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

Maura T. Healey
GOVERNOR

Kimberley Driscoll
LIEUTENANT GOVERNOR

Rebecca L. Tepper
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1081
http://www.mass.gov/eea

December 29, 2023

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

PROJECT NAME	: The Park at Beaver Brook
PROJECT MUNICIPALITY	: Boxborough and Harvard
PROJECT WATERSHED	: Merrimack
EEA NUMBER	: 16745
PROJECT PROPONENT	: Campanelli Trigate Boxborough Sub LLC
DATE NOTICED IN MONITOR	: August 9, 2023

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62L) and Section 11.08 of the MEPA regulations (301 CMR 11.00), I have reviewed the Single Environmental Impact Report (Single EIR) and hereby determine that it **adequately and properly complies** with MEPA and its implementing regulations.

Project Description and Site History

As described in the Single EIR, the project consists of the second phase of development of The Park at Beaver Brook (the Park), an approximately 350-acre area located off of Beaver Brook Road in the Towns of Boxborough and Harvard. The Park was originally planned in the 1980s as the campus for Cisco Systems and included both office space and a golf course. The original project was reviewed by the MEPA office (assigned EEA# 6761) as it went through various iterations of development concepts between 1987 and 2001. A total of ten filing for the original project were reviewed by MEPA, and the Certificate was issued on the final Supplemental EIR (SEIR) on October 24, 2001. At the time the final SEIR Certificate was issued, the project consisted of approximately 1.4 million square feet (sf) of office, research and development (R&D)/light manufacturing space. All permits were acquired for the project, and construction commenced in 2001. Over the next few years, 426,474 sf of the permitted 1.4 million sf was constructed. Specifically, buildings on Lots 200, 300, and 500 and foundations for additional buildings on Lots 400 and 600 were constructed, as well as Beaver Brook Road. This

phase of construction (referred to herein as Phase 1) included several mitigation elements to support the originally contemplated project at full-build (1.4 million sf), including off-site transportation improvements, an on-site wastewater treatment facility, and protected open space for rare species (further discussed below). Construction then paused due to changes in Cisco's business program, and the remainder of the project was never constructed.

The Proponent acquired the Park in 2021, and proposes to complete the development (with modifications) as a primarily R&D campus without an office component. Due to the lapse of time since the 2001 MEPA review, the project was filed as a new ENF project and assigned a separate EEA number. The project as described in the Single EIR includes the completion of Building 400 and the construction of five new buildings (Buildings 600, 700, and Buildings 800 A, B, and C), totaling approximately 746,500 sf. Upon completion of this second phase of development, the Park will support nine buildings totaling approximately 1.17 million sf, which is a reduction from the 1.4 million sf originally proposed in 2001. Buildings 600 and 800 A, 800 B and 800 C will include parking, loading, and other site features necessary to support the project. As described in the Single EIR, construction of Building 600 will involve limited site changes, as the parking and other infrastructure necessary to support that building were previously constructed in 2002. As stated in the Single EIR, construction is currently underway on Building 400 (for which there was a foundation constructed as part of Phase 1 work and which requires no additional permitting), consisting of a 79,000 sf R&D building with associated parking lot reconfiguration. Construction of Building 400 is expected to be completed this year. The Single EIR includes all impacts associated with the building on Lot 400 as if it were not yet built to provide an analysis of all impacts associated with the work proposed since the Proponent acquired the site. Approximately 94 acres of land will be permanently protected as open space (in addition to 154 acres of land previously conserved during Phase 1).

Project Site

The 350-acre project site includes the developed areas associated with Phase 1, undeveloped land, and land protected as open space during Phase 1 permitting. Approximately 304 acres of the site are located in Boxborough, with the remaining 46 acres located in Harvard; all current and future development is proposed in the Boxborough portion of the site, which is located within an Office Park Zoning District. Existing development is concentrated along Beaver Brook Road in the southern and central portions of the site. Paved access and parking and walkways occur on Lots 200, 300, 400, 500, and 600; the paved parking in the northern portion of Lot 600 is covered with elevated solar panels. A wastewater treatment facility (WWTF) occupies the northernmost portion of Lot 600. Lots 100, 700, and 800 are not developed and consist of unmaintained field/thicket and maintained field/meadow. The project site lies predominantly between the Boxborough/Harvard town line (to the east) and I-495 (to the west), which run in a generally north-south direction on either side of the site. The I-495/Route 111 interchange is located approximately half a mile south of the site. Surrounding land use is primarily undeveloped and residential. Portions of the project site are currently used by the public for recreation, particularly the areas that were conserved as open space during Phase 1.

The site contains several wetland resource areas associated with Beaver Brook, which bounds the site to the east. The entirety of the site is mapped as *Priority Habitat of Rare Species* as delineated by the Natural Heritage and Endangered Species Program (NHESP) in the 15th Edition of the Massachusetts Natural Heritage Atlas. The project site is not located in an Area of

Critical Environmental Concern (ACEC) and, within the limit of work for the project, there are no structures listed in the State Register of Historic Places or the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth. There is one listed archaeological resource on the northeast corner of the project site (Lot 16), which will be permanently protected as open space. There is a mapped Zone I Wellhead Protection Area (WPA) in the center of the site (on Lot 11.2), which is associated with an existing well that supports the Park, and which is located in an area previously protected as open space during Phase 1. There are small portions of Zone I WPAs on the western boundary of the site (on Lot 8.1), which are associated with the Trail Ridge Way Condominiums that bound the site to the west, and an additional Zone 1 WPA that is partially located on the southernmost portion of the site (on Lot 2.2), in an area previously developed during Phase 1. A majority of the project site is mapped as Zone II Wellhead Protection Areas (WPAs)/an Aquifer Protection District.

The project site is located within one Environmental Justice (EJ) Population characterized by Minority criteria and within one mile of two additional EJ Populations also characterized by Minority criteria. Eight (8) additional EJ communities are located within five miles of the project site. The Single EIR indicates that the Designated Geographic Area (DGA) for the project is one mile.

Environmental Impacts and Mitigation

Potential impacts associated with the project include the alteration of 28 acres of land mapped as Priority Habitat; the creation of 23.5 acres of impervious surface (for a total of 56.5 acres on site when considering existing development); a net increase in 8,272 average daily trips (for a total of 12,900 adt) and 670 parking spaces (for a total of 2,890 parking spaces); as well as an increase in 36,171gallons per day (gpd) of water usage and 42,044 gpd of wastewater . The project will result in greenhouse gas (GHG) emissions.

Measures to avoid, minimize, and mitigate project impacts include stormwater system improvements, an on-site wastewater treatment facility, off-site transportation improvements, use of sustainable building design principles (including all-electric buildings, and a 182-kW solar photovoltaic (PV) system on Building 400), the conservation of an additional 94 acres of land on-site (totaling 248 acres of permanently protected open space across the 350-acre Park when considering the 154 acres that were protected as part of Phase I), implementation of a transportation demand management program, measures to protect rare species during project construction, and use of construction best management practices (BMPs).

Jurisdiction and Permitting

The project is undergoing MEPA review and is subject to a mandatory EIR pursuant to 301 CMR 11.03(1)(a)(2) and 11.03(6)(a)(6) of the MEPA regulations because it requires State Agency Actions and will result the creation of 10 or more acres of impervious surface (23.5 acres), and the generation of 3,000 or more new adt on roadways providing access to a single location, respectively. The project is also required to prepare an EIR under 301 CMR 11.06(7)(b) of the MEPA regulations because it is located within one mile of one or more EJ Populations. In addition to the above-identified mandatory EIR thresholds, the project exceeds the Environmental Notification Form (ENF) thresholds at 301 CMR 11.03(1)(b)(1), 11.03(1)(b)(2),

11.03(2)(b)(2), 11.03(6)(b)(13), 11.03(6)(b)(14), and 11.03(6)(b)(15): the direct alteration of 25 or more acres of land; the creation of five or more 5 acres of impervious surface; greater than two acres of disturbance of designated Priority Habitat, as defined in 321 CMR 10.02, that results in a Take of a state-listed endangered or threatened species or species of special concern; the generation of 2,000 or more New adt on roadways providing access to a single location; the generation of 1,000 or more New adt on roadways providing access to a single location and construction of 150 or more New parking spaces at a single location; and the construction of 300 or more New parking spaces at a single location, respectively.

The project requires an Indirect Access Permit from the Massachusetts Department of Transportation (MassDOT) and a Groundwater Discharge Permit from the Massachusetts Department of Environmental Protection (MassDEP). As stated in the Single EIR, both Permits were previously issued for the larger, full-build project originally contemplated for the site, but will be modified for the project as currently proposed. There is an existing Conservation and Management Permit (CMP) from NHESP issued in March, 2000 that permitted the full-build project originally contemplated. The Single EIR and comments from NHESP state that the CMP allows for the proposed development (as it is within the same footprint, and a smaller project than originally contemplated).

The project will require an Order of Conditions from the Boxborough Conservation Commission (or in the case of an appeal, a Superseding Order of Conditions from MassDEP). It will also require building permits from the Boxborough Building Department and Site Plan Review and a Special Permit from the Boxborough Planning Board. The project requires a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the United States Environmental Protection Agency (EPA).

Because the project is not seeking Financial Assistance from an Agency, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required or potentially required Permits or within the area subject to a Land Transfer, and that are likely, directly or indirectly, to cause Damage to the Environment.

Review of the Single EIR

The Single EIR included an updated project description, existing and proposed conditions plans, estimates of project-related impacts, an updated Transportation Impact Analysis (TIA), an update on permitting requirements, a description of public outreach conducted since the filing of the EENF, an update on coordination with Agencies since the filing of the EENF, and a response to comments received on the EENF. Comments from MassDEP on the Single EIR identify additional information that will need to be provided during the groundwater discharge permitting process.

I acknowledge comments from the Boxborough Planning Board and Boxborough Sustainability Committee, which note concern with the project's potential to impact rare species, and recreational access, as well as the project's traffic and transportation impacts. I encourage the Proponent to continue to work with local stakeholders as the project moves through permitting.

Environmental Justice

The EENF previously identified the DGA for the project as one mile; as noted above, the project site is located within one mile of an EJ Population characterized by Minority criteria and within one mile of two additional EJ populations also characterized by Minority criteria. Eight (8) additional EJ communities are located within five miles of the project site. No languages were identified as spoken by more than 5% of individuals within the DGA that identify as not speaking English very well ("Limited English Proficiency").

The Single EIR describes the public involvement plan that the project has undertaken to engage with EJ Populations. The Proponent obtained an updated EJ Reference List from the MEPA office and the Single EIR was then distributed to all contacts on the updated list. As required by the Scope, the Proponent held one public remote meeting on November 13, 2023. The remote meeting was attended by 15 participants made up of members of the Boxborough Town Board and local residents. According to the Proponent, comments related to noise and light impacts to residents, and traffic mitigation measures.

As required by the Scope, the Single EIR clarified the number of diesel-generated vehicle trips and routes of travel that would result from the project and identified whether these routes will travel through EJ Populations within the DGA. As discussed in the Single EIR, industry-standard truck trip rates published by the Institute of Transportation Engineers (ITE) for Land Use 710[1] (General Office) indicate that the daily truck trip generation estimate for the site is approximately 75 trucks per day. It is expected that the majority of truck traffic during construction will travel to and from Route 495, which is located approximately 0.5 miles from the project site access to the south. Because the site is located within an EJ population, trucks are anticipated to travel through the surrounding EJ community; however, the Single EIR states truck trips will avoid local neighborhood streets to reach the closest highway. The Single EIR also notes that the 75 average daily truck trips is a conservative estimate and that truck traffic after construction will consist of primarily package delivery. The Single EIR states that the Proponent will strongly encourage any future tenant having its own truck fleet to proactively adopt MassDEP's mandates related to EV adoption for medium and heavy-duty trucks (MHD) which are designed to reduce vehicle emissions. The transition to cleaner vehicles is expected to take approximately ten years beginning in model-year 2025.

As required by the Scope, the Single EIR included a mesoscale analysis for nitrogen oxides (NOx), particulate matters (PM2.5) and Diesel PM (DPM) for the traffic study radius, which included seven roadway segments around the project site, for 2023 Existing, 2030 Build, and 2030 Build with Mitigation scenarios, utilizing the EPA's MOVES3 Mobile Source Emission Factor Model and following the MassDEP *Guidelines for Performing Mesoscale Analysis of Indirect Sources*. As compared to 2023 Existing Conditions, emissions under the 2030 No Build Condition will decrease for NOx, PM2.5 and DPM from 1.878 kg/day to 0.665 kg/day for NOx, from 0.08561 kg/day to 0.01599 kg/day for PM2.5 and 0.09305 kg/day to 0.01738 kg/day for DPM emissions. The general decrease in pollutants is largely due to improvements in engine technology that will result in cleaner fuels being used in vehicle

[1] The Single EIR indicated that ITE trip data for office use (LUC 710) presents the most closely aligned land use category for which truck generation rates are available, LUC 760 (Research and Development) does not have associated truck trips.

operations overall in the regional economy; however, the project will increase emissions from future "No Build" to future "Build" conditions, as it will add more pollutants beyond no build conditions. As compared to 2023 existing conditions, emissions under the 2030 Build Condition will decrease from 1.878 kg/day to 0.70 kg/day for NOx, from 0.08561 kg/day to 0.01678 kg/day for PM2.5 and 0.09305 kg/day to 0.01823 kg/day for DPM emissions. As compared to 2030 No Build, emissions under the 2030 Build Condition will increase from 0.665 kg/day to 0.70 kg/day for NOx, from 0.01599 kg/day to 0.01678 kg/day for PM2.5 and 0.01738 kg/day to 0.01823 kg/day for DPM emissions.[2] As stated in the Single EIR, the Proponent is committed to the implementation of a Transportation Demand Management (TDM) plan, which are estimated to reduce trip generation and transportation emissions by 2%. The implementation of the TDM measures will decrease the 2030 Build with Mitigation NOx emissions by 0.002 kg/day, PM2.5 emissions by 0.00003 kg/day, and DPM emissions by 0.00002 kg/day. According to the Single EIR, although the traffic generated from the project is associated with some relative increase in air pollution, the increase would be minor and transient and is not anticipated to have an adverse impact on regional air quality and or within the EJ community.

The Single EIR confirmed that any impacted intersections within the traffic study area (where LOS was shown to degrade from No Build to Build conditions) is not projected to cause the LOS to deteriorate to D, E, or F and therefore none of the impacted intersections within the traffic study require additional mitigation. As previously noted on the Certificate on the EENF, the project is implementing TDM measures and site access improvements. A Transportation Monitoring Program (TMP) will also be implemented for a period of five years, beginning six months after project completion. The project is also prosing off-site mitigation, which includes traffic signal optimization at the signalized Route 111/Swanson Road/Codman Hill Road intersection, and the addition of a second left turn lane along the Route 111 eastbound approach to I-495 Northbound ramps, which will be achieved through the conversion of an existing left through lane.

As required by the Scope, the Single EIR described how public access and recreational uses on-site will be maintained during construction and following completion of the project. According to the Single EIR, the project will permanently protect approximately 94 acres of open space (in addition to 154 acres of land previously conserved during Phase 1, which will remain open both during and after construction). As with previously protected open space, the newly protected space will be permanently restricted by a recorded conservation restriction. The existing and proposed open space areas will allow for both public access and protection of endangered species. A network of sidewalks and trails is provided on the property, which has been and will continue to be available for public use both during and after construction. The Single EIR also notes that the prior owner of the property deeded approximately 10 acres at the north end of the property to the Town of Boxborough for a playing field and parking lot and the project will have no impact on public access to that area. In addition, the Proponent is in discussion with the Town of Boxborough to deed an additional 5.167-acre lot on the southwest portion of the project site to the Town for use as a recreation area.

[2] Tons per year (tpy) conversion- As compared to 2030 No Build, emissions under the 2030 Build Condition will increase from 0.26755 tpy to 0.28164 tpy for NOx, from 0.00643 tpy to 0.00675 tpy for PM2.5 and 0.007 tpy to 0.0073 tpy for DPM emissions.

The Single EIR identified measures that will be taken to mitigate visual and noise impacts to the residents of Trail Ridge Way (adjacent to Buildings 800 A-C). The Single EIR states that the project proposes to preserve and/ or revegetate an approximately 100' area between the project and the property line with Trail Ridge. The project will also include downward facing, Dark Sky compliant lighting fixtures to eliminate light spillage from the project onto adjacent properties. Lighting will generally be located in the parking areas which are furthest from Trail Ridge, and levels will be lowered at night to the minimum necessary for safe operation of the facility. In addition, the project will be in compliance with MassDEP's Noise Policy.

Public Health

As required by the Scope, the Single EIR included a separate section on "Public Health," and discussed any known or reasonably foreseeable public health consequences that may result from the environmental impacts of the project. The Singe EIR noted that census tracks within the DGA have been identified as exceeding the vulnerable health EJ criteria for low birth weight in the DPH EJ Tool. As noted, the Proponent analyzed air pollutant impacts from the increased traffic associated with the proposed project, as described above. The project includes transportation improvements and TDM measures to reduce and mitigate impacts from the traffic generation associated with the project. The project proposes stormwater improvements including Low Impact Development (LID) measures to mitigate the increased stormwater generated by the proposed impervious surface, as well as measures to reduce stationary and mobile greenhouse gas (GHG) emissions. The area surrounding the project site is primarily undeveloped, although there is a residential community that bounds a portion of the site to the west, adjacent to Buildings 800 A-C. The Single EIR states that the stormwater runoff from the project flows to Beaver Brook, which bounds the site to the east, and then northwards to Littleton; as such, the increased stormwater is not expected to result in any increase in flooding in the residential site to the west. As described further below, the Single EIR clarified plans to mitigate potential impacts to nearby water supply wells. Measures include, more stringent effluent limitations, a ground water monitoring program and placement of the leaching field downgradient from wells.

Water and Wastewater

As required by the Scope, the Single EIR provided updated information to explain the discrepancy between the water use reported in the EENF and the water use reported to MassDEP by the water supplier in its Annual Statistical Reports (i.e., EENF reported 39,788 gpd for estimated existing use, while the highest reported rate of water withdrawal reported to MassDEP between 2017 and 2022 was approximately 5,845 gpd). The Single EIR explains that since 2019, the occupancy level at the site has been significantly reduced and that actual demand figures would not represent the demand associated with anticipated full occupancy. To determine the demand at full occupancy, the Single EIR equated the full occupancy water demand to the calculated Title 5 Design Flow (maximum day flow condition of 36,171 gpd) with a 10% adjustment (increase) to account for consumptive use.

As required by the Scope, the Single EIR clarified whether the existing potable water well and associated water distribution system can meet the existing and proposed water demands for the project. The Single EIR states that the project site's well has a maximum approved pumping rate of 97,200 gpd and an accompanying fully compliant Zone I radius of 398 feet. In

addition, the system consists of a permitted and approved 20,000-gallon water storage tank, booster pump system and 6-inch diameter ductile iron distribution system piping. This system is configured to meet an average daily pumping rate of between 56,164 gpd and 76,200 gpd. The Single EIR concluded that the existing potable water well and associated water distribution system can easily meet the existing and proposed water demands for the project (maximum of 36,171 gpd). However, comments from MassDEP on the Single EIR request clarification on the methodology used to determine these numbers. Comments state that the Proponent and MassDEP will need to adjust these figures as needed during the permitting process.

As noted in the Certificate on the EENF, the WWTF ceased operation in June 2019 because of limited occupancy levels at the project site; this resulted in low volumes of sewage being produced (approximately less than 1,000 gallons per day since 2018). The Single EIR explains that the WWTF will resume operations at the site if further occupied and sewage generation increases. As required by the Scope, the Single EIR confirmed that wastewater is currently tight tanked and disposed of off-site via trucks. The sewage volume transported for off-site disposal was reported to MassDEP on a monthly basis via the eDEP monitoring reports up to January 2023. For the period from January 2023 to August 2023, approximately 83,000 gallons have been removed for off-site disposal. However, according to comments from MassDEP on the Single EIR, a review of the MassDEP database indicates there are missing monthly reports and limited/incomplete reporting of the offsite disposal. The missing reports and all routine monthly reports for the facility will need to be submitted to MassDEP as part of the permitting process.

As required by the Scope, the Single EIR provided additional information to demonstrate that the WWTF can treat the proposed 80,000 gpd as originally approved in the Groundwater Discharge Permit issued in 1999 (GWP #645). As previously stated in the EENF Certificate, the Groundwater Discharge Permit was modified in 2017 to impose a schedule for upgrades needed to meet more stringent effluent limits required because the WWTF is within the Zone II WPA for two of the Town of Littleton public water supply (PWS) wells and within the IWPA for the PWS well that serves the site. The EENF indicated that the WWTF was upgraded in 2023 to address the more stringent effluent limits associated with the Zone II WPA, though the permitted flow was reduced to 40,000 gpd in August 2020 (GWP #645-3M1) since the remainder of the original project was never constructed. According to the Single EIR, as part of the permitting process, the prior owner (Cisco II) submitted to MassDEP a hydrogeological assessment, design drawings, specifications and an engineering design report to support the ability of the treatment works to accommodate and treat sewage flows to up to 80,000 gallons. The Single EIR states that the existing treatment facility and effluent disposal system have not been modified in such a manner so as to reduce the flow capacity to below 80,000 gpd. Comments from MassDEP on the Single EIR state that the WWTF will require a clear water test and evaluation and assessment of the WWTF for final activation approval from MassDEP. As described further below, the Single EIR clarified plans to mitigate potential impacts to nearby water supply wells. Measures include more stringent effluent limitations and a ground water monitoring program.

As discussed above, the Single EIR described the project's potential to impact public drinking water resources, including the Town of Littleton public water supply wells. The Single EIR explained that as a condition of the site's Groundwater Discharge Permit renewal in August 2017, MassDEP required that a travel time analysis associated with the Littleton Water Department's wells and the site's own well to be performed to determine compliance with

effluent limits set forth in the renewed Permit in accordance with 314 CMR 5.10(4A). The travel time analysis demonstrated that the travel time to these wells to be greater than 2 years. As stated in the Single EIR, the project will include more stringent effluent limitations and monitoring requirements associated with Total Suspended Solids, Turbidity, Total Organic Carbon and Fecal Coliform were required, when compared to a General Groundwater Discharge Permit. In addition, the site's Groundwater Discharge Permits include both Nitrate-Nitrogen and Total Nitrogen discharge limits of 10 mg/l, which is based on the Commonwealth of Massachusetts Drinking Water Standards. As noted above, the WWTF was upgraded in 2023 to address the more stringent effluent limits. In addition, the site includes a groundwater monitoring system that will monitor wells up-gradient (2) of and downgradient (3) from the effluent disposal system. Groundwater monitoring reports will be submitted to the MassDEP on a monthly basis. Comments from MassDEP state that the groundwater monitoring plan must be approved by MassDEP during permitting.

As required by the Scope, the Single EIR detailed existing and proposed uses of the existing buildings, as well as the uses of the proposed buildings. The entirety of The Park will be comprised of a variety of uses including office and research and development, and light manufacturing, which are allowed in the Town of Boxborough Open Space Commercial Zoning District. Current existing buildings include Buildings 200, 300, 400, and 500. Building 200 is occupied by Medtronics – uses include office and medical device manufacturing. Building 300 is occupied by Cisco and used for office. Building 400 will be occupied by TUV Rheinland – uses include office, laboratory space, and research and development. Building 500 will be occupied by Intel & Craft Food Halls – uses include office and a restaurant amenity. All proposed buildings (buildings 600, 700, and buildings 800 A, B, and C) are intended to have similar uses. As required by the Scope, the Single EIR provided additional information regarding whether industrial wastewater will be generated from the proposed R&D/light manufacturing uses. The Single EIR clarified that there are no planned industrial waste discharges. Industrial wastewater cannot be discharged to the WWTF in accordance with 314 CMR 5.06(1)(e). In the event that a use produces an industrial wastewater, that wastewater would be stored and collected in an industrial holding tank in accordance with 314 CMR 18.00. Comments from MassDEP state that all issues related to wastewater discharge will be addressed during permitting.

Endangered Species

As required by the Scope, the Single EIR provided details regarding the Construction Phase Turtle Protection Plan and Long-term Inspection and Maintenance Plan for Turtle Tunnels and Permanent Barriers. As detailed in the Single EIR and confirmed in NHESP's comments on the EENF, a Conservation and Management Permit was issued in 2000 (CMP 00-009.DFW) for the project, which remains valid and has been transferred to the Proponent. The project is located entirely on land that was approved for development under the CMP and the Single EIR states that the Proponent is committed to ensuring ongoing compliance with the CMP, including the implementation of NHESP-approved plans to protect state-listed turtles during and after the remaining construction of the Park is completed. The Single EIR explains that at the direction of NHESP, specific details regarding the proposed Construction Phase Turtle Protection Plan and the Long-term Inspection and Maintenance Plan for Turtle Tunnels and Permanent Barriers are not included in the Single EIR but will be provided to NHESP for review and approval prior to initiation of construction activities. NHESP indicated in their comments on the EENF that any

potential concerns related to state-listed species can be resolved through ongoing consultation with the Proponent.

Traffic and Transportation

As required by the Scope, the Single EIR provided an updated TIA, which updated safety analysis using crash year data from 2018-2020 and provided additional information regarding traffic mitigation. In addition, the Proponent has consulted and coordinated with MassDOT regarding future improvements at the I-495/Route 111 interchange.

Safety

As required by the Scope, the single EIR included an updated safety analysis safety using crash year data from 2018-2020. As stated in the Single EIR, the study intersections all experienced crash rates below the District 3 average. In addition, the Highway Safety Improvement Project (HSIP) does not list any of the study area intersections as high crash locations.

Multi-Modal Transportation

As required by the Scope, the Single EIR included addition information regarding public transit including consultation with the Town of Boxborough and abutting business tenants in order to determine the feasibility of additional transit or shuttle services for the project. The Single EIR states that the Proponent will continue to consult with the Town of Boxborough and abutting business tenants in order to determine the feasibility of additional transit or shuttle services for the project and surrounding developments. The Proponent will become a member of a local Transportation Management Association (TMA) to the extent such an organization is formed and applicable to businesses in Boxborough to help determine the feasibility of additional transit or shuttle services at the project site. The Proponent through its future tenants will identify a transportation coordinator with responsibility of disseminating transportation program information and coordination with a regional TMA.

Mitigation

As required by the Scope, the Single EIR provided information regarding site access improvements. Improvements consist of a driveway design to align perpendicularly with Beaver Brook Road. Driveway approaches will have compliant signage, and sidewalks will connect parking areas to building entrances, as well as link on-site walkways with existing paths along Beaver Brook Road and within the Park. To ensure clear visibility, any new plantings or landscape features near driveways will be kept at 2 feet or less above the roadway grade. Comments from MassDOT on the Single EIR state that the Proponent should consider providing improved bicycle and pedestrian accommodations where right of way is available along Route 11.

To address the Scope, the Single EIR included an explanation of off-site improvements included in the project. The Single EIR states that off-site improvements include such features as dotted lane markings, turn arrows, and pavement route shields along Route 111 to address the “trap lane” scenario. Also, as part of the project, the proponent will update the traffic signal

heads at the I-495/Route 111 interchange to provide an overheard 3-section protected (R, Y, G with arrows) signal head.

The project will implement a TDM program to promote alternative transportation methods and reduce single occupancy vehicle trips to the site. Key components of this initiative include:

- TMA Membership if Applicable: Proponent will become a member of a TMA to the extent such organization is formed and applicable to businesses in Boxborough;
- Transportation Coordinator. Tenant will identify a transportation coordinator with responsibility of disseminating transportation program information and coordination with a regional TMA to the extent such organization exists or is formed for the region;
- Preferential Parking for Carpools & Vanpools: To encourage ridesharing, spaces in close proximity to building entrance will be reserved for registered carpool/vanpool vehicles;
- Electric Vehicle Charging Stations: EV charging stations and EV-ready spaces will be provided to support tenants and visitors. Initially, initially 5 dual-port chargers per building (equivalent to 10 EV-equipped spaces per building) will be provided and the Proponent will install infrastructure sufficient to accommodate additional EV charging stations for up to 10 percent of total parking spaces at the site to be made available as demand requires;
- Pre-Tax Transit Pass Sales Program. Proponent will encourage tenants of the project to implement a pre-tax transit pass sales program through the MBTA Perq Program[3] and pre-tax pass sales;
- Bike Share Station. Proponent will provide space on the site for a future public bike share station of sufficient size for a viable bike share operation, should the Town request such space, in coordination with any future bike share program that may be implemented by the Town;
- Bicycle Storage Facilities. Bike storage facilities for the project will be provided, including bike racks in convenient proximity to the buildings;
- Car Share Service. The Proponent commits to reserving spaces for a third-party car sharing service such as ZipCar should a provider opt to place such vehicles on the property; and
- Tenant Manual. Proponent will provide a manual to tenants and employees which will outline information with respect to the available TDM program elements and to provide contact information for the Transportation Coordinator.

Comments from MassDOT state that the proposed TDM measures have potential to reduce single-occupancy vehicle trips to the project site. Comments state that that the Proponent should consider coordination with future business tenants to provide employee incentives for carpooling or ride-share service use.

The Proponent will also conduct a TMP for a period of five years beginning six months after building occupancy to include the following elements:

- Daily trip activity generated to/from the Park based on automatic traffic recorder counts (ATR) over a weeklong period on weekdays during average season/typical operating conditions; and

[3] https://www.mbta.com/passprogram/corporate

- Weekday AM and PM peak hour turning movement counts at the study locations along Route 111 including Swanson Road and the I-495 Interchange.

Climate Change

Adaptation and Resiliency

As required by the Scope, the Single EIR compared the elevation of the buildings to the base flood elevation (BFE) associated with the Federal Emergency Management Agency (FEMA) mapped floodplain present on-site. According to FEMA flood maps, the BFE on the site in the vicinity of the proposed development ranges from approximately elevation 29 to elevation 32 NAVD88. The buildings will be at a minimum 20 feet above the mapped 100-year flood elevation. In addition, as previously described in the Certificate on the EENF, based on the 50-year useful life of the proposed buildings (400, 600, 700, 800A-C), and the self-assessed criticality of these assets, the MA Resilience Design Tool recommends a planning horizon of 2070 and a return period associated with a 10-year (10% chance) storm event when designing these assets for the extreme precipitation parameter. The MA Resilience Design Tool indicates that the 2070 10-year storm event would result in a 24-hr precipitation depth of 6.7 inches. The project proposes new stormwater system infrastructure sized to treat and attenuate the current 100-year 24-hour storm event, equal to a 24-hour precipitation depth of 8.04 inches (1.34 inches greater than the recommended design storm).

The Single EIR discussed measures to increase the resiliency of the project to extreme heat, and to mitigate the project's potential to increase the urban heat island effect. As described in the Single EIR, the project will minimize urban heat island effects as follows:

- Permanently protecting 248 acres of open space including 94 acres to be protected as part of the current proposed project;
- Minimizing pavement by providing only the minimum number and minimum size of parking spaces necessary to serve the project;
- Providing a large, vegetated buffer in the area adjacent to Trail Ridge Condominiums property; and
- Installing shade trees in the parking areas.

The Project will employ site resiliency measures for stormwater as follows:

- Catch basins with deep sumps and hooded outlets;
- LID techniques such as grass swales for infiltration where feasible;
- Stormwater management basins that both detain and infiltrate the water quality volume of runoff and temporarily stores and controls peak rates of runoff from the project site. Storm water management systems are designed for 100 year flood intensity of 8.04" which allows for future rainfall intensity increases; and
- Scheduled inspection, cleaning, and maintenance of the proposed stormwater management system during and after construction in accordance with an approved Operation and Maintenance Plan.

Greenhouse Gas (GHG) Emissions

As was previously noted on the Certificate on the EENF, Key emissions reductions measures incorporated into the project design include:

- Low-TEDI (Thermal Energy Demand Intensity) design for the building envelope
- An all-electric design using VRF Air Source Heat Pumps (ASHPs) capable of simultaneous heating and cooling.
- Energy Recovery Ventilation (ERV) achieving ≥ 50% heat recovery (Building 400) and ≥ 70% heat recovery (Buildings 600, 700, 800A, 800B, and 800C).
- Reduced solar gain via low-U, low-Solar Heat Gain Coefficient (SHGC) glass.
- High efficiency electric storage tank hot water systems.
- Inside and exterior lighting systems LED with a lower light power density than Code.
- One electric vehicle (EV) installed space and 10% EV-ready spaces at each of the six new buildings.
- A 182-kW PV system on Building 400
- Solar-ready space equal to 80% of flat building roofs

As required by the Scope, the Single EIR discussed how the project is maximizing opportunities for EV installation. The Single EIR states that 10% of all parking spaces will be EV-ready. I encourage the Proponent to evaluate increasing EV parking at the project site.

Comments from the Massachusetts Department of Energy Resources (DOER) on the EENF noted that the project is making notable progress towards decarbonization.

Mitigation and Draft Section 61 Findings

The Single EIR provided draft Section 61 Findings for use by Agencies, which are summarized below. The Section 61 Findings should be provided to Agencies to assist in the permitting process and issuance of final Section 61 Findings.

Environmental Justice (EJ)

- Approximately 94 acres of land will be permanently protected as open space (in addition to 154 acres of land previously conserved during Phase 1).
- Mitigate traffic impacts through TDM, as described below.
- Reduce the urban heat island effect through the planting public shade trees.
- To mitigate against more frequent and intense storms, catch basins with deep sumps and hooded outlets, LID techniques and stormwater management basins are proposed throughout the site. The proposed stormwater system infrastructure is sized to treat and attenuate the current 100-year 24-hour storm event, equal to a 24-hour precipitation depth of 8.04 inches (1.34 inches greater than the recommendation of the climate output report from the MA Resilience Design Tool).
- Implementation of noise reduction measures to ensure compliance with MassDEP noise regulations including maintaining and enhancing a landscaped buffer to the Trail Ridge Condominiums; locating “active” uses of the project further from the Trail Ridge property; locating building mounted HVAC equipment further from the Trail Ridge property; and providing acoustical screening of HVAC equipment and emergency generators as needed.

- Implementation of light mitigation measures including maintaining and enhancing a vegetated buffer to the Trail Ridge Condominiums; locating light fixtures away from the Trail Ridge; property installing downward facing, Dark Sky compliant light fixtures; lowering lighting levels after business hours.

Stormwater

- The stormwater management system will include catch basins with deep sumps and hooded outlets, LID techniques such as grass swales, and stormwater management basins. The stormwater management system will be designed to treat and attenuate the current 100-year storm. The system will provide 44% pre-treatment TSS removal prior to infiltration and a minimum 80% total TSS removal prior to discharge.

Water/Wastewater

- Use of drought tolerant plantings.
- An automatic drip irrigation system with smart sensors and rain gauges will be installed to supplement watering during periods of low natural precipitation.
- Installation of low flow plumbing fixtures, restricted flow faucets and sensor operated sinks, toilets and urinals.
- The Proponent is undergoing a Per- and Polyfluoroalkyl (PFAS) removal program for the onsite wells.
- The project will include more stringent effluent limitations associated with Total Suspended Solids, Turbidity, Total Organic Carbon and Fecal Coliform.
- The site's Groundwater Discharge Permits includes both Nitrate-Nitrogen and Total Nitrogen discharge limits of 10 mg/l, which is based on the Commonwealth of Massachusetts Drinking Water Standards.
- The project has upgraded the site's WWTF in 2023 to address the more stringent effluent limits.
- The site includes a groundwater monitoring system consisting of monitor wells up-gradient (2) of and downgradient (3) from the effluent disposal system. Groundwater monitoring reports will be submitted to the MassDEP on a monthly basis. Comments from MassDEP state that the groundwater monitoring plan must be approved by MassDEP during permitting.

Traffic and Transportation

- Transportation Demand Management measures, including:
    - The property owner will join and participate in a local TMA if one is available.
    - Designation of a transportation coordinator with responsibility of disseminating transportation program information and coordination with a regional TMA.
    - To encourage ridesharing, spaces in close proximity to building entrance will be reserved for registered carpool/vanpool vehicles.
    - Proponent will encourage tenants to implement a pre-tax transit pass sales program through the MBTA Perq Program[4] and pre-tax pass sales.
    - Proponent will provide space on the site for a future public bike share station of sufficient size for a viable bike share operation, should the Town request such

[4] (https://www.mbta.com/passprogram/corporate)

space, in coordination with any future bike share program that may be implemented by the Town.
    - Bike storage facilities will be provided, including bike racks in convenient proximity to the buildings.
    - Proponent commits to reserving spaces for a third-party car sharing service such as ZipCar, should a provider opt to place such vehicles on the property.
    - Proponent will provide a manual to tenants and employees which will outline information with respect to the available TDM program elements and to provide contact information for the Transportation Coordinator.
- Transportation Monitoring Program including:
    - Daily trip activity generated to/from the Park based on automatic traffic recorder counts (ATR) over a weeklong period on weekdays during average season/typical operating conditions.
    - Weekday AM and PM peak hour turning movement counts at the traffic study area locations.
    - Transportation monitoring will be conducted annually for a period of five years in accordance with MassDOT protocols.
- Electric Vehicle Charging Stations. EV charging stations and EV-ready spaces will be provided to support tenants and visitors. Initially, 5 dual-port chargers per building (equivalent to 10 EV-equipped spaces per building) will be provided and the Proponent will install infrastructure sufficient to accommodate additional EV charging stations for up to 10 percent of total parking spaces at the site to be brought online as demand requires.
- Site-Access improvements would include a driveway design to align perpendicularly with Beaver Brook Road. Driveway approaches will have compliant signage, and sidewalks will connect parking areas to building entrances, as well as link on-site walkways with existing paths along Beaver Brook Road and within the Park.
- Off-site improvements will include features like dotted lane markings, turn arrows, and pavement route shields along Route 111 to address the "trap Lane' scenario. Also, as part of the Project, the proponent will update the traffic signal heads as required to provide an overheard 3-section protected (R, Y, G with arrows) signal head.

Endangered Species

- The Proponent is committed to ensuring ongoing compliance with the CMP, including the implementation of an approved "Construction Phase Turtle Protection Plan". This plan details proposed perimeter temporary turtle barriers to be installed and maintained throughout construction, turtle sweeps as needed, and educational information for site contractors.
- The Proponent is committed to ensuring ongoing compliance with the CMP, including the implementation of an approved "Long-term Inspection and Maintenance Plan for Turtle Tunnels and Permanent Barriers".

Climate Resiliency

- The proposed stormwater system infrastructure is sized to treat and attenuate the current 100-year 24-hour storm event, equal to a 24-hour precipitation depth of 8.04 inches (1.34 inches greater than the recommendation of the climate output report from the MA Resilience Design Tool).

- Reduce the urban heat island effect through the planting of public shade trees. The buildings will be at a minimum 20 feet above the mapped 100-year flood elevation.
- To mitigate against more frequent and intense storms, catch basins with deep sumps and hooded outlets, LID techniques and stormwater management basins are proposed throughout the site.
- The project will permanently protect 248 acres of open space including 94 acres to be protected as part of the current proposed project.
- The project will minimize pavement by providing only the minimum number and minimum size of parking spaces necessary to serve the project.

Greenhouse Gas (GHG) Emissions

- The energy efficiency measures will reduce GHG emissions to 961.5 tpy, a reduction of 363 tpy (27.4 percent) from the Base Case.
- Low-TEDI (Thermal Energy Demand Intensity) design for the building envelope
- An all-electric design using VRF Air Source Heat Pumps (ASHPs) capable of simultaneous heating and cooling.
- Energy Recovery Ventilation (ERV) achieving ≥ 50% heat recovery (Building 400) and ≥ 70% heat recovery (Buildings 600, 700, 800A, 800B, and 800C).
- Reduced solar gain via low-U, low-Solar Heat Gain Coefficient (SHGC) glass.
- High efficiency electric storage tank hot water systems.
- Inside and exterior lighting systems LED with a lower light power density than Code.
- One electric vehicle (EV) installed space and 10% EV-ready spaces at each of the six new buildings.
- A 182-kW PV system on Building 400
- Solar-ready space equal to 80% of flat building roofs

Construction Period

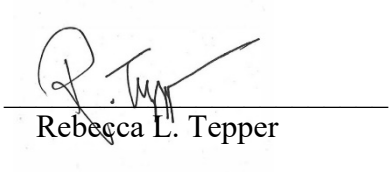
- The project will comply with all applicable Federal, State and local requirements regarding the handling, recycling, and disposal of solid waste.
- Recycling of construction materials such as brick, concrete, gypsum wallboard, wood metal and asphalt roofing.
- Construction fencing will be installed around all construction areas prior to the commencement of work. Access to the site will be closed at the end of each workday.
- Designated construction entrances will be established with appropriate warning signage.
- Prior to mobilization, the contractor will consult with Town officials as part of the preconstruction process to determine the appropriate truck routes to and from the site, including any desired restrictions.
- The project will comply with the Massachusetts Idling Regulation (310 CMR 7.11). The regulation prohibits motor vehicles from idling their engines more than five minutes.
- The project will be constructed so as to limit the amount of open earth at any given time including that required for the transport and stockpile of materials. The operator will only engage in earth disturbing activities that can be adequately controlled and protected.
- Dust control measures including the use of water trucks will be employed to ensure no dust leaves the site.
- Erosion Control Best Management Practices will be implemented and maintained on the site at all times during construction.
- The contractor will adhere to the SWPPP that will be prepared for the project.

- To the extent possible, non-road diesel equipment rates higher than 50 HP will be used to meet EPA's Tier 4 emission limits. Off road vehicles will use ULSD and construction equipment will comply with state and local regulations.
- Construction materials that can be recycled (brick, concrete, gypsum wallboard, wood metal and asphalt roofing) will be sent to an appropriate C&D recycling facility. The project will comply with all applicable Federal, State and local requirements regarding the handling, recycling, and disposal of solid waste.

Conclusion

Based on a review of the Single EIR, comments letters, and consultation with Agencies, I find that the Single EIR adequately and properly complies with MEPA and its implementing regulations. No further MEPA review is required, and the project may proceed to permitting. Participating Agencies should forward copies of the final Section 61 Findings to the MEPA Office for publication in accordance with 301 CMR 11.12.

December 29, 2023
Date



Rebecca L. Tepper

Comments received:

12/15/2023 Boxborough Sustainability Committee
12/20/2023 The Boxborough Planning Board
12/22/2023 The Metropolitan Area Planning Council (MAPC)
12/22/2023 Massachusetts Department of Transportation (MassDOT)
12/22/2023 Massachusetts Department of Environmental Protection (MassDEP), Central Regional Office (CERO)

RLT/NSP/nsp

December 22, 2023

Secretary Rebecca Tepper
Executive Office of Energy & Environmental Affairs
Attention: Eva Vaughan, MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: The Park at Beaver Brook, Single Environmental Impact Report, EEA No.16745

Dear Secretary Tepper:

The Metropolitan Area Planning Council (MAPC) regularly reviews proposals deemed to have regional impacts. The Council reviews proposed projects for consistency with *MetroCommon 2050*, MAPC's regional land use and policy plan, consistency with Complete Streets policies and design approaches, as well as impacts on the environment.

MAPC has a long-term interest in alleviating regional traffic and environmental impacts, consistent with the recommendations of *MetroCommon 2050,* including *reducing vehicle miles traveled and the need for single-occupant vehicle travel through increased development in transit-oriented areas and walkable centers*[1], and *improving accessibility and regional connectivity*[2]. Furthermore, the Commonwealth has a statutory obligation to reduce greenhouse gas (GHG) emissions by at least 50% by 2030, 75% by 2040, and 85% from 1990 levels by 2050 to achieve net zero emissions by 2050.

Campanelli Trigate Boxborough Sub, LLC, the Proponent, has submitted a Single Environmental Impact Report (SEIR) for a research and development campus (the Project). Presently, there are four existing buildings at the 350-acre site on Beaver Brook Road in Boxborough and Harvard, totaling about 426,974 square feet of development. The Proponent proposes to add five new buildings, collectively amounting to 746,500 square feet. When complete, the Project will comprise nine buildings, constituting an estimated 1.17 million square feet. Additionally, the Proponent proposes to increase the parking capacity by adding 670 new spaces, supplementing the existing 2,200 spaces, resulting in 2,890 parking spaces.

MAPC recognizes that the Proponent commits to many laudable measures to reduce the negative environmental impacts of this project and improve public safety and access, including new shared use paths and sidewalks, tree plantings, EV charging facilities, and green infrastructure. However, **our primary concern remains the significant number of vehicle trips that are forecast to be generated by this project - 12,900 vehicle trips per day. Additionally, we are concerned about the predicted motor vehicle CO2 emissions of 430.8 tons/year.**[3] Without a strong and compelling transportation demand management (TDM) program, the vast

[1] https://metrocommon.mapc.org/announcements/recommendations/2
[2] https://metrocommon.mapc.org/announcements/recommendations/1
[3] The Park at Beaver Brook, Expanded Environmental Notification Form, Technical Appendix 2 – Greenhouse Gas Analysis, Table 1, Page 5.

majority of these vehicle trips will almost certainly be made by single occupants, adding to already congested local and regional highways and roadways and challenging the State's efforts to meet its climate goals.

While the Proponent does commit to a TDM program staffed by an on-site Transportation Coordinator, along with preferential parking for carpools and vanpools, EV charging stations, pre-tax transit passes, bike facilities and car share service, it should be noted that **the abundance of free, convenient on-site parking will mitigate against the likely success of these services**. As long as the 2,890 parking spaces[4] are made available to employees at no cost and the alternatives to driving (namely the Fitchburg Line of the MBTA Commuter Rail) are costly and inconvenient, the TDM program will largely be rendered moot and employees will choose to drive (mostly in SOVs).

MAPC respectfully recommends the following actions be undertaken by the Proponent as a means of reducing the significant climate impacts of this project and ensuring that the TDM program is successful:

Invest in Public Facilities to Support a Local Bus Service Connection between the Commuter Rail and Project Site

The Town of Boxborough is working with the Montachusett Regional Transit Authority (MART) to initiate a new bus line connecting Beaver Brook Road with the South Acton Commuter Rail Station by way of Route 111. Funded through a three-year Boston MPO Community Connections Grant, this bus service will make the project site transit accessible, while also serving several neighborhoods and community destinations in Boxborough, Littleton, and Acton. The Town of Boxborough is leading the hiring process for operators of the new bus route, which will offer service primarily between 7 and 9 AM and 4 and 6 PM. **In order to make this bus service appealing not only to local residents but also to employees commuting to the Project site, we recommend that the Proponent invest in the installation of public facilities along Route 111 that will improve the quality and appeal of the bus service.** These public facilities include covered bus stops with signage, seating, and real-time arrival boards, as well as safe, designated walkways between the stops and the entrances of the buildings at the project site. We understand that the Town of Boxborough welcomes this opportunity to partner with the Proponent in bringing these transit improvements to fruition.

[4] We recognize that the Proponent is proposing both fewer parking spaces than were originally permitted and 2001 and half the amount that are currently required by local zoning.

Incentivize Transit and Non-SOV Trips

In addition, MAPC strongly recommends that the Proponent prioritize financial incentives for transit within their TDM program. In particular, **MAPC recommends the Proponent cover the cost of fares on the new MART bus service for employees at the Park at Beaver Brook as part of a commuter benefits package. Furthermore, the Proponent should partially subsidize the cost of monthly Commuter Rail passes for employees**. Combined with complementary ride matching programs/services, preferential parking for carpools (and other carpool benefits such as fuel reimbursements), and improved bicycle and pedestrian infrastructure, this investment in transit access and non-SOV commuting will add muscle to an otherwise weak TDM program and provide a financial incentive to choose transit (or carpooling) over SOV commuting.

Support Re-Launch of Crosstown Connect TMA

MAPC advises the Proponent to support the re-launch of the Crosstown Connect Transportation Management Association (TMA), which is currently inactive, and become a member once (and if) it is re-established. By participating in the TMA, the Proponent can be part of the collaborative efforts aimed at enhancing sustainable transportation options and addressing the commuting needs of employees in the area. It should also be noted that there will be opportunity for the TMA to take over operations of the new bus service upon expiration of the current three-year service contract or to launch a supplementary commuter shuttle providing direct access to the Project.

We hope that these comments and recommendations are helpful to the Proponent in developing a strong TDM program that both improves the appeal of commuting to the Project site while reducing its negative environmental impacts. With the modifications included in this letter, we can ensure that this project does not put us further behind in meeting our climate and transportation goals.

Thank you for the opportunity to comment on this project.

Sincerely,

Marc Draisen
Executive Director

cc: Alexander Wade, Town of Boxborough
Frank O'Connor, Town of Harvard
Jennifer Raitt, NMCOG
David Mohler, MassDOT

Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbits-Nutt, Secretary & CEO

massDOT
Massachusetts Department of Transportation

December 22, 2023

Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2150

RE: Boxborough – The Park at Beaver Brook – SEIR
(EEA #16723)

ATTN: MEPA Unit
Nicholas Perry

Dear Secretary Tepper:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Single Environmental Impact Report filed for the Park at Beaver Brook project in Boxborough as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (857) 368-8862.

Sincerely,

David J. Mohler
Executive Director
Office of Transportation Planning

DJM/jll

Ten Park Plaza, Suite 4160, Boston, MA 02116
Tel: 857-368-4636, TTY: 857-368-0655
www.mass.gov/massdot

cc: Jonathan Gulliver, Administrator, Highway Division
Carrie Lavallee, P.E., Chief Engineer, Highway Division
Barry Lorion, P.E., District 3 Highway Director
James Danila, P.E., State Traffic Engineer
Central Massachusetts Regional Planning Commission (CMRPC)
Planning Board, Town of Boxborough

Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbits-Nutt, Secretary & CEO

massDOT
Massachusetts Department of Transportation

MEMORANDUM

TO: David J. Mohler, Executive Director
Office of Transportation Planning

FROM: J. Lionel Lucien, P.E., Manager
Public/Private Development Unit

DATE: December 22, 2023

RE: Boxborough – The Park at Beaver Brook – SEIR
(EEA #16745)

The Public/Private Development Unit (PPDU) has reviewed the Single Environmental Impact Report (SEIR) for the Park at Beaver Brook (the "Project") as submitted by Kelly Engineering Group on behalf of Campanelli Trigate Boxborough Sub LLC (collectively, the "Proponent"). The Park at Beaver Brook is located on an approximately 350-acre site in Boxborough and partially in Harvard on Beaver Brook Road, off Swanson Road in Boxborough. The site is bounded by residential and underdeveloped land to the north, office space to the south, the Boxborough/Harvard town line to the west, and Interstate I-495 to the east. The site currently consists of undeveloped land, developed areas associated with Phase 1 and land protected as open space during Phase 1 permitting.

This development previously completed permitting through the Massachusetts Environmental Policy Act (MEPA) process in 2001. MassDOT then issued a Section 61 Finding for the original project, which consisted of the construction of 1.4 million square feet (sf) of office and research and development (R&D) facilities. To date, three buildings have been completed (Build #200, 300 and 500) totaling 426,974 sf of development space. This Proponent proposes to complete the development of the site with a revised development program that would include Building 400, which is a 79,000 square feet (sf) research and development (R&D) facility, as well as additional R&D space totaling 667,500 sf (Buildings #600, #700, #800a, #800b, and #800c). This combined development will reduce the original permitted size of the original project from 1.4 million sf to a maximum of 1,173,474 sf of office and R&D space ("Project").

The Project previously submitted an Expanded Environmental Notification Form (EENF) which was duly noticed in the Environmental Monitor on August 9, 2023. The EENF included supplemental information to support the Proponent's request for a waiver to allow the preparation of a Single Environmental Impact Report (SEIR) rather than a Draft and Final EIR. On September 15, 2023, the Secretary of Energy and Environmental Affairs (EEA) issued a Certificate finding that the Project adequately complied with the Massachusetts Environmental Protection Act (MEPA) and granting the requested waiver to allow the submittal of an SEIR.

Ten Park Plaza, Suite 4160, Boston, MA 02116
Tel: 857-368-4636, TTY: 857-368-0655
www.mass.gov/massdot

The SEIR and associated transportation analysis are responsive to MassDOT commentary submitted for the EENF. The TIA includes an analysis of the study area that addresses intersection operations, safety, and bicycle, pedestrian, and transit modes. The Proponent has committed to a comprehensive mitigation program to address mobility and multimodal access along the corridor. In addition, the Proponent has consulted and coordinated with MassDOT regarding future improvements at the I-495/Route 111 interchange. The mitigation program is summarized as follows.

Site-Access improvements would include a driveway design to align perpendicularly with Beaver Brook Road, with curb radii accommodating emergency vehicles. Driveway approaches will have compliant signage, and sidewalks will connect parking areas to building entrances, as well as link on-site walkways with existing paths along Beaver Brook Road and within the Park. To ensure clear visibility, any new plantings or landscape features near driveways will be kept at 2 feet or less above the roadway grade. In addition, the Proponent should provide improved bicycle and pedestrian accommodations where right of way is available along Route 11.

Additional off-site improvements will include features like dotted lane markings, turn arrows, and pavement route shields along Route 111 to address the “trap Lane’ scenario. Also, as part of the Project, the proponent will update the traffic signal heads as required to provide an overheard 3-section protected (R, Y, G with arrows) signal head. MassDOT also notes that the capacity analysis provided depicts the intersections as having “lagging” left turn movements for the “Splits and Phases” provided. These intersections should instead be analyzed showing “leading” left turn movements.

The Project will implement a Transportation Demand Management (TDM) program to promote alternative transportation methods and reduce single occupancy vehicle trips to the site. Key components of this initiative include:

- *TMA Membership if Applicable*: Proponent will become a member of a Transportation Management Association (TMA) to the extent such organization is formed and applicable to businesses in Boxborough;
- *Transportation Coordinator*. Tenant will identify a transportation coordinator (typically through the corporate human resources department) with responsibility of disseminating transportation program information and coordination with a regional Transportation Management Association (TMA) to the extent such organization exists or is formed for the region;
- *Preferential Parking for Carpools & Vanpools*: To encourage ridesharing, spaces in close proximity to building entrance will be reserved for registered carpool/vanpool vehicles;
- *Electric Vehicle Charging Stations*: EV charging stations and EV-ready spaces will be provided to support tenants and visitors. Initially, initially 5 dual-port chargers per building (equivalent to 10 EV-equipped spaces per building) will be provided and the

Proponent will install infrastructure sufficient to accommodate additional EV charging stations for up to 10 percent of total parking spaces at the Site to be brought online as demand requires;

- *Pre-Tax Transit Pass Sales Program*. Proponent will encourage tenants of the Project to implement a pre-tax transit pass sales program through the MBTA Perq Program (https://www.mbta.com/passprogram/corporate) and pre-tax pass sales;
- *Bike Share Station*. Proponent will provide space on the Site for a future public bike share station of sufficient size for a viable bike share operation, should the Town request such space, in coordination with any future bike share program that may be implemented by the Town;
- *Bicycle Storage Facilities*. Bike storage facilities for the Project will be provided, including bike racks in convenient proximity to the buildings;
- *Car Share Service*. The Proponent commits to reserving spaces for a third-party car sharing service such as ZipCar should a provider opt to place such vehicles on the Property. Car share parking spaces will be located on the Site at a mutually acceptable location to be determined in consultation with the car share provider, recognizing that such vehicles must be accessible by all car share subscribers (whether or not employees of the Park); and
- *Tenant Manual*. Proponent will provide a manual to tenants and employees which will outline information with respect to the available TDM program elements and to provide contact information for the Transportation Coordinator.

MassDOT finds the proposed TDM measures have potential to reduce single-occupancy vehicle trips to the Project site. MassDOT requests that the Proponent consider coordination with future business tenants to provide employee incentives for carpooling or ride-share service use.

The Proponent will also conduct a Transportation Monitoring Program (TMP) for a period of five years beginning six months after building occupancy to include the following elements:

- Daily trip activity generated to/from the Park based on automatic traffic recorder counts (ATR) over a weeklong period on weekdays during average season/typical operating conditions; and
- Weekday AM and PM peak hour turning movement counts at the study locations along Route 111 including Swanson Road and the I-495 Interchange.

Based on the limited project impacts and proposed mitigation to improve safety and multi-modal site access, MassDOT recommends that no further environmental review be required based on transportation issues. The Proponent should continue consultation with MassDOT PPDU and the District 3 office to finalize the issuance of the Section 61 Finding for the Project. If you have any questions regarding these comments, please contact *william.m.simon@dot.state.ma.us*.

MEPA Office
Executive Office of Energy and Environmental Affairs
Attn: Eva Vaughan
100 Cambridge Street, Suite 900
Boston, MA 02114
Eva.vaughan@mass.gov

Subject: The Park at Beaver Brook, Boxborough, MA EEA No. 16745

December 14, 2023

Dear Ms. Vaughan,

The Boxborough Sustainability Committee has reviewed the Single Environmental Impact Report (EIR) of 11/01/23 for the construction of 5 new buildings totaling approximately 667,500 square feet at The Park at Beaver Brook, Boxborough, as proposed by Campanelli Trigate Boxborough Sub LLC (the Proponent).

The EIR report includes our letter about Campanelli's EENF and their response. However, Campanelli answered only one of our concerns, pervious versus impervious surfaces, so we reiterate a few others that remain unanswered, which are numbered below.

1. **Solar panels**: Installing solar panels is a method to further reduce greenhouse gases (GHG). Campanelli states that the cost of roughly $31K (distributed generation interconnection charge) per year is too high a price for the benefits of placing solar panels on the roofs of 5 new buildings, limited to 500-kW. We urge them to explore other avenues with LELWD, our electric supplier. Cisco made an arrangement with LELWD to place a 1MW canopy over a parking area. Why not consider other alternatives? If LELWD didn’t charge Campanelli for solar distribution but had an arrangement with them to provide power to the grid for peak

periods using a battery system, it could be a win-win situation. Please look at these two sources:
https://loe.org/shows/segments.html?programID=23-P13-00044&segmentID=6
https://www.brattle.com/insights-events/publications/real-reliability-the-value-of-virtual-powe

2. **EV chargers**: Campanelli continues to propose 10%, rather than 20%, EV spaces which is needed to incentivize employees to buy EV vehicles. The next building code, Specialized Building Code, requires 20%. The Sustainability Committee plans to bring the next building code to Town Meeting as soon as our Green Communities status is affirmed. We urge Campenelli to get ahead of the curve.

3. **Water** retention and elimination of watering: We recommend having NO irrigation system. Grass does not need to be watered during drought, especially if drought-resistant grass is planted. Plant drought-resistant greenery and eliminate all watering because it is a huge water guzzler. It is irresponsible to water during drought because it siphons off needed community water from the aquifer.

4. **General concern**: This area is a priority habitat and just because the project was approved when Cisco owned the land doesn't mean that it's appropriate to build at such a large scale now.

Thanks for your attention,
Francie Nolde

Francie Nolde
Chair, Boxborough Sustainability Committee
francie12637@gmail.com

BOXBOROUGH PLANNING BOARD
29 Middle Road, Boxborough, Massachusetts 01719
Phone: (978) 264-1723
www.boxborough-ma.gov

Mark White, Chair | Rebecca Verner, Clerk | Kathleen Vorce | Cindy Markowitz | Richard Guzzardi

MEPA Office
Executive Office of Energy and Environmental Affairs
Attn: Eva Vaughan
100 Cambridge Street, Suite 900
Boston, MA 02114
Eva.Vaughan@mass.gov

12/19/2023

Subject: The Park at Beaver Brook, Boxborough, Massachusetts, EEA No. 16745

Dear Ms. Vaughan,

The Boxborough Planning Board (the Board) has reviewed the Single Environmental Impact Report (SEIR) for the construction of five new buildings totaling approximately 667,500 square feet at The Park at Beaver Brook in Boxborough, as proposed by Campanelli Trigate Boxborough Sub LLC (the Proponent). We provide the following comments for your consideration.

1. The Planning Board notes that the Applicant has not reduced the scale of the proposed project, but has provided mitigation measures. The Planning Board refers MEPA and the Applicant to our comment letter on the EENF for a reiteration of the Board's concerns (attached). The Board would like to see greater commitment from the Proponent to make measurable and meaningful mitigation efforts that are consistent with the state's policy goals regarding protection of natural resource areas, Environmental Justice and climate adaptation and resilience.

2. The Board encourages the applicant to further respond to requests by the Board and other entities such as MAPC, Town of Harvard, Boxborough Sustainability Committee, and comment letters from residents during the MEPA process regarding the following:

a. Project Scale and Impervious Areas
    i. A reduction in overall project scale or impervious area;
    ii. A proposal for better utilization of existing parking to serve any new development.
b. Rare Species
    i. Project changes / reduction in building footprints or impervious area despite the designation of extremely high value priority habitat on the entire lots 700 and 800 a, b and c, and critical habitat under Bio Map 3;

ii. Updates to the Conservation Management Plan (CMP) to reflect climate change since the original CMP over twenty years ago.

c. Energy
   i. An increase in EV charging stations above 10%, in concert with State Specialized Building Code of 20%;
   ii. New additional PV solar proposed beyond potential for Building 400.

d. Roadway Improvements
   i. Additional improvements in safety for the residents along Swanson Road given the increase of 3,000 additional vehicle trips per day; an increase from the 10,000 proposed trips from the previously approved project;
   ii. Meaningful and measurable implementation of Transportation Demand Management (TDM) strategies to reduce employee trips;
   iii. Address inconsistencies regarding the number of New Vehicle Trips for the proposed restaurant at 500 Beaver Brook, with entering trips shown to be in excess of exiting trips (SEIR, Appendix 3).

e. Environmental Justice (EJ)
   i. Identify actual and measurable benefits to the EJ community above what have already been provided with existing recreation on conservation land, consistent with the town-wide designation as an environmental justice community.

f. Water Supply and Wastewater
   i. Explain how PFAS issue at the current site is being mitigated in the water supply, and how it will be mitigated in future phases;
   ii. Identify whether the Groundwater Discharge Permit will limit PFAS in the groundwater, noting that the wastewater discharge location is proximate to Trail Ridge Condominiums and the new Littleton Electric Light and Water Department (LELWD) public water supply well.

g. Air Quality
   i. Identify mitigation to account for the increase in greenhouse gas emissions (including 1,392.3 tons per year CO2). Although the increase is small relative to regional emissions, the increase will still impact the local population;
   ii. Account for the potential for additional diesel truck trips above the identified 75 vehicle trips, without any tenants being identified;
   iii. The mesoscale analysis is presented in Tables 1 through 4 in Appendix 5 of the SEIR shows all the emissions from the Build scenario in 2030 will be less than the existing emissions. The Board notes that the proponent is taking

credit for anticipated increases in EPA emissions standards, not anything the project is to contribute to emissions reductions.

2. Alternatives Analysis and Local Zoning
    a. The Proponent will need to demonstrate requirements under Boxborough zoning for social and community needs to be served by the proposal. The town's Master Plan (Boxborough 2030) specifically identifies that development should not be just for the purpose of increasing the tax base;
    b. The land remains subject to the existing Open Space Commercial District Special Permit, which will require amendment for future phases of construction as cited in Planning Board decision number 97-01.

3. Proposed Mitigation Measures
    a. Proposed mitigation measures in the Section 61 findings should be measurable and there should be a documented plan that determines measures of success over a discrete time period;
    b. The Planning Board encourages additional mitigation that should be incorporated into the Section 61 findings, consistent with the town's Master Plan, including without limitation:
        i. Energy
            1. Explore subsidizing energy efficiency measures to the EJ community residents at nearby apartments and condominiums;
            2. Commitment to more solar capacity to help meet state goals[1];
            3. Commitment to more EV charging stations available for public use[2];
            4. Commit to working with Littleton Light and Electric Department (LELD), our Municipal Light Plant, to allow an increase in solar energy generated at the site to be cost effective for the Proponent and potentially for the Town of Boxborough as a whole.

        ii. Air Quality
            1. Consider planting additional trees to offset the increases in CO2 (1,392.3 tons per year) emitted by the project;
            2. Provide mitigation for additional diesel trucks above the 75 currently estimated and provide a way to account for truck trips over the life of project, as tenants and uses may change;

[1] Per the State's Climate Report Card, Dec 1, 2023, there were 3,325 MW AC of in-state solar capacity in 2022. The 2025/2030 Clean Energy and Climate Plan modeling estimates 4,470 MW alternating current (AC) of solar capacity by 2025 and 8,360 MW AC of solar capacity by 2030. https://www.mass.gov/info-details/massachusetts-climate-report-card-power-decarbonization

[2] The 2025/2030 Clean Energy and Climate Plan estimates the need for 15,000 public charging station ports by 2025 and 75,000 by 2030. https://www.mass.gov/info-details/massachusetts-climate-report-card-power-decarbonization

3. Include Greenhouse Gas (GHG) reporting to the town periodically throughout project life, not withstanding that the Proponent intends to self-certify;
4. Demonstrate that the 2030 EPA emissions standards are implemented and are measurable (as identified in the SEIR Appendix 5) by reporting to the town;
5. Collaborate with town as additional energy saving technologies and efficiencies become available.

iii. Transportation

1. Provide mitigation for truck traffic volumes based on the most intensive Land Use Code(s) for the entire project site.
2. Explore the connectivity of a sidewalk along the remainder of Swanson Road to Massachusetts Avenue (State Highway Route 111) to the new MassDOT bridge replacement pedestrian lane;
3. Identify a variety of traffic calming measures along Swanson Road to improve safety to all residents, including pedestrians and cyclists;
4. Make available to the town all data on traffic patterns and effectiveness of Transportation Demand Management efforts beyond the proposed 5-year period.

iv. Water Supply / Wastewater

1. Participate in determining the source of the PFAS contamination. The Board notes that the highest PFAS levels in the Town of Boxborough are at the wells at this water supply location. The Proponent is proposing mitigation of PFAS with a Point of Entry system to ensure drinking water standards are met for water supply for the tenants at the site. However, the source(s) of PFAS at the property has not been determined;
2. Investigate wastewater limits for PFAS on the Groundwater Discharge Permit so that PFAS at the well source is not distributed to the wastewater discharge area;
3. Expand Water Conservation measures and use of drought tolerant plants throughout the project site.

v. Public Engagement

1. Engage further with the town to determine desired benefits of any future proposal for the use of the remaining property. This could help identify more targeted benefits and meaningful mitigation to the community;

2. Participate in the active advertising of the Special Permit amendment process, beyond the basic requirements set forth under Massachusetts General Law.

The Planning Board requests a revised Mitigation Plan that addresses the above items, in addition to the mitigation already proposed in the SEIR, to be provided in a Supplemental EIR.

Thank you for the opportunity to provide these comments. The Boxborough Planning Board looks forward to reviewing any proposed Special Permit amendment, and considering the proposal against the town's Special Permit criteria, Site Plan Review criteria to ensure zoning compliance, and overall consistency with the proposal towards our Master Plan. We encourage the Applicant to review our feedback above and to consider these measures in preparing their submission.

Sincerely,

Mark White, *Chair*

On Behalf of the Boxborough Planning Board

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Central Regional Office • 8 New Bond Street, Worcester MA 01606 • 508-792-7650

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

December 22, 2023

Secretary Rebecca Tepper
Executive Office of Environmental Affairs
100 Cambridge Street, 9th Floor
Boston, MA 02114

Attention: MEPA Unit – Nicholas Perry

Re: Single Environmental Impact Report (SEIR)
The Park at Beaver Brook
Boxborough
EEA #16745

Dear Secretary Tepper,

The Massachusetts Department of Environmental Protection's ("MassDEP") Central Regional Office has reviewed the SEIR for The Park at Beaver Brook (the "Project"). Campanelli Trigate Boxborough Sub LLC (the "Proponent") proposes to construct 746,500 square feet (sf) of Research and Development (R&D) facilities on a 350-acre site. Approximately 304 acres of the site are in Boxborough on Beaver Brook Road and approximately 46 acres are in Harvard off Swanson Road. Beaver Brook Road is a private road which traverses the Project site. Approximately 667,500 sf will consist of new buildings, including Buildings 600, 700, and 800A, 800B and 800C. Building 400, currently under construction, comprises the remaining 79,000 sf. The Project includes 670 new parking spaces.

Existing development on the Project site consists of four buildings known as Building 200, Building 300, Building 400, and Building 500, with a total floor area of approximately 505,974 sf. The site currently contains approximately 2,200 parking spaces. The site is served by an onsite private wastewater treatment plant permitted under a MassDEP groundwater discharge permit; potable water is provided by a privately owned public water system consisting of one well, and fire protection is provided with fire ponds.

The Project property was originally planned as a campus that included both office space and a golf course. That project was reviewed under EEA #6761, for which the Certificate on a

final Supplemental EIR was issued on October 24, 2001. According to the EENF construction of the original project began in 2001 with 426,474 sf of the permitted buildings constructed, as well as Beaver Brook Road. No further development occurred until the Proponent acquired the property in 2021, the Proponent intends to complete the development as a smaller campus that will be primarily research and development rather than office space. There are no major changes to the Project since the EENF.

The Project is under MEPA review because it meets or exceeds the following review thresholds:

- 301 CMR 11.03(1)(a)(2) - creation of greater than 10 acres of impervious area;
- 301 CMR 11.03(1)(b)(1) - direct alteration of 25 or more acres of land;
- 301 CMR 11.03(1)(b)(2) - creation of greater than 5 acres of impervious area;
- 301 CMR 11.03(2)(b)(2) - greater than 2 acres of disturbance of designated priority habitat;
- 301 CMR 11.03(6)(a)(6) - Generation of 3,000 or more New adt on roadways providing access to a single location;
- 301 CMR 11.03(6)(b)(15) - Construction of 300 or more New parking spaces at a single location.

The Project requires the following State Agency Permits:

- MassDEP – Groundwater Discharge Permit (WP11 or WP12); previously issued and will be modified;
- Massachusetts Department of Transportation – Indirect Access Permit, previously issued; Modified Section 61 will be required.

The Project requires preparation of an Environmental Impact Report (EIR). The Proponent requested, and was granted, permission to prepare an SEIR. MassDEP offers the following comments:

Water Supply

In its comments on the EENF, MassDEP noted that there is a significant discrepancy between the current water use at this property stated in the EENF versus the water use reported to MassDEP by the water supplier in its Annual Statistical Reports. MassDEP requested that the Proponent clarify the discrepancies and whether water used for irrigation was included in the calculation. The Proponent provided a response indicating that the numbers used in the EENF for existing water use were design numbers based on full occupancy water demand using Title 5 design flow criteria versus the actual historical water use. The Proponent needs to clarify the uses of the building for MassDEP to be able to determine if the correct Title 5 flows were utilized and if the onsite water supply will be used for irrigation to determine the water demand of the project.

As stated by MassDEP in the EENF comments, if the existing potable water well and associated water distribution system can meet the existing and proposed water demands for the Project, and no modifications to the water system (outside of extending domestic water pipes to

each building) are required, no drinking water permitting would be required for the water system expansion. The SEIR states that the daily potable water demand is projected to be 36,171 gallons per day (gpd) and that the water system is configured to meet an average daily pumping rate of between 56,164 gpd and 76,200 gpd. If the estimates in the SEIR are correct, the system will be able to meet daily demands. However, the Water Pollution Control Section has raised concerns about the methodology used to determine these numbers. The Proponent and MassDEP will adjust these figures as needed during the permitting process.

Wastewater

The Proponent did not adequately address MassDEP's comments on the EENF. The SEIR did not answer or clarify key questions and concerns or provide all the requested information. Remaining issues that will need to be addressed during the groundwater discharge permitting process include establishment of design flow, the wastewater treatment facility functionality and needed upgrades, the wastewater leaching field function, and modified groundwater monitoring system.

Design flow

Wastewater design flow should be calculated based on Title 5 design flow criteria unless otherwise demonstrated or approved. The calculated design flow has changed in each of the recent submittals (EENF, SEIR, and DEP permit application). According to the SEIR, the total building space of the Project is 1,173,474 sf (505,974 sf existing and 667,500 sf proposed), of which 558,543 sf is office space (48% of total). It is not clear how much building space is for the proposed 200-seat restaurant and how much is for other uses or the intended uses of the building spaces. Per-employee the Title 5 design flow should be 20 gpd, not 15 gpd, when a cafeteria is provided. This missing information discussed above should be provided and used for defining the proposed development and calculating the wastewater design flow.

Permitted Flow and Wastewater Leaching Field (SAS/leaching facility)

The SEIR states that the discharge flow will be increased to 80,000 gpd but does not answer or clarify some key questions and concerns MassDEP raised during the review of the EENF and through separate discussions with the Proponent. The remaining issues are related to:

- The calculated time of travel from the discharge location to the public water supply wells associated with the Trail Ridge Condominiums located in Harvard;
- The as-built elevation of the bottom of the infiltration trenches associated with the discharge;
- The calculated additional load from the existing and proposed stormwater treatment system during a 10 year storm event;
- An analysis and summary of how the additional volume from the stormwater treatment system will or will not impact the mound and/or the groundwater elevation; and
- Supporting documentation that there is "no change in groundwater flow or ground absorption capacity" as stated in an August 22, 2023 letter from the Proponent to MassDEP.

MassDEP sent an email to the Proponent on September 22, 2023 requesting clarification to the August 22, 2023 letter and received an email response on November 2, 2023. MassDEP has reviewed that response and will need additional information and clarification to evaluate whether the Project as proposed will impact the function of the Soil Absorption System (SAS) to handle the wastewater flows.

The SEIR did not discuss or assess any potential impacts from the Project (buildings, parking lots, stormwater management system) to the discharge leaching field. A final site plan that includes the proposed sewer and water mains and stormwater management systems (among other features, such as buildings, parking lots, monitoring wells, wetlands, etc.) was not provided. An assessment of potential impacts of these features on the SAS was not provided.

Figure 5 of the SEIR, Detailed Site Plan, depicts that two access roadways are proposed on top of the leaching field. No water and sewer lines are shown on the site plan. MassDEP design guidance, "Guidelines for the Design, Construction, Operation, and Maintenance of Small Wastewater Treatment Facilities with Land Disposal," requires a minimum acceptable separation distance of 25 feet between leaching field and water supply line. The site plan did not show the water supply lines for servicing three proposed buildings (800a, 800b, and 800c) or provide the minimum separation distance between the water lines and the leaching field.

There are five existing groundwater monitoring wells (MW), two upgradient (MW11 and MW12) and three downgradient (MW8, MW9, and MW10) of the leaching field. Figure 5 of the SEIR depicts three of the five MWs (MW #9, #11, and #12) in the middle of the proposed buildings (700, 800b, and 800c). It's not clear if MW #10 will be affected by the proposed development. The SEIR does not discuss a future groundwater monitoring well plan. The final plan should discuss this issue. The existing groundwater monitoring plan must be revised approved by MassDEP.

<u>Permit and Wastewater Treatment Facility (WWTF)</u>

The existing facility at the Project site is permitted to discharge treated effluent to the ground under a groundwater discharge permit #645first issued in 1999 (80,000 gpd, standard limits without PWS protection). The permit has been re-issued multiple times (2008, 2017, 2021). In August 2020, at the request of the then-permittee, the permit was modified with the discharge flow limit reduced from 80,000 to 40,000 gpd.

In December 2021, the permit was re-issued to the Proponent, which replaced CISCO. In January 2022, MassDEP approved the plan submitted for upgrading the WWTF and providing tertiary treatment to meet the permit limits imposed in the 2017 permit. At the time of the approval, the facility was not in operation and the permitted discharge flow was 40,000 gpd. The upgrade design repeatedly states that the maximum day design flow is 40,000 gpd, not 80,000 gpd. The 2017 permit requires a) a clear water test with MassDEP of the new process units as well as all existing components of the WWTF prior to MassDEP authorizing use and b) an evaluation of all existing component/process units before the clear water test. To date, the upgrade is reportedly completed, however the required evaluation and assessment and clear water test have not been complete and are needed for final activation approval from MassDEP.

The Certificate on the EENF required the Proponent to provide information about wastewater generation since June 2019 and a summary of the volume of wastewater shipped off-site. The SEIR failed to provide the required information about wastewater generation and hauling. It states that the "sewage volume disposed of offsite were reported to MassDEP on a monthly basis via the eDEP monitoring reports up to January 2023" and "approximately 83,000 gallons have been removed and disposed of from the Site" for the period from January 2023 to August 2023. A review of the MassDEP database indicates there are missing monthly reports and limited/incomplete reporting of the offsite disposal. The missing reports and all routine monthly reports for the facility need to be submitted to MassDEP.

Since June of 2019, wastewater has been tight-tanked and disposed of off-site. Regarding the operation of the WWTF, the SEIR states, "In general, the treatment facility was taken out of service because of limited occupancy levels within the Site resulted in such low volumes of sewage being produced (approximately less than 1,000 gallons per day during since 2018), which was not sufficient sustain the biological treatment system necessary to achieve Permit compliance."

The Certificate also states that the SEIR should discuss plans to resume operation of the WWTF and identify whether upgrades to the WWTF and/or the leaching field will be required to resume operation. The SEIR did not provide the required information.

MassDEP will work with the Proponent to address any outstanding issues related to the wastewater discharge during the review of the permit to increase the flow to meet the proposed projects anticipated flows.

MassDEP appreciates the opportunity to comment on the Project. If you have any questions regarding these comments, please do not hesitate to contact JoAnne Kasper-Dunne, Central Regional Office MEPA Coordinator, at (508) 767-2716.

Very truly yours,

Mary Jude Pigsley
Regional Director

cc: Commissioner's Office, MassDEP