has been satisfactorily resolved. The plan should include the type of shared access over Lot 1 that ND promised in its FEIR last year.

We anticipate that we will have additional comments to make on this application as the public hearing progresses. Thank you for the opportunity to provide comment.

Very truly yours,

/s/ Daniel C. Hill

Daniel C. Hill

Enclosures
cc: Clients

EXHIBIT A



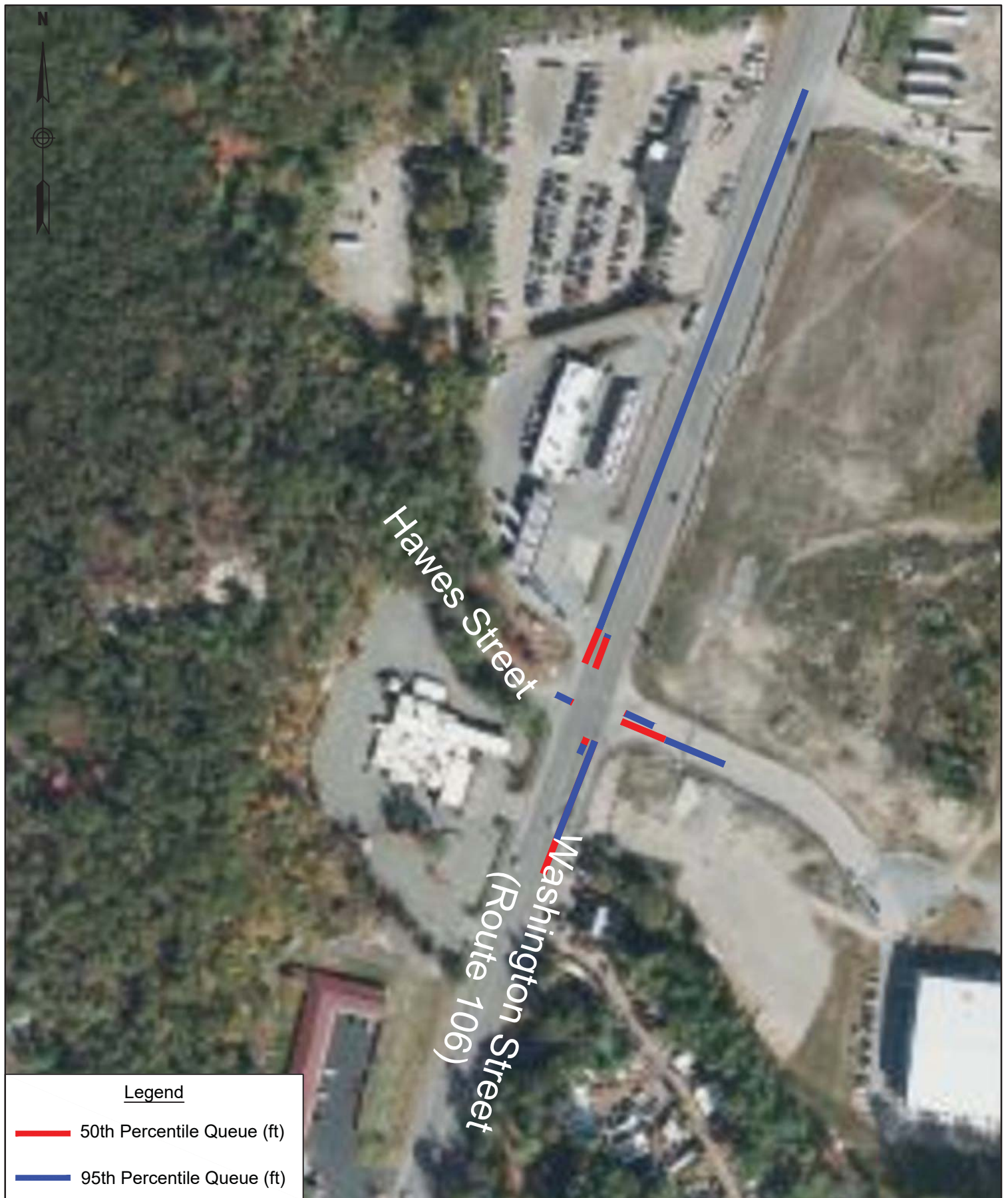


EXHIBIT B

4.4.4 Access Management Improvements

The project team has held a number of meetings with neighboring property owners since the submission of the original traffic analysis in the DEIR. Through coordination with those neighboring properties, adjustments to existing access and the proposed signal at Washington Street (Route 1) and Hawes Street/Commerce Boulevard have been incorporated into the updated conceptual signal design proposed as mitigation for this project. Adjustments are proposed to the traffic signal in order to better accommodate exiting traffic from the Interstate Travel Plaza. As part of the adjustments to the proposed concept, discussed in more detail below, the southbound Washington Street (Route 1) stop bar would be moved north of the southernmost Interstate Travel Plaza driveway. A stop bar and additional signal phase for the Interstate Travel Plaza approach to the signal would be incorporated into the proposed signal design. This change allows for all left-turning vehicles and a portion of right-turning vehicles, including all heavy vehicles, to exit Interstate Travel Plaza under signal control which would be an improvement over the unsignalized existing condition. For the purposes of the updated analysis the following movement volumes were included in the new Interstate Travel Plaza exiting approach based on the February/March 2022 peak hour counts:

- All left-turning and right-turning vehicles exiting at the southern driveway
- All left-turning vehicles at both the southern and middle driveways
- 25% of right-turning vehicles at the middle driveway

In order to be consistent with the previous adjustments made to the July 2021 turning movement counts, the weekday morning peak hour volumes exiting the Interstate Travel Plaza have been adjusted upwards by 10 percent. Consistent with the previous methodologies, no adjustments have been made to the weekday afternoon or Saturday midday peak hours. A revised concept of the proposed signal which depicts the changes noted here is included in this FEIR filing.

In the future, through the development of Lot 1, a connection could be implemented to the Turnpike Truck Parts property located south of Commerce Boulevard. This future connection would allow traffic to and from Turnpike Truck Parts to utilize the proposed signal. While not currently finalized, the site layout of Lot 1 has been configured in order to accommodate the potential connection to the south. For the purposes of the updated analysis, all existing exiting traffic from Turnpike Truck Parts has been added to the Commerce Boulevard approach to the signal under the 2028 peak hour conditions.

As outlined in the original DEIR analysis, the majority of trips associated with the proposed warehouse land use are anticipated to have a direct desire line between I-495 and the project site. The estimated pattern of arrival and departure for the project is based on US Census Journey to Work Data for the Town of Wrentham and a review of the surrounding roadway network. Based on the Journey to Work Data, the majority of traffic associated with the proposed warehouse is projected to travel to and from the south. While no traffic associated with the proposed warehouse was assigned to Hawes

Street in the original DEIR, the project is projected to draw approximately 5% of the total trips to/from Thurston Street in the west. The Thurston Street trips were assigned via the Thurston Street/Route 1 intersection for both directions of travel, but if those vehicles instead chose to use Hawes Street to travel to/from the site, then the project may result in fewer than five additional trips on Hawes Street during any of the peak hours studied. Based on the current configuration of Hawes Street and the anticipated desire lines outlined in the DEIR analysis, no new project traffic or existing traffic has been rerouted to Hawes Street under the Build condition in this updated analysis.

To update the 2028 Build peak hour traffic volumes, the additional trips from the neighboring properties accessing the signal under the Build condition have been added and no additional changes have been made to the proposed trip distribution patterns for the project site trips or changes in travel patterns for existing vehicles along Hawes Street. The resulting 2028 Build peak hour volumes are depicted in graphics and summarized in the traffic projection model attached to this report.

4.4.5 Intersection Improvements

As discussed above, traffic signal warrants were reviewed at the intersection of Washington Street (Route 1) and Hawes Street/Commerce Boulevard. Based on the review of the traffic signal warrants and discussions with the Town of Wrentham and MassDOT, a traffic signal would be installed at the intersection of Washington Street (Route 1) and Hawes Street/Commerce Boulevard as part of the proposed development. The Washington Street (Route 1) and Commerce Boulevard approaches to the intersection would be restriped to accommodate the traffic signal.

The intersection improvements would include restriping the northbound and southbound Washington Street (Route 1) approaches to accommodate an exclusive left-turn lane, a through lane, and a shared through/right-turn lane. The westbound Commerce Boulevard approach would include an exclusive left-turn lane and a shared through/right-turn lane. The eastbound Hawes Street approach would continue to provide one general purpose travel lane. As discussed in the previous section, an accommodation for the southernmost driveway of the Interstate Travel Plaza has been included in the most recent conceptual intersection design. The southbound Washington Street (Route 1) stop bar would be set just north of the southernmost driveway to accommodate a separate phase for exiting vehicles at the signal.

The intersection phasing would include a protected left-turn phase for Washington Street (Route 1) northbound and southbound traffic followed by northbound and southbound general traffic, an exclusive pedestrian phase activated upon push-button only, the Hawes Street/Commerce Boulevard eastbound and westbound general traffic, and the exiting Interstate Travel Plaza traffic. The proposed traffic signal would be coordinated with the signals along Washington Street (Route 1) at Thurston Street,

EXHIBIT C

4.4.7 Site Access and Circulation

Access to the warehouse would be provided via two driveways on Commerce Boulevard, one full-access driveway to the office space, warehouse, and parking spaces and one full-access driveway to the warehouse loading docks in the rear. The gas station and convenience store would be accessed via two full-access driveway on the south side of Commerce Boulevard. Sidewalks along the south side of Commerce Boulevard would be maintained to facilitate pedestrian access around the project site and new sidewalks along the north side of Commerce Boulevard would be constructed to provide additional connections to the proposed pedestrian facilities on Washington Street (Route 1).

The following pedestrian facilities are included to help aid in circulation in and around the project site:

- Maintain existing sidewalk on the south side of Commerce Boulevard for pedestrian traffic traveling between uses on Commerce Boulevard and Washington Street (Route 1).
- Construct sidewalk on Washington Street (Route 1) for the entire site frontage, replacing the existing walkway area on the northern end of the project site.
- Provide sidewalk access directly from the proposed warehouse to the existing pedestrian crossing.
- Provide signalized crossings and crosswalks along the north side and east side of the intersection of Washington Street (Route 1) at Hawes Street/Commerce Boulevard.
- Construct a crosswalk across Commerce Boulevard approximately 100 feet east of Washington Street (Route 1) to provide access between the proposed Wrentham Business Center land uses.
- Construct a sidewalk on the north side of Commerce Boulevard between the warehouse site driveways and Washington Street (Route 1).

Pedestrians from the convenience store and the Supercharged facility would be able to utilize sidewalks on Commerce Boulevard to access and cross Washington Street (Route 1) or to travel north on Washington Street (Route 1) using the proposed crosswalk across Commerce Boulevard. Individuals walking from the warehouse would be able to access the existing Washington Street (Route 1) pedestrian crossing or travel south to the proposed crosswalk across Commerce Boulevard to access the proposed gas station and convenience store.

As discussed in previous sections of this SFEIR, MassDOT is in the pre-25% design phase of a corridor project on Route 1. During the progression of that project, it is expected that MassDOT will identify the preferred accommodations for pedestrians

and bicycles along Route 1. With that, the Wrentham Business Center project team would coordinate with MassDOT during the access permitting process to align the proposed improvements as part of this development with the proposed Route 1 corridor design.

As outlined in the previous FEIR filing, transit access to and from the project site would be provided by the Greater Attleboro Taunton Regional Transit Authority's (GATRA) current micro transit service, GATRA GO. During a previous meeting with GATRA, it was noted that there are no current plans to provide fixed service to the Commerce Boulevard area. The ability to track ridership through their GATRA GO service would provide them with the opportunity to evaluate future transit needs at the project site. Should the demand of fixed service become apparent through a review of the available micro transit service ridership, GATRA would coordinate with the proponent to discuss potential options for additional transit service, including potential fixed route service, at that time. Based on this previous coordination, no additional modifications to the proposed project are anticipated.

With the new proposed build program for Lot 1, access that was previously proposed to the property south of the project site is no longer included in the proposal and the approaches to the new signal are expected to only include Washington Street (Route 1), Commerce Boulevard, and Hawes Street. Due to the MassDOT jurisdiction along Washington Street (Route 1), the project will be required to obtain an access permit from MassDOT for the proposed signal and intersection improvement work. Additional refinement to the signalization at the Hawes Street/Commerce Boulevard intersection and the timings along the Washington Street (Route 1) corridor are expected. The required permitting in addition to the ongoing MassDOT Washington Street (Route 1) corridor project would result in additional coordination with MassDOT regarding the proposed signalization of Hawes Street.

The local review of the Lot 1 gas station and convenience store development is ongoing at the time of this filing. An easement area over Lot 1 has been reserved in order to accommodate potential future shared access, but no specific development or access plans have been finalized with the abutter to the south. Based on discussions with MassDOT District 5, any changes to property access along the corridor from the Washington Street (Route 1) corridor project would be fully assessed and managed through that process.

4.5 Traffic Operations Analysis

In previous sections of this report, the quantity of traffic at the study area intersections has been discussed. The following sections describe the overall quality of the traffic flow at the study area intersections during the weekday morning, weekday afternoon, and Saturday midday peak hours. As a basis for this assessment, intersection capacity analysis was conducted using the Synchro

EXHIBIT D

Wrentham Business Center
3: Washington Street & Madison Street

Weekday Afternoon Peak Hour
2023 Existing





















												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	32	1	199	13	1	3	166	840	5	4	1914	59
Future Volume (vph)	32	1	199	13	1	3	166	840	5	4	1914	59
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	16	12	12	12	12	12	12	12
Grade (%)		-5%			2%			2%			-4%	
Storage Length (ft)	309		0	0		0	562		0	274		480
Storage Lanes	0		1	0		0	1		0	1		1
Taper Length (ft)	25			25			25			25		
Satd. Flow (prot)	0	1858	1623	0	1712	0	1752	3467	0	1473	3610	1584
Flt Permitted		0.711			0.756		0.950			0.950		
Satd. Flow (perm)	0	1385	1623	0	1343	0	1752	3467	0	1473	3610	1584
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			38		5			1				202
Link Speed (mph)		30			30			55			55	
Link Distance (ft)		359			496			788			1704	
Travel Time (s)		8.2			11.3			9.8			21.1	
Peak Hour Factor	0.89	0.89	0.89	0.61	0.61	0.61	0.98	0.98	0.98	0.89	0.89	0.89
Heavy Vehicles (%)	0%	0%	2%	15%	0%	33%	2%	3%	0%	25%	2%	4%
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	37	224	0	28	0	169	862	0	4	2151	66
Turn Type	Perm	NA	pt+ov	Perm	NA		Prot	NA		Prot	NA	Prot
Protected Phases		4	4 5		8		5	2		1	6	6
Permitted Phases	4			8								
Detector Phase	4	4	4 5	8	8		5	2		1	6	6
Switch Phase												
Minimum Initial (s)	6.0	6.0		6.0	6.0		10.0	10.0		6.0	10.0	10.0
Minimum Split (s)	13.0	13.0		13.0	13.0		17.5	16.5		13.0	16.5	16.5
Total Split (s)	18.0	18.0		18.0	18.0		23.0	68.0		14.0	59.0	59.0
Total Split (%)	18.0%	18.0%		18.0%	18.0%		23.0%	68.0%		14.0%	59.0%	59.0%
Yellow Time (s)	4.0	4.0		4.0	4.0		4.5	5.0		4.5	5.0	5.0
All-Red Time (s)	3.0	3.0		3.0	3.0		3.0	1.5		2.5	1.5	1.5
Lost Time Adjust (s)		0.0			0.0		0.0	0.0		0.0	0.0	0.0
Total Lost Time (s)		7.0			7.0		7.5	6.5		7.0	6.5	6.5
Lead/Lag							Lead	Lag		Lead	Lag	Lag
Lead-Lag Optimize?							Yes	Yes		Yes	Yes	Yes
Recall Mode	None	None		None	None		None	C-Min		None	C-Min	C-Min
Act Effect Green (s)		10.4	31.2		9.0		13.3	73.5		6.0	55.3	55.3
Actuated g/C Ratio		0.10	0.31		0.09		0.13	0.74		0.06	0.55	0.55
v/c Ratio		0.26	0.42		0.22		0.73	0.34		0.05	1.08	0.07
Control Delay		45.7	24.4		39.9		67.1	3.3		45.5	68.6	0.1
Queue Delay		0.0	0.0		0.0		0.0	0.0		0.0	0.0	0.0
Total Delay		45.7	24.4		39.9		67.1	3.3		45.5	68.6	0.1
LOS		D	C		D		E	A		D	E	A
Approach Delay		27.4			39.9			13.8			66.5	
Approach LOS		C			D			B			E	
Queue Length 50th (ft)		22	91		14		109	43		2	~824	0
Queue Length 95th (ft)		53	151		26		177	93		13	#965	0
Internal Link Dist (ft)		279			416			708			1624	

EXHIBIT E



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

Charles D. Baker
GOVERNOR

Karyn E. Polito
LIEUTENANT GOVERNOR

Bethany A. Card
SECRETARY

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

November 14, 2022

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

PROJECT NAME	: Wrentham Business Center
PROJECT MUNICIPALITY	: Wrentham
PROJECT WATERSHED	: Taunton
EEA NUMBER	: 15765
PROJECT PROPONENT	: ND Acquisitions, LLC
DATE NOTICED IN MONITOR	: October 7, 2022

Pursuant to Section 11.08(8)(c)(2) of the MEPA regulations, I hereby determine that the Final Environmental Impact Report (FEIR) submitted for the project **does not adequately and properly comply** with the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62I) and with its implementing regulations (301 CMR 11.00), and therefore requires the filing of a Supplemental FEIR (SFEIR). Specifically, I find that further analysis is required to satisfy the MEPA requirement that the project's environmental impacts and mitigation measures have been clearly described and analyzed prior to the close of MEPA review.

Project Description and Procedural History

The project consists of a phased commercial development on three lots located in Wrentham. Phase 1, which was authorized to proceed under a Phase 1 Waiver that was previously granted, consists of the redevelopment of Lot 2 with a 116,000-square foot (sf) indoor go-cart facility with 200 parking spaces; this facility has already been constructed. Phase 2 consists of the construction of a 180,000-sf warehouse building with 121 parking spaces on Lot 3 and Phase 3 consists of the construction of a 2,200-sf drive through coffee shop and 3,350-sf family style restaurant with 150 parking spaces on Lot 1. Access to the site is proposed via an existing access driveway (Commerce Boulevard) onto Route 1 opposite Hawes Street. The project includes plans to redesign and signalize this intersection to address impacts associated with the increase in site traffic.

The Proponent submitted an Expanded Environmental Notification Form (EENF) with a request for a Phase 1 Waiver that was published in the Environmental Monitor on September 20, 2017.¹ A Certificate and Draft Record of Decision were issued separately on November 29, 2017, proposing to grant the Phase 1 Waiver. A Final Record of Decision (FROD) was issued on December 27, 2017, allowing Phase 1 of the project to proceed prior to completion of a Draft Environmental Impact Report (DEIR) and FEIR for the remainder of the project.

Project Site

The 31.2-acre project site is located off Route 1 (Washington Street) in Wrentham and was formerly a gravel pit. It is bounded by Washington Street on the west, an auto salvage yard and Rabbit Hill Pond to the south, a commercial property to the north, Rabbit Hill Brook and wetlands associated with an Outstanding Resource Water (ORW) to the east, an active cranberry bog to the northeast, and a capped landfill to the southeast. The project site gradually slopes from west to east toward Rabbit Hill Stream. Portions of the project site are located within a Zone A associated with a surface water supply (Lake Mirimichi) for the City of Attleboro. The site contains Bordering Vegetated Wetlands (BVW), Bank, Isolated Land Subject to Flooding (ISLF), and Bordering Land Subject to Flooding (BLSF).

The project site was previously a part of a proposed one million sf commercial development project that underwent MEPA review (EEA# 12259) concluding with a Certificate on the FEIR in 2002. The project was later abandoned due to lack of economic demand; however, preliminary site development was undertaken which included construction of an access roadway, underground utilities, and stormwater management controls including two stormwater basins that remain on the site. The site is generally cleared and leveled and includes ± 3.4 acres of impervious surface associated with an existing access road.

Jurisdiction and Permitting

The project is undergoing MEPA review and is subject to preparation of a mandatory EIR pursuant to 301 CMR 11.03(6)(a)(6) and 11.03(1)(a)(2) because it requires Agency Action and will generate 3,000 or more new average daily trips (adt) on roadways providing access to a single location and create ten or more acres of impervious area. The project requires a Vehicular Access Permit from MassDOT. It is subject to the MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol.

The project will require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the U.S. Environmental Protection Agency (EPA). The Wrentham Conservation Commission (WCC) issued an Order of Conditions (OOC) for Phase 1 on January 3, 2018 and a separate OOC for Phase 2 on December 20, 2021; neither OOC was appealed.

Because the Proponent is not seeking Financial Assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required or potentially required Agency Actions and that may cause Damage to the Environment as defined in the MEPA regulations.

¹ The Certificate on the DEIR issued November 15, 2022 incorrectly identified submission of the EENF and request for Phase 1 Waiver in 2021; the correct year is 2017.

Environmental Impacts and Mitigation

Environmental impacts associated with Phase 1 included alteration of 2.6 acres of land, generation of 328 new adt on a weekday and 372 adt on a Saturday, and creation of 200 parking spaces. Proposed buildings and other impervious area were developed within existing impervious area (1.6 acres). Environmental impacts associated with Phases 2 and 3 include alteration of 23 acres of land, creation of 11.4 acres of impervious area, generation of 2,608 new adt, and creation of 271 parking spaces. At full build out, cumulative impacts associated with all phases of the project will result in alteration of 25.6 acres of land, creation of 11.4 acres of new impervious area (total of 14.8 acres on-site), generation of 2,936 adt; and construction of 471 parking spaces.

Measures to avoid, minimize and mitigate Damage to the Environment include redevelopment of an altered site; maintenance of a 50-foot buffer zone around resource areas; construction of sidewalks along the entire site frontage and other pedestrian connections; implementation of traffic signal coordination along Route 1; implementation of transportation demand management (TDM) measures; air source heat pumps (ASHPs) for the two restaurants and warehouse office; electric vehicle (EV) charging stations and EV conduit; installation of stormwater management measures including low impact development (LID) measures; and use of construction period best management practices (BMPs). As discussed below, mitigation for GHG emissions and traffic impacts has yet to be finalized.

Review of the FEIR

The FEIR describes the project, provides plans of existing and proposed site conditions, estimates the project's impacts on transportation and drainage, and identifies proposed mitigation measures. It reviews potential climate change impacts to the site, describes design measures intended to increase the site's resiliency and provides a revised GHG analysis. It describes project components and associated environmental impacts and mitigation measures associated with each phase of the project. Supplemental information, which confirmed that the Town of Wrentham has adopted the MA Stretch Code and included an update to the energy modeling for the Base Case scenario, was submitted on October 14, 2022. For purposes of clarity, all supplemental materials are included in references to "FEIR" unless otherwise indicated.

Wetlands and Stormwater

The WCC reviewed Phases 1 and 2 for their consistency with the Wetlands Protection Act (WPA), Wetlands Regulations (310 CMR 10.00) and associated performance standards, including stormwater management standards (SMS), and issued separate OOCs on January 3, 2018 and December 20, 2021, respectively; neither OOC was appealed. Phase 2 includes work in 50,000 sf of buffer zone to BVW associated with removal of an existing stormwater basin that lies within the Zone A Wellhead Protection Area, construction of portions of a proposed surface stormwater infiltration basin (outside the Zone A), construction of a driveway and retaining wall (within the Zone A), and construction of a gravel driveway to access an abutting bog. The FEIR affirms that the project will maintain a 50-foot No Disturb Zone around all wetland resource areas.

Two existing storm water management basins (fully vegetated) are located on Lots 2 and 3, which were constructed in 2003 as part of the anticipated development that was not advanced. As

previously mentioned, Phase 2 will remove the basin on Lot 3 within the Zone A and reconstruct it outside the Zone A. The FEIR addresses the jurisdiction status of the existing stormwater basin to be decommissioned and filled as it relates to the definition of a “Pond” pursuant to 310 CMR 10.04. It indicates that during discussion of the Abbreviated Notice of Resource Area Delineation (ANRAD) on July 22, 2021, the WCC was asked to confirm that storm water basin (B-1) was not jurisdictional, and the WCC confirmed that interpretation.²

The project includes installation of a stormwater management system that exceeds requirements identified in the SMS and local by-laws. Several man-made ponds for surface water management and roof runoff will be used to provide groundwater recharge. Pretreated surface runoff from parking lots and roadways will also be partially used to recharge groundwater. Rabbit Hill Brook has been designated as an ORW as a tributary to a surface water supply and requires enhanced storm water management under 310 CMR 10.00 and the SMS to provide further treatment of runoff prior to discharge to the new storm water basin proposed on Lot 3. Treatment measures include a separate roof drain system to directly discharge clean runoff from roofs to the infiltration system, and tree box filters where possible in addition to deep sump catch basins. The FEIR indicates that an updated storm water design for the project was submitted for local review by the Wrentham Planning Board and WCC (and also peer reviewed) to demonstrate the efficacy of the drainage system (Appendix E).

Traffic and Transportation

The project abuts Route 1 (Washington Street), a state highway; therefore, a MassDOT Vehicular Access Permit is required. The FEIR includes an updated Transportation Impact Assessment (TIA) prepared in conformance with the current MassDOT/EOEEA *Transportation Impact Assessment Guidelines*. The study includes an assessment of the transportation impacts of the project and analysis of site access in the immediate vicinity of the project. At present, there is an approved MassDOT project in the design stage to improve conditions along this corridor. According to MassDOT comments, there are still some key concerns raised in the MassDOT comment letter on the DEIR that are not addressed in the FEIR as described further below; these outstanding concerns should be addressed in the SFEIR. Although the Proponent met with MassDOT during preparation of the FEIR (December 2021) to discuss technical issues associated with the TIA, the Proponent did not follow up with MassDOT to address some of the issues regarding phasing and timing of implementation of the mitigation program.

Site access is proposed via an existing access driveway (Commerce Boulevard) onto Route 1 opposite Hawes Street. The Proponent proposes to redesign and signalize this intersection to address impacts associated with the increase in site traffic. The DEIR included a traffic signal warrant analysis (TSWA), which indicated that this intersection meets Warrants 1, 2, and 3 under 2028 Build conditions. However, MassDOT comments on the DEIR identified concerns regarding the immediate installation of the traffic signal on Route 1 based on the use of future volumes as justification because it normally requires provision of traffic counts. In this particular case, if Phase 3 is delayed to a later date, it is unlikely that the traffic signal would be approved because Phase 2 is unlikely to generate enough traffic to meet signal warrants to justify installation of the traffic signal. The FEIR provides a discussion of the timing and need for the signal at the site access driveway and existing safety concerns along the Route 1 corridor due to high traffic volumes on Route 1 and turning movements at the numerous driveways along Route 1 in this area. While the FEIR includes a revised TSWA in response to MassDOT

² The FEIR includes a copy of the minutes of the meeting on July 22, 2022 in Appendix B.

comments, it continues to use future volumes to justify installation of the traffic signal during Phase 2. The Proponent was directed to work with MassDOT during preparation of the FEIR to clarify the schedule of the project, and if necessary, discuss an interim access plan for Phase 2 only. The FEIR indicates that the Proponent does not anticipate interim access to be necessary prior to construction and occupation of the warehouse; however, this assumption was not confirmed with MassDOT during consultation and MassDOT comments indicate that the FEIR does not offer a clear timeline for advancing Phase 3.

I received comments from several abutters and residents which identify concerns regarding project-related traffic, safety and operation of adjacent uses. These comments (from Attorney Jonathan M. Silverstein, submitted on behalf of the owners of four abutting or adjacent properties; a resident of Hawes Street; and Turnpike Truck Parts) indicate that the project, coupled with the proposed signalization and signage of Route 1/Hawes Street will impact the functioning/safety of Hawes Street and the developability of lots with frontage on Hawes Street; has not provided connectivity to allow internal circulation with the abutting property to the north (579 Washington Street) to improve safety and traffic flow; has not evaluated an alternative to move the proposed signal further north to provide better spacing of traffic signals along the corridor, mitigate queuing that will prevent left-turns into adjacent properties, and avoid overuse and cut-through traffic of Hawes Street; and has not identified potential access to Commerce Boulevard for Turnpike Truck Parts to mitigate potential impacts to existing access to Interstate 495 (I-495).

The FEIR indicates that a future vision for comprehensive bicycle and pedestrian accommodations on the Route 1 corridor has not been identified by MassDOT. Once a future corridor plan has been identified, the Proponent will work with MassDOT to implement pedestrian and/or bicycle accommodations within the existing right-of-way adjacent to the project site that work towards the planned vision. The Proponent is reminded that any proposed improvement on state highways should be consistent with the MassDOT Healthy Transportation Initiative. The Proponent should continue discussions with MassDOT to obtain any necessary waivers if bicycle facilities cannot be provided along Route 1.

The Greater Attleboro Taunton Regional Transit Authority (GATRA) provides fixed route bus service (Route 14) along Route 1 in the Town of Plainville, ± 2.5 miles to the south of the project site. The Proponent met with GATRA in October 2021 to discuss the potential for extending fixed route bus service along Route 1. The project site is currently served by micro-transit services including GATRA-GO, an on-demand service that allows riders to request same-day service for transportation services. The FEIR does not describe any additional consultations between the Proponent and GATRA during preparation of the FEIR nor does it document the input from GATRA regarding infrastructure needed to support the service extension. The Proponent will continue to coordinate with GATRA and has proposed internal site infrastructure to support transit service to the project site. The Proponent should work toward identifying the details of TDM measures and consult with the local Transportation Management Association to help implement the TDM program.

Greenhouse Gas Emissions

The FEIR includes a revised GHG analysis which generally responds to recommendations outlined in the comments from the Massachusetts Department of Energy Resources (DOER) on the

DEIR. The SFEIR should provide further evaluation of DOER recommendations as described in the Scope below. The FEIR provides the following analyses and clarifications to the project:

- Use of ASHPs for space heating and cooling in both restaurants and the warehouse office
- Analysis of a hybrid space heating approach in the warehouse (this measure was not adopted)
- Review of lower air infiltration (0.25 cfm/SF at 75 Pa) for the restaurants with results showing an insignificant (<1%) change in energy use compared to Code (0.40 cfm/SF at 75 Pa). A lower air infiltration rate was considered impractical in the warehouse given the large number of 90-sf overhead doors at the loading docks that cannot be perfectly sealed (this measure was not adopted for restaurant or warehouse buildings)
- Section C406.1 extra efficiency options for the warehouse and office are:
 - More efficient HVAC performance (Section C406.2)
 - Reduced lighting power density (LPD) (Section C406.3)
 - Enhanced envelope performance (Section C406.8)
- Section C406.1 extra efficiency options for the restaurants are:
 - More efficient HVAC performance (Section C406.2)
 - Reduced lighting power density (LPD) (Section C406.3)
 - High-efficiency service water heating (Section C406.7)
- Installation of two EV charging stations for the warehouse building and EV conduit for an additional five spaces with a similar commitment for the two restaurant buildings in Phase 3
- Enhanced roof insulation for restaurants (R40 batt) and for warehouse/office (R36ci)

The project will be required to meet the applicable version of the Stretch Code, which requires a 10% energy performance improvement over ASHRAE 90.1-2013-Appendix G plus Massachusetts amendments including C402.1.5 (envelope), C405.3 and C405.4 (lighting), C405.10 (EV charging), and C406 (three additional efficiency measures – identified above for each use).

The project's overall stationary source CO₂ emissions were estimated at 367.4 tons per year (tpy) in the Base Case. According to the FEIR, the mitigation measures included in the Preferred Case will reduce GHG emissions to 312.1 tpy, a reduction of 55.3 tpy (15.0%). Total project-related emissions are 438.0 tpy (stationary and mobile source) and will be reduced by 56.8 tpy for a ±13.0% reduction. DOER comments indicate the mitigation level for stationary sources for the warehouse is 8%, when considering energy efficiency improvements already required under the Stretch Code. DOER continues to urge further measures to reduce GHG emissions from building energy use.

DOER comments indicate that the project would benefit significantly from efficient electrification of space heating (using electric ASHPs), which would reduce both emissions and lower operating costs. As currently proposed, the project is using propane for space heating of the warehouse. DOER comments indicate that propane is the highest cost and highest emissions heating approach and is not preferred. The DEIR evaluated efficient electric space heating which indicated this approach would have lower emissions and cost less than currently proposed. Despite these findings, the project did not commit to efficient electric space heating or hybrid electrification of space heating.

As stated in DOER comments, while the FEIR analyzed a “hybrid” electrification approach as an alternative, the analysis assumed a fully redundant system using both propane and ASHP for the full energy load of the building; accordingly, the cost estimate for this approach was almost 70% higher than

what would be expected of the hybrid system recommended by DOER. According to DOER comments, a true hybrid approach that uses electric heat pumps as a primary heating source (sized to provide 20% of the space heating load) and fuel as a secondary heating source (sized to provide 100% of the space heating load) would increase the mitigation level from 8% to 29% and reduce overall operating costs for the building. The SFEIR should evaluate the hybrid space heating approach recommended by DOER, which assumes use of electric heat pumps as a primary heating source (sized to provide 20% of the space heating load) and fuel as a secondary heating source (sized to provide 100% of the space heating load). This hybrid approach, which results in significant mitigation (± 60 lower emissions than propane heating), is in the same cost ballpark as the proposed all-propane system (\$2.42/sf compared to \$1.00/sf). According to DOER comments, operating costs for a hybrid system are much less than those proposed; however, there appears to be errors in the energy model which underestimate warehouse space heating by a factor of about five. When space heating is corrected, the cost savings and emissions reductions associated with swapping from propane heating to efficient electric heating are multiple times larger than characterized in the FEIR. The FEIR concludes that the swap would save \$5,166 per year and result in a $\pm 5\%$ reduction in emissions; in fact, the swap would save between \$28,000 (17% improvement compared to Code) and \$49,000 (26% improvement compared to code), depending on assumed cost of propane, and result in $\pm 29\%$ less emissions. The Proponent should consult with DOER on the revised GHG analysis to ensure accuracy prior to filing the SFEIR.

Adaptation and Resiliency

The project will comply with the SMS and include separation of drainage paths, recharge of clean storm water, use of green infrastructure (tree box filters), and maintenance of a significant amount of green space. The storm water design will use the Northeast Regional Climate Center (NRCC) runoff volumes instead of the TP40 values to address larger and more frequent storms. According to the FEIR, the project storm water design was based on the current 2-inch, 2-year, 10-year, 50-year, and 100-year storm events. The Climate Resilience Design Standards Tool developed by the Resilient MA Action Team (RMAT) estimated a high exposure to urban flooding and riverine flooding. The storm return period recommendation for 2070 was identified as the 10-year storm event with a rainfall projection of 7.1 inches over a 24-hour period. The 100-year design storm for the project is 8.8 inches over a 24-hour period, which is 24% larger than the rainfall volume associated with the 2070 10-year storm. I note, however, that the 10-year storm recommendation appears to be based on a “low” criticality assessment (based on user inputs) of the building asset. For medium to high critical assets with a 2070 planning horizon (11 to 50 years), the Tool recommends planning for a 2070 25-year to 50-year storm event. The Proponent should continue to evaluate future storm scenarios in estimating the efficacy of the stormwater management system, and maximize opportunities for resiliency on the site.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), (Map No. 25021C0341E, effective date July 17, 2012), Rabbit Hill Stream to the east of the project site is mapped as Zone AE with a Base Flood Elevation (BFE) up to 185 feet.³ The finished floor of the proposed warehouse building is at elevation 208 feet (23 feet above the BFE), which appears to be resilient to future storm conditions.

³ All elevations referenced in this Certificate are based on North American Vertical Datum of 1988 (NAVD88) unless otherwise specified.

Conclusion

As noted above, the FEIR did not adequately address the requirements of the Scope included in the DEIR Certificate. In particular, comments from MassDOT and DOER identify additional information and analysis requested in the agency's comments on the DEIR that will be required to determine whether impacts will be avoided, minimized, and mitigated to the extent feasible and to demonstrate compliance with permitting requirements. Accordingly, I am requiring the Proponent to file an SFEIR in accordance with the limited Scope below.

SCOPE

General

The SFEIR should follow Section 11.07 of the MEPA regulations for outline and content, and include the information and analyses identified in this Scope. It should clearly demonstrate that the Proponent has sought to avoid, minimize and mitigate Damage to the Environment to the maximum extent feasible. The SFEIR should provide an update on state and local permitting required for the project.

The information and analyses identified in this Scope should be addressed within the main body of the SFEIR and not in appendices. In general, appendices should be used only to provide raw data, such as drainage calculations, traffic counts, capacity analyses and energy modeling, that is otherwise adequately summarized with text, tables and figures within the main body of the SFEIR. Information provided in appendices should be indexed with page numbers and separated by tabs, or, if provided in electronic format, include links to individual sections. Any references in the SFEIR to materials provided in an appendix should include specific page numbers to facilitate review.

Traffic and Transportation

As previously mentioned, MassDOT comments indicate the FEIR does not address some key concerns raised in its comments on the DEIR. The SFEIR should provide a comprehensive response to MassDOT comments, which are incorporated by reference herein.

MassDOT comments on the DEIR specifically indicated that future volumes were not to be used to conduct the TSWA and justify the installation of a traffic signal. Although the TSWA was revised in the FEIR, it is still based on 2028 Build volume projections on Route 1, instead of Route 1 traffic volumes at site occupancy as directed by MassDOT. The SFEIR should include a revised TSWA as directed by MassDOT. The SFEIR should also provide a clear timeline to advance Phase 3 and describe an interim access plan that does not include the traffic signal as requested by MassDOT.

The Proponent indicated that properties south of the site along Route 1 could be provided access to the proposed traffic signal at the project site driveway via an internal shared roadway connection to allow traffic from these sites the ability to safely reverse direction towards Route 1 southbound to access I-495. While the Proponent has accounted for the trips associated with the Turnpike Truck Parts (TTP)

facility in the TSWA, it was vague on any arrangement with the owner of the TTP site to facilitate or implement this connection. The SFEIR should incorporate the shared access into the project site plan and document initial approval or formal arrangement to justify these volumes in their analysis. Furthermore, the SFEIR should address the need to modify the site driveway of the TTP site to ensure it operates as a right-in, right-out driveway to prevent unsafe maneuvers on Route 1. The SFEIR should provide a discussion of the alternative access to the project site as described in the comment letter from Attorney Silverstein.

The Proponent is directed to continue consultation with appropriate MassDOT units to address their comments including revising the TSWA, reviewing access management along the Route 1 corridor in the vicinity of the site and documenting any agreement/arrangement in place to facilitate the implementation of an access management plan. The SFEIR should describe the consultations undertaken with MassDOT and include a revised commitment letter to MassDOT once these details have been finalized. The Draft Section 61 Finding will be the basis for MassDOT to issue a final Section 61 Finding for the project.

Greenhouse Gas Emissions

The FSEIR should include a revised GHG analysis prepared in accordance with the GHG Policy, guidance and recommendations provided in the detailed comment letter submitted by DOER, which is incorporated in this Certificate in its entirety. The SFEIR should contain the following analysis and evaluations recommended in DOER comments:

1. Provide a revised analysis of the warehouse energy use with a heating end use in the order of 15 kBtu/sf-yr consistent with other warehouse buildings in our climate zone
2. Evaluate hybrid electric/propane heating system consisting of an ASHP system sized to 20% of the space peak heating, used for primary heating, plus a propane heating system sized to 100% of the space peak heating, used for secondary heating, which incorporates the following (consistent with the pricing information provided in the FEIR):
 - a. Heat pump and other necessary supporting infrastructure should price at about \$1.42/sf, or, about 20% of the pricing for this equipment and infrastructure already provided
 - b. Propane heating should price at about \$1.00/sf, which would be same pricing as already provided

Evaluation range operating costs should capture the uncertainty in commercial propane costs with a recommended propane range: low (\$30.43/Mmbtu, the value provided in the FEIR) and high (\$39/Mmbtu, most up to date EIA residential propane cost).

3. Calculate a 30-year total heating end use carbon footprint to better evaluate heating emissions life cycle of all-propane heating scenario versus hybrid electric/propane heating scenario (e.g., total carbon footprint associated with heating end use, period 2022 through 2052, units of tons) for these two scenarios using the following:
 - a. Propane emissions of 139 lbs/Mmbtu
 - b. Electric grid emissions as follows:
 - i. Year 2022: 633 lbs/MWhr
 - ii. Year 2052: 200 lbs/MWhr

iii. Linearly interpolate in-between years

4. Estimate the following:

- a. costs to retrofit the building to convert from all-propane heating to hybrid electric/propane heating scenario at some point in the future, which includes premium costs to undertake retrofit while building is in service
- b. total operating cost, period 2022 through 2052, for the all-propane and hybrid propane/electric scenarios

Mitigation and Draft Section 61 Findings

The SFEIR should include a separate chapter summarizing all proposed mitigation measures, including construction-period measures. The SFEIR should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and a schedule for implementation. The list of commitments should be provided in a tabular format organized by subject matter (traffic, water/wastewater, GHG, environmental justice, construction period, etc.) and identify the Agency Action or Permit associated with each category of impact. Revised draft Section 61 Findings should be separately included for each Agency Action to be taken on the project. The SFEIR should clearly indicate which mitigation measures will be constructed or implemented based upon project phasing, either tying mitigation commitments to overall project square footage/phase or environmental impact thresholds, to ensure that adequate measures are in place to mitigate impacts associated with each development phase.

The SFEIR should include a commitment to provide a GHG self-certification to the MEPA Office prior to issuance of building permits. It should be signed by an appropriate professional (e.g. engineer, architect, transportation planner, general contractor) indicating that all of the GHG mitigation measures, or equivalent measures that are designed to collectively achieve identified reductions in stationary source GHG emission and transportation-related measures, have been incorporated into the project. The commitment to provide this self-certification in the manner outlined above shall be incorporated into the draft Section 61 Findings included in the SFIR.

Response to Comments

The SFEIR should contain a copy of this Certificate, and a copy of each comment letter received on the FEIR. It should include a comprehensive response to comments on the FEIR that specifically address each issue raised in the comment letter; references to a chapter or sections of the SFEIR alone are not adequate and should only be used, with reference to specific page numbers, to support a direct response. This directive is not intended to, and shall not be construed to, enlarge the Scope of the SFEIR beyond what has been expressly identified in this certificate.

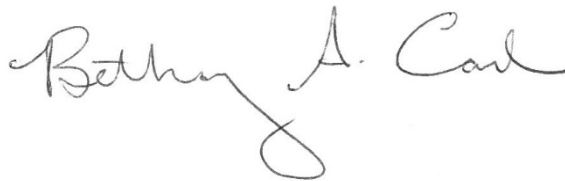
Circulation

In accordance with 301 CMR 11.16, the Proponent should circulate the SFEIR to each Person or Agency who commented on the ENF, DEIR or FEIR, each Agency from which the project will seek Permits, Land Transfers or Financial Assistance, and to any other Agency or Person identified in the Scope. Pursuant to 301 CMR 11.16(5), the Proponent may circulate copies of the SFEIR to commenters

in a digital format (e.g., CD-ROM, USB drive) or post to an online website. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer to be distributed upon request on a first come, first served basis. The Proponent should send correspondence accompanying the digital copy or identifying the web address of the online version of the SFEIR indicating that hard copies are available upon request, noting relevant comment deadlines, and appropriate addresses for submission of comments. A copy of the SFEIR should be made available for review in the Wrentham Public Library.

November 14, 2022

Date



Bethany A. Card

Comments received:

11/07/2022	Massachusetts Department of Environmental Protection (MassDEP) – Southeast Regional Office (SERO)
11/07/2022	Blatman, Bobrowski, Haverty & Silverstein, LLC on behalf of the owners of four properties either abutting or directly across the street from the project site
11/07/2022	Andrew Gordon
11/07/2022	Ro Welling
11/10/2022	Massachusetts Department of Transportation (MassDOT)
11/10/2022	Massachusetts Department of Energy Resources (DOER)

BAC/PPP/ppp