

TOWN OF BRIDGEWATER

Open Space Committee



Academy Building - 66 Central Square
Bridgewater, MA 02324

Bridgewater Open Space Committee Agenda for the Meeting Convening on Thursday, July 28, 2022 @ 7:00 PM

Disclosure: Pursuant to Section 20 of Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency, this meeting of the Open Space Committee for the

Town of Bridgewater will be fully remote and accessible to the public through remote participation to the greatest extent possible. There will be no in person attendance permitted. Citizens who wish to tune in to the meeting may do so via Zoom or Facebook Live.

Link to join meeting: <https://us06web.zoom.us/j/85665256117>

Call to Order at 7:00 PM

Approval of Meeting Minutes for May 19, 2022 and June 16, 2022

Public Comment

Old Business:

- **Lakeshore Development Phase IV:**
 - OSC Letter sent to MEPA 6/14/22
 - June 24, 2022 MEPA Determination of need for Environmental Impact Review (EIR)
 - Lake Nippenicket Action Focus Team - Project Eligibility Form submitted to Community Preservation Committee
- **Wyman Meadows update**
- **Parks information for Town website**
- **Tree Committee update**
- **Hanson Farm update**
- **Stiles & Hart update**
- **Need for new OSC member**

New Business:

- **Appoint OSC representative to Community Preservation Committee**
- **North Street property adjacent to Murray-Needs Conservation Land**

Next Meeting: August - TBD, September 15, 7pm

Adjournment

Town of Bridgewater Open Space Committee
June 16, 2022 - 7:00 pm
DRAFT Meeting Minutes

Attendance:

Committee Members present: Eileen Hiney, Chair, Kevin Mandeville, Nicole Holmes, Maureen Minasian

Members absent: Lauren Webb

Call To Order: A quorum was present. The meeting, held on Zoom, was called to order at 7:10 pm.

Approval of Meeting Minutes: Approval of the draft minutes of the May 19, 2021 meeting will be taken up at the next meeting as the three members who were present at that meeting were not in attendance.

Public Comment: None.

Old Business:

- **Lake Nippenicket Petition: *Discontinuance of the Abandoned Portion of Lakeside Drive*.** Eileen reported that, pursuant to the decision made by this committee at the May 19th meeting, she sent a letter on behalf of the committee to the three members of the Town Council's Community and Economic Development Subcommittee opposing the abandonment proposal submitted by the Claremont Company concerning portions of Lakeside Drive.
- **Wyman Meadow.** Immediately prior to this meeting, Eileen met with Eric Boyer of Wildlands Trust at Wyman Meadow to help identify a potential parking area and a potential trail that would start on the town conservation land and connect with the adjacent Wildlands Trust property.
- **Website information for Town Parklands.** No report.
- **Tree Committee Report.** Eileen and Maureen participated in a zoom meeting concerning the Tree Committee on 6/9/2022, which was attended by Michael Dutton, Jennifer Deboisbriand, Shirley Krasinski, Bill Maltby, Ray Ajemian, and Pat Neary. The Tree Committee's next steps were discussed.

New Business:

- **Notice of Proposed Expansion of Lakeshore Development filed with State under MEPA.** The Claremont Company has proposed Phase IV of its Lakeshore Center to the Secretary of Energy and Environmental Affairs for review under the Massachusetts Environmental Policy Act. (MEPA) Eileen and Maureen participated in a June 6th MEPA-coordinated Zoom call to discuss the project and MEPA's review process. They also attended a June 7th site visit held by MEPA to review the project along with representatives of the developer and other interested parties. Comments to MEPA on the proposal are due by June 14, 2022. After discussion of the scope of the proposed project a motion to submit comments on behalf of the Open Space Committee, was made, seconded and unanimously approved. The comments should focus on the negative impacts of the project, particularly the restaurant proposed to be built on the shore of Lake Nippenicket.
- **New Parks and Recreation Director and Park Steward.** The town has hired Jim Smalls, who was previously employed at the town Golf Course, as the new Parks & Recreation Department Director. It has also hired a part-time Park Steward, John Hart.
- **Kevin Mandeville.** Kevin announced that he will be resigning from the OSC in the end of June with, the expiration of his most recent 3-year term. It was noted that Kevin was the sole

member of the committee for the first 3-4 years of his tenure. Those in attendance expressed their gratitude to Kevin for his dedication to open space protection in Bridgewater. Kevin has also served as the OSC's representative on the Community Preservation Act. Another member of this committee will need to step into that role. Committee members expressed their best wishes to Kevin as he moves on.

Next Meeting: Thursday July 28, 2022 @7:00 pm. Note this is one week later than our normal our 3rd meeting schedule

The meeting adjourned at 8:13 pm.

Submitted by Eileen Hiney



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June 24, 2022

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

PROJECT NAME : Lake Shore Center Phase 4
PROJECT MUNICIPALITY : Bridgewater
PROJECT WATERSHED : Taunton River
EEA NUMBER : 16558
PROJECT PROPONENT : Claremont Companies
DATE NOTICED IN MONITOR : May 25, 2022

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62L) and Section 11.06 of the MEPA Regulations (301 CMR 11.00), I have reviewed the Environmental Notification Form (ENF) and hereby determine that this project **requires** a mandatory Environmental Impact Report (EIR). The Proponent should submit a Draft EIR (DEIR) in accordance with the Scope included in this Certificate.

Project Description

As described in the ENF, the project consists of ±688,800 square feet (sf) of new mixed-use development on Lots 1, 4, 6, and 7 of the Lakeshore Center Development (EEA#4959) and a new parcel located on the north side of Pleasant Street (Route 104) that was not previously reviewed as part of the Lakeshore Center Development in Bridgewater. The project proposes to construct a one-story, ±1,800-sf café shop on Lot 1; five-story, 150-unit assisted living facility on Lot 4; a four-story, 225-unit 55+ residential community on Lot 6; a four-story, 102-room hotel, and a four-story, 160-unit condominium community on Lot 7; and a 6,000-sf restaurant on the parcel on the north side of Pleasant Street adjacent to Lake Nippenicket (Northern Parcel). The project also proposes to construct a stormwater management system, parking (1,083 spaces) and loading areas, utilities, lighting, and landscaping. Access will continue to be provided from the Lakeshore Center central access road from Pleasant Street. The project will be served by municipal water and sewer. The project is expected to be constructed in two phases as

follows: the independent living community on Lot 6 and the hotel on Lot 7 (Phase 1); and the coffee shop on Lot 1, the assisted living community on Lot 4, the condominium on Lot 7, and the restaurant on Lake Nippenicket (Phase 2).

Procedural History

In October 1983, an ENF was submitted for the Lakeside Corporate Center (EEA#4959), which proposed $\pm 1,051,000$ sf of mixed uses including manufacturing, office and distribution space on 155 acres of land. It required a mandatory EIR, and Draft and Final EIRs were submitted. The FEIR was determined to be adequate in a Certificate issued on September 14, 1985. The project was not constructed.

A Notice of Project Change (NPC), submitted in May 1989, described the proposed Bridgewater Crossroads development at the same project site, in lieu of the Lakeside Corporate Center project, which consisted of a 925,000-sf regional shopping mall with $\pm 285,000$ sf of office space and a 150-room hotel. The Certificate on the NPC (issued on June 6, 1989) required submission of an EIR. In response to this proposal, a citizens group nominated the site and the area of Lake Nippenicket for designation as an Area of Critical Environmental Concern (ACEC). In January 1990, a DEIR was submitted for this project and, subsequently, the area was designated as an ACEC. On March 5, 1990, a Certificate was issued indicating that the DEIR was adequate and that the Final EIR (FEIR) would be subject to a higher standard of review based on the site's designation as an ACEC. On July 18, 1990, a Certificate was issued that determined the FEIR to be inadequate. In December 1990, a Supplemental FEIR (SFEIR) was submitted for Bridgewater Crossroads, which by that time proposed a 550,000-sf shopping center, 135,000 sf of office/research space, and a 150-room hotel. On January 30, 1991, the SFEIR was determined to be adequate. The project was not constructed and instead was abandoned. In August 1997, a second NPC was filed for the Lakeside Corporate Center which proposed a nearly identical project as the 1983 Lakeside Corporate Center. The November 6, 1997 Certificate on the NPC required a Supplemental EIR to address significant changes proposed since 1991. The project was not constructed.

In June 1998, the Proponent submitted a third NPC, and requested a Phase I Waiver to allow construction of a 75,000-sf office building prior to completion of MEPA review for the project as proposed in 1997. In the July 24, 1998 Certificate on the NPC, the waiver request was denied and a Supplemental EIR was required for the entire project. A fourth NPC was submitted in January 1999 for a 1,100,000-sf project in lieu of the 1997 proposal. The Certificate on this fourth NPC also required a Supplemental EIR. In June 1999, the Proponent voluntarily withdrew the project from MEPA review and in 2000 proceeded with construction of a 77,000-sf office building¹ with an on-site septic system, which did not require any Agency Actions; however, the Proponent agreed that subsequent development of the site would require MEPA review.

The Proponent filed a fifth NPC in January 2000 which proposed 1,121,776 sf of mixed-use space, including 789,940 sf of office space. The April 12, 2000 Certificate on the NPC determined that the project continued to require an EIR. A DEIR was submitted in January 2001 for the Lakeshore Corporate Center which identified three alternative development programs. The Certificate issued on February 16, 2001 indicated that the DEIR was inadequate and required filing of a Supplemental DEIR (SDEIR). The SDEIR proposed 1.177 million sf of office space, in lieu of the mixed-use development

¹ This 77,000-sf office building is located on Lot 2 of the ± 163 -acre Lakeshore Center project site.

proposed in January 2000. A Certificate was issued on August 31, 2001 that determined that the SDEIR was inadequate and included a scope for a Second SDEIR (SSDEIR). In 2002, the Proponent reduced the project to 930,000 sf and eliminated an office building to avoid impacts to rare species. A Certificate issued on December 16, 2002 determined that the SSDEIR was adequate while identifying significant issues that remained to be resolved in the FEIR. The FEIR was never filed.

In May 2007, the Proponent submitted a sixth NPC for Lakeshore Center which identified acquisition of abutting parcels and proposed 686,300 sf of mixed-use development including 449,000 sf of retail/restaurant space, a hotel, and a 154,000-sf office building. The site was increased to 162.5 acres as part of the Lakeshore Center Development. On June 22, 2007, a Certificate on the NPC required a Third SDEIR. A Certificate was issued on December 17, 2008 which determined that the Third SDEIR was adequate and included a scope for the FEIR. The FEIR was determined to be inadequate, in a Certificate dated March 19, 2010, and included a scope for a SFEIR.

In August 2013, the Proponent submitted a seventh NPC/SFEIR which identified phasing of the project and two components of the Lakeshore Center Project that the Proponent proposed to permit and construct. These included a 289-unit rental housing development on the Western Site (Phase I), and a 103-room Marriott Hotel (75,100 sf) on the Central Site (Phase II). Phase III and IV on the Central Site² were identified as conceptual. As described in the NPC/SFEIR, the project would use an additional 54,883 gallons of per day (gpd) of water, for a total of 107,000 gpd; would generate an additional 52,117 gpd of wastewater, for a total of 107,000 gpd; alter 58.9 acres of land; create 36.4 acres of impervious area; include 321 fewer parking spaces, for a total of 2,636 parking spaces; and generate 23,668 fewer new adt, for a total of 2,436 adt. The Certificate (September 13, 2013) on the NPC/SFEIR indicated that an NPC should be filed to analyze associated environmental impacts once more specific development plans were known, and established baseline environmental impacts from which the subsequent NPC would be assessed. Phases I and II were constructed after conclusion of the 2013 MEPA review.

In December 2017, the Proponent submitted an eighth NPC (2017 NPC) which described construction of a ±57,000-sf office building, 218 parking spaces and associated infrastructure on Lot 3 as part of Phase III on the Central Site. During MEPA review of the 2017 NPC, the Proponent disclosed its intention to construct a residential development (two buildings with 300 units) pursuant to Chapter 40B on Lot 5 of the Central Site as part of Phase III. However, the 2017 NPC did not include a description or project plans for this development. On January 19, 2018, a Certificate on the 2017 NPC required the Proponent to submit an NPC to describe plans for the 300-unit residential development including identification of potential environmental impacts, alternatives to avoid and minimize impacts, and revised Section 61 Findings; provide an update on future development of the entire project site including Lots 4, 5, 6, and 7 on the Central Site and Lot 8 on the Eastern Site; and provide a summary table of development to date and cumulative environmental impacts.

In June 2018, the Proponent submitted a ninth NPC (2018 NPC) that proposed construction of a 300-unit residential development (Viva Lakeshore) consisting of two five-story buildings on Lot 5 (1,942 vehicle trips per day and 600 parking spaces). An internal roadway, Lakeshore Center Drive, would also be extended to serve proposed residential buildings. The 2018 NPC also described

² The Certificate on the FSEIR indicates that Phases III and IV were conceptually proposed on the Western Site; however, this ENF (2022) appears to indicate that these phases were, in fact, proposed within the Central Site. The only construction on the Western Site consists of the existing 289-unit 5-story residential building.

conceptual plans for Lots 4, 6, 7 and 8, which consisted of two retail office buildings (65,500 sf total), a 100,000-sf office building, a 200,000-sf assisted living facility, and a 92,000-sf warehouse. As required by the Certificate on the 2018 NPC, the Proponent submitted a Draft Supplemental EIR (DSEIR) in September 2018. A Certificate on October 12, 2018 indicated that the DSEIR adequately and properly complied with MEPA and its implementing regulations and included a Scope for the Final Supplemental EIR (FSEIR), which was filed October 2018. On December 28, 2018, a Certificate determined that the FSEIR was adequate and properly complied with MEPA. The FSEIR indicated that development of Lots 4, 6 and 7 (Phase IV) was not feasible at that time and that, when development of those three lots was proposed, the Proponent would file a new ENF to initiate MEPA review. Lots 5 and 8 subsequently proceeded to construction.

The ENF reviewed herein now discloses plans for Lots 4, 6 and 7 (Phase IV) on the Central Site of the project site as previously disclosed in NPC filings between 2007 and 2018. It also describes an additional use on Lot 1 (coffee shop) and enlargement of the project site to include the newly acquired Northern Parcel with a new proposed use on that parcel (restaurant). According to the Certificate on the FSEIR, the entire site of the Lakeshore Corporate Center, as reviewed through the 2007 to 2018 filings, totaled 162.5 acres. As detailed below, the site of the project activities disclosed in this ENF is 67.2 acres.

Project Site

The ±67.2-acre³ project site is located within the 163.87-acre Lakeshore Center Development⁴ off Pleasant Street (Route 104); 154.19 acres are located in Bridgewater and 9.68 acres are located in Raynham. The project site is bounded to the north by Route 104 and Lake Nippenicket, to the east by a Commonwealth of Massachusetts Salvage Inspection lot and Route 24, to the south by the Route 24 southbound to Interstate 495 (I-495) northbound ramp and a rest stop, and to the west by Route 495 and Route 104/North Main Street. Route 24 and I-495 are under the jurisdiction of the Massachusetts Department of Transportation (MassDOT). The project site was separated into three distinct areas (Western, Central (Lots 1 through 7) and Eastern (Lot 8) development sites). The existing Lakeshore Center Development comprises a mix of uses including a four-building, 289-unit residential complex and 574 associated parking spaces in the Western Site; a 96-room, four-story hotel with 103 parking spaces on Lot 1; a ±77,000 sf, three-story office building with 237 parking spaces on Lot 2; a ±65,000 sf, four-story office building with 227 parking spaces on Lot 3; a 300-unit, five-story apartment complex with 600 parking spaces on Lot 5; and a ±100,000 sf flex space warehouse with 162 parking spaces and 27 loading docks in the eastern section on Lot 8. The site is within the Planned Development District and Industrial Zoning District. Access to the site is directly via Pleasant Street or via a central driveway (Lakeshore Center Drive) forming a three-way intersection with Pleasant Street.

The ±62.7-acre project site is comprised of Lot 1 (5.3 acres), Lot 4 (9.1 acres), Lot 6 (30.3 acres), and Lot 7 (19.9 acres) within the Central Site of the original Lakeshore Center Development and a recently acquired 2.6-acre Northern Parcel located on the north side of Pleasant Street adjacent to Lake

³ This area was incorrectly identified in the ENF as 62.7 acres.

⁴ According to the December 2018 Certificate on the FSEIR. However, according to the ENF (Preferred Option Plan), the estimated total project site would total 154.4 acres in Bridgewater including the 24.3-acre Western Site (24.3 acres), 5.3-acre Lot 1, 6.2-acre Lot 2, 6.0-acre Lot 3, 9.1-acre Lot 4, 25.9-acre Lot 5, 30.3-acre Lot 6, 19.9-acre Lot 7, 24.8-acre Lot 8, and 2.6-acre Northern Parcel. The ENF appears to discount portions of the project site within Raynham where there is no existing or proposed construction.

Nippenicket. Lots 1 and 4 are located on the west side of Lakeshore Center Drive and Lots 6 and 7 are located on the east side of this drive. Lots 4, 6 and 7 are undeveloped and include significant areas of wetlands and forested areas.

Lake Nippenicket is a Great Pond subject to the jurisdiction of Chapter 91. Wetland resource areas onsite include Bordering Vegetated Wetlands (BVW), Bank, and Bordering Land Subject to Flooding (BLSF). According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) (Map No. 25023C0282J, effective July 17, 2012), portions of the project site are within the mapped floodplain without a base flood elevation (BFE).⁵ The entire project site is located within the Hockomock Swamp ACEC. The site is located within a Zone II of a public water supply in the Town of Raynham. The project site includes structures that are listed in the State Register of Historic Places or Inventory of Historic and Archeological Assets of the Commonwealth (Inventory) (Lots 6 and 7). The project site contained areas previously identified by the Massachusetts Division of Fisheries and Wildlife's Natural Heritage and Endangered Species Program (NHESP) as mapped *Priority* and *Estimated Habitat* for the Eastern Box Turtle; the entire project site is no longer mapped for this species. The Northern Parcel contains mapped habitat for two listed species of plants.

The project site is not located within one mile of an Environmental Justice (EJ) population.⁶ Two EJ populations are within five miles of the project site (± 4.5 miles, respectively) and are characterized by Minority and Income. The project is not expected to generate 150 diesel truck trips per day; therefore, a 5-mile radius was not considered. Because the "designated geographic area" (DGA) for the project is 1 mile, and no EJ populations are present within that DGA, the project is not required to comply with new EJ protocols that went into effect on January 1, 2022.⁷

Environmental Impacts and Mitigation

Potential environmental impacts of the project include alteration of 25.8 acres of land; creation of 14.0 acres of impervious area (site total of 16.3 acres); alteration of an undisclosed amount of buffer zone to BVW; generation of 4,262 new average daily trips (adt) on a typical weekday; construction of 1,083 parking spaces; new water use of 133,794 gpd (project total of 146,862 gpd); new water withdrawal of 35,000 gpd (project total of 39,000 gpd); and new wastewater generation of 111,495 gpd (project total of 122,385). Greenhouse Gas (GHG) emissions and other air pollutants are associated with the burning of fossil fuels for onsite energy use and for vehicle trips generated by the project.

Measures to avoid, minimize and mitigate Damage to the Environment include avoiding all impacts to wetland resource areas, construction of a stormwater management system, and construction period best management practices (BMPs). The ENF does not describe project mitigation with any degree of specificity. The DEIR should provide comprehensive analyses to demonstrate that the project includes measures to avoid, minimize and mitigate environmental impacts, including land, traffic, rare species, wetland resources, stormwater, historic resources, water/wastewater, construction period and stationary- and mobile-source GHG emissions.

⁵ All elevations referenced in this Certificate are based on North American Vertical Datum of 1988 (NAVD88) unless otherwise specified.

⁶ "Environmental Justice Population" is defined in M.G.L. c. 30, § 62 under four categories: Minority, Income, English Isolation, and a combined category of Minority and Income.

⁷ <https://www.mass.gov/service-details/important-update-concerning-mepa-operations>

Jurisdiction and Permitting

The project is subject to the preparation of a Mandatory EIR pursuant to 301 CMR 11.03(1)(a)(2), 11.03(6)(a)(6), and 11.03(6)(a)(7) because it requires Agency Action and will create ten or more acres of impervious area, generate 3,000 or more new adt on roadways providing access to a single location, and construct 1,000 or more new parking spaces at a single location. The project also exceeds the Environmental Notification Form (ENF) thresholds⁸ under 301 CMR 11.03(1)(b)(1) for direct alteration of 25 or more acres of land; 301 CMR 11.03(5)(b)(4)(a) for new discharge or expansion in discharge to a sewer system of 100,000 gpd of sewage;⁹ and 301 CMR 11.03(11)(b) for any project within a designated ACEC. The project requires an Access Permit from MassDOT and review from the Massachusetts Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP). The project is subject to review under the May 2010 MEPA GHG Emissions Policy and Protocol (GHG Policy).

The project requires an Order of Conditions from the Bridgewater Conservation Commission (and, on appeal only, a Superseding Order of Conditions from the Massachusetts Department of Environmental Protection (MassDEP)), review by the Massachusetts Historical Commission (MHC) pursuant to M.G.L. c. 9, §§ 26-27C (and implementing regulations at 950 CMR 71.00) and a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the U.S. Environmental Protection Agency (EPA). The project also requires numerous permits and zoning amendments/variances from local boards and commissions including the Bridgewater Town Council, Bridgewater Zoning Board of Appeals, and Bridgewater Planning Board.

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 any required or potentially required Agency Actions and that may cause Damage to the Environment, as defined in the MEPA regulations.

Review of the ENF

The ENF includes a brief description of existing site conditions, project description, an alternatives analysis and conceptual plans of proposed conditions. It provides a preliminary assessment of impacts. Consistent with the MEPA Interim Protocol on Climate Change Adaptation and Resiliency, the ENF contains an output report from the MA Climate Resilience Design Standards Tool prepared by the Resilient Massachusetts Action Team (RMAT) (the “MA Resilience Design Tool”),¹⁰ together with information on climate resilience strategies to be undertaken by the project.

Analysis of project impacts and measures to avoid, minimize and mitigate impacts is necessary. Among other items detailed in the Scope below, the DEIR should evaluate design changes that would comprehensively reduce impacts within an ACEC, reduce land alteration, impervious area and parking; reduce vehicle trips; increase open space; integrate low impact development (LID) techniques into the drainage system; and improve resiliency of the site to the effects of climate change. I expect that the

⁸ According to the ENF, the Proponent has entered into a Memorandum of Agreement (MOA) with the Massachusetts Historical Commission (MHC) that has been the subject of public notice and comment; therefore, the ENF threshold at 301 CMR 11.03(10)(b) is not applicable.

⁹ The ENF did not identify that the project exceeds this ENF threshold.

¹⁰ https://resilientma.org/rmat_home/designstandards/

DEIR will thoroughly address the thoughtful and detailed comments provided by the Taunton River Watershed Alliance and numerous abutters and residents of Bridgewater which identify concerns regarding the project's impacts.

SCOPE

General

The DEIR should follow Section 11.07 of the MEPA regulations for form and content and provide the information and analyses required in this Scope. It should clearly demonstrate that the Proponent has sought to avoid, minimize and mitigate Damage to the Environment to the maximum extent practicable.

Project Description and Permitting

The DEIR should identify any changes to the project since the filing of the ENF. The DEIR should provide a more detailed description of existing and proposed conditions and a comprehensive review of the project's impacts and measures to avoid, minimize and mitigate such impacts on the project site. It should identify and describe State, federal and local permitting and review requirements associated with the project and provide an update on the status of each of these pending actions. The DEIR should include a description and analysis of applicable statutory and regulatory standards and requirements, and a discussion of the project's consistency with those standards. The DEIR should include detailed site plans for existing and post-development conditions at a legible scale, which clearly identify project elements such as buildings, access roads, stormwater and utility infrastructure, and wetland resource areas and buffer zones. The DEIR should confirm the size of the project size and explain the discrepancy between the 162.5-acre site described in prior NPC and EIR filings, the 163.87-acre site described in the Certificate on the FSEIR, and the estimates provided in the ENF. The Town should provide a clear breakdown of for each lot within both Bridgewater and Raynham, which also includes the Northern Parcel.

Alternatives Analysis

The ENF includes an analysis of the following alternatives for the project site: No Build; Zoning-Compliant; Reduced Build; and Preferred Alternative (as described herein). The analysis includes conceptual plans and a tabular comparison of impacts associated with each alternative. The No Build Alternative would maintain existing conditions. Although this alternative would not result in any additional environmental impacts (i.e., land alteration, impervious area, traffic, stormwater, etc.), the ENF maintains that the site is zoned for development and has long been planned for further growth. According to the ENF, the No-Build Alternative would not meet project goals to develop the site and would deny the Town of the economic benefits associated with development.

According to the ENF, the project site's zoning allows for a variety of uses at the site which would result in varying impacts. The Zoning-Compliant Alternative would consist of uses based on the site's overlay zoning and would include the following: two single-family residences totaling 3,300 sf on Lot 1; a 69,000 sf, 15-dock, industrial research and development (R&D) use on Lot 4 with 145 parking

spaces, six van spaces, and 11 trailer spaces; an 86,000 sf, 11-dock industrial R&D use on Lot 6 with 224 parking spaces, six van spaces, and 14 trailer spaces; a 65,500 sf retail plaza with 507 parking spaces on Lot 7; and two single-family residences totaling 6,000 sf on the Northern Parcel. According to the ENF, while this alternative is feasible under the site's existing zoning, it does not meet the overall project goals for Lakeshore Center. The Proponent does not consider single-family homes as the best use for Lot 1 or the Northern Parcel. Industrial R&D uses on Lots 4 and 6 would be incompatible with adjacent residential and office uses on Lots 3 and 5. The ENF asserts that the site is not well-suited for retail use based on market research.

The Reduced-Build Alternative would consist of uses based on the site's underlying zoning as residential and represents a quasi-residential subdivision use that would include the following: a 1,500-sf coffee shop with 14 parking spaces on Lot 1; four single-family homes totaling 10,000 sf on Lot 4; five single-family homes totaling 13,000 sf on Lot 6; ten single-family homes totaling 26,000 sf on Lot 7; and a 4,000-sf restaurant with 40 parking spaces on the Northern Parcel. According to the ENF, this alternative was rejected because it would not represent the best use of the site and would not meet the Proponent's economic requirements for a return on investment.

The DEIR should include an expanded alternatives analysis that considers a Reduced Build Alternative for the site that minimizes tree clearing and incorporates strategies for avoiding land alteration and creation of impervious area in an ACEC such as clustered and denser buildings, structured parking, etc. The DEIR should document proposed conditions for this alternative including programming for the site, quantify environmental impacts and provide a conceptual plan. It should compare the environmental impacts of this alternative with the Preferred Alternatives, in particular, with respect to land alteration within an ACEC, impervious area/stormwater management, wetland resource areas, traffic, historic resources, water/wastewater, and GHG emissions impacts and climate resiliency.

Traffic and Transportation

The project requires a Vehicular Access Permit from MassDOT as the project site abuts I-495 and Route 24 and project development is anticipated to result in significant impacts on Route 24, a state jurisdictional roadway. The DEIR should include a Transportation Impact Analysis (TIA) developed in accordance with MassDOT/EOEEA's *Transportation Impact Assessment Guidelines* and in consultation with the Town of Bridgewater (Town) and MassDOT. The study should include a comprehensive assessment of the transportation impacts of the project. The TIA should provide capacity analyses of existing conditions, future No-Build conditions, and future Build conditions, particularly at state highway locations. The future Build conditions should include an analysis of operations both with and without any improvements suggested to mitigate project impacts. The study should propose an integrated multimodal mitigation package intended to improve vehicular traffic operations while supporting increased use of walking, bicycling, and transit by employees and residents. The Proponent should continue consultation with the Town and appropriate MassDOT units, including PPDU, Traffic Operations, and the District 5 Office during preparation of the DEIR.

According to the ENF, the project is expected to generate a total of 4,262 unadjusted adt in accordance with the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, using Land Use Code (LUC) 251: Senior Adult Housing (Single Family), 252: Senior Adult Housing (Multi-family), 254: Assisted Living, 310: Hotel, 931: High Turnover (Sit-Down) Restaurant, and 937: Coffee/Donut Shop with Drive-Through Window. This estimated trip generation represents an increase

over the existing commercial and residential uses present at the project site. A total of 1,083 parking spaces are proposed to accommodate the varied uses across the site. The DEIR should ensure that any analysis of pass-by trips is consistent with MassDOT TIA Guidelines.

Trip Distribution

The TIA should provide a trip distribution for the project based on a gravity model or similar model that uses factors such as census data, origin-destination, travel time, and distance to determine trip characteristics for visitors, residents and employees of the project. The DEIR should provide all appropriate back up documentation to verify how the different percentages are calculated and assigned to the roadway network and the transit system.

Study Area

The TIA should include analysis of intersections and roadways where site traffic exceeds 100 vehicle trips per hour or 5% of existing volume. The ENF proposes intersections to be included in the TIA study area along Route 104 at proposed site driveways, at Route 24 northbound/southbound ramps, and at Lakeside Drive/Fruit Street, Old Pleasant Street, at Lakeshore Center Drive, at Residence Inn Driveway, and North Main Street.

Traffic Count Data

The TIA should address the atypical traffic conditions resulting from the COVID-19 pandemic and follow MassDOT's *Guidance on Traffic Count Data*, as detailed in Engineering Directive number E-20-005 (issued May 11, 2020), which allows for use of historical traffic data (no older than 2014) on any project to supplement and/or replace existing traffic counts. The Proponent should consult with the Highway Division Traffic and Safety Section on the most recent updates of the MassDOT guidance on traffic count data.

Safety

The TIA should include crash analyses for all intersections in the study area using the MassDOT crash database for the most recent five years of accepted/available data. The study area intersections that are identified as Highway Safety Improvement Program (HSIP) clusters should be reviewed to determine whether Road Safety Audits (RSAs) are required or if any further actions may be taken to improve safety. Additionally, the Route 104 study corridor should be reviewed in the MassDOT Impact portal, in particular, the crash-based and risk-based screening tools. Proposed mitigation should reduce the number of crashes along high crash corridors as well as address any risks identified. The DEIR should describe if additional mitigation measures will be provided at intersections to improve safety.

Traffic Operations

The TIA should include operational analysis of existing traffic conditions at the intersections and roadways included in the study area identified in the ENF and MassDOT comments. The TIA should include capacity analyses for the weekday morning and evening peak hours for both existing and future conditions for the project. In addition, capacity analyses for Build with Mitigation conditions should be provided for all intersections, particularly those with impacts to the state highway system. Of particular

concern is the operation of the Route 24 interchange with Route 104. The TIA should provide illustrations depicting the peak hour 50th (average) and 95th percentile queue lengths for each lane group/turning movement at each study area intersection, for all analysis scenarios. The information contained in these illustrations should clearly demonstrate that the project would not result in any extended queues that would block vehicle movements to/from study area intersections, particularly those involving state highways. The analysis should include queue length to demonstrate that the project would not result in queues extending to the Route 24 mainline. The DEIR should identify appropriate mitigation if necessary to address this concern.

Multimodal Access Accommodations

The TIA should provide an inventory of existing sidewalks and crosswalks within the study area and should address the quality and condition of those facilities. It should include a commitment to improvements in any areas that are structurally deficient or not meeting current codes for accessibility, including sidewalks, crosswalks, ramps, and pedestrian equipment. Special attention should be given to linking the proposed development to adjacent complementary land uses and transit facilities.

The TIA should include a detailed inventory of the bicycle network to include bikeway types, bikeway widths, and bicycle volumes and speeds. It should identify the likely travel routes for bicyclists within the study area and examine the degree to which these routes can safely support bicycle travel. The TIA should reevaluate these routes based on the origin-destination of potential employees and visitors. Based on this analysis, the TIA should consider the feasibility of expanding some of these existing routes or considering new routes to encourage bicycle travel in and around the site.

The project site is not located within an area currently served by transit. The Proponent should consult with the Brockton Area Transit and the Greater Attleborough-Taunton Regional Transit Authority regarding the feasibility of extending transit services to the site. Additionally, the Proponent should consult with the Council on Aging for potential services to the elderly population of the project. The DEIR should provide a summary of the outcome of these consultations.

Parking

The TIA should explain the methodology used to determine the total parking required (1,083 parking spaces proposed). The ITE *Parking Generation Manual* (5th Edition) generally provides a reasonable basis for comparison to parking requirements under local zoning. The TIA should include a summary of parking need and supply for comparable facilities based on multiple data sources. The TIA should determine the number of parking spaces occupied at various times of day and identify periods of peak use. The Proponent should seek opportunities to share parking with the existing uses on-site. The DEIR should describe further reduction of site parking spaces.

It is critical to maximize electric vehicle (EV) charging stations and EV ready spaces as it is significantly cheaper and easier to size electrical service and install wiring or wiring conduit during construction rather than retrofitting a project later. The DEIR should identify the number of EV ready spaces that will be provided on the project site.

Transportation Demand Management

The DEIR should include a detailed Transportation Demand Management (TDM) program intended to reduce single-occupancy vehicle (SOV) trips to the project site and to promote the use of alternative modes of transportation. The DEIR should include sufficiently detailed conceptual plans (minimum of 80-scale) for any proposed roadway improvements to verify the feasibility of constructing such improvements and demonstrate consistency with appropriate MassDOT design standards including Complete Streets. These plans should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and land uses adjacent to areas where improvements are proposed. All proposed roadway signage and lighting must comply with MUTCD standards.

Transportation Monitoring Program

The DEIR should commit to the implementation of an annual Traffic Monitoring Program (TMP) for a period of five years, beginning six months after occupancy of the full-build project, which will include:

- Simultaneous automatic traffic recorder (ATR) counts at each site driveway for a continuous 24-hour period on a typical weekday
- Travel survey of employees and patrons at the site (to be administered by the Transportation Coordinator)
- Weekday AM and PM and Saturday peak hour turning movement counts (TMCs) and operations analysis at “mitigated” intersections, including those involving site driveways
- Transit Ridership counts

The goals of the monitoring program will be to evaluate the assumptions made in the DEIR and the adequacy of the mitigation measures, as well as to determine the effectiveness of the TDM program.

Land Alteration, Open Space and Farmland Conversion

The ENF indicates that the project will alter 25.8 acres of land and create 14.0 acres of impervious area. The DEIR should provide an update on impacts associated with new land alteration and impervious area creation. I encourage the Proponent to continue to explore onsite alternatives to reduce environmental impacts and features to further mitigate potential impacts and preserve open space and tree cover. The DEIR should quantify the total amount of alteration associated with the project including areas to be altered for buildings, roadways, parking, wastewater, water and stormwater infrastructure, landscaping, and other project components. It should include a breakdown showing the amount of alteration for each project element. It should clarify the location, type and amount of alteration in previously undisturbed areas. The DEIR should include site plans that clearly locate and delineate areas proposed for development and those to be left undisturbed. It should specifically estimate the amount of tree clearing that will be required. It should show the locations where fill will be placed for regrading purposes and the depth of fill. The DEIR should identify how the project is designed to avoid and minimize land alteration.

The DEIR should identify open space that will remain undisturbed and/or restored upon completion of construction. Given the size of the project site, the DEIR should consider placing a conservation restriction on portion(s) of the site designated as open space, including areas containing

wetlands, to ensure their permanent protection.

The DEIR should identify all easements and public utilities on the site and provide information on the parties to the easements and location and condition of public infrastructure. It should describe any constraints on project design or use of the site posed by these conditions.

The project will occur in more than one phase. The DEIR should clearly identify the activities proposed for each phase and the area to be developed. Regardless of any phasing of construction, the DEIR should describe how proposed land alteration, such as clearing, regrading or paving, will be limited to the minimum area necessary at any time.

As described in MassDEP comments, the DEIR should demonstrate, if the land in agricultural use, as shown on a MassMapper overlay, has benefited from the tax savings provided by M.G.L. Chapter 61A Assessment And Taxation Of Agricultural And Horticultural Land and has met its obligations under Section 13: Change of use: Liability for roll-back taxes. The Proponent should also demonstrate, as required under Section 17 of this statute, that prior to the sale of this property that a notice of intent to the Town of Bridgewater was given for its first rights of refusal to purchase the land prior to its proposed nonagricultural use. If the U.S. Department of Agriculture Natural Resources Conservation Service has provided technical assistance to the farm that has certain contractual obligations, the Proponent must demonstrate that those contract conditions have been met prior to the conversion of this farmland to its proposed nonagricultural use.

Rare Species

The project site was mapped for the Eastern Box Turtle and determined to result in a take of the species during previous MEPA review. NHESP issued a Conservation and Management Permit for the original project on February 7, 2019. Measures to minimize impacts to turtles included approved implementation of a Turtle Protection Plan to remove turtles from the project's limit of work prior to construction. As mitigation for the impacts, the Proponent will contribute \$100,800 to The Nature Conservancy's Eastern Box Turtle Mitigation Bank and an additional \$12,096 in administrative fees.

According to the ENF, the site is no longer mapped for the Eastern Box Turtle based on the 15th Edition of the Natural Heritage Atlas (2021); however, the conditions approved in the 2019 permit for turtle protection and mitigation still apply for future site activities. New work is proposed on the Northern Parcel on the north side of Pleasant Street adjacent to Lake Nippenicket associated with the construction of a restaurant. This area is mapped for two listed species of plant, Plymouth gentian (*Sabatia kennedyana*) and round-fruited seedbox (*Ludwigia sphaerocarpa*). These species and their habitat are protected pursuant to the Massachusetts Endangered Species Act (MESA) and its implementing regulations (312 CMR 10.00). The Proponent is currently in consultation with NHESP to determine whether additional work will result in a take of these species; if botanical surveys will be required for mapped plant species; and if measures to avoid, minimize and mitigate project-related impacts for the listed plant species will be necessary. The DEIR should provide a summary of the outcome of consultations with NHESP, indicate if a Conservation and Management Permit will be required for work on the Northern Parcel, and identify additional measures to protect listed plants.

ACEC

As previously mentioned, the entirety of the project site is located within the Hockomock Swamp ACEC. The Hockomock Swamp ACEC designation document, dated February 10, 1990, described wetland resource areas included in the ACEC as significant to the protection of groundwater supply and public and private water supplies, the prevention of pollution, flood control, the prevention of storm damage, the protection of fisheries, and the protection of wildlife habitat. The Hockomock Swamp is the largest vegetated freshwater wetland area in Massachusetts. Further description of the extensive system of surface waters, wetlands, floodplains, and high-yield aquifers included in the Hockomock Swamp ACEC explicitly describes Lake Nippenicket as one of these resources. The entirety of the project site is also mapped as a Zone II Approved Wellhead Protection Area by MassDEP.

The ENF indicates that impacts to the ACEC and Zone II will include stormwater runoff from new impervious surfaces. I received numerous comments from the abutters, and residents of Bridgewater citing significant concerns regarding impacts to the ACEC from the proposed project, particularly in light of the important resources the ACEC provides to protect historical, cultural, and scenic values, fish/wildlife habitat and other natural resources, and the area's groundwater supply and public and private water supplies. Many of the comments specifically reference opposition to the proposed restaurant on the Northern Parcel adjacent to Lake Nippenicket. Comments from the Bridgewater Open Space Committee indicate that elements of the project are inconsistent with the 2017 Bridgewater Open Space Plan and the ACEC designation.

The DEIR should clearly and comprehensively define, describe, and document how the project will minimize adverse effects on groundwater quality, habitat values, biodiversity, storm damage prevention, flood control, historic and archeological resources, scenic and recreational resources, and other natural resource values of the ACEC pursuant to 301 CMR 12.00. The DEIR should include a narrative to describe the project's impacts to each of these resource values, an analysis of alternatives that prioritizes avoiding impacts to ACEC, and justification as to why the impacts associated with the Preferred Alternative cannot be avoided. The DEIR should include a bio-inventory for areas of proposed alteration within the ACEC to evaluate proposed impacts to biodiversity and related functions and values of the existing habitats, wildlife, and natural communities. Extensive clearing, grading and increased impervious surface proposed in the ACEC, and increased discharges of runoff to the ACEC, may result in impacts and long-term effects on the wetlands and streams in the ACEC. The DEIR should explore alternative designs that will improve, restore, and enhance the ACEC and avoid adverse effects on the land and water resources and other values described above and in the designation document for the Hockomock Swamp ACEC.

The DEIR should demonstrate that the project will avoid and minimize adverse effects on the natural resource values of the area and address how project planning and development can promote preservation, restoration, or enhancement of resource areas within the ACEC. The project will alter an additional 25.8 acres of ACEC and create 14 acres of new impervious area within the ACEC. The DEIR should describe if the project will permanently protect open space on-site adjacent to wetland resource areas. It should include a description of the measures that will be implemented to afford greater protection to the resources within the ACEC including reduction of impervious surface, significant use of LID features and retention of trees on-site. I expect the DEIR will provide a detailed response to comments from residents/abutters to address their concerns and demonstrate that all reasonable and feasible measures will be taken to avoid, minimize and mitigate impacts to the ACEC.

Wetlands and Stormwater

The project will impact buffer zone to BVW. The Bridgewater Conservation Commission will review the project for its consistency with the Wetlands Protection Act (WPA), Wetlands Regulations (310 CMR 10.00) and associated performance standards including stormwater management standards (SMS) and local bylaws. Proposed construction will be located outside of floodplain and other wetland resource areas. The DEIR should affirm that impacts to wetland resource areas regulated under the WPA are not proposed for activities onsite. The DEIR should confirm whether the stream which flows into Lake Nippenicket is perennial or intermittent and provide supporting documentation. The DEIR should describe project activities proposed in 100-foot buffer zone to BVW, quantify these impacts and identify consistency with the WPA. MassDEP comments indicate that there does not appear to be any proposed activities within Chapter 91 jurisdiction.

The DEIR should address comments from the Massachusetts Department of Conservation and Recreation (DCR) Flood Hazard Management Program (FHMP) which indicate that the Proponent will be required to develop BFE information for use in this project meeting the requirements of the WPA regulations and the local floodplain regulations of Bridgewater because unnumbered A zones do not include BFEs. The DEIR should describe the project's compliance with federal Executive Order 11988, Floodplain Management, which requires an eight-step decision-making process including analysis of alternatives, avoiding impacts to floodplain when possible, and minimizing impacts when avoidance is not possible.

The project will add 14.0 acres of impervious area onsite and will remove a substantial number of existing mature trees from the site. The project site is in the upper reaches of the Taunton River Basin adjacent to Lake Nippenicket from which flows the Town River, a major tributary of the Taunton River. The project site is located within the Hockomock Swamp ACEC, as well as a designated Zone II to drinking water wells in the Town of Raynham. The ENF includes a preliminary discussion of how the stormwater management system will be designed in accordance with the MassDEP Stormwater Handbook to fully meet the SMS for new development. A number of BMPs will be used to treat one-inch of runoff, remove more than 44% of total suspended solids (TSS) before any infiltration, and remove more than 80% of TSS before final discharge to achieve compliance with the SMS including Standard 6 (Critical Areas). The DEIR should include a comprehensive stormwater discussion and report for the project.

The DEIR should describe the extent to which the project will preserve existing tree canopies and plant additional trees, including estimates of the number of trees that will be planted. The DEIR should demonstrate that LID strategies have been incorporated into the stormwater design to the maximum extent practicable. The DEIR should demonstrate the system will be designed to accommodate larger storm events. It should include a plan showing the location of BMPs. The DEIR should provide analysis of the capacity of the stormwater management system under future climate conditions, as described below.

The DEIR should describe if the project will convey stormwater through underground stormwater infiltration structures that qualify under the jurisdiction of the MassDEP Underground Injection Control (UIC) program and which must be registered with the MassDEP.

Water and Wastewater

The project will use a total of 146,862 gpd of water (133,794 gpd new) that will be provided by the Town and generate a total of 122,385 gpd of wastewater (111,495 gpd new). According to MassDEP comments, the Town has the capacity to provide the requested volume for this project based on its renewed Water Management Act (WMA) permit issued on January 5, 2021 and its recent water use. The DEIR should provide a discussion of the project's exceedance of the ENF threshold related to wastewater and additional mitigation to offset those impacts. The DEIR should evaluate and identify which water conservation measures and BMPs will be implemented at the project site. The DEIR should describe the Proponent's efforts to work with the public water system (PWS) to mitigate the additional demands on the system proposed by the project including removal of infiltration and inflow (I/I). The Proponent should consult with the Town to identify appropriate I/I mitigation for this project. The DEIR should include a commitment to I/I removal and identify any mitigation projects or monetary contribution by the Proponent. The DEIR should confirm the Proponent will restrict irrigation use, if there is any, when the Town implements its nonessential outdoor water use restriction requirements.

Historic Resources

According to the ENF, the project will impact two significant archaeological sites (Bassett Site on Lot 6 (central portion of the site) and Tomb Road Area B Site on Lot 7 (northern portion of the site)) that are within the area of direct effects (vegetation removal, grading, filling, etc.). Specifically, the project will involve destruction of both ancient Native American sites, which have been determined by MHC to be eligible for listing in the National Register of Historic Places. The ENF describes the outcome of previous consultation with MHC which resulted in development of a Memorandum of Agreement (MOA), prepared by MHC and signed by the Proponent, that outlines measures to mitigate the adverse effects to both sites (36 CFR 800.5 and 950 CMR 71.05(a)) from the project on significant archaeological resources in the Lakeshore Center project area. As described in Stipulation II of the MOA, implementation of the archaeological data recovery program on the two sites will provide compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (36 CFR 800.6) and M.G.L., Chapter 9, Sections 26- 27C, as amended by Chapter 254 of the Acts of 1988 (950 CMR 71). The Proponent has also participated in consultation and coordination with federally recognized Native American tribes (Mashpee Wampanoag and Wampanoag Tribe of Gay Head (Aquinnah)) during implementation of the archaeological data recovery program. MHC comments indicate that it received no comments about the project's effects to historic and archaeological resources from the public nor from any agencies during the long history of MEPA reviews of development proposed at the site of the Lakeshore Center.

According to MHC, it encouraged analysis of alternatives that indicated there were no prudent and feasible alternatives to adversely affecting the two archaeological sites. MHC assisted in development of proposed mitigation measures for the archaeological data recovery program. The MOA stipulations prepared by MHC primarily relate to technical issues in archaeology to ensure that data recovery is conducted to meet professional standards for archaeology.

The DEIR should provide additional context, to the extent possible, regarding the nature of proposed activities that involves destruction of both Native American sites and a rationale for proposed impacts to these sites. The DEIR should provide additional information regarding the archaeological data recovery program, to the extent possible, including potential removal and archiving of sensitive

archaeological resources. The DEIR should include the alternatives analysis for Lots 6 and 7 prepared in 2020¹¹ and a copy of the MOA. The DEIR should describe the public notice and comment that was conducted as part of the MOA process. The DEIR should describe the measures that the Proponent, assisted by their consultant The Public Archaeology Laboratory, Inc., will continue to consider and implement involving minor project adjustments in design and specifications that could avoid and protect particular areas of interest to Tribal Historic Preservation Officers of the Mashpee Wampanoag Tribe and of the Wampanoag Tribe of Gay Head (Aquinnah), to the Massachusetts Commission on Indian Affairs (MCIA), and to the MHC.

According to MHC, the expanded project area on the north side of Pleasant Street adjacent to the shore of Lake Nippenicket (Northern Parcel) has not been previously surveyed for archaeological resources and may be archaeologically sensitive. The DEIR should confirm that the Proponent will conduct a reconnaissance archaeological survey (950 CMR 70) for this Northern Parcel, which includes limited subsurface testing to evaluate subsurface soil conditions and identify any archaeologically sensitive areas. Specific archaeological site information and technical archaeological reports, which are not a public record and confidential to protect fragile archaeological sites from vandalism (M.G.L. c. 9, ss. 26A & 27C), should not be included in documents prepared for public review. The DEIR should describe any additional proposed mitigation based on the outcome of MHC review and the results of the archaeological survey on the Northern Parcel. It should provide an update of consultation with MHC and indicate if the MOA will be modified to reflect additional mitigation measures in consultation with MHC, the Tribes listed above, and the MCIA. The DEIR should provide a response to the comments from residents which identify concerns related to the destruction of both ancient Native American sites.

Climate Change

Executive Order 569: Establishing an Integrated Climate Change Strategy for the Commonwealth (September 16, 2016) recognizes the serious threat presented by climate change and directs Executive Branch agencies to develop and implement an integrated strategy that leverages state resources to combat climate change and prepare for its impacts. The urgent need to address climate change was again recognized by Governor Baker and the Massachusetts Legislature with the recent passage of St. 2021, c. 8, An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy, which sets a goal of Net Zero emissions by 2050. The MEPA statute directs all Agencies to consider reasonably foreseeable climate change impacts, including additional GHG emissions, and effects, such as predicted sea level rise, when issuing permits, licenses and other administrative approvals and decisions (M.G.L. c. 30, § 61).

Adaptation and Resiliency

The Town is a participant in the Commonwealth's Municipal Vulnerability Preparedness (MVP) program, which is a community-driven process to define natural and climate-related hazards, identify existing and future vulnerabilities and strengths of infrastructure, environmental resources, and vulnerable populations, and develop, prioritize and implement specific actions the Town can take to reduce risk and build resilience. Through the MVP program, the Town received funding to conduct a planning process for climate change resiliency and implementing priority projects. The results of the initial community-driven process were presented in the "Summary of Findings" (the Report), dated May

¹¹ As described in MHC's comment letter this alternatives analysis was prepared by VHB, Inc. and Landvest.

2021. The Report identified heat waves, flooding, drought, and intense storms as top climate hazards in Bridgewater.

Effective October 1, 2021, all MEPA projects are required to submit an output report from the MA Resilience Design Tool to assess the climate risks of the project. Based on the output report attached to the ENF, the project has a high exposure based on the project's location for the following climate parameters: extreme precipitation (urban and riverine flooding) and extreme heat; it also is rated high risk for the same three climate parameters. Based on the minimum 50-year useful life identified for the project and the self-assessed criticality of project assets, the Tool recommends a planning horizon of 2070 and a return period associated with a 25-year (4% annual chance) storm event when designing the proposed buildings. This recommendation appears to be based on a "Medium" criticality assessment (based on user inputs) for proposed buildings. In addition, the MA Resilience Design Tool recommends estimating a useful life of 40 to 60 years for most "long-lived" buildings and infrastructure, such as most new building construction.¹² For a useful life of 51 to 100 years, the Tool recommends a longer planning horizon and return periods associated with a 50-year to 100-year storm event for extreme precipitation for similar assets (i.e., buildings) of medium to high criticality.¹³

Much of the project site is currently located within a mapped 100-year floodplain with an uncalculated BFE (zone A) and is rated "High" risk for extreme precipitation (urban and riverine flooding) during the useful life of the project. According to the ENF, all proposed activities is proposed in upland areas outside the floodplain. However, the "High" risk rating in the MA Resilient Design Tool takes into account future climate conditions and is not limited to areas currently mapped as flood plain (based on historical rainfall projections). The ENF does not provide information about anticipated future conditions at the site due to the effects of climate change.

The DEIR should identify the project site's vulnerabilities to climate change and potential measures to increase its resilience. The DEIR should provide a review of the Town's studies and resiliency plans on climate vulnerabilities and potential solutions, including regional solutions requiring coordination between the Proponent and abutters and other stakeholders. The DEIR should include a comprehensive discussion of the potential effects of climate change on the project site and describe features incorporated into the project design (including climate-related design specifications and standards) that will increase the resiliency of the site to these changes. The DEIR should include information about the potential adaptation of the project to future conditions. In particular, the DEIR should analyze how the elevation of the proposed buildings was determined in light of the potential for future urban and riverine flooding.

The DEIR should discuss how the stormwater system will be sized to address future climate conditions. Effective April 25, 2022, the MA Resilience Design Tool provides rainfall volumes associated with a 24-hour storm for multiple storm scenarios and planning horizons for projects subject to extreme precipitation risks. The DEIR should consult these volumes for the 25-year, 50-year and 100-year storm as of 2070 to assess the efficacy of the stormwater management system to accommodate future climate conditions. The DEIR should discuss, with quantitative modeling to the extent practicable, whether the stormwater management system will attenuate peak flows and meet pollutant

¹² See Section 2, Climate Resilience Design Standards Overview (Attachment 2.3 Useful Life Guidance Tables), available at https://resilientma.org/rmat_home/designstandards/.

¹³ See <https://eea-nescaum-dataservices-assets-prd.s3.amazonaws.com/cms/GUIDELINES/20210401Section3ClimateResilienceDesignStandardsOverview.pdf>, at p. 19.

loading requirements based on future climate conditions in 2070. Estimates can be provided in lieu of exact calculations, to the extent stormwater design is not advanced enough by the time of the DEIR. The DEIR should also discuss whether the proposed elevation of buildings is anticipated to be resilient to a future BFE associated with the 25-year, 50-year and 100-year storm as of 2070. To the extent the project is unable to accommodate future year storm scenarios, the DEIR should discuss whether the project has engaged in flexible adaptative strategies, and whether current designs allow for future upgrades to be made to adapt to climate change. General guidance on flexible adaptive strategies is available on the MA Resilience Design Tool website.¹⁴

The DEIR should continue to identify opportunities to increase resilience through enhancement of the site, including retention of mature trees on-site, increased open space and permeable surfaces. The DEIR should demonstrate that the Proponent is developing appropriate strategies to adapt to extreme heat conditions throughout the useful life of the project. The DEIR should document all efforts taken to maximize the use of LID strategies for stormwater management, including rain gardens, bioretention areas, tree box filters, water quality swales. and green roofs.

In addressing climate change as described above, the DEIR should consider incorporating additional climate adaption and resiliency features into the project design to the maximum extent practicable, including:

- Ecosystem-based adaptation measures to reduce heat island effect and mitigate stormwater runoff, such as integration of tree canopy cover, rain gardens, and LID stormwater management techniques
- Use of on-site renewable energy systems that may provide added resiliency during periods of power loss during storms
- Protection of emergency generator fuel supplies from effects of extreme weather and flood-proofing of parking garages and other structures
- Expansion of the size of emergency generators to allow for select common areas and other emergency and life safety systems to remain operational for a period of time beyond code requirements

Greenhouse Gas (GHG) Emissions

This project is subject to review under the May 5, 2010 MEPA GHG Policy, which requires Proponents to quantify carbon dioxide (CO₂) emissions and identify measures to avoid, minimize or mitigate such emissions. The analysis should quantify the direct and indirect CO₂ emissions of the project's energy use (stationary sources) and transportation-related emissions (mobile sources). Direct emissions include on-site stationary sources, which typically emit GHGs by burning fossil fuel for heat, hot water, steam and other processes. Indirect emissions result from the consumption of energy, such as electricity, that is generated off-site by burning of fossil fuels, and from emissions from vehicles used by residents, employees, visitors, and others.

The DEIR should include a GHG analysis prepared in accordance with the GHG Policy, guidance and recommendations provided in the comment letter submitted by the Massachusetts

¹⁴ <https://eea-nescaum-dataservices-assets-prd.s3.amazonaws.com/cms/GUIDELINES/20210330FlexibleAdaptationPathwaysFormFinal.pdf>

Department of Energy Resources (DOER), which is incorporated in this Certificate in its entirety, and this Scope.

Stationary Sources

The DEIR should include an analysis that calculates and compares GHG emissions associated with a Base Case that conforms to the 9th Edition of the Massachusetts Building Code, which references the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1-2013 and the International Energy Conservation Code (IECC) 2015, and a Preferred Alternative that achieves greater reductions in GHG emissions. The project will be required to meet the applicable version of the Massachusetts Stretch Energy in effect at the time of construction, which currently requires a 10% energy performance improvement over ASHRAE 90.1-2013-Appendix G plus Massachusetts amendments including C402.1.5 (envelope), C405.3 and C405.4 (lighting), C405.10 (EV charging), and C406 (three additional efficiency measures). The analysis should include the three C406 additional efficiency measures in the Baseline.

The GHG analysis should clearly demonstrate consistency with the key objective of MEPA review, which is to document the means by which Damage to the Environment can be avoided, minimized and mitigated to the maximum extent feasible. The DEIR should identify the model used to analyze GHG emissions, clearly state modeling assumptions, explicitly note which GHG reduction measures have been modeled, and identify whether certain building design or operational GHG reduction measures will be mandated by the Proponent to future occupants or merely encouraged for adoption and implementation. The DEIR should include the modeling printouts for each alternative and emission tables that compare base case emissions in tons per year (tpy) with the Preferred Alternative showing the anticipated reduction in tpy and percentage by emissions source. Other tables and graphs, such as the table of mitigation measures recommended by DOER, may also be included to convey the GHG emissions and potential reductions associated with various mitigation measures as necessary. The DEIR should provide data and analysis in the format requested in DOER's letter.

The DEIR should present an evaluation of mitigation measures identified in DOER's comment letter. In particular, the feasibility of each of the mitigation measures outlined below should be assessed for each of the major project elements, and if feasible, GHG emissions reduction potential associated with major mitigation elements should be evaluated to assess the relative benefits of each measure. The DEIR should explain, in reasonable detail, why certain measures that could provide significant GHG reductions were not selected – either because it is not applicable to the project or is deemed technically or financially infeasible. If financially infeasible, the DEIR should describe the cost effectiveness metrics that were used to evaluate feasibility, whether energy savings that would accrue to future tenants were considered, and what “payback period” the Proponent would deem to be reasonable given the financial constraints identified. It should include a review of available financial incentives potentially available for the project, as described in DOER's comment letter. At a minimum, the DEIR should consider the following GHG mitigation measures:

- Building design and construction practices that result in low heating and cooling thermal energy demand intensity (TEDI) by:
 - High-performance window and walls
 - Thermally broken windows and other components to eliminate thermal bridges
 - Low air-infiltration

- Ventilation energy recovery
- Energy recovery during concurrent heating and cooling
- Solar gain management via external shading, recessed windows, and/or low solar heat gain coefficient (SHGC)
- Passivehouse including engagement with a MassSave funded consultant
- Efficient electrification of space and water heating
- Extensive rooftop solar photovoltaic (PV)
- EV charging stations and EV ready parking spaces

The DEIR should evaluate the specific scenarios for each typology/use of building detailed in DOER's comment letter for baseline meeting minimum code (mandatory code building scenarios), improved scenarios (HERS 45, Passivehouse, low heating TEDI, etc.) and sub-scenarios for each of the six buildings including the four-story 225-unit residential building, four-story 160-unit condo building, five-story 150-unit assisted living building, four-story 102-unit hotel, 1,800-sf café, and 6,000-sf restaurant.

The DEIR should review the financial incentives identified in DOER's comment letter and incorporate these potential funding sources in analyses of Passivehouse design and electrification of space and water heating. Significant incentives may be available including MassSave® incentives¹⁵, Alternative Energy Credits (AECs)¹⁶, and Solar Massachusetts Renewable Target (SMART)¹⁷ credits (in addition to federal and state tax incentives). For qualifying multifamily buildings, the MassSave incentive for Passivehouse is ±\$3,000 per dwelling unit or ±\$1.125 million for the project (plus generous feasibility and design incentives). Currently, there are over 6,700 Passivehouse units being planned, designed or under construction in Massachusetts.

The SMART program includes pathways which allow solar production to be sold without off-takers. The project will incorporate solar-ready roofs. The DEIR should review opportunities to maximize onsite PV systems by setting aside as much roof space as possible for future rooftop PV. Even if PV is not installed during building construction, it is important to plan the project to ensure that roof space is set aside for PV and that roof space does not become unnecessarily encroached with HVAC appurtenances, diminishing the opportunities for future PV.

The Proponent should consult with staff from DOER and the MEPA Office prior to submitting the DEIR. The DEIR should clearly demonstrate that the Proponent is taking all feasible measures to mitigate GHG impacts to the maximum extent practicable, and provide a clear justification if energy efficiency measures that appear technically feasible will not be adopted for the project.

Mobile sources

The GHG analysis should include an evaluation of potential GHG emissions associated with mobile emissions sources. The DEIR should follow the guidance provided in the GHG Policy for *Indirect Emissions from Transportation* to determine mobile emissions for Existing Conditions, Build

¹⁵ <https://www.masssave.com/en/saving/business-rebates/new-buildings-and-major-renovations/> and <https://www.masssave.com/saving/residential-rebates/passive-house-incentives>

¹⁶ <https://www.mass.gov/guides/aps-renewable-thermal-statement-of-qualification-application>

¹⁷ <https://www.mass.gov/solar-massachusetts-renewable-target-smart>

Conditions, and Build Conditions with Mitigation. The Proponent should thoroughly explore means to reduce overall SOV trips. The DEIR should also review measures to promote the use of low-emissions vehicles, including installing EV charging stations and providing designated parking spaces for these vehicles (a minimum of 25% of proposed spaces) with the balance of spaces being EV ready for future installation.¹⁸ The Build with Mitigation model should incorporate TDM measures and any roadway improvements implemented by the project, and document the reductions in GHG emissions associated with the mitigation. The DEIR should explain how TDM measures will be monitored and adjusted over time and provide a methodology for quantifying emission reductions impacts rather than an assumed percentage reduction.

GHG Self-Certification

The DEIR should include a commitment to provide a GHG self-certification to the MEPA Office upon construction of the project. It should be signed by an appropriate professional (e.g., engineer, architect, transportation planner, general contractor) indicating that all of the GHG mitigation measures, or equivalent measures that are designed to collectively achieve identified reductions in stationary source GHG emission and transportation-related measures, have been incorporated into the project. If equivalent measures are adopted, the project is encouraged to commit to achieving the same level of GHG emissions (i.e., “carbon footprint”) identified in the Preferred Alternative expressed as a volumetric measure (tpy) in addition to a percentage GHG reduction from Base Case.

Construction Period

The DEIR should provide a comprehensive review of the project’s construction-period impacts and mitigation relative to noise, traffic, air quality, and water quality. The DEIR should include measures that will minimize damage to the site and adjacent areas that could result from storms during the construction period. The DEIR should describe implementation of a construction management plan (CMP) to minimize disturbances. It should identify the schedule for construction. It should confirm that construction equipment will use Ultra Low Sulfur Diesel fuel. The DEIR should describe consistency with EPA’s Tier 4 emissions limits and discuss the use of after-engine emissions controls, such as oxidation catalysts or diesel particulate filters. The DEIR should provide more information regarding the project’s generation, handling, recycling, and disposal of construction and demolition (C&D) debris and identify measures to reduce solid waste generated by the project. I encourage the Proponent to commit to C&D recycling activities as a sustainable measure for the project. The project will develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with its NPDES CGP to manage stormwater during the construction period. The DEIR should describe stormwater management measures that will be implemented during construction. It should describe potential construction period dewatering requirements, discuss how dewatering will be conducted, and identify any necessary permits. If oil and/or hazardous material are identified during the implementation of the project, notification pursuant to the Massachusetts Contingency Plan (MCP; 310 CMR 40.0000) must be made to MassDEP, if necessary. The DEIR should commit to developing a spill contingency plan as described in MassDEP comments.

¹⁸ More information on EV infrastructure can be obtained from the MassEVolves program at www.massevolves.org.

Mitigation/Draft Section 61 Findings

The DEIR should include a separate chapter summarizing all proposed mitigation measures including construction-period measures. This chapter should also include a comprehensive list of all commitments made by the Proponent to avoid, minimize and mitigate the impacts of the project. The DEIR should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation. The list of commitments should be provided in a tabular format organized by subject matter (land, traffic, water/wastewater, GHG, etc.) and identify the Agency Action or Permit associated with each category of impact. Draft Section 61 Findings should be separately included for each Agency Action to be taken on the project.

Responses to Comments

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

Circulation

In accordance with 301 CMR 11.16, the Proponent should circulate the DEIR to each Person or Agency who commented on the ENF, each Agency from which the project will seek Permits, Land Transfers or Financial Assistance, and to any other Agency or Person identified in the Scope. Pursuant to 301 CMR 11.16(5), the Proponent may circulate copies of the DEIR to commenters in a digital format (e.g., CD-ROM, USB drive) or post to an online website. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer to be distributed upon request on a first come, first served basis. The Proponent should send a letter accompanying the digital copy or identifying the web address of the online version of the DEIR indicating that hard copies are available upon request, noting relevant comment deadlines, and appropriate addresses for submission of comments. If submitted in hard copy, the DEIR submitted to the MEPA office should include a digital copy of the complete document. A copy of the DEIR should be made available for review in the Bridgewater Public Library.

June 24, 2022

Date

Bethany A. Card

Comments received:

05/31/2022 Gary Abrams
05/31/2022 Nancy Abrams
06/01/2022 Jean DiBattista (second comments submitted 06/04/2022)
06/04/2022 Robert DiBattista
06/06/2022 Sam Baumgarten
06/08/2022 Massachusetts Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP)
06/09/2022 Massachusetts Historical Commission (MHC)
06/09/2022 Sharon Cumiskey
06/10/2022 Massachusetts Department of Conservation and Recreation (DCR)
06/10/2022 Linda Schmuck (second comments submitted 06/10/2022)
06/10/2022 Donna Auger
06/11/2022 Julia Blanchard (attachment consists of duplicate letter)
06/11/2022 Evelyn DeLutis
06/12/2022 Michael and Nathalie Berkowitz
06/13/2022 Massachusetts Department of Environmental Protection (MassDEP) – Southeast Regional Office (SERO)
06/13/2022 Mark Peterson
06/13/2022 Lake Nippenicket Action Focus Team (also submitted video entitled “Perennial Stream” – duplicate comments submitted on 06/13/2022 by Melissa Ramondetta)
06/13/2022 Linda Young
06/13/2022 Ramonita Mulero
06/13/2022 Anthony Oliveira
06/13/2022 Leiry Melendez-Sullivan
06/13/2022 Susan MacDonald
06/13/2022 Janet Hanson and David Hanson
06/13/2022 Kelly Cannizzaro
06/13/2022 Marc Sullivan
06/14/2022 Melissa Ramondetta
06/14/2022 Amanda and Jeff Napior
06/14/2022 Samantha Melendez
06/14/2022 Eileen Hiney, Bridgewater Open Space Committee
06/14/2022 Kevin D. Curry
06/14/2022 Patricia Neary
06/14/2022 Taunton River Watershed Alliance (TRWA)
06/14/2022 Andrea Monteith
06/16/2022 Massachusetts Department of Transportation (MassDOT)
06/23/2022 Massachusetts Department of Energy Resources (DOER)

BAC/PPP/ppp

From: [Paulson, David \(FWE\)](#)
To: [Patel, Purvi \(EEA\)](#)
Cc: [Cheeseman, Melany \(FWE\)](#)
Subject: Lakeshore Center Phase 4 ENF (16558, 00-8132/019-333.DFW)
Date: Wednesday, June 8, 2022 6:56:31 AM

June 8, 2022

Bethany A. Card, Secretary
Executive Office of Energy and Environmental Affairs
Attention: Purvi Patel, MEPA Office
100 Cambridge St.
Boston, Massachusetts 02114

Project Name: Lakeshore Center Phase 4
Proponent: Claremont Companies
Location: Bridgewater
Document Reviewed: Environmental Notification Form
EEA No.: 16558
NHESP No.: 00-8132/019-333.DFW

Dear Secretary Card:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the Division) has reviewed the Environmental Notification Form for the proposed *Lakeshore Center Phase 4 Project* and would like to offer the following comments regarding state-listed rare species and their habitats.

On February 7, 2019, the Division issues a Conservation and Management Permit for the above referenced project. The Division has recently been in consultation with the Proponent on the expanded limit of work that is located to the North of Pleasant Street (Route 104). We look forward to reviewing the MESA application for this new limit of work.

We appreciate the opportunity to comment on this project. If you have any questions about this letter, please contact David Paulson, Senior Endangered Species Review Biologist, at (508) 389-6366 or david.paulson@state.ma.us.

David Paulson

Senior Endangered Species Review Biologist
Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road, Westborough, MA 01581
Temporary Phone: (845)-262-0481 | e: david.paulson@state.ma.us
mass.gov/masswildlife | facebook.com/masswildlife



June 9, 2022

The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth

Secretary Bethany Card Massachusetts Historical Commission
Executive Office of Energy & Environmental Affairs
100 Cambridge St., Ste. 900
Boston, MA 02114

Attn.: Purvi Patel, MEPA office

RE: Claremont Companies Lakeshore Center Phase 4 Project, Bridgewater, MA.
PAL #4092. MHC #RC.2038. EEA #4959 and #16558.

Dear Secretary Card:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Environmental Notification Form (ENF) submitted for the project referenced above, and the MHC's files. The ENF indicates that a Draft Environmental Impact Report (EIR) will be prepared for the project.

The ENF accurately describes the results of previous consultation that reached agreement to develop a Memorandum of Agreement (MOA) that outlines measures to mitigate the adverse effects to the Bassett Site (19-PL-497 in Lot 6), and the Tomb Road A & B Site (19-PL-498 in Lot 7), two ancient Native American archaeological sites located in the project area.

During the long history of the MEPA reviews of development proposals for this location, the MHC received no comments about the project effects to historic and archaeological resources from members of the public nor from any agencies.

The MHC's staff encouraged the alternatives analysis that indicated there were no prudent and feasible alternatives to adversely affecting the two archaeological sites. The MHC's staff assisted in development of the proposed mitigation measures for a program of archaeological data recovery that are outlined in the MOA. The MOA stipulations prepared by MHC's staff chiefly pertain to technical issues in archaeology to ensure that the program of archaeological data recovery is conducted to meet professional standards for archaeology.

The MHC suggests that the alternatives analysis for Lots 6 and 7 prepared by VHB with Landvest, dated October 14, 2020, and a copy of the MOA be included in the Draft EIR.

The project proponent, assisted by their consultant The Public Archaeology Laboratory, Inc., continues to consider and implement measures that involve minor project adjustments in design and specifications that could avoid and protect particular areas of interest to Tribal Historic Preservation Officers of the Mashpee Wampanoag Tribe and of the Wampanoag Tribe of Gay Head (Aquinnah), to the Massachusetts Commission on Indian Affairs, and to the MHC.

The ENF includes information about an area on the north side of Pleasant Street, adjoining the present shore of Lake Nippenicket, where a restaurant may be constructed. That part of the project area has not been previously surveyed for archaeological resources and may be archaeologically sensitive. The MHC recommends that a reconnaissance archaeological survey (950 CMR 70) be conducted for the area of the project on the north side of Pleasant Street. The scope of the survey should include limited subsurface

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www.state.ma.us/sec/mhc

testing with a hand-held 1" soil corer and/or shovel test pits to evaluate subsurface soil conditions, and to identify any archaeologically sensitive areas.

As always, specific archaeological site locational information and technical archaeological reports, which are not a public record and confidential to protect fragile archaeological sites from vandalism (M.G.L. c. 9, ss. 26A & 27C), should never be included in documents prepared for public review.

These comments are offered to assist in compliance with M.G.L. c. 9, ss. 26-27C (950 CMR 70-71), MEPA (301 CMR 11), and the terms of the MOA. If you have any questions or need any additional information, please contact Edward L. Bell, Deputy State Historic Preservation Office and Senior Archaeologist at the MHC.

Sincerely,



Brona Simon
State Historic Preservation Officer
Executive Director
State Archaeologist
Massachusetts Historical Commission

xc:

Michael Shunta, Claremont Companies
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
David Weeden, Mashpee Wampanoag Tribe
John A. Peters, Jr., Massachusetts Commission on Indian Affairs
Bridgewater Historical Commission
David Hewett, Epsilon Associates
Nicole Benjamin-Ma, VHB
Deborah C. Cox, PAL, attn. Duncan Ritchie



June 10, 2022

Secretary Bethany A. Card
Executive Office of Energy and Environmental Affairs
Attn: Purvi Patel, MEPA Office
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

Re: EEA#16558 – Lakeshore Center Phase 4 (Bridgewater) ENF

Dear Secretary Card:

The Department of Conservation and Recreation (“DCR” or “the Department”) is pleased to submit the following comments in response to the Environmental Notification Form (“ENF”) filed by the Claremont Companies (the “Proponent”) for the Proposed Lakeshore Center Phase 4 (the “Project”) in Bridgewater.

As proposed, the Project involves activities within a 100-year floodplain as delineated on the current effective Flood Insurance Rate Map (“FIRM”) for Plymouth County, dated July 7, 2021. In its role as the state coordinating agency for the National Flood Insurance Program (“NFIP”), DCR submits the following comments.

DCR’s Flood Hazard Management Program (“FHMP”), under agreement with the Federal Emergency Management Agency (“FEMA”), is the state coordinating agency for the NFIP. As such, the FHMP provides technical assistance to communities that participate in the NFIP related directly to the program, and also related to floodplain management in general. Communities that participate in the NFIP are required by FEMA, as a condition of their participation, to regulate development within the 100-year floodplain in a manner that meets or exceeds the minimum standards established by FEMA, located at 44 CFR 60.3. Participating communities such as Bridgewater are required to adopt the NFIP requirements through locally enforceable measures. In Massachusetts, many of the requirements contained in 44 CFR 60.3 are enforced through existing state regulations such as the State Building Code (780 CMR) and Wetlands Protection Act regulations (310 CMR 10.00). Communities typically adopt the remainder of the requirements as part of a zoning ordinance or other locally enforceable measure. Bridgewater has a zoning bylaw that includes a Floodplain District section which has been accepted by FEMA as meeting their requirements under the NFIP.

In our role as NFIP coordinator, the FHMP offers comments on the proposed Project’s relationship to many of the above regulations and requirements. The FHMP does not administer any of these requirements and therefore does not provide official determinations as to compliance with them; rather, our comments are provided as an overview of the requirements and the documentation that the FHMP believes may be necessary to demonstrate compliance with these requirements.

The Project includes construction of several buildings and other associated work. Based on information submitted with the ENF, much of the site is located within the 100-year floodplain on the current effective FIRM, specifically a zone A (unnumbered A zones do not include base flood elevations). Because of its

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Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114-2199
617-626-1250 617-626-1351 Fax
www.mass.gov/dcr



Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Bethany A. Card, Secretary
Executive Office of Energy & Environmental Affairs

Stephanie C. Cooper, Acting Commissioner
Department of Conservation & Recreation

location in the 100-year floodplain, compliance with the requirements of several federal, state, and local measures related to floodplain development is required.

Because unnumbered A zones do not include base flood elevations, the proponent will be required to develop base flood elevation information for use in this project meeting the requirements of the Wetlands Protection Act regulations and the local floodplain regulations of Bridgewater. (See Bridgewater Zoning, Section 14.33, b, see also NFIP regulations, 44 CFR 60.3, (b), (3).)

Additionally, projects within the 100-year floodplain involving any federal action (e.g., permit, funding) must also comply with federal Executive Order 11988, Floodplain Management. This executive order requires an eight-step decision-making process which includes analysis of alternatives, avoiding impacts when possible, and minimizing impacts when avoidance is not possible. Because this project requires a National Pollutant Discharge Elimination System ("NPDES") and Construction General Permit, compliance with this process is necessary.

DCR appreciates the opportunity to comment on the ENF. If you have any questions regarding these comments, or to request additional information or coordination with DCR, please contact Eric Carlson at eric.carlson@mass.gov.

Sincerely,

Stephanie C. Cooper

Stephanie C. Cooper
Acting Commissioner

cc: Eric Carlson, Priscilla Geigis, Patrice Kish, Tom LaRosa



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

June 14, 2022

Bethany A. Card
Secretary of Energy and Environment
Executive Office of Energy and Environmental
Affairs
ATTN: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: ENF Review. EOEEA #16558
BRIDGWATER Lakeshore Center Phase 4,
at Pleasant Street (Route 104)

Dear Secretary Card,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Environmental Notification Form (ENF) for the Lakeshore Center Phase 4 Project, located at Pleasant Street (Route 104), Bridgewater, Massachusetts (EOEEA #16558). The Project Proponent provides the following information for the Project:

The proposed project includes new development on Lots 1, 4, 6, and 7 of the Lakeshore Center Development and on the north side of Pleasant Street. See Figure 5 in Attachment A for a conceptual site plan. Development will include the following components:

- A 1-story, approximately 1,800 GSF café shop on Lot 1;
- A 5-story, 150-unit assisted living facility on Lot 4;
- An 4-story, 225-unit 55+ residential community on Lot 6;
- A 4-story, 102-room hotel, and a
- 4-story, 160-unit condominium community on Lot 7; and
- A 6,000 GSF restaurant on the north side of Pleasant Street adjacent to Lake Nippenicket.
- A total of 1,083 parking spaces are proposed to accommodate the varied uses across the site.

Overall, the Project will disturb approximately 25.8 acres and create 14 acres of new impervious area. The project has been designed to avoid directly filling wetlands. It will, however, require work within the buffer zone of bordering vegetated wetland (BVW). As such, it will require an Order of Conditions from the Bridgewater Conservation Commission. The project will affect some priority habitat on the north side of Pleasant Street and also impact two known archaeological sites on Lots 6 and 7. Please refer to the Rare Species and Historical and Archaeological Resources Sections for more detail

Bureau of Water Resources Comments

The Project Proponent has indicated that a Notice of Intent will be filed for work in the 100-foot regulatory buffer zone to Bordering Vegetated Wetland. At the time the NOI is filed, Wetlands Program Staff will review it, comment on the filing, and issue a DEP Wetlands File Number. The program will review the Order of Conditions when issued to determine Project compliance with the regulatory performance standards.

Waterways. Based on the information contained in the ENF, there does not appear to be any proposed activities within Chapter 91 jurisdiction.

NPDES Construction General Stormwater Permit. The Project Proponent has acknowledged the need to apply for a NPDES Stormwater Permit for Construction Permit because its construction activities are scheduled to disturb more than an acre of land. The Proponent can access information regarding the NPDES Stormwater requirements and an application for the Construction General Permit by completing and submitting a Notice of Intent (NOI) to EPA via the [Stormwater Discharges from Construction Activities | National Pollutant Discharge Elimination System \(NPDES\) | US EPA.](#)

The Proponent is advised to consult with Sania Kamran (Kamran.Sania@epa.gov, 617- 918-1522) for questions regarding EPA's NPDES Construction General Permit requirements.

In addition, the Proponent is reminded that local Planning Boards (and/or other local authorities) may require stormwater controls beyond that of the Wetlands protection Act. These controls are usually created to keep stormwater onsite so as not to create nuisance conditions offsite.

Water Management. According to the current and previous ENFs, it is anticipated that the water use for the Lakeshore Center will be 146,862 gallons per day and will be provided by the Town of Bridgewater. The Town of Bridgewater has the capacity to provide the requested volume for this Project based on its renewed WMA permit issued on January 5, 2021 and its recent water use. MassDEP suggests the Proponent continue evaluating and implementing conservation efforts that incorporate Best Management Practices (BMPs) at the Project site. MassDEP also encourages Project Proponents that add additional demand to the public water system (PWS) to work with the PWS to mitigate the additional demands proposed by the Project. The Project Proponent should also restrict irrigation use, if there is any, when the Town of Bridgewater implements its nonessential outdoor water use restriction requirements.

Underground Injection Control. The Proponent is advised that the use of conveyances of stormwater through underground stormwater infiltration structures that qualify as under the jurisdiction of the MassDEP *Underground Injection Control (UIC)* program must be registered with the MassDEP UIC program through the submittal of a BRP WS-06 UIC Registration application through MassDEP's electronic filing system, eDEP.

The statewide UIC program contact is Joe Cerutti, who can be reached at Joseph.Cerutti@mass.gov. All information regarding on-line (eDEP) UIC registration applications may be obtained at the following web page under the category "Applications & Forms": <https://www.mass.gov/underground-injection-control-uic>.

Bureau of Waste Site Cleanup Comments

Based upon the information provided, the Bureau of Waste Site Cleanup (BWSC) searched its databases for disposal sites and release notifications that have occurred at or might impact the proposed Project

area. A disposal site is a location where there has been a release to the environment of oil and/or hazardous material that is regulated under M.G.L. c. 21E, and the Massachusetts Contingency Plan [MCP – 310 CMR 40.0000].

There are no listed MCP disposal sites located at or in the vicinity of the site that would appear to impact the proposed Project area. Interested parties may view a map showing the location of BWSC disposal sites using the MassGIS data viewer at [MassMapper](https://www.mass.gov/info-details/massgis-data-viewer). Under the Available Data Layers listed on the right sidebar, select “Regulated Areas”, and then “DEP Tier Classified 21E Sites”. MCP reports and the compliance status of specific disposal sites may be viewed using the BWSC Waste Sites/Reportable Release Lookup at: <https://eeaonline.eea.state.ma.us/portal#!/search/wastesite>

The Project Proponent is advised that if oil and/or hazardous material are identified during the implementation of this Project, notification pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000) must be made to MassDEP, if necessary. A Licensed Site Professional (LSP) should be retained to determine if notification is required and, if need be, to render appropriate opinions. The LSP may evaluate whether risk reduction measures are necessary if contamination is present. The BWSC may be contacted for guidance if questions arise regarding cleanup.

Spill Prevention and Control. A spills contingency plan addressing prevention and management of potential releases of oil and/or hazardous materials from pre- and post-construction activities should be presented to workers at the site and enforced. The plan should include but not be limited to, refueling of machinery, storage of fuels, and potential on-site activity releases.

Bureau of Air and Waste (BAW) Comments

Air Quality. Construction and operation activities shall not cause or contribute to a condition of air pollution due to dust, odor or noise. To determine the appropriate requirements please refer to:
310 CMR 7.09 Dust, Odor, Construction, and Demolition
310 CMR 7.10 Noise

Many commercial and institutional development activities have facility heating and supplemental or emergency power generation associated with them that require air quality permitting from MassDEP before construction and/or operation.

The determination of when a permit is required is based on the size of the proposed combustion unit. Smaller units and specifically, engines (emergency and non-emergency), combined heat and power (CHP) units and some boilers may not require a specific Plan Approval but are subject to performance standards and certification, the requirements for which are found at 310 CMR 7.26.

Specifically:

- 310 CMR 7.26(30) thru (37) – Boilers;
- 310 CMR 7.26(40) thru (44) Engines & Turbines (including 310 CMR 7.26(42) specific to Emergency Engines and Turbines); and
- 310 CMR 7.26(45) Combined Heat and Power

Any unit that exceeds the size limit or does not meet the applicability requirements of the above listed regulations will require a permit under 310 CMR 7.02.

Construction-Related Measures

MassDEP requests that all non-road diesel equipment rated 50 horsepower or greater meet EPA's Tier 4 emission limits, which are the most stringent emission standards currently available for off-road engines. If a piece of equipment is not available in the Tier 4 configuration, the Proponent should then use construction equipment that has been retrofitted with appropriate emissions reduction equipment. Emission reduction equipment includes EPA-verified, CARB-verified, or MassDEP-approved diesel oxidation catalysts (DOCs) or Diesel Particulate Filters (DPFs). The Proponent should maintain a list of the engines, their emission tiers, and, if applicable, the best available control technology installed on each piece of equipment on file for Departmental review.

Massachusetts Idling Regulation

The Project Proponent reports "Maintaining an "idle free" work zone by providing supplemental electrical equipment along with "just-in-time" delivery methods. On-site idling will be limited to five minutes in accordance with the Massachusetts Anti Idling Law. "No Idling" signs will be posted at all appropriate locations.

MassDEP reminds the Proponent that unnecessary idling (i.e., in excess of five minutes), with limited exception, is not permitted during the construction and operations phase of the Project (Section 7.11 of 310 CMR 7.00). Regarding construction period activity, typical methods of reducing idling include driver training, periodic inspections by site supervisors, and posting signage. In addition, to ensure compliance with this regulation once the Project is occupied, MassDEP requests that the Proponent install permanent signs limiting idling to five minutes or less on-site.

Backup Generators

Many industrial, commercial, and institutional development activities have facility heating and supplemental or emergency power generation associated with them that require air quality permitting from MassDEP before construction and/or operation.

The determination of when a permit is required is based on the size of the proposed combustion unit. Smaller units and specifically, engines (emergency and non-emergency), combined heat and power (CHP) units and some boilers may not require a specific Plan Approval but are subject to performance standards and certification, the requirements for which are found at 310 CMR 7.26. Specifically:

- 310 CMR 7.26(30) thru (37) – Boilers;
- 310 CMR 7.26(40) thru (44) Engines & Turbines (including 310 CMR 7.26(42) specific to Emergency Engines and Turbines); and
- 310 CMR 7.26(45) Combined Heat and Power

Any unit that exceeds the size limit or does not meet the applicability requirements of the above listed regulations will require a permit under 310 CMR 7.02.

It should be noted that should facilities operate one or more on-site back-up power generators when there is a threat of power loss as an operational practice rather than waiting for an actual power loss, operation of these generators under these conditions may exceed the emergency generator performance standard requirement of 300 hours during a 12-month rolling average. It is the obligation of the facility operator to determine which of the performance standards best fits the planned operational needs and comply with those standards. The Business Compliance Unit of MassDEP's Boston Office is willing to provide assistance regarding the applicability of these generators to the regulations.

Hazardous Waste Management. If any occupant of the Project generates hazardous waste and/or waste oil, that entity must notify the MassDEP of such activity and obtain an EPA Identification number, as applicable, in accordance with 310 CMR 30.000. Further information can be located on the Department's website at: <http://www.mass.gov/eea/agencies/massdep/recycle/hazardous/>

Solid Waste Management. The Project Proponent reports: "The contractor will take an active role with regard to the reprocessing and recycling of construction waste. The excavation contracts will include specific requirements to ensure construction procedures allow for the necessary segregation, reprocessing, reuse, and recycling of materials. A Construction Waste Management Plan will be developed to ensure that a minimal amount of waste debris is disposed of in landfills and to pursue the goal of diverting at least 75 percent of Project-generated construction waste from landfills. For those materials that cannot be recycled, solid waste will be transported in covered trucks to an approved solid waste facility per the DEP Regulation for Solid Waste Facilities, 310 CMR 16.00. This requirement will be specified in the contract documents."

The Project Proponent is advised of the following requirements:

1. *Reuse of any demolition material requires submittal of MassDEP's BWP SW41 – Beneficial Use Determination – Restricted Applications.* The permit is intended to protect public health, safety, and the environment by comprehensively regulating the reuse of waste materials as effective substitutes for a commercial product or commodity. Information pertaining to this requirement is available at <https://www.mass.gov/doc/instructions-sw-39-40-41-42-beneficial-use-determinations/download>.
2. *Compliance with Waste Ban Regulations:* Waste materials discovered during construction that are determined to be solid waste (e.g., construction and demolition waste) and/or recyclable material (e.g., metal, asphalt, brick, and concrete) shall be disposed, recycled, and/or otherwise handled in accordance with the Solid Waste Regulations including *310 CMR 19.017: Waste Bans*. Waste Ban regulations prohibit the disposal, transfer for disposal, or contracting for disposal of certain hazardous, recyclable, or compostable items at solid waste facilities in Massachusetts, including, but not limited to, metal, wood, asphalt pavement, brick, concrete, and clean gypsum wallboard. The goals of the waste bans are to: promote reuse, waste reduction, or recycling; reduce the adverse impacts of solid waste management on the environment; conserve capacity at existing solid waste disposal facilities; minimize the need for construction of new solid waste disposal facilities; and support the recycling industry by ensuring that large volumes of material are available on a consistent basis. Further guidance can be found at: <https://www.mass.gov/guides/massdep-waste-disposal-bans>.

MassDEP recommends the Proponent consider source separation or separating different recyclable materials at the job site. Source separation may lead to higher recycling rates and lower recycling costs. Further guidance can be found at: <https://recyclingworksma.com/construction-demolition-materials-guidance/>

For more information on how to prevent banned materials from entering the waste stream the Proponent should contact the RecyclingWorks in Massachusetts program at (888) 254-5525 or via email at info@recyclingworksma.com. RecyclingWorks in Massachusetts also provides a website that includes a searchable database of recycling service providers, available at <http://www.recyclingworksma.com>.

3. *Asphalt, brick, and concrete (ABC) rubble*, such as the rubble generated by the demolition of buildings or other structures must be handled in accordance with the Solid Waste regulations. These regulations allow, and MassDEP encourages, the recycling/reuse of ABC rubble. The Proponent should refer to MassDEP's Information Sheet, entitled "Using or Processing Asphalt Pavement, Brick and Concrete Rubble, Updated February 27, 2017", that answers commonly asked questions about ABC rubble and identifies the provisions of the solid waste regulations that pertain to recycling/reusing ABC rubble. This policy can be found on-line at the MassDEP website: <https://www.mass.gov/files/documents/2018/03/19/abc-rubble.pdf>.
4. *Tree removal/land clearing/clean wood*: As defined in 310 CMR 16.02, clean wood means "discarded material consisting of trees, stumps and brush, including but limited to sawdust, chips, shavings, bark, and new or used lumber"...etc. Clean wood does not include wood from commingled construction and demolition waste, engineered wood products, and wood containing or likely to contain asbestos, chemical preservatives, or paints, stains or other coatings, or adhesives. The Proponent should be aware that wood is not allowed to be buried or disposed of at the Site pursuant to 310 CMR 16.00 & 310 CMR 19.000 unless otherwise approved by MassDEP. Clean wood may be handled in accordance with 310 CMR 16.03(2)(c)7 which allows for the on-site processing (i.e., chipping) of wood for use at the Site (i.e., use as landscaping material) and/or the wood to be transported to a permitted facility (i.e., wood waste reclamation facility) or other facility that is permitted to accept and process wood.
5. *Organic Waste*. As of 2014, commercial organic material (defined as disposal of one ton or more per week) has been added to the list of banned material. Please be advised that depending on the specifics of the owner/operator at your facility, you may be subject to the commercial organic material ban if more than one ton of commercial organic material is being disposed of from your facility per week. The ban is one of MassDEP's initiatives for diverting at least 35% of all food waste from disposal statewide by 2020. Diverted food waste may be composted, converted to energy (through anaerobic digestion), recycled, or reused. Additional information on the Commercial Food Material Disposal Ban can be found at: <https://www.mass.gov/guides/commercial-food-material-disposal-ban>.

If you have any questions regarding the Solid Waste Management Program comments above, please contact Mark Dakers at Mark.Dakers@mass.gov or Elza Bystrom at Elza.Bystrom@mass.gov.

Farmland Conversion to Commercial Use

The Proponent should demonstrate, if the land in agricultural use has benefited from the tax savings provided by Massachusetts General Law, Chapter 61A ASSESSMENT AND TAXATION OF AGRICULTURAL AND HORTICULTURAL LAND and has met its obligations under Section 13: Change of use: Liability for roll-back taxes. The Proponent should also demonstrate, as required under Section 17 of this statute, that prior to the sale of this property that a notice of intent to the town of Acushnet was given for its first rights of refusal to purchase the land prior to its proposed non-agricultural use. If the United States Department of Agriculture Natural Resources Conservation Service has provided technical assistance to the farm that has certain contractual obligations, the Proponent must demonstrate that those contract conditions have been met prior to the conversion of this farmland to its proposed nonagricultural use.

Climate Change

Greenhouse Gas Emissions Green House Gas Mitigation. To offset the energy usage of the Project, the Proponent is encouraged to consider photovoltaics on the building roof and other locations, possibly with energy storage. Project Proponents are advised of the incentives now available through the Solar

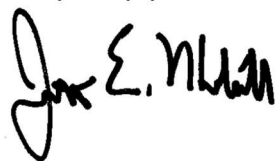
Massachusetts Renewable Target (SMART) program: <https://www.mass.gov/solar-massachusetts-renewable-targetsmart>. Those who enroll in SMART benefit from not only from the tax credit for photovoltaic installation but also from long-term electric utility savings and income for the power not used from its photovoltaics – while at the same time contributing to support the Commonwealth's NetZero carbon emission's goal by 2050 <https://www.mass.gov/info-details/ma-decarbonization-roadmap>.

Proposed s.61 Findings

The "Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form" may indicate that this Project requires further MEPA review and the preparation of an Environmental Impact Report. Pursuant to MEPA Regulations 301 CMR 11.12(5)(d), the Proponent will prepare Proposed Section 61 Findings to be included in the EIR in a separate chapter updating and summarizing proposed mitigation measures. In accordance with 301 CMR 11.07(6)(k), this chapter should also include separate updated draft Section 61 Findings for each State agency that will issue permits for the Project. The draft Section 61 Findings should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation.

The MassDEP Southeast Regional Office appreciates the opportunity to comment on this proposed Project. If you have any questions regarding these comments, please contact George Zoto at George.Zoto@mass.gov or Jonathan Hobill at Jonathan.Hobill@mass.gov.

Very truly yours,



Jonathan E. Hobill,
Regional Engineer,
Bureau of Water Resources

JH/GZ

Cc: DEP/SERO

ATTN: Millie Garcia-Serrano, Regional Director

Gerard Martin, Deputy Regional Director, BWR

Seth Pickering, Deputy Regional Director, BAW

John Handrahan, Acting Deputy Regional Director, BWSC

Jennifer Viveiros, Deputy Regional Director, ADMIN

Dan Gilmore, Chief, Wetlands and Waterways, BWR

Brendan Mullaney, Waterways, BAW

Carlos Fragata, Waterways, BAW

Duane LeVangie, Chief, Water Management Act, BWR/Boston

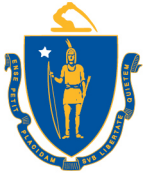
Shi Chen, Water Management Act, BWR/Boston

Joseph Cerutti, Underground Injection Control Program, BWR/Boston

Mark Dakers, Chief, Solid Waste Management, BAW

Elza Bystrom, Solid Waste Management, BAW

Allen Hemberger, Site Management, BWSC



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Secretary & CEO



June 15, 2022

Bethany A. Card, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2150

RE: Bridgewater – Lakeshore Center Phase IV
(EEA #16558)

ATTN: MEPA Unit
Purvi Patel

Dear Secretary Card:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Environmental Notification Form filed for the proposed Lakeshore Center Phase IV project located in Bridgewater 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

cc: Jonathan Gulliver, Administrator, Highway Division
Carrie Lavallee, P.E., Chief Engineer, Highway Division
Mary-Joe Perry, District 5 Highway Director
Neil Boudreau, Assistant Administrator of Traffic and Highway Safety
Southeastern Regional Planning and Economic Development District (SRPEDD)
Planning Board, Town of Bridgewater



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Secretary & CEO



MEMORANDUM

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

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

DATE: June 15, 2022

RE: Bridgewater – Lakeshore Center Phase 4
(EEA #16558)

The Public/Private Development Unit (PPDU) has reviewed the Environmental Notification Form (ENF) for the Lakeshore Center Phase 4 (the “Project”) on Pleasant Street (Route 104) in Bridgewater submitted by the Claremont Companies (the “Proponent”). The approximately 62.7-acre Project Site is located within the 127.5-acre Lakeshore Center Development off of Pleasant Street (Route 104) in Bridgewater. The Project Site is bounded to the north by Route 104 and Lake Nippenicket, to the east by a Commonwealth of Massachusetts Salvage Inspection lot and Route 24, to the south by the Route 24 southbound to Route 495 northbound ramp and a rest stop, and to the west by Route 495 and Route 104/North Main Street.

The existing Lakeshore Center development comprises of a mix of uses. A 4-building, 289-unit residential complex and 574 associated parking spaces occupy the western section. Within the central portion of the Site, there is a 96-room, 4-story hotel with 103 parking spaces on Lot 1; an approximately 77,000 Gross Square Feet (GSF), 3-story office building with 237 parking spaces on Lot 2; an approximately 65,000 GSF, 4-story office building with 227 parking spaces on Lot 3; and a 300-unit, 5-story apartment complex with 600 parking spaces on Lot 5. An approximately 100,000 GSF flex space warehouse with 162 parking spaces and 27 loading docks is located in the eastern section on Lot 8. The most recent filing was a Final Supplemental EIR that was filed on October 31, 2018. On December 28, 2018, the Secretary issued a Certificate finding that the FSEIR adequately and properly complied with MEPA.

The proposed Project includes new development on Lots 1, 4, 6, and 7 of the Lakeshore Center Development and on the north side of Route 104. Lots 1 and 4 are in the Central portion of the Lakeshore Development on the west side of the Lakeshore Center central access road. Lots 6 and 7 are on the east side of the central access road and are currently unimproved. Lots 6 and 7 are constrained for development by wetlands located on their eastern side.

The development program will include the following components:

- A 1-story, approximately 1,800-sf café shop on Lot 1;

- A 5-story, 150-unit assisted living facility on Lot 4;
- A 4-story, 225-unit 55+ residential community on Lot 6;
- A 4-story, 102-room hotel, and a 4-story, 160-unit condominium community on Lot 7; and
- A 6,000-sf restaurant on the north side of Pleasant Street adjacent to Lake Nippenicket.

According to the ENF, the Project is expected to generate a total of 4,262 unadjusted daily vehicle trips in accordance with the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, utilizing Land Use Code (LUC) 251: Senior Adult Housing (Single Family), LUC 252: Senior Adult Housing (Multi-family), LUC 254: Assisted Living, LUC 310: Hotel, LUC 931: High Turnover (Sit-Down) Restaurant, and LUC 937: Coffee/Donut Shop with Drive-Through Window. This estimated trip generation represents an increase over the existing commercial and residential uses present at the Project site. A total of 1,083 parking spaces are proposed to accommodate the varied uses across the site.

The Project exceeds MEPA thresholds for the preparation of an Environmental Impact Review (EIR) due to transportation impacts per 301 CMR 11.03(6). The Project additionally requires an EIR per 301 CMR 11.06(7)(b) as a project within the Designated Geographic Area surrounding an Environmental Justice Population. The Project requires a Vehicular Access Permit from MassDOT as the Project Site abuts I-495 and Route 24 and Project development is anticipated to result in significant impacts on Route 24, a state jurisdictional roadway.

Scope of Work

The Draft EIR (DEIR) should include a Transportation Impact Analysis (TIA) developed in accordance with MassDOT/EOEEA's *Transportation Impact Assessment Guidelines*. The study should include a comprehensive assessment of the transportation impacts of the project. The TIA should provide capacity analyses of existing conditions, future No-Build conditions, and future Build conditions, particularly at state highway locations. The future Build conditions should include an analysis of operations both with and without any improvements suggested to mitigate project impacts. The study should propose an integrated multimodal mitigation package intended to improve vehicular traffic operations while supporting increased use of walking, bicycling, and transit by employees and residents.

Trip Distribution

The TIA should provide a trip distribution for the project based on a gravity model or similar model that uses factors such as census data, origin-destination, travel time, and distance to determine trip characteristics for visitors and employees of the Project. The DEIR should provide all appropriate back up documentation to verify how the different percentages are calculated and assigned to the roadway network and the transit system.

Study Area and Scope

The TIA should include analysis of intersections and roadways where site traffic exceeds 100 vehicle trips per hour or 5% of existing volume. In the ENF, the Proponent proposes the following intersections to be included in the TIA study area:

- Route 24 Northbound ramps/Route 104;
- Route 24 Southbound ramps/Route 104;
- Route 104 at Lakeside Drive/Fruit Street;
- Route 104 at Old Pleasant Street;
- Route 104 at Lakeshore Center Drive;
- Route 104 at Residence Inn Driveway;
- Route 104 at North Main Street (Route 104);
- Route 104 at the site driveways

Traffic Count Data

The TIA should address the atypical traffic conditions resulting from the COVID-19 virus pandemic and follow the MassDOT's *Guidance on Traffic Count Data*, as detailed in the Engineering Directive number E-20-005, issued by the Chief Engineer on May 11, 2020, which allows for the use of historical traffic data (no older than 2014) on any project to supplement and/or replace existing traffic counts. The Proponent should consult with the Highway Division Traffic and Safety Section on the most recent updates of the MassDOT guidance on traffic count data.

Safety

The TIA should include crash analyses for all intersections in the study area using the MassDOT crash database for the most recent five years of accepted/available data. The study area intersections that are identified as Highway Safety Improvement Program (HSIP) clusters should be reviewed to determine whether Road Safety Audits (RSAs) are required or if any further actions may be taken to improve safety. Additionally, the Route 104 study corridor should be reviewed in the MassDOT Impact portal and specifically look at the crash based and risk-based screening tools. The mitigation proposed should reduce the number of crashes along high crash corridors as well as address any risks identified.

Traffic Operations

The TIA should include operational analysis of existing traffic conditions at the intersections and roadways included in the study area as identified above. The TIA should include capacity analyses for the weekday morning and evening peak hours for both existing and future conditions for the Project. In addition, capacity analyses for Build with mitigation conditions should be provided for all intersections, particularly those with impacts to the state highway system. Of particular concern is the operation of the Route 24 interchange with Route 104.

The TIA should provide illustrations depicting the peak hour 50th (average) and 95th percentile queue lengths for each lane group/turning movement at each study area intersection, for all analysis scenarios. The information contained in these illustrations should clearly demonstrate that the Project would not result in any extended queues that would block vehicle movements to/from study area intersections, particularly those involving state highways. The analysis should include queue length to demonstrate that the Project would not result in queues extending to the Route 24 mainline. Appropriate mitigation should be identified if necessary to address this concern.

Multimodal Access Accommodations

The TIA should provide an inventory of existing sidewalks and crosswalks within the study area and should address the quality and condition of those facilities. The TIA should include a commitment to improvements in any areas that are structurally deficient or not meeting current codes for accessibility, including sidewalks, crosswalks, ramps, and pedestrian equipment. Special attention should be given to linking the proposed development to adjacent complementary land uses and transit facilities.

The TIA should include a detailed inventory of the bicycle network to include bikeway types, bikeway widths, and bicycle volumes and speeds. The Proponent should identify the likely travel routes for bicyclists within the study area. The degree to which these routes can safely support bicycle travel should also be examined. The TIA should reevaluate these routes based on the origin-destination of potential employees and visitors. Based on this analysis, the Proponent should consider the feasibility of expanding some of these existing routes or considering new routes to encourage bicycle travel in and around the site.

The Project is not located within an area currently served by transit. The Proponent should consult with the Brockton Area Transit and the Greater Attleborough-Taunton Regional Transit Authority regarding the feasibility of extending transit services to the site. Additionally, the Proponent should consult with the Council on Aging for potential services to the elderly population of the Project.

Parking

According to the ENF, the Project would include the provision of 1,083 parking spaces. The TIA should explain the methodology used to determine the total parking required. The ITE *Parking Generation Manual* (5th Edition) generally provides a reasonable basis for comparison to parking requirements under local zoning. The TIA should include a summary of parking need and supply for comparable facilities based on multiple data sources. The TIA should also determine the number of parking spaces occupied at various times of day and identify periods of peak use. The Proponent should seek opportunities to share parking with the existing uses on site.

Transportation Demand Management

The DEIR should include a detailed Transportation Demand Management (TDM) program intended to reduce single-occupancy vehicle trips to the Project site. MassDOT defers substantive commentary on proposed TDM measures until analysis of traffic impact is completed in the TIA.

The DEIR should include sufficiently detailed conceptual plans (minimum of 80-scale) for proposed roadway improvements to verify the feasibility of constructing such improvements. These plans should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and land uses adjacent to areas where improvements are proposed. All proposed roadway signage and lighting must comply with MUTCD standards.

Transportation Monitoring Program

The Proponent will be required to conduct an annual Traffic Monitoring Program (TMP) for a period of five years, beginning six months after occupancy of the full-build project. The TMP will include:

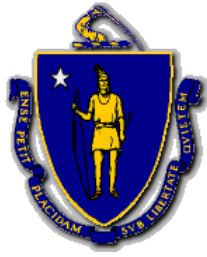
- Simultaneous automatic traffic recorder (ATR) counts at each site driveway for a continuous 24-hour period on a typical weekday;
- Travel survey of employees and patrons at the site (to be administered by the Transportation Coordinator);
- Weekday AM and PM and Saturday peak hour turning movement counts (TMCs) and operations analysis at “mitigated” intersections, including those involving site driveways, and;
- Transit Ridership counts.

The goals of the monitoring program will be to evaluate the assumptions made in the DEIR and the adequacy of the mitigation measures, as well as to determine the effectiveness of the TDM program.

Section 61 Finding

The DEIR should include a Draft Section 61 Finding, outlining the mitigation measures the Proponent has committed to implementing in conjunction with this project. The Draft Section 61 Finding will be the basis for MassDOT to issue a final Section 61 Finding for the project.

The Proponent should continue consultation with appropriate MassDOT units, including PPDU, Traffic Operations, and the District 5 Office during the preparation of the DEIR for the project. If you have any questions regarding these comments, please contact me at Lionel.Lucien@dot.state.ma.us.



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
100 CAMBRIDGE ST., SUITE 1020
BOSTON, MA 02114
Telephone: 617-626-7300
Facsimile: 617-727-0030

Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Beth Card
Secretary

Patrick Woodcock
Commissioner

23 June 2022

Beth Card, Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street
Boston, Massachusetts 02114
Attn: MEPA Unit

RE: Lakeshore Center Phase 4, Bridgewater, Massachusetts, EEA #16558

Cc: Maggie McCarey, Director of Energy Efficiency, Department of Energy Resource
Patrick Woodcock, Commissioner, Department of Energy Resources

Dear Secretary Card:

We've reviewed the Environmental Notification Form (ENF) for the proposed project. The project includes the following: 1,800-sf café, 5-story 150 unit assisted living building, 4-story 225 unit residential building, 4-story 225 unit hotel, 4-story 160 unit condominium, and a 6,000-sf restaurant. The objective of this letter is to share strategies for the project to reduce greenhouse gas emissions (GHG), improve resiliency, and affordability.

Key Strategies

The following are the anticipated key strategies:

- Low heating and cooling thermal energy demand intensity (TEDI) design;
- Passivehouse;
- Efficient electrification of space and water heating;
- Rooftop solar PV;

- EV charging.

Low Heating and Cooling Thermal Energy Demand Intensity (TEDI)

The combination of quality envelope, low air infiltration, energy recovery, and management of solar gains can result in significant reduction in heating (and cooling) thermal energy demand intensity (TEDI, units of kBtu/sf-yr)^{1,2}. In addition to reduced utility costs and emissions, the value of a targeted focus on heating and cooling TEDI results in:

- Simplified space heating electrification;
- Reduction, and possible elimination, of perimeter heating and other systems;
- Improved resiliency;
- Reduced peak demands;
- Improved occupant comfort;
- Reduced maintenance.

Specific TEDI reduction strategies are:

- High-performance window and walls;
- Thermally-broken windows and other components to eliminate thermal bridges;
- Low air infiltration;
- Ventilation energy recovery;
- Energy recovery during concurrent heating and cooling;
- Solar gain management via external shading, recessed windows, and/or low solar heat gain coefficient (SHGC)

We recommend that the next submission evaluate scenarios implementing the strategies above to achieve low heating and cooling TEDI targets. Specific recommendations are contained in a subsequent section.

Passivehouse

Passivehouse³ is an energy efficiency building standard which uses low TEDI strategies at its core. As a result, Passivehouse results in an ultra-low energy building requiring little energy use for space heating and cooling. This is achieved by focusing on envelope performance, low air

¹ See “Guide to Low Thermal Energy Demand for Large Buildings”, BC Housing Research Centre, 2018 for detailed information about heating and cooling TEDI.

² Although they have the same units, heating and cooling TEDI is not the same as heating and cooling EUI. TEDI represents energy requirement, or demand, not energy consumption. For guidance on how to extract TEDI information from building models see “Energy Modeling Guidelines”, City of Vancouver, Planning, Urban Design and Sustainability Department, Land Use Development and Policy Guidelines, Version 2.0, amended 18 July 2018 and “Designing to TEDI, TEUI, and GHGI Performance Metrics”, International Building Performance Simulation Association (IBPSA), by Chan *et al.*

³ The term “Passivehouse” herein means a building built to either Passivehouse Institute US (PHIUS) standard, or Passivehouse International (PHI) standard.

infiltration, and energy recovery. Passivehouse projects also typically have electrified heating and much smaller and simpler HVAC systems.

Passivehouse is an energy code standard which is unlike other energy efficient building approaches in that its truly performance based by requiring mandatory, rigorous in-field tests to confirm that strict standards are being met. Passivehouse methods are recognized by both Massachusetts building Code, MassSave®, and incentives under Massachusetts' Alternative Portfolio Standard (APS).

For the 225-unit residential building and 150-unit condominium, the MassSave® construction incentive for Passivehouse is approximately **\$3,000 per dwelling unit, or \$1.125M when applied across these two buildings**. It's not clear if the 150-unit assisted living facility would qualify for this incentive. If it does qualify, the Passivehouse incentive for this building would be \$450,000, bringing, the total incentive to **\$1.575M**. Passivehouse feasibility and design incentives are also available (more below).

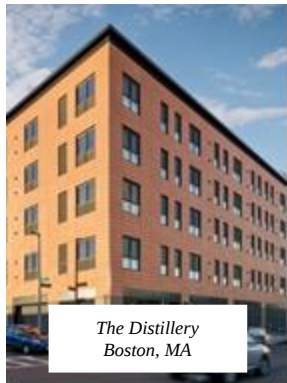
Passivehouse also delivers:

- *Significant reduction in utility costs*: thus is much more affordable to residents;
- *Improved resiliency*: Passivehouse buildings can stay warm (or cool, in the summer) for extended periods of time even with loss of power.

At this time there are over 6,700 Passivehouse units being planned, designed, or under construction in Massachusetts.

Passivehouse has been used across a wide variety of building sizes, styles, and uses. Below are some examples of Passivehouse in Massachusetts.

Lakeshore Center Phase 4, EEA #16558
Bridgewater, Massachusetts



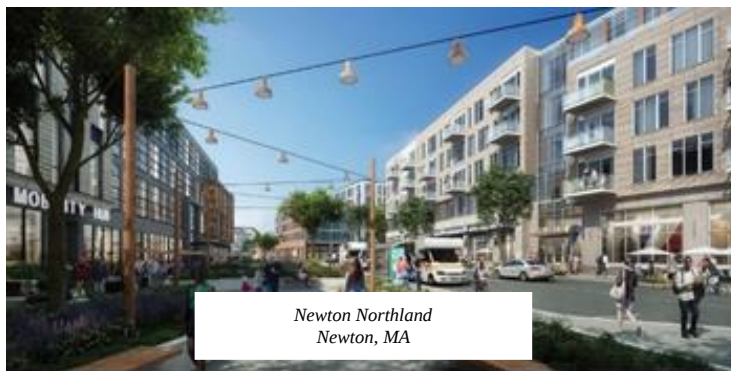
*The Distillery
Boston, MA*



*Bunker Hill Housing Development
Charlestown, MA*



*Garfield House
Williamstown, MA*



*Newton Northland
Newton, MA*



*Finch Cambridge
Cambridge, MA*

As mentioned above, MassSave® provides significant incentives for Passivehouse. In addition to a potential construction incentive, MassSave® also offers generous feasibility and design incentives, summarized as follows⁴:

Passive House Incentive Structure for Multi-Family (5 units or more)			
Incentive Timing	Activity	Incentive Amount	Max. Incentive
Pre-Construction	Feasibility Study	Up to 100% Feasibility costs	\$5,000
	Energy Modeling	75% of Energy Modeling costs	\$500/Unit, max. \$20,000
	Pre-Certification	\$500/unit	N/A
Post-Construction	Certification	\$2,500/unit	
	Net Performance Bonus	\$0.75/kWh \$7.50/therm	

We recommend that the proponent utilize the above incentive to engage a MassSave® Passivehouse consultant for this project.

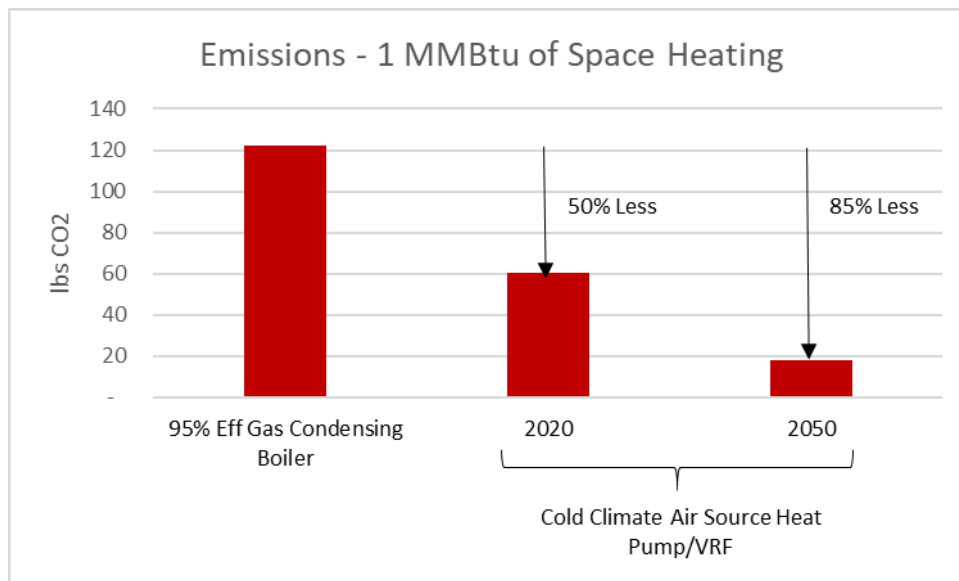
⁴ See <https://www.masssave.com/saving/residential-rebates/passive-house-incentives> for detailed information

Efficient Electrification

Efficient electrification entails swapping from fossil fuels (natural gas, oil, and propane) to electric heat pumps.

Efficient electrification is a key mitigation strategy with significant short- and long-term implications on GHG emissions. Massachusetts grid emissions rates continue to decline with the implementation of clean energy policies that increase renewable electricity sources. The implication is that efficient electrification results in much lower emissions than other fossil-fuel based heating options, including best-in-class (95% efficient) condensing natural gas equipment, in both the short term and long term.

Currently, efficient electric heating has approximately **50% lower emissions** in Massachusetts than condensing natural gas heating. By 2050, efficient electric heating is expected to have approximately **85% lower emissions** in Massachusetts than condensing natural gas heating. See illustration below.



Efficient Electrification – Space Heating

Efficient electrification of space heating using electric air source heat pumps is readily feasible for all buildings on this project and is recommended. Note that Passivehouse and other “low heating TEDI” buildings are readily able to utilize electric air source heat pumps for space heating.

Efficient Electrification – Water Heating

Efficient electrification of water heating (using electric air source heat pump water heater appliances) is potentially feasible for the café and restaurant. We recommend both air source and electric resistance be evaluated.

Electric air source water heating can be challenging in multifamily and hotel buildings. We recommend the following be evaluated for these buildings:

- Electric air source heat pump water heating appliances in each unit
- Centrally-located, in-building air source water heating with hot water distribution to each unit
- Electric resistance water heating in each unit
- For the hotel building, centrally located in-building gas heating with hot water distribution to each unit.

Solar PV

Rooftop PV can provide significant GHG benefits as well as significant financial benefits. Even if PV is not installed during building construction, it's important to plan the project to ensure that roof space is set aside for PV and that roof space doesn't become unnecessarily encroached with HVAC appurtenances, diminishing the opportunities for future PV.

Note that all buildings 5 stories or less are required to have a solar ready zone in accordance with 2018 IECC Appendix CA.

We recommend the project plan to maximize solar readiness as much as possible, including incorporating solar-readiness above-and beyond the mandated solar readiness per Appendix CA.

Electric Vehicle (EV) Ready Parking Spaces

EV charging stations are critical for the continual transition towards electric mobility. Consistent with recommendations by leading cities such as Boston, we recommend that a substantial number of spaces, in the order of 25%, be built with EV charging stations and the balance of spaces be made EV ready for future installations.

Incentives

Buildings which incorporate the above strategies can qualify for significant incentives:

- MassSave[®] Passivehouse incentive described above⁵.
- MassSave[®] performance-based incentives⁶ offer incentives for every kWh or therm saved compared to a program-provided energy model. The above energy efficiency strategies offer opportunities for large kWh and therm savings.
- Alternative Energy Credits (AECs)⁷ offer incentives to electrify building space heating using heat pumps and/or VRF. This program also includes multipliers which increase value if the building meets Passivehouse standards or buildings built to HERs 50 or less.

⁵ <https://www.masssave.com/saving/residential-rebates/passive-house-incentives>

⁶ <https://www.masssave.com/en/saving/business-rebates/new-buildings-and-major-renovations/>

⁷ <https://www.mass.gov/guides/aps-renewable-thermal-statement-of-qualification-application>

These credits may be distributed on a quarterly basis over time; or, may be distributed in a lump sum to the developer if certain conditions are met.

- Massachusetts SMART program⁸ provides significant incentives for solar development on top of federal and state tax incentives. SMART includes pathways which allow solar production to be sold without off-takers. This may be of potential interest to building developers as this allows them to develop rooftop solar without necessarily engaging with building tenants. For this reason, setting aside rooftop solar PV areas helps ensure that building owners' ability to monetize the roof is not impacted.

Codes and Baseline

Massachusetts Stretch Code applies to all the proposed buildings 100,000-sf or larger. Stretch Code requires a 10% energy performance improvement over ASHRAE 90.1-2013-Appendix G plus Massachusetts amendments including C402.1.5 (envelope), C402.3 (solar readiness), C405.3 and C405.4 (lighting), C405.10 (EV charging), and C406 (three additional efficiency measures).

Projects should include the three C406 additional efficiency measures in their Baseline.

In addition to above, all buildings 4 stories or less which have dwelling units containing a kitchen and at least one bathroom shall also show that all dwelling units have a HERs rating of 55 or less. This is required for all building sizes, even those less than 100,000-sf.

Massachusetts base code applies to all buildings less than 100,000-sf. Base code requires conformance with 2018 IECC plus Massachusetts amendments including C402.3 (solar readiness), C405.10 (EV readiness), and C406 (three additional efficiency measures).

Recommendations for Subsequent Submission

Recommendations are as follows:

1. Ensure that all scenarios representing mandatory code meet all code requirements including relevant MA amendments. Clearly indicate which three C406 measures are being used. For residential buildings 4 stories or less as described above, mandatory code building scenarios should be HERS 55 or lower.
2. Develop two UA analysis tables:
 - a. One table that shows how the mandatory code scenario complies with Table 5.5-5 of ASHRAE 90.1 2013 Appendix G plus Massachusetts Amendment C401.2.4.
 - b. A second table that shows how the proposed scenario complies with 2018 IECC Tables C-402.1.3, C402.1.4, and C-402.4. Fenestration limit shall be 30%.

⁸ <https://www.mass.gov/solar-massachusetts-renewable-target-smart>

3. Ensure that all scenarios properly account for **thermal bridges**. Thermal breaks should be incorporated in all scenarios, including mandatory code scenarios, to ensure that the mandatory wall and window performance in (2) above are being delivered. Thermal bridge accounting as described in the Building Envelope Thermal Bridging Guide⁹ is recommended
4. Separately for both the 4-story, 225 unit residential building and the 4-story, 160-unit condo building, perform the following scenarios:
 - a. **Baseline meeting minimum code:** use 8760 compliant energy model to show building meeting ASHRAE 90.1 2013 with amendments, improved by 10% on an energy use intensity basis. (In the unlikely event that the building is less than 100,000-sf, use 8760 energy model meeting prescriptive 2018 IECC, plus Massachusetts amendments.) Then, confirm that a “top/corner” unit would have HERs 55 or lower using a HERs compliant model. Report the following using output from the 8760 compliant energy model:
 - i. Heating and cooling thermal energy demand intensity TEDI (kBtu/sf-yr)
 - ii. Heating and cooling peak loads for each month (MBH)
 - iii. Peak energy use for each month, broken down by energy type (MBH)
 - iv. Total annual heating and cooling (MMbtu/yr)
 - v. Total annual energy use, broken down by energy type (MMbtu/yr)
 - b. **Improved meeting HERS 45:** Use HERS model to develop an improved scenario incorporating: reduced air infiltration, improved windows, improved walls/roof, electric air source heat pump space heating, and improved energy recovery that results in a HERS of 45 or lower (for a “top/corner” unit). Lighting, appliance energy use, or other non-water heating miscellaneous energy uses should be consistent in baseline and improved scenarios. Then, use an 8760 compliant model to reproduce improved scenario to report items (i) through (v) from 4a above.
 - c. **Improved meeting Passivehouse:** Engage with a MassSave funded consultant for them to develop a scenario meeting Passivehouse. Then, use an 8760 compliant model to reproduce the Passivehouse scenario to report items (i) through (v) from 4a above.
 - d. **Develop sub-scenarios** of (a), (b), and (c) above to evaluate water heating options including: in-unit air source heat pump, in-unit electric resistance, in-building central air source heat pump with distributed water to each unit.
5. For the 5-story, 150-unit assisted living building, perform the following scenarios:
 - a. **Baseline meeting minimum code:** use 8760 compliant energy model to show building meeting ASHRAE 90.1 2013 with amendments, improved by 10% on an energy use intensity basis. (If the building is less than 100,000-sf, use 8760 energy

⁹ Building Envelope Thermal Bridging Guide, Version 1.2, 2018, BC Hydro available here
<https://www.bchydro.com/content/dam/BCHydro/customer-portal/documents/power-smart/business/programs/building-envelope-thermal-bridging-guide-version-1.2.pdf>

model meeting prescriptive 2018 IECC, plus Massachusetts amendments.) Report the following using output from the 8760 compliant energy model:

- i. Heating and cooling thermal energy demand intensity TEDI (kBtu/sf-yr)
- ii. Heating and cooling peak loads for each month (MBH)
- iii. Peak energy use for each month, broken down by energy type (MBH)
- iv. Total annual heating and cooling (MMbtu/yr)
- v. Total annual energy use, broken down by energy type (MMbtu/yr)

- b. **Improved with low heating TEDI:** Use 8760 model to develop an improved scenario incorporating: reduced air infiltration, improved windows, improved walls/roof, electric air source heat pump space heating, and improved energy recovery that results in a reduction in heating TEDI, targeting about 2 to 3 kBtu/sf-yr. Lighting, appliance energy use, or other non-water heating miscellaneous energy uses should be consistent in baseline and improved scenarios. Report items (i) through (v) from 5a above.
 - c. **Improved meeting Passivehouse:** If this building type qualifies for MassSave Passivehouse incentive, engage with a MassSave funded consultant for them to develop a scenario meeting Passivehouse. Then, use an 8760 compliant model to reproduce the Passivehouse scenario to report items (i) through (v) from 5a above.
 - d. **Develop sub-scenarios** of (a), (b), and (c) above to evaluate water heating options including: in-unit air source heat pump, in-unit electric resistance, in-building central air source heat pump with distributed water to each unit.
6. For the 4-story, 102-unit hotel, perform the following scenarios:
- a. **Baseline meeting minimum code:** use 8760 compliant energy model to show building meeting prescriptive 2018 IECC, plus Massachusetts amendments. (If the building is 100,000-sf or larger, use ASHRAE 90.1 2013 with amendments, improved by 10% on an energy use intensity basis.) Report the following using output from the 8760 compliant energy model:
 - i. Heating and cooling thermal energy demand intensity TEDI (kBtu/sf-yr)
 - ii. Heating and cooling peak loads for each month (MBH)
 - iii. Peak energy use for each month, broken down by energy type (MBH)
 - iv. Total annual heating and cooling (MMbtu/yr)
 - v. Total annual energy use, broken down by energy type (MMbtu/yr)
 - b. **Improved with low heating TEDI:** Use 8760 model to develop an improved scenario incorporating: reduced air infiltration, improved windows, improved walls/roof, electric air source heat pump space heating, and improved energy recovery that results in a reduction in heating TEDI, targeting about 2 to 3 kBtu/sf-yr. Lighting, appliance energy use, or other non-water heating miscellaneous energy uses should be consistent in baseline and improved scenarios. Report items (i) through (v) from 6a above.

- c. **Develop sub-scenarios** of (a) and (b) above to evaluate water heating options including: in-unit air source heat pump, in-unit electric resistance, in-building central air source heat pump with distributed water to each unit, and in-building central natural gas system with distributed water to each unit.
7. Separately for both the 1,800-sf café and 6,000-sf restaurant, perform the following scenarios:
 - a. **Baseline meeting minimum code:** use 8760 compliant energy model to show building meeting prescriptive requirements of 2018 IECC with amendments. Report the following using output from the 8760 compliant energy model:
 - i. Heating and cooling thermal energy demand intensity TEDI (kBtu/sf-yr)
 - ii. Heating and cooling peak loads for each month (MBH)
 - iii. Peak energy use for each month, broken down by energy type (MBH)
 - iv. Total annual heating and cooling (MMbtu/yr)
 - v. Total annual energy use, broken down by energy type (MMbtu/yr)
 - b. **Improved with low heating TEDI:** Use 8760 model to develop an improved scenario incorporating: reduced air infiltration, improved windows, improved walls/roof, electric air source heat pump space heating, and improved energy recovery that results in a reduction in heating TEDI. Lighting, appliance energy use, or other non-water heating miscellaneous energy uses should be consistent in baseline and improved scenarios. Report items (i) through (v) from 7a above.
 - c. **Develop sub-scenarios** of (a) and (b) above to evaluate water heating options including: air source heat pump and electric resistance.
8. Evaluate incentives, including
 - a. Estimates of MassSave® incentives, based on meeting with utility, including:
 - Incentives for Passivehouse scenarios
 - Incentives for other performance-based non-Passivehouse scenarios
 - Incentives for efficient electrification.
 - b. Estimate of Alternative Energy Credits
9. Evaluate solar PV.
 - a. Investigate models of ownership and operation under SMART, including Qualified Facility pathway.
 - b. Meet utility to discuss interconnection.
 - c. Include scaled building roof plans showing location of planned solar and location of roof HVAC equipment and other appurtenances for each building
 - d. Indicate on the plans the code-required extent of solar readiness, if applicable.

- e. Map out maximum area available for solar.
 - f. Estimate GHG reduction as a result of solar PV.
10. Evaluate opportunities for EV ready and installed EV spaces.
 11. Submit project modeling files to the DOER on a flash drive.
 12. Compare model results total and individual end uses with representative, prototype buildings developed by Pacific Northwest National Labs/Department of Energy found at the link below. Provide a summary explaining potential differences.
 - https://www.energycodes.gov/sites/default/files/documents/BECF_901_2013_Progress_Indicator_0_0.pdf
 - <http://www.energycodes.gov/sites/default/files/documents/2013EndUseTables.zip>
 - <https://www.energycodes.gov/commercial-energy-cost-savings-analysis>
 13. Include a table similar to the example below. For “code value” ensure that the value incorporates any improved efficiency per requirements of Section C406.1 of the Massachusetts’ amendments. Add columns as necessary to accommodate the improved scenarios.

Measure/Area	Base Code	Improved Scenario	% Change	Comment
AC Efficiency (EER)				
Bldg 1	<i>code value</i>	<i>design value</i>	%	
Bldg 2	<i>code value</i>	<i>design value</i>	%	
ERV Effectiveness (%)				
Bldg 1	<i>code value</i>	<i>design value</i>	%	
Bldg 2	<i>code value</i>	<i>design value</i>	%	
Boiler (% efficiency)				
Bldg 1	<i>code value</i>	<i>design value</i>	%	
Bldg 2	<i>code value</i>	<i>design value</i>	%	
LPD (Watts/sq ft)				
Bldg 1	<i>code value</i>	<i>design value</i>	%	
Bldg 2	<i>code value</i>	<i>design value</i>	%	
(continue to include service water, equipment, etc)				

Sincerely,



Paul F. Ormond, P.E.

Lakeshore Center Phase 4, EEA #16558
Bridgewater, Massachusetts

Energy Efficiency Engineer
Massachusetts Department of Energy Resources

purvi.patel@mass.gov

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Comment Details

EEA #/MEPA ID 16558	First Name gary	Address Line 1 90 Goodwater Way	Organization --
Comments Submit Date 5-31-2022	Last Name abrams	Address Line 2 --	Affiliation Description Individual
Certificate Action Date 6-14-2022	Phone --	State MASSACHUSETTS	Status Opened
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email ga1960boston@yahoo.com	Zip Code 02324	

Comment Title or Subject

Topic: I am against it

Comments



As a neighbor and resident of this proposed project,I am against this much additional construction in the area.

The traffic impact,the environmental impact,the noise impact and light pollution have already taken their toll on the area around lake Nippenicket.The road,which is already in bad disrepair cannot handle the additional traffic.

Taking wetlands for development is horrible for the wildlife and nature in general.

Another hotel?A cafe(so what does that mean?Dunkin or Starbucks?-So much traffic in and out),A 3RD apartment complex and an assisted living facility(Ambulances coming and going all day,every day)plus another 160 unit condo building too?

And the proposed Restaurant????So its ok for them to build on the lake but not for anyone that lives there already?

Will the developer been required to improve the roadway on Pleasant st?It should and also it should be required to pay for improvements to ALL the roads surrounding the lake as well!At the very least this would be something for the residents to get as an incentive to be more welcoming to all the work proposed!

Everyone who bought a house on the lake did so because of the serene and beautiful area,we ALL pay taxes too but it seems as though we get ZERO consideration in return.This is especially true of the area around the lake on the west side of rt 24,seems like the town doesnt care about it and the impact it has on the residents at all.

Does every square yard of area NEED to be developed?Please consider the tax paying residents of the lake area before you decide to rubber stamp everything this company wants!

Attachments

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purvi.patel@mass.gov

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Comment Details

EEA # /MEPA ID 16558	First Name Nancy	Address Line 1 90 Goodwater Way	Organization --
Comments Submit Date 5-31-2022	Last Name Abrams	Address Line 2 --	Affiliation Description --
Certificate Action Date 6-14-2022	Phone --	State MASSACHUSETTS	Status Opened
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email ndmom94@yahoo.com	Zip Code 02324	

Comment Title or Subject

Topic: Environmental and historical impacts

Comments

B *I* U Segoe UI ▼ 10 pt ▼ ▼ ▼ X₂ X² Paragraph ▼ ▼

This area is highly congested with traffic ever since the condos went in, putting in more condos etc is only going to make the traffic worse. I do wish a traffic study would happen before approval. This project also has a very high impact on wildlife that are already losing homes because of the current construction. Lastly, an historic archeological structure will be destroyed. Please consider the environment and the history of this land before destroying it.

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From: [Jean DiBattista](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: #16558 - Lake Shore Center Phase 4 Proposed Project
Date: Saturday, June 4, 2022 11:05:15 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Purvi:

I recently submitted some comments regarding the above project via the online portal, and wanted to add more concerns to those I have already provided to you via that method. For your convenience, I have included those comments with the ones listed below so you can just view one document (this email) to see everything.

In general, I am concerned about the above project and its impact on Lake Nippenicket and the surrounding areas/neighborhoods. My concerns about the Planned Lake Shore Center Phase 4 Project include the following:

ENVIRONMENT: It substantially impacts an Area of Critical Environmental Concern, the Hockomock Swamp, including Lake Nippenicket and its nearly wetlands. The project site also falls within mapped rare species habitat and I am concerned about the impact that this project will have on the surrounding wildlife.

TRAFFIC: It involves a large increase in traffic on Route 104 (estimated by Claremont to be 4,262 extra trips **per day**) impacting surrounding neighborhoods, and all members of the public which would like to use the lake for peaceful recreation. It should be noted, that for some surrounding neighborhoods, Route 104 represents the only way in and out of the neighborhood, and access to the public boating dock by members of the public is also dependent on access to Route 104. In addition, it directly impacts the commuting route of all individuals in the local area who must use Route 104 to get to Route 24 and connecting highways to go to work.

WATER USAGE: It involves a large increase in water usage and Bridgewater is already on "Restricted Water Usage". In addition, during the seven year construction phase, I am concerned that water will be turned off multiple times.

NOISE: The project will likely increase noise substantially (due to increased traffic and restaurant activity) which will have a significant impact on the activities of local wildlife and the quality of life of all nearby residents and all members of the public whom would like to use the lake for peaceful recreation.

WASTE/TRASH – I am concerned that specific aspects of this project will increase waste and trash in the overall area and find its way into Lake Nippenicket and surrounding neighborhoods and areas.

POLLUTION – Increased air pollution may also be generated by the large number of cars that will need to use a two-lane road. I believe this will impact the health and enjoyment of the lake by members of the community and public.

LAND ALTERATION - A substantial amount of open space will be destroyed by the project, impacting the beauty of the lake, surrounding areas, and possibly setting the stage for additional climate change impacts to the immediate area.

ARCHAEOLOGICAL HISTORICAL SITE DESTRUCTION – Two sites of archaeological historical significance will be destroyed.

OPEN SPACE: Finally, I also dispute this statement made by Claremont in the ENF Document/Report: ***“The open space at the Project Site is not useable as it is along a busy corridor between Route 24 and Route 495.”*** This space could be used to support additional recreational activities for the adjacent Boat Ramp/Parking Lot area by adding additional space for members of the community to picnic and walk. Many of us chose to live here because of the area’s beauty and open space.

Thank you for your consideration of my comments and concerns.

Please acknowledge receipt of this email.

Warm Regards,

Jean DiBattista



purvi.patel@mass.gov

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Comment Details

EEA #/MEPA ID 16558	First Name Jean	Address Line 1 --	Organization To MEPA
Comments Submit Date 6-1-2022	Last Name DiBattista	Address Line 2 --	Affiliation Description Individual
Certificate Action Date 6-14-2022	Phone --	State MASSACHUSETTS	Status Opened
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email jcdibattista@gmail.com	Zip Code 02324	

Comment Title or Subject

Topic: Lake Shore Center Phase 4

Comments

B *I* U Segoe UI 10 pt X₂ X² Paragraph

I am concerned about the above project and its impact on Lake Nippenicket and the surrounding areas/neighborhoods. My concerns include the following:

It substantially impacts an area of critical environmental concern.

It involves a large increase in water usage and Bridgewater is already on "Restricted Water Usage".

It involves a large increase in traffic on Route 104 (estimated by Clarendon at 4,262 extra trips per day) impacting surrounding neighborhoods, and all members of the public which would like to use the lake for peaceful recreation. It should be noted, that for some surrounding neighborhoods, Route 104 represents the only way in and out of the neighborhood, and access to the public boating dock by members of the public is also dependent on access to Route 104.

It involves a large increase in noise and light especially because of the planned restaurant and traffic which would impact both wildlife and the quality of life of all nearby residents and all members of the public which would like to use the lake for peaceful recreation. This noise and light most likely would also have significant impacts on wildlife such as the turtles that are currently laying eggs in this area, nesting birds, etc.

It impacts two historical sites.

Sincerely,

Jean DiBattista

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From: [Robert DiBattista](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: #16558 - Lake Shore Center Project
Date: Saturday, June 4, 2022 11:32:48 AM

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Hello Purvi, I would like to express my concerns for the proposed expansion of the Lake Shore Center project #16558. This expansion would put a tremendous amount of stress on the already fragile environmental conditions here. The proposed expansion would further destroy the existing ecological conditions.

If you visit the site please survey the water level in the Lake. It has already been reduced to no more than a deep puddle at this time. We must stop destroying these last few critical environmental areas just to build another hotel or this last nature rich area will disappear.

Thank you for your time,
Robert DiBattista

From: sbaumgarten@verizon.net
To: [Patel, Purvi \(EEA\)](#)
Subject: Lakeshore Center Phase 4
Date: Monday, June 6, 2022 3:49:47 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Patel,

Comments re: Lakeshore Center Phase 4 Proposal:

I will expand on the comments I made at today's Zoom meeting. First, from the philosophical side, with a somewhat cynical bent: Why allow a project of this size in an area designated as an "ACEC," which is meant to "protect important historical, cultural, and scenic values, or fish and wildlife or other natural resources?" Despite the "mitigations," this project cannot really protect anything. And, frankly, when I see the word "mitigations" used multiple times in a report, meaning tons of exceptions are needed to go forward with the project, I know there are problems.

Secondly, and more specifically, 3,000 plus "adts" will have huge impacts on traffic. Rt. 104, from the highway into Town, is already backed up during rush hours. The additional "adts" will worsen these backups. And, as someone else commented, turning left out of Lakeside Drive to head east on 104 will become a real challenge and increasingly dangerous.

Third, regarding water use, there was a Facebook thread today on the Bridgewater Residents' Page about households that routinely have brown-colored water. This issue is raised regularly. Clearly, the Town has a problem with providing clean, clear water to all of its residents. And yet, this project will add over 130,000 gallons of water use to the existing demand. That doesn't bode well for town water quality.

Fourth, how can a restaurant right on the lake not be harmful to the shore area and water quality? The cynic says: This is just so some people can have a place to eat and watch beautiful sunsets. They don't care much about the quality of the lake.

Finally, if you were one of the turtles that had to be moved, how would you feel???? Thanks for adding these thoughts to the response file.

Sam Baumgarten
60 Short Street
Bridgewater, MA 02324
774-208-2933

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Comment Details

EEA #/MEPA ID 16558	First Name Sharon	Address Line 1 15 Lakeview Park Lane	Organization --
Comments Submit Date 6-9-2022	Last Name Cumiskey	Address Line 2 --	Affiliation Description Individual
Certificate Action Date 6-14-2022	Phone --	State MASSACHUSETTS	Status Opened
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email skey1952@comcast.net	Zip Code 02324	

Comment Title or Subject

Topic: The Nip

Comments

**B***I*U Segoe UI ▼ 10 pt ▼   X₂ X²   Paragraph ▼        

I am very disheartened to learn of the intended addition of more buildings on the lands surrounding Lake Nippenicket. This area has already been severely impacted with noise, traffic, police calls and loss of habitat for the few animals left. Claremont has not been keeping up their end of the bargain in terms of respecting EPA guidelines as enforced by our town's Conservation Commission. We neighbors repeatedly have to call as another "new" landscaper comes to clear bush within the no cut zone. The police or CC come and we never see that landscaper again- until we see another one. They do not regard the law as applying to them. In the same way they don't feel the zoning should apply to them.

Within the last few years our traffic has more than doubled. Some mornings it can take 10 minutes to get onto Rte 104 from my road. The sirens heading to the existing apartment complex at all hours of the day and night are a major headache- as well as taxing our local fire department.

As a scientist with access to GIS maps I was able to locate a protected brook and lands around the Nip which held them off for a couple of years, but now they are back wanting to make changes that will line their pocketbooks without regard to our waters, wildlife or their neighbors.

Please recommend that the zoning not be changed and Claremont be required to follow the law as it is currently written.

Thank you,
Sharon Cumiskey

Attachments

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From: [Donna M Auger](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Development on Lake Nippenicket by the Claremont Corp
Date: Friday, June 10, 2022 4:36:39 PM

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I am writing to voice my concern about this development. I know there are environmental concerns but I am focused on 2 areas. One is 4000 extra cars on Rt24. The road can barely handle the traffic we have now. The second is water usage. We already have a water shortage and elevated PFAS6. Our water is always brown and tastes terrible. We purchase water for drinking and cooking. Please consider these as well as the threat to the environment.
Donna Auger

Sent from my iPad

purvi.patel@mass.gov

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Comment Details

EEA #/MEPA ID 16558	First Name Linda	Address Line 1 15 Sunset Ln	Organization --
Comments Submit Date 6-10-2022	Last Name Schmuck	Address Line 2 --	Affiliation Description Individual
Certificate Action Date 6-14-2022	Phone --	State MASSACHUSETTS	Status Opened
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email tschmuck@aol.com	Zip Code 02324	

Comment Title or Subject

Topic: Concern for the wetlands and surrounding community

Comments

**B***I*U Segoe UI 10 pt  X₂ X²   Paragraph 

As a neighbor, since 1997, of Lake Nippenicket and the surrounding wetlands I have multiple concerns about the above project. Namely, the alteration of land that will have a significant impact on the wetlands. I am concerned that the increase in daily traffic will lead to further congestion, noise, pollution and trash in the area. This project will have major impacts on the environment including the wildlife and rare species living in the area. I disagree with the destruction of an archaeological historical site. The north side of route 104 is completely residential, putting commercial buildings there will destroy the peace and beauty of our homes. When are we going to stop destroying this Area of Critical Environmental Concern? Thank you for considering my views and concerns, Linda M. Schmuck

Attachments

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From: tschmuck@aol.com
To: [Patel, Purvi \(EEA\)](#)
Subject: Comments on Lake Shore Center Phase 4
Date: Friday, June 10, 2022 3:08:57 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Purvi,

I have been a resident of the Lake community since 1997. I have many concerns about this new project and it's impact on the Lake and the neighborhoods. Since the construction of multiple projects by the Claremont companies, our environment has changed dramatically. Although Claremont professes to be a good neighbor, they have little concern for our quality of life.

The traffic on Rte.104 has increased dramatically, leading to many accidents. Now, they want to increase the traffic even further (and extra 4,000 plus trips a day) leading to more congestion, noise pollution and trash. The amount of trash and water pollution at the lake is disappointing and Claremont does not even consider it their responsibility to remove the trash accumulated on their own property at the waters' edge.

These Hobomock wetlands are being impacted and altered. We need to be good stewards of the land. The habitat of the wildlife in the area has also been disturbed. I am not in favor of disturbing the archaeological historical site, nor am I in favor of any commercial building on the north (lakeside) of Rte. 104. The open space in this community has been and will continue to be dramatically reduced if this project is allowed to go through as proposed.

Thank you for taking the time to consider my concerns.

Sincerely, Linda

Linda M. Schmuck
15 Sunset Ln
Bridgewater, MA 02324

From: [Evelyn DeLutis](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Bridgewater Nip area
Date: Saturday, June 11, 2022 7:42:40 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Sat, June 11th, 2022. I am writing as a long time Bridgewater resident and dependable voter with my serious concerns about the proposed Lakeshore project.

Presently our town is struggling with water quality. It truly needs to be addressed before any more building projects are initiated. We also have to deal with more than the typical traffic for a town due to the University in the town which brings traffic into and out of the town year round. Many of the back roads (this 2 lane road is one) tend to be used due to the traffic backups on the main roads.

My personal concern is for this historical area of the town and the archeology that happens constantly as well as through the University which will be disrupted with the plans of Lakeshore. The Nip being a source of recreation will suffer as a result of less parking for boaters and fishing as well as trash and waste.

Our town has been becoming more and more built up with less and less open space for animals and open space for the simple enjoyment of people.

Consequently, I am asking that all of the above be considered before any decision is made about the Lakeshore Project. Thank you for hearing my opinion. Sincerely, Evelyn DeLutis

May we say yes to healing with our signatures, our prayers, our voices, our action, our doing justice and loving mercy and walking humbly. - Ashlee Eiland



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Comment Details

EEA #/MEPA ID	First Name	Address Line 1	Organization
16558	Julia	27 Bridle Rd	--
Comments Submit Date	Last Name	Address Line 2	Affiliation Description
6-11-2022	Blanchard	--	Individual
Certificate Action Date	Phone	State	Status
6-14-2022	--	MASSACHUSETTS	Opened
Reviewer	Email	Zip Code	
Purvi Patel (617)874-0668, purvi.patel@mass.gov	julia.blanchard5310@gmail.com	02324	

Comment Title or Subject

Topic: Please deny this Request

Comments

I'm writing to express my deep concerns about the proposed Lakeshore Center Phase 4 project. Claremont has already had a negative impact on our quality of life in the neighborhood, and we don't need it to get four times worse. Traffic has multiplied shockingly, and wildlife I used see in the area has decreased dramatically. For example, I have not seen the Great Blue Herons for about 2 years now.

Here is what they want to build:

- A 1-story, approximately 1,800 GSF **café shop** on Lot 1;
- A 5-story, 150-unit **assisted living** facility on Lot 4;
- A 4-story, 225-unit **55+ residential community** on Lot 6;
- A 4-story, 102-room **hotel**, and a 4-story, 160-unit **condominium community** on Lot 7; and
- A 6,000 GSF **restaurant** on the north side of Pleasant Street adjacent to Lake Nippenicket.

This huge project would have an incredibly bad impact on the area and our quality of life. It necessarily involves an even bigger increase in traffic on Rt. 104. It's hard enough to get out of the neighborhood now, especially for my morning commute.

We live in a nice peaceful lakeside area and don't want it to become a commercial center filled with traffic and more and more people. Noise pollution and trash around the lake area are already becoming a problem. We could not hear the highway before Claremont cut down all those trees, now it sounds like a racetrack. While the increased noise is upsetting to me, I wonder what impact it has on the local wildlife. This project would increase it even more. It's just intolerable.

The environmental impact of this large project cannot be understated. It involves an Area of Critical Environment Concern, including the Hockomock swamp, Lake Nippenicket,. These wetlands are fragile and should not be tampered with. Once you ruin them you can't get them back again. There are rare and endangered species in that area as well.

"The Hockomock Swamp is a vast natural and scenic area. Because of its size, it is a unique and irreplaceable wildlife habitat. It is also the location of at least **13** rare and endangered species. According to the Massachusetts Historical Commission, the archaeological sites in the vicinity of this wetland complex are known to span a period of **9000** years; the potential quality and significance of the archaeological resources are enormous. Productive agricultural lands are located on the uplands adjacent to the wetlands, brooks, and rivers."

<https://www.mass.gov/service-details/hockomock-swamp-acec>(<https://www.mass.gov/service-details/hockomock-swamp-acec>)

The article above also mentions archaeological sites. The project is proposing to destroy two of these sites in the name of development; the Bassett site and the Tomb Road site, which I'm told is from the Viking era. Again, once these sites are bulldozed, they can never be recovered for study and are gone forever.

The Town of Bridgewater cannot handle all these extra residents; water usage in particular is of huge concern. We already have to ration our water and have several issues with PFAs and superfluous minerals. This would put an undeniable strain on that as well as other town services such as schools, police, fire, etc.

I urge you to deny this request. We do not need these developments in our town to destroy our beautiful neighborhood on the Lake.

Thank you for your consideration,

- Julia A. Blanchard

Attachments

Claremont letter AGAIN.docx(null).

Update Status

Status

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From: [Nathalie Berkowitz](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: #16558 - Lake Shore Center Phase 4
Date: Sunday, June 12, 2022 2:00:30 PM

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Mr. Patel:

We are very concerned about the above project and its impact on Lake Nippenicket and the neighborhood we chose to live in because of its uniqueness and beauty:

The traffic in this area will be greatly increased. Coming from Lakeside Drive onto Route 104 is already a problem, and it is the only way in and out of our neighborhood. There will be 4,262 extra trips by Lakeside Drive per day onto a two lane road;

There will be a large increase in water use, and we have had problems with our water supply in the past. We are already on "Restricted Water Usage";

There will be increased air pollution from the increased number of cars on Route 104; and

The amount of waste and trash will be increased polluting Lake Nippenicket and the surrounding neighborhoods.

The above concerns will impact the quality of life in this area which we chose because of its natural beauty and open space. Our health and comfort and home value will be diminished if this project progresses.

Please consider these strong objections and help us and our neighbors enjoy the quality of life we worked hard for and choose to maintain.

Sincerely,

Michael and Nathalie Berkowitz
39 Paddock Road
Bridgewater, MA 02324

From: [Oliveira, Anthony J](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Lake Shore Center Lake Nippenicket Bridgewater, MA - Proposal Comments for Consideration of MEPA Please
Date: Monday, June 13, 2022 2:15:53 PM
Attachments: [image001.png](#)
Importance: High

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Purvi,

May I please ask for your inclusion of my concerns outline below on the Lake Shore Center - Lake Nippenicket, Bridgewater, MA plans by Claremont Companies please ?

An environmental notification form (ENF) has been submitted by Clermont companies to the Massachusetts environment policy act office for the project that if approved will impact the lake and the surrounding areas forever.

(16558- Lake Shore Center Phase 4)

This project if approved what are the effect the lake and it's nearby wetlands. The project site falls within mapping of species habitat and surrounding wildlife. The fragile ecosystem that already exists on the lake will be even more put to the test. Turtles, fish, geese, and ducks all will cease to exist head instead this restaurant will bring about more congestion waste and trash pollution and possible rodents due to food waste so near to the borders of the lake.

A large increase to traffic on route 104 estimated by Clermont to be 4.262 extra trips per day will impact not only does surrounding neighborhoods and the members of our community but also the use of peaceful recreation and enjoyment of the gem that is Lake Nip.

The water usage will dramatically be increased for this area which heavily relies on well water and will deplete the existing aqueduct that supplies water to many of the homes surrounding the lake . Also need to stress that Bridgewater as a town is already on a restricted water usage .

The lake already is assaulted during the summer months by visitors from out of town with boaters and jet skiers who pollute the waters of the lake with oil and gasoline . Having this public building (restaurant) so near to the state boat slip will only increase that population and destroy the habitat for so many of the wildlife that depend on it for its survival. The wildlife often is the victim of the speeding boats and jet skis it has not only been once or twice that we have seen a dead duck or fish wash up on shore after a weekend of jet skiers and speed boats. Having this project will only encourage more activity on the lake and possibly driving under the influence boaters and jet skiers to do more damage to its wildlife.

I respectfully ask your office to take these into consideration and please help us to keep this gem

affectionately known as Lake Nip for future generations. She is surrounded on that side of the lake near Rt 104 by so much that can do harm to her that she needs someone to be her voice. Please be her voice.

Respectfully,
Anthony Oliveira
35 Birch Hill Road
Raynham, MA 02767

Anthony Joseph Oliveira
Payer Relations Account Manager
Combined Professional Billing Office

☎ 617-724-8920 | 📠 617-643-7941 | Cell 617-653-9224



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From: [Janet Hanson](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Lake Shore Center Phase 4
Date: Monday, June 13, 2022 8:12:11 PM

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Hello,

My name is Janet Hanson and reside in Bridgewater, MA not far from the proposed project by Claremont Companies.

I am very concerned about the proposed further development on that property especially lot 6 and 7.

As noted in the General Project Description, those two lots are wetlands plus there are in an Archeological areas which need to be protected along with what is left of the wetlands.

Even with buffer zones (which in past have been stretched to the limit by this company already), the wetland will be disturbed.

There has already been much building on the entire property with much habitat being destroyed and encroached upon to the limit.

To allow them to build in the proposed areas will strain the wetlands and native species.

They are proposing to build a 55+ community with four floors with 25 units per acre. That seems excessive plus if it is for elderly housing, why would they put them 4 stories high? But this question is probably not within your jurisdiction.

The proposed restaurant on the Nip side has been discussed numerous times. They have attempted to put a restaurant in by requesting numerous changes to our Planned Development District to make it fit. Even with these changes it still would not fit. Currently that piece of property is zoned residential. They want to make it PDD but not enough acres to allow that so they wanted to add their own verbiage to have Rt 104 be a right away and add that property to the larger property to allow it to meet that acreage. They also want to reduce the water edge buffer zone to allow the restaurant to overlook the water and decrease setback from road to be 35 feet not the 200 feet required.

There were at least 6 proposed changes they wanted the town to do so they could put the restaurant in- none of which protected the Lake.

The lake is part of the Hockomock Swamp Area of Critical Environmental Concern (ACEC) as you are fully aware.

To allow this business in the proposed area will be of concern for the water and wildlife in the area not to mention light and noise pollution.

The amount of building the Claremont VCompany is proposing for what is left of the property seems excessive and what wetlands and archaeological areas that are left need to be protected.

It will ultimately impact the ACEC areas and traffic will be of concern.

I implore you to look deeply to the areas of concern and hopefully take everything into consideration and vote unfavorably to their requests.

Thank you for your time in this sensitive matter.

Janet Hanson and David Hanson
665 Pleasant St
Bridgewater, MA 02324
Resident of 43 yrs and 66 yrs

From: [KELLY-FRANK CANNIZZARO](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: EEA #16558 - Lake Shore Center Phase 4, Bridgewater, Claremont Companies
Date: Monday, June 13, 2022 8:36:18 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good evening Purvi,

I would like to voice my concerns regarding this proposed project and the impact that this project will have on Lake Nippenicket ("Nip") and the surrounding areas/neighborhoods.

First, the restaurant portion of the project will have a significant impact on the Nip. In order to construct the planned restaurant, a significant amount of trees that are **directly** on the parameter of the Nip will have to be removed and this will directly destroy the habitats of the many species of animals that live in or around the Nip. I, personally, have lived on the Nip for 23 years and have noticed first-hand since the construction of the hotel and large apartment complexes from the first phase of this project the impact that the construction has had on the species. I have seen a large volume of dead turtles, fish, and geese. I no longer see the cranes and swans that I used to see. As Claremont is continually allowed to build more and more near the Nip, these animals are forced farther and farther away from their habitats and if Claremont is allowed to proceed with the Phase, this will happen again because there will no longer be any place for them to go.

Second, the traffic in or around this area will increase tremendously. Claremont is looking to cram a lot more businesses into a small area where at points, there is only 1 lane for traffic. This area is already very congested as it is. People come to enjoy the Nip for peaceful recreation and the increased traffic and noise from a restaurant located right on the water in particular (between trash and delivery trucks arriving and departing) will all but ruin this. The only parking lot that people can use to come and enjoy the Nip is directly next to the proposed restaurant location and will no doubt be used as overflow parking for this restaurant even if they are instructed that it is prohibited because there will not be enough parking and there will be no one there to enforce it. There is also a public parking area across the street and people may choose to park there which would be a hazard because of the close proximity to the exit ramp right off Route 24 and people attempting to cross the road to go to the restaurant. People exiting the highway usually do so at a high rate of speed. The increase in the amount of traffic is also a very large concern as it will create more pollution which will effect the people trying to enjoy the Nip or people living in the surrounding neighborhoods. People often picnic and walk in this area. The lights that will be installed (especially around the restaurant) will have a huge impact on the people that live along the Nip. They will be shining in their windows causing them to install blinds and prevent them from enjoying the beautiful views they now enjoy.

Third, these plans require a large increase in the water usage and I believe Bridgewater is already restricted as it is.

Fourth, Claremont has already tremendously altered the land surrounding the Nip by what they have already constructed (hotel, 2 large office buildings, and 2 housing complexes). Further construction will continue to alter the land and create more pollution.

In conclusion, the Nip is a precious part of the community as well as the Commonwealth and we are very fortunate to have it. If we continue to invade the ecosystems and habitats of the wildlife, they will cease to exist. I would like to protect this beautiful area so that people can continue to come and enjoy a peaceful place to relax. We cannot undue it once it has been done and we would be fools if we continue to build-up this area and not think that the Nip and the surrounding areas will be affected.

Thank you for your consideration of my concerns.

Sincerely,

Kelly Cannizzaro

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Comment Details

EEA #/MEPA ID 16558	First Name Melissa	Address Line 1 --	Organization Lake Nippenicket Action Focus Team
Comments Submit Date 6-13-2022	Last Name Ramondetta	Address Line 2 --	Affiliation Description Individual
Certificate Action Date 6-14-2022	Phone +15086972118	State --	Status Opened
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email lnaft@outlook.com	Zip Code --	

Comment Title or Subject

Topic: EEA #/MEPA ID* 16558 / Lakeshore Center Phase 4 / Bridgewater, MA

Comments

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Please find comments from the Lake Nippenicket Action Focus Team attached re: EEA # / MEPA ID 16558 / Lakeshore Center Phase 4 in Bridgewater, MA.

Please acknowledge receipt, thank you.

With kind regards.

Attachments

[LNAFT COMMENTS_MEPA_ENF 16558 LAKESHORE CENTER PHASE IV_061322.pdf](#)

[Perennial Stream - North Site Video_060922.mov](#)

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Status

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June 13, 2022

Purvi Patel
Environmental Analyst
MEPA Office Executive Office of Energy and Environmental Affairs 100 Cambridge Street, Suite 900
Boston, MA 02114
purvi.patel@state.mass.us

RE: EEA #16558 : Lakeshore Center Phase IV, Bridgewater MA

Dear Ms. Patel:

The Lake Nippenicket Action Focus Team (LNAFT) submits the following comments on the Environmental Notification Form (ENF / EEA 16558) for Lakeshore Center Phase IV, published in the Environmental Monitor on May 25, 2022.

Northern Site:

The narrow parcels of land that are the subject of the Northern site include a 1,080 square foot residence (purchased in 2018) and undeveloped parcels of land that run along approximately .30 miles of shoreline of Lake Nippenicket. The parcels are located next to the Lake Nippenicket Boat Ramp and Parking Lot. The Northern Site parcels are not part of the existing Lakeshore Center development and are located across Route 104. The site is not zoned as part of the Planned Development District and the parcels were not part of previous Lakeshore Center MEPA filings by the proponent.

The South Coast Rail Community Priority Area 5-Year Update Project Report dated August 2013, prepared by the Old Colony Planning Council in partnership with the Metropolitan Planning Organization and the Southeastern Regional Planning and Economic Development District shows the Northern Site parcel (Figure 1) located within the *Priority Protection Area (PPA)*. As defined in this report, *Priority Protection Areas (PPAs) are areas that are important to protect due to the presence of significant natural or cultural resources including endangered species habitats, areas critical to water supply, historic resources, scenic vistas, and farms. Like PDAs, the PPAs can vary greatly in size. Sites may be candidates for protection through acquisition or conservation restrictions. (1)*

Figure 1: 2013 Bridgewater Community Priority Area Map



Figure 1: South Coast Rail Community Priority Area 5-Year Update Project Report (2013)



Figure 2: BioMap2: Natural Heritage and Endangered Species Program

(<http://maps.massgis.state.ma.us/dfg/biomap2.htm>)

The Northern Site parcel is mapped in BioMap2 (Figure 2) by the Natural Heritage and Endangered Species Program as Core Habitat and Critical Landscape including Priority Natural Communities; Species

of Conservation Concern and the CNL components: Upland Buffer of Aquatic Core; Upland Buffer of Wetland Core and Landscape Blocks. (2) These parcels are Located within the Hockomock Swamp ACEC and are an important part of the Town River and Lake Nippenicket watershed and wildlife habitat that must be protected.

Under Water Resources (page 6), Lake Nippenicket is identified as an *impaired water body* and Category 4A. In *Appendix 24 Taunton River Watershed Assessment and Listing Decision Summary Final Massachusetts Integrated List of Waters for the Clean Water Act 2018/2020 Reporting Cycle* It notes “During the 1996 MassDEP lake synoptic survey of Lake Nippenicket the non-native aquatic macrophyte *Cabomba caroliniana* was documented. The fieldsheets also indicate the presence of an unconfirmed species of *Myriophyllum* which was thought to be *heterophyllum*. The species needs confirmation, ideally when flowering heads are present. The Aquatic Life Use for Lake Nippenicket is assessed as not supporting based on the presence of the nonnative aquatic macrophyte *Cabomba caroliniana*. An additional species, *M. heterophyllum*, may also infest the pond (identified as an Alert Status) however further confirmation of this infestation is needed.” Both *Cabomba caroliniana* and *M. heterophyllum* are competitive and able to outcompete other aquatic plants. They can prevent water flow, reduce sunlight and reduce oxygen availability that can harm or kill aquatic organisms. The proponent has indicated that:

Plymouth gentian (Special Concern) <https://www.mass.gov/news/species-spotlight-plymouth-gentian>

Round-fruited seedbox (Endangered)

<https://www.mass.gov/files/documents/2016/08/tm/ludsph.pdf?msclkid=e6b653c1b5b211ecb45cc69e20a55695>

are likely to be on the Northern Site and potentially would be “taken” by the development proposed. As noted by the TRWA Summary, there are issues already with regard to invasive species Lake Nippenicket. Any “take” of beneficial plants would risk further growth of the invasive species in the Lake and the potential harm or death of aquatic organisms. Further study of the infestation of *Cabomba caroliniana* and *M. heterophyllum* is needed. (4)

On the eastern side of the Northern Site is a perennial stream that connects Lake Nippenicket to wetlands located across Route 104 on the Lakeshore Center development. The stream is subject to the protections of the River Protection Act and is visible on the MassMapper site as a perennial stream. The perennial stream has not been mentioned in the proponent’s ENF and on the “Preferred Option Plan” a parking lot is planned within the 200 foot buffer zone. The proponent has mistakenly identified this stream as something other than perennial. A video of the stream taken on June 9, 2022 is below. The stream is a vital connector of the Town River/Lake Nippenicket and must be protected from any

development that would impact these important hydrological connectors.

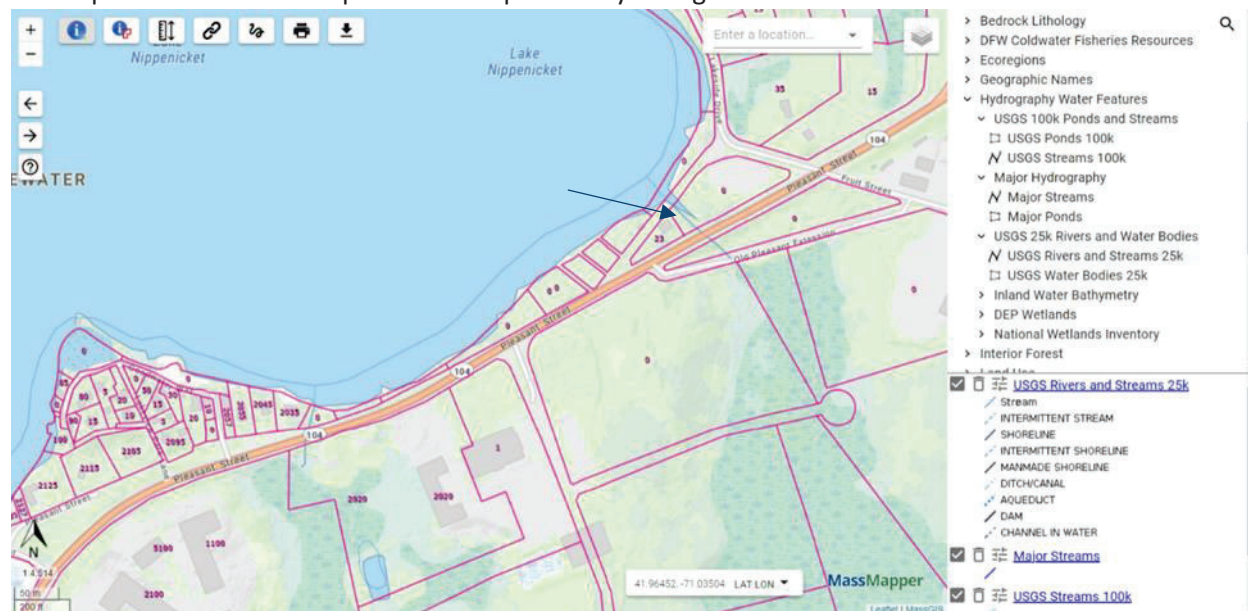


Figure 3: Mass Mapper (Oliver) dated June 8, 2022 & Video of Perennial Stream on North Site taken on June 9, 2022. (4)



The narrow Northern Site parcels must receive heightened MEPA attention and verification of the high water mark of the Lake due to Chapter 91 protections. These protections are triggered if any work is proposed within its jurisdiction. Lake Nippenicket is a Great Pond within an ACEC which affords significant protections from the high-water mark seaward. The proponent has indicated during the June 6th (2022) Zoom meeting that they intend to build a 4,000 sf restaurant with a 2,000 sf deck. MEPA should request an analysis from the Waterways team to verify the high-water mark and request a review of detailed site plans with regard to the proposed project. The lakefront site is too narrow for a restaurant and its extensive parking areas.

Other concerns include impacts on wildlife habitat; proximity to residential neighborhoods; traffic; noise pollution; trash and infestations of rats and other creatures.

On page 12 of the ENF the proponent states: ***“The open space at the Project Site is not useable as it is along a busy corridor between Route 24 and Route 495.”*** Under the Section, *Compatibility with Adjacent Land Uses*, the proponent notes proximity to highways and compatible adjacent uses as commercial and residential. The proponent has omitted another important use of this area which is recreational enjoyment of open space. The Northern Site is largely undeveloped; sits on the lakeshore; and is next to the Lake Nippenicket Boat Ramp which is a recreational open space hub for the community for fishing, picnicking, canoeing, kayaking and boating. The area is popular for its beautiful sunsets. Further west to this site is Rozena’s Field that is often the host of competitive horse shows. The proponent should ensure that all uses of this area are considered under this filing, including recreational

enjoyment of open space as it has largely been ignored in this ENF. The Northern Site and its location next to the Lake Nippenicket Boat Ramp would be an ideal area to consider for conservation restriction and passive recreation as the development of a restaurant on the site would have a negative impact on the recreational enjoyment of open space on Lake Nippenicket.

Eastern Site:

The Eastern Site is comprised of a 19.9 acre undeveloped parcel (Bridgewater Assessors Map 83, Parcel 85) of land fronting Route 104 and a 30.3 acre undeveloped parcel behind it (Bridgewater Assessors Map 96, Parcel 19). The proponent has also developed a 100,000 square foot flexible warehouse space on the easternmost portion of the site. A large portion of this land is covered by wetlands that feed into Lake Nippenicket, the headwaters of the Town River. Out of the undeveloped 50.2 acres, 29.40 acres are wetlands or 58%.

The “Preferred Option Plan” that the proponent is proposing would add 535 living units plus 102 hotel rooms to the currently undeveloped Eastern Site. It should be noted that the proponent’s plan emphasizes scale and monetary return. Every parcel of land that is not a wetland is being developed to its fullest degree. We would encourage MEPA to recommend a sizing down of Eastern Site Phase IV that allow the wetlands a full 100 foot buffer without work as these wetlands feed into Lake Nippenicket and are part of the hydrologically connected Hockomock Swamp and headwaters of the Town River. The focus should be on reducing project size and maximizing protection of the natural resources and habitat on the site. The watershed is small and any watershed degradation from this development will have tremendous impact on waterflow.

In the MEPA Filing Instructions to prepare an ENF on page 4 under Project Description, it notes that the proponent must discuss the infrastructure requirements of the project and the capacity of the municipal and or regional infrastructure to sustain these requirements into the future. The capacity issues of Bridgewater including water, sewer, etc. are not discussed by the proponent in this ENF. Total WMA Authorization for Bridgewater is 1.98 MGD (722.70 MGY). Annual usage for 2021 according to the Consumer Confidence Report was 1.59 MGD. If the maximum water usage of the Lakeshore Development is added to this total (ie: 146,862 gpd), it would bring Bridgewater very close to its annual water capacity. It should be noted that there are other large building projects ongoing in Bridgewater that will also add to this capacity. The proponent should provide additional detail regarding Bridgewater’s capacity to sustain the requirements of an additional 535 living units plus 102 hotel rooms into the future.

Also, according to the MEPA Filing Instructions #5. *Plan, at an appropriate scale, of proposed conditions upon completion of project (if construction of the project is proposed to be phased, there should be a site plan showing conditions upon the completion of each phase)*. The current ENF does not include phased plans and instead, shows all phases in one plan. It also does not break down in any summary of impacts, the phases of the project. It would be helpful to know the impacts per phase, as opposed to the wholesale approach taken in this current ENF.

Enhanced analysis with regard to Environmental Justice populations (16 in total) within a five-mile radius is needed. Due to the numerous triggers of air pollution within this area (ie: Route 24, Route 495, Elm Street Industrial District, Cities (Brockton and Taunton)) and the fact that the proponent is looking to increase vehicle trips per day by 4,262 and waste water by 122,385 gallons per day, further studies (ex:

air modeling data & wastewater studies) should be done to verify impact to determine if enhanced analysis and mitigation is necessary. Please take note of Figure 5 that illustrates air pollution in the area on June 9, 2022.

From the Massachusetts Environmental Justice Policy: 1) Exceed a mandatory EIR threshold for air, solid and hazardous waste (other than remediation projects), or wastewater and sewage sludge treatment and disposal; and 2) Are located within one mile of an EJ Population (or in the case of projects exceeding a mandatory EIR threshold for air, within five miles of an EJ Population). (5)

Also, it should be noted that according to Envirofacts, a General Permit Covered Facility for Two Lakeshore Center for non-potable water (sludge) has expired. (6)

FACILITY NAME (1)	TWO LAKESHORE CENTER OFFICE BUILDING	NPDES	MAR10014R
STREET 1	2 LAKESHORE CENTER	SIC CODE	
CITY		MAJOR / MINOR	
COUNTY NAME		TYPE OF OWNERSHIP	
STATE	MA	ACTIVITY STATUS	Effective
ZIP CODE	02324	INACTIVE DATE	
REGION	Region 1	TYPE OF PERMIT ISSUED	General Permit Covered Facility
LATITUDE	41.9599	ORIGINAL PERMIT ISSUE DATE	08-FEB-2018
LONGITUDE	-71.0360	PERMIT ISSUED DATE	08-FEB-2018
LAT/LON CODE OF ACCURACY	50	PERMIT EXPIRED DATE	15-FEB-2022
LAT/LON METHOD	Unknown		
LAT/LON SCALE		USGS HYDRO BASIN CODE	
LAT/LON DATUM	NAD83	FLOW	
RECEIVING WATERS		FEDERAL GRANT IND	
PRETREATMENT CODE		SLUDGE CLASS FAC IND	NON-POTW

Figure 4: Envirofacts (<https://www.epa.gov/enviro/envirofacts-overview>)

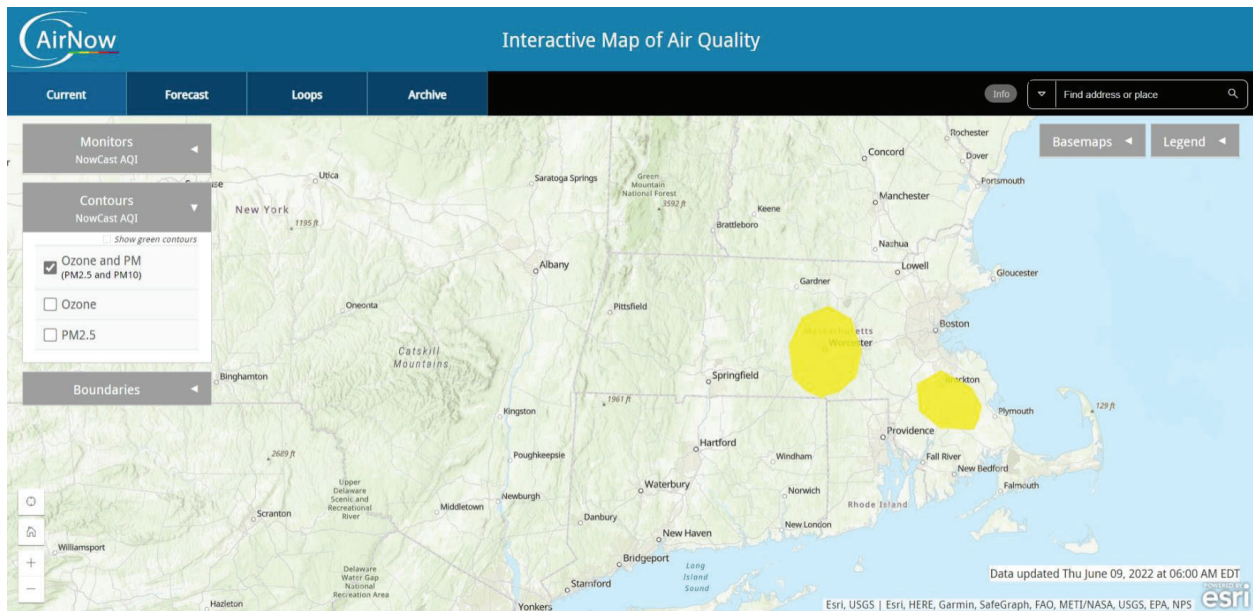


Figure 5: Air Now (<https://gispub.epa.gov/airnow/?contours=ozonepm&monitors=none&xmin=-8609102.49575933&xmax=-7669844.292191132&ymin=5002012.1693443395&ymax=5376247.859828545>) Air quality on this day (6/9/22) was moderate at 54. Primary pollutant is PM2.5.

A large portion of the Eastern site is located within Flood Zone A (FEMA). A functioning floodplain is important for the surrounding ecosystem. The proponent is planning to work within the 100 foot buffer zone of the wetlands surrounding the development. Any work within the 100 foot buffer zone should be prohibited due to impacts on the wetlands that feed into Lake Nippenicket and the Town River, an integral part of the Hockomock Swamp. (7)

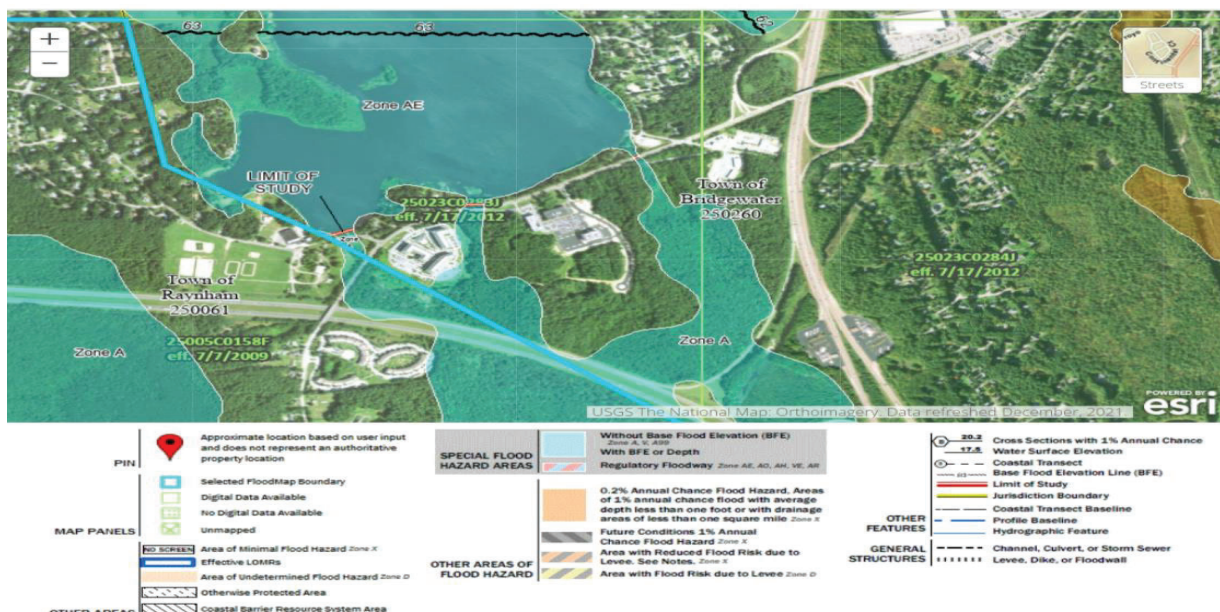


Figure 6: FEMA Flood Map / <https://msc.fema.gov/portal/search?AddressQuery=02324#searchresultsanchor>

The map below from MassGis shows a sobering statistic that 30-45% of Bridgewater's residential land are located within a 100-year flood zone. It is hoped that MEPA will review this statistic in the interest of reducing the size of this significant development that will increase the number of residences within a 100-year flood zone.(8)

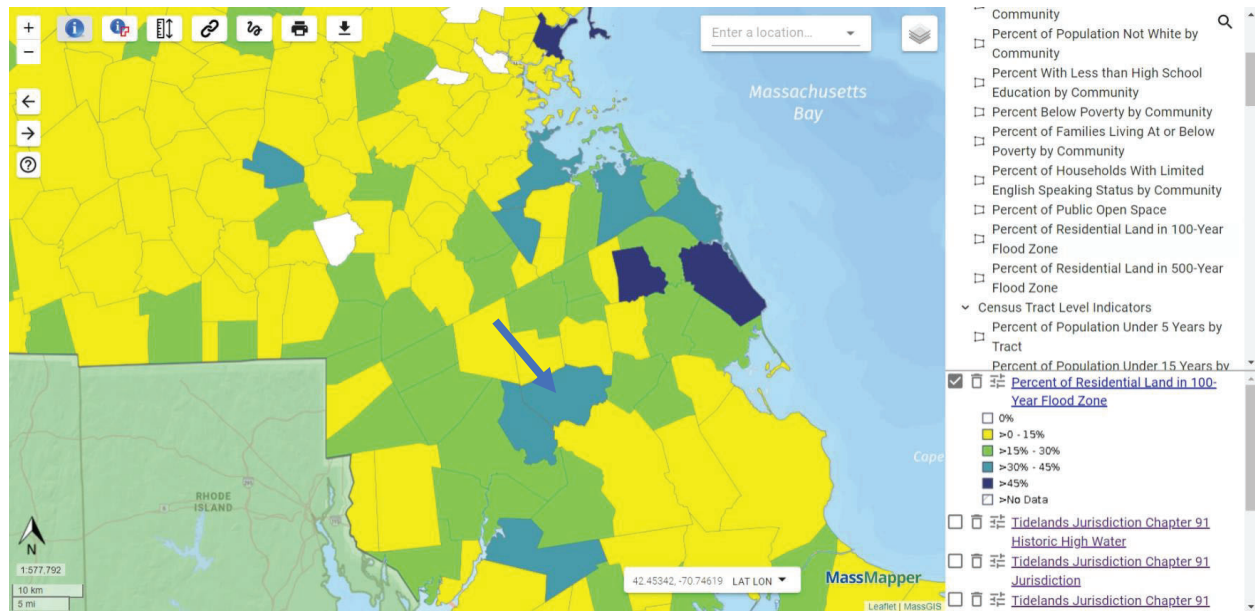


Figure 7: Climate Vulnerability / MassMapper / Percent of Residential Area in a 100-year Flood Zone.

The two listed archaeological sites, the Bassett Site (19-PL-497) and Tomb Road Area B Site (190-PL-498) will be destroyed and replaced with a short-stay hotel and residential community. According to the Massachusetts Historical Commission, archaeological sites in the vicinity of these wetlands are known to span 9000 years. A Memorandum of Agreement has been prepared by the MHC that allows the destruction of the site under certain conditions as noted in the National Historic Preservation Act of 1966. It is not clear whether MEPA now has the authority to encourage the preservation of these sites, as an MOA has been signed, however, it should be encouraged.

According to the MA ENDANGERED SPECIES ACT (G.L. c.131A) CONSERVATION AND MANAGEMENT PERMIT dated February 7, 2019, *The Division has determined that this project, as proposed, will result in a Take (321 CMR 10.18 (2)(b)) of the Eastern Box Turtle through the loss and fragmentation of suitable habitat and disruption of feeding, aestivating, overwintering, sheltering and migratory behaviors. A total of 14.4 acres of suitable habitat will be lost.* The Box Turtle Habitat Map below shows the extent of the “take” of this species. (9) It is unfortunate and disheartening to see that the “take” was permitted and that efforts to scale down the project were not encouraged.

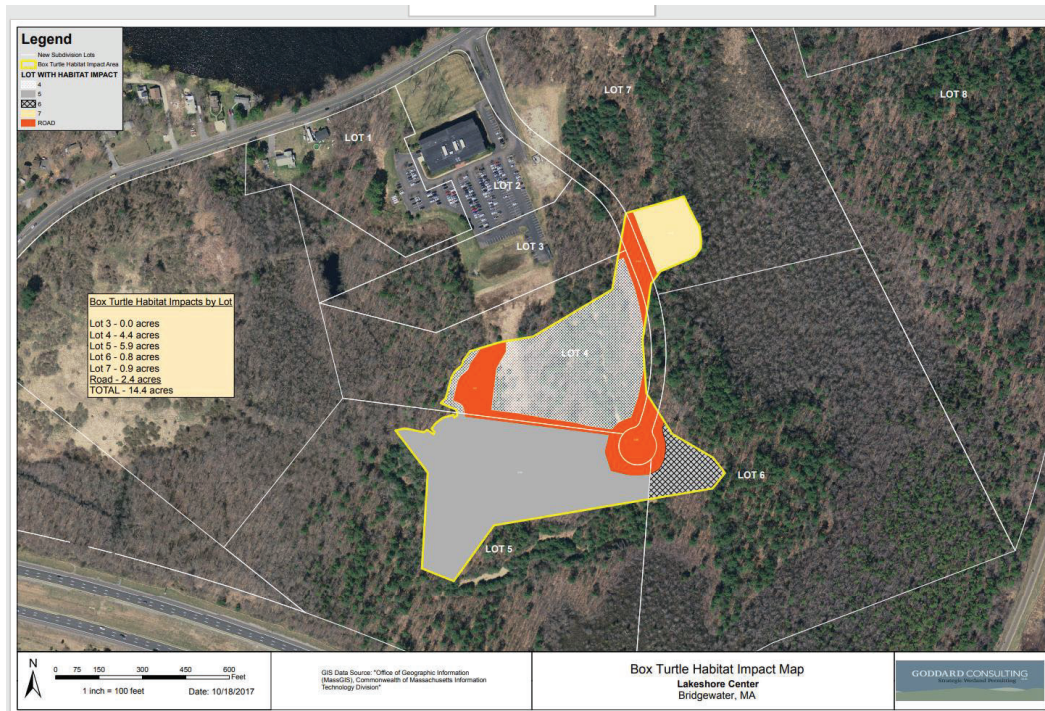


Figure 9: Box Turtle Habitat Impact Map, Lakeshore Center (9)

The Lake Nippenicket Action Focus Team recommends the following:

1. No development on the Northern Site.
2. Significant reductions to be made on the other sites to allow a full 100-foot buffer zone to the wetlands without work. Proponent should not be permitted to stretch out development to the maximum.
3. No further allowances by state agencies to “take” additional species and instead, insistence on protecting important habitat.
4. Reconsider decision to allow destruction of historic sites.
5. Significant reductions in project scope and size that will address municipal and state air, water, waste and traffic concerns. Further studies needed.
6. Green space plan must be incorporated into overall plan to include recreational open space and preservation of important natural resources.
7. Protection of the headwaters and watershed of the Town River and Lake Nippenicket.

Thank you for hearing our concerns and reviewing our comments.

With kind regards,

Melissa Ramondetta

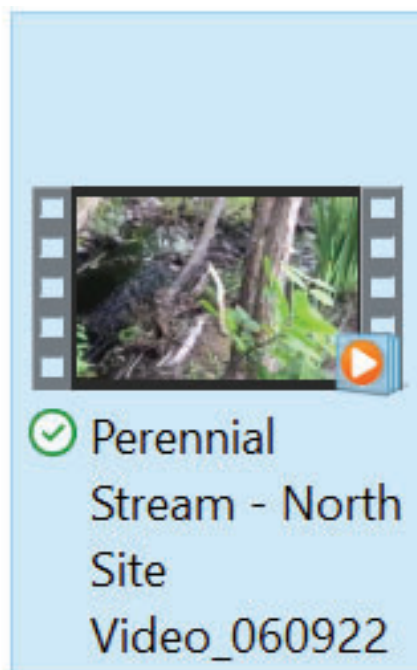
Coordinator, *Lake Nippenicket Action Focus Team*

317 Lakeside Drive

Bridgewater, MA 02324

For Further Reading:

- (1) South Coast Rail Community Priority Area 5-Year Update Project Report (August 2013)
<https://archive.org/details/scr-priority-area-5-year-update-project-2013-bridgewater-community-report>
- (2) BioMap2: Conserving Biodiversity in a Changing World
<https://www.mass.gov/service-details/biomap2-conserving-biodiversity-in-a-changing-world>
- (3) Mass Mapper <https://maps.massgis.digital.mass.gov/MassMapper/MassMapper.html>
- (4) Appendix 24 Taunton River Watershed Assessment and Listing Decision Summary Final
Massachusetts Integrated List of Waters for the Clean Water Act 2018/2020 Reporting Cycle
<https://www.mass.gov/doc/20182020-integrated-list-of-waters-appendix-24-taunton-river-watershed-assessment-and-listing-decision-summary/download>
- (5) <https://www.mass.gov/doc/environmental-justice-policy6242021-update/download>
- (6) https://enviro.epa.gov/enviro/multisys2_v2.get_list?facility_uin=110070202535
- (7) FEMA Flood Map
<https://msc.fema.gov/portal/search?AddressQuery=02324#searchresultsanchor>
- (8) Climate Vulnerability
<https://maps.massgis.digital.mass.gov/MassMapper/MassMapper-CC-Vuln.html>
- (9) MA ENDANGERED SPECIES ACT (G.L. c.131A) CONSERVATION AND MANAGEMENT PERMIT
(Eastern Box Turtle) dated 2/7/2019.



From: [Leiry Melendez](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Important Concerns Regarding Claremont Proposed Project
Date: Monday, June 13, 2022 3:44:56 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

I am a resident of the Lakeshore Neighborhood. I am concerned about the Claremont Proposed Project and its impact on our lake and neighborhood. My concerns about the Planned Project include:

Environment: It substantially impacts an Area of Critical Environmental Concerns, the Hockomock Swamp, including Lake Nippenickets, a Great Pond and its nearby wetlands. The project site falls within mapped rare species habitat and I am concerned about the impact this project will have on the surrounding wildlife. My kids enjoy all the different animals around the shore and area and it would be really sad for them to loss this experience.

TRAFFIC: It involves a large increase in traffic on Route 104 (estimated by Claremont to be 4,262 extra trips per dart) impacting surrounding neighborhoods, and all members of which would like to use the lake for peaceful recreation. My mother is an elderly driver and enjoys been able to still drive and drive our children around with her. Entering and exiting our neighborhood its already hard at times due to the high volume of traffic on Route 104 and we fear it will become worst and possibly dangerous. It should be noted, that for some surrounding neighborhoods, Route 104 represented the only way in and out of the neighborhood, and access to the public boating dock by members of the public is also dependent on access to Route 104. In addition, it directly impacts the commuting route of the comminuting route of all individuals in the local area who must use Route 104 to get to Route 24 and connecting highways to go to work like my myself and my husbands specially since we are consider essential personnel at our jobs and no matter need to be at our positions. Also extremely important for my mother and my children to go to school, sports and/or doctors appointments.

WATER USAGE: It involves a large increase in water usage and Bridgewater is already on "Restricted Water Usage".

NOISE: The project will likely increase noise which will have a substantial impact on the activities of local wildlife and the **QUALITY** of life of all nearby residents and all the members of the public whom would like to use the lake peaceful recreation. We have many elderly people like my mother and our neighbors who love to go for their peaceful walks or bike rides, young moms walking their newborn children and kids just enjoying nature which now days is very rare to see.

WASTE/TRASH: I am very concerned that specific aspects of this project will increase waste and trash in the overall area and find its way into Lake Nippenicket and surrounding neighborhoods and areas. My husband loves to go fishing with our boys and our boys go fishing with their friends very often. I would hate for them to lose that experience due to waste and trash that more than like will increase.

POLLUTION: Increased air pollution will also be generated by the large number of cars that will need to use a two-lane road. Once again, impacting the health and enjoyment of the lake by members of the community and public.

LAND ALTERATION: A substantial amount of open space will destroyed by the project, impacting the beauty of the lake, surrounding areas, and setting the stage for additional climate change impacts to the immediate area.

ARCHAEOLOGICAL HISTORICAL SITE DESTRUCTION: Two sites of archaeological historical

significance will be destroyed.

OPEN SPACE: Finally, I also dispute the statement made by Claremont in the ENF Document/Report "The open space at the Project Site is not useable as it is along a busy corridor between Route 24 and Routh 495". This space could be used to support additional recreational activities for the adjacent Boat Ramp/Parking Lot area by adding space for members of the community to picnic and walk. Which during the pandemic we saw an increase of members of the public utilizing and enjoying as a away to enjoy fresh air and nature. Many of us chose to lived here because of the area's beauty and open space. We chose this quiet and beautiful area as a way to escape the busy, overcrowded, annoying levels of noise, garbage, excessive traffic at all hours of the day, absence of wild life, lack regards for nature and the need for QUALITY of life that we experience when we lived in the city.

Thank you for your taking the time to read our concerns and your consideration on this important matter,

Leiry Melendez-Sullivan
12 Lakewood Lane
Bridgewater, MA 02324

From: lwdy5861@aol.com
To: [Patel, Purvi \(EEA\)](#)
Subject: Claremont proposed project
Date: Monday, June 13, 2022 8:29:13 AM

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The surrounding Nippenicket area has dramatically changed since Claremont moved into the neighborhood.

The lake was cleaner, air quality was better, and it was quieter. We chose to live on the lake because it is a beautiful, healthy, calming way of life. Much has changed and now Claremont wants to add more?

Everyone around the lake and surrounding streets are adamantly against any more disruption.

Water runoff that used to sink into the ground, now runs off the massive amount of tar areas and into the lake.

The warehouse, (the newest project completed), resulted in extreme highway noise because there is very little buffer space. This only magnifies the fact that the fumes from the constant cars and trucks is adding yet more air pollution into the area.

The deer are being slowly phased out into other areas leaving them at a loss for new places to eat and sleep. Just last week there was a deer in my yard mid afternoon. He or she then walked up the middle of the street. This I have never seen before in the many years I've lived here. In just the past few months, twice, I saw a dead deer on the sidewalk across the street from the hotel, no doubt killed by traffic. It was almost the same spot both times on different days. Who knows how many more were killed this year. They were trying to find a new place to roam, eat of whatever. Dead deer is a new phenomenon here.

Assisted living is a nice idea for Bridgewater but certainly not in this area, We are full up and fed up, No more. Many believe we have allowed too much already. Perhaps over by Scotland Links. There appears to be much more free space over there, Anyone who has eyes can see that the trees left here are so limited that it has had a severe negative affect on our wildlife.

**Linda Young
12 Saddle Drive
Bridgewater Ma 02324**

From: [Marc Sullivan](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Concerns about the Bridgewater Claremont Project.
Date: Monday, June 13, 2022 10:51:32 PM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

I am a resident of the Lakeshore Neighborhood. I have lived here for several years with my wife and 2 young children. I am concerned about the Claremont Proposed Project and its impact on our lake and our neighborhood. My concerns about the Planned Project include:

It substantially impacts an Area of Critical Environmental Concerns, the Hockomock Swamp, including Lake Nippenickets, a Great Pond and its nearby wetlands. The project site falls within mapped rare species habitat and I am concerned about the impact this project will have on the surrounding wildlife. My kids enjoy all the different animals around the shore and area and it would be really sad for them to lose this experience. We often walk to the lake to enjoy the sunsets and I enjoy kayaking in the lake.

It involves a large increase in traffic on Route 104 (estimated by Claremont to be 4,262 extra trips per day) impacting surrounding neighborhoods, and all members of which would like to use the lake for peaceful recreation. My mother is an elderly driver and enjoys being able to still drive and drive our children around with her. Entering and exiting our neighborhood is already hard at times due to the high volume of traffic on Route 104 and we fear it will become worse and possibly dangerous. It should be noted, that for some surrounding neighborhoods, Route 104 represented the only way in and out of the neighborhood, and access to the public boating dock by members of the public is also dependent on access to Route 104. In addition, it directly impacts the commuting route of the commuting route of all individuals in the local area who must use Route 104 to get to Route 24 and connecting highways to go to work like my myself and my husbands specially since we are consider essential personnel at our jobs and no matter need to be at our positions. Also extremely important for my mother and my children to go to school, sports and/or doctors appointments.

It involves a large increase in water usage and Bridgewater is already on "Restricted Water Usage".

The project will likely increase noise which will have a substantial impact on the activities of local wildlife and the **QUALITY** of life of all nearby residents and all the members of the public whom would like to use the lake peaceful recreation. We have many elderly people like my mother and our neighbors who love to go for their peaceful walks or bike rides, young moms walking their newborn children and kids just enjoying nature which now days is very rare to see.

I am very concerned that specific aspects of this project will increase waste and trash in the overall area and find its way into Lake Nippenicket and surrounding neighborhoods and areas. My husband loves to go fishing with our boys and our boys go fishing with their friends

often. I would hate for them to lose that experience due to waste and trash that will likely increase.

Increased air pollution will also be generated by the large number of cars that will need to use a two-lane road. Once again, impacting the health and enjoyment of the lake by members of the community and public.

A substantial amount of open space will be destroyed by the project, impacting the beauty of the lake, surrounding areas, and setting the stage for additional climate change impacts to the immediate area.

Two sites of archaeological historical significance will be destroyed.

Finally, I also dispute the statement made by Claremont in the ENF Document/Report "The open space at the Project Site is not useable as it is along a busy corridor between Route 24 and Routh 495". This space could be used to support additional recreational activities for the adjacent Boat Ramp/Parking Lot area by adding space for members of the community to picnic and walk. Which during the pandemic we saw an increase of members of the public utilizing and enjoying as a way to enjoy fresh air and nature. Many of us chose to live here because of the area's beauty and open space. We chose this quiet and beautiful area as a way to escape the busy, overcrowded, annoying levels of noise, garbage, excessive traffic at all hours of the day, absence of wild life, lack of regard for nature and the need for QUALITY of life that we experience when we lived in the city.

Thank you for your taking the time to read our concerns and your consideration on this important matter.

Marc Sullivan
Sent from my iPhone

[Dashboard](#) > [View Comment](#)

View Comment

Comment Details

EEA #/MEPA ID 16558	First Name Mark	Address Line 1 --	Organization --
Comments Submit Date 6-13-2022	Last Name Peterson	Address Line 2 --	Affiliation Description Individual
Certificate Action Date 6-14-2022	Phone --	State MASSACHUSETTS	Status Opened
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email mhp4bwater@gmail.com	Zip Code 02324	

Comment Title or Subject

Topic: Claremont and invasive non-native vegetation

Comments

  **B** *I* U  Segoe UI ▼ 10 pt ▼   X₂ X²   Paragraph ▼        

Claremont's other development at Lake Nippenicket, Axis at Lakeshore, 4100 Summit Dr, is overrun with invasive japanese knotweed. The invasive japanese knotweed has also overtaken site stormwater management basins and wetland buffer zones. Japanese knotweed interferes with stormwater infiltration, increases site erosion, eliminates biodiversity, and takes away natural aesthetics, which puts all wetland services at risk. There is also phragmites outbreak in delineated wetlands bordering 495, however, this stand of phragmites cannot be seen at present due to the height of the japanese knotweed.

Claremont's Lakeshore Center development is relatively new, however, it already has signs of japanese knotweed in stormwater management basins. Additionally, the entire strip of woodland buffer along the long driveway, to Viva Lakeshore, is being overrun with multiflora rose, buckthorn, autumn olive, etc... These invasive plants will slowly change soil conditions for native plants, displace the native plants, and will continue their invasion deeper into the surrounding woodland and wetland. Any beauty of these natural areas, as mentioned in walking path plans, would be lost.

Attached are photos of:

- Stormwater management basin at 4100 Summit Dr.
- One shoot of japanese knotweed (circled in photo) in stormwater management basin at 2 Lakeshore Center. This one shoot was cut by property management on Saturday June 11, 2022. It would be important to know the controls in place to manage the beginnings of this invasion, as cutting the shoot is not going to remove the japanese knotweed.

How do Claremont's current and future property management plans address the invasive species that take away from the value of Bridgewater's natural resources?

Attachments

[lakeshore center japanese knotweed basin low res.jpg](#)

[axis stormwater basin low res.jpg](#)

Update Status

Status

Accepted

SUBMIT

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From: [Ramonita Mulero](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Concerns about Claremont Proposed Project
Date: Monday, June 13, 2022 9:29:40 AM

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To Whom It May Concern,

I am a resident of the Lakeshore Neighborhood. I am concerned about the Claremont Proposed Project and its impact on our lake and neighborhood. My concerns about the Planned Project include:

Environment: It substantially impacts an Area of Critical Environmental Concerns, the Hockomock Swamp, including Lake Nippenickets, a Great Pond and its nearby wetlands. The project site falls within mapped rare species habitat and I am concerned about the impact this project will have on the surrounding wildlife. My grandkids love seeing all the different animals around the shore and area and would hate for them to lose this experience.

TRAFFIC: It involves a large increase in traffic on Route 104 (estimated by Claremont to be 4,262 extra trips per day) impacting surrounding neighborhoods, and all members of which would like to use the lake for peaceful recreation. I am an elderly driver and enjoy the freedom I still have while I drive. Entering and exiting our neighborhood is already tricky at times due to the high volume of traffic on Route 104 which will become worse and possibly dangerous. It should be noted, that for some surrounding neighborhoods, Route 104 represented the only way in and out of the neighborhood, and access to the public boating dock by members of the public is also dependent on access to Route 104. In addition, it directly impacts the commuting route of the commuting route of all individuals in the local area who must use Route 104 to get to Route 24 and connecting highways to go to work (like my daughter and her husbands) or doctors appointments (like myself or my grandchildren).

Water Usage: It involves a large increase in water usage and Bridgewater is already on "Restricted Water Usage".

NOISE: The project will likely increase noise which will have a substantial impact on the activities of local wildlife and the QUALITY of life of all nearby residents and all the members of the public whom would like to use the lake peaceful recreation. We get lots elderly people like myself who love to go for their peaceful walks, young moms walking their newborn children and kids just enjoying nature which now days is very rare to see.

WASTE/TRASH: I am very concerned that specific aspects of this project will increase waste and trash in the overall area and find its way into Lake Nippenicket and surrounding neighborhoods and areas. My grandsons love to go fishing with their dad and their friends and I hate for them to lose that experience due to waste and trash that more than like will increase.

POLLUTION: Increased air pollution will also be generated by the large number of cars that will need to use a two-lane road. Once again, impacting the health and enjoyment of the lake by members of the community and public.

LAND ALTERATION: A substantial amount of open space will be destroyed by the project, impacting the beauty of the lake, surrounding areas, and setting the stage for additional climate change impacts to the immediate area.

ARCHAEOLOGICAL HISTORICAL SITE DESTRUCTION: Two sites of archaeological historical significance will be destroyed.

OPEN SPACE: Finally, I also dispute the statement made by Claremont in the ENF Document/Report "The open space at the Project Site is not useable as it is along a busy corridor between Route 24 and Routh 495". This space could be used to support additional recreational activities for the adjacent Boat Ramp/Parking Lot area by adding space for members of the community to picnic and walk. Which during the pandemic we saw an increase of members of the public utilizing and enjoying as a way to enjoy fresh air and nature. Many of us chose to live here because of the area's beauty and open space.

Thank you for your consideration of my comments and concerns,

Ramonita Mulero
Lakewood Lane
Bridgewater, MA

From: [MacDonald, Susan J](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Lakeshore Center Phase IV
Date: Monday, June 13, 2022 4:37:24 PM
Attachments: [Lakeshore letter.docx](#)

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Please see my concerns attached.

Thank you,

Susan MacDonald
Pleasant Street Resident

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. When addressed to our clients any opinions or advice contained in this email are subject to the terms and conditions expressed in the governing KPMG client engagement letter.

To Whom it May Concern:

I am a current resident of Pleasant St. (Rt 104) and will be directly affected by Claremont Companies proposed build for Lakeshore Center Phase IV. There has been a significant traffic impact as well as an increase in noise pollution. This will involve an even larger increase in traffic on Rt 104 (estimated by Claremont to be 4,262 EXTRA trips per day). Rt 104 is the only way in and out of the neighborhood for many of us who live in the impacted area. It affects all of the commuting routes for everyone in the area who have to use 104 to get to Rt 24 and connecting highways. Not to mention the air pollution that will increase by the even larger number of vehicles using a two-lane road. This will impact the health and enjoyment of the lake residents as well as the recreational enjoyment for others.

I am very concerned about the substantial amount of open space that will be destroyed by the project, the serene beauty of the lake as well as the surrounding areas. This will only set the stage for climate impacts to the area in question. It will substantially impact an area of critical environmental concern the Hockomock Swamp including both Lake Nippenicket, a Great Pond and its wetlands. I am concerned about the impact that this project will have on the surrounding wildlife, the project site falls within a mapped area species habitat. As stated in the Claremont report itself **“The delicate balance of nature, wildlife and rare species surrounding the lake and wetlands WILL DEFINITELY be disrupted”**. As well as the two archaeological historical significance that will be destroyed.

The trash has already been an issue when the hotel and first set of apartments went up. The noise is absolutely awful and has on occasion woken us up in the middle of the night with the increase of trucks and cars that use the road now.

The proposed 6,000 sq. ft restaurant site on the northside of Pleasant Street is not zoned for commercial use. Claremont Co. wants to change the zoning. Why do we need yet ANOTHER hotel or 160 unit condominium complex right next to Claremont Co. original builds:

- **4-building, 289-unit residential complex and 574 parking spaces occupy the western section.**
- **96-room, 4-story hotel with 103 parking spaces on Lot 1;**
- **approximately 77,000 GSF, 3-story office building with 237 parking spaces on Lot 2;**
- **approximately 65,000 GSF, 4-story office building with 227 parking spaces on Lot 3;**
- **300-unit, 5-story apartment complex with 600 parking spaces on Lot 5**

I am also disputing the statement made by Claremont in the ENF document/Report: ***“The open space at the Project site is not useable as it is along a busy corridor between Rt 24 and Rt 495”*** This is the perfect spot to support more recreational area for the adjacent boat ramp/parking lot area. A picnic area or just a walking path with benches for a walk or to just sit and enjoy the lake. I’ve lived in Boston for more than half of my life, I moved here for the peace and quiet and to hopefully retire comfortably and quietly in Bridgewater, but Claremont Co. is making my dream an impossibility. When is enough, enough?

Thank you for your consideration.

S. MacDonald

From: [Amanda J.G. Napior](#)
To: [Patel, Purvi \(EEA\)](#)
Cc: [Jeff Napior](#)
Subject: Please oppose the development around Lake Nippenicket
Date: Tuesday, June 14, 2022 9:01:14 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Patel,

My partner, Jeff Napior, and I are residents of Bridgewater, MA and writing to express our concern regarding the “Lakeshore Center” project around Lake Nippenicket in Bridgewater. Thank you for taking our messages during this period of public comment.

While this project raises many concerns, we will list four:

This project poses significant ecological danger to an area including wetlands, deemed of “Critical Environmental Concern.” This project would also impact the habitats of rare species. The proposed area for this project is one of fragile ecology, important not only to the humans who live nearby but the diverse non-human creatures and their ecosystems as well. We and they cannot bear the brunt of this proposed project.

Additionally, Bridgewater is already on restricted water usage. The 130,000 projected additional gallons of water per day would be an enormous challenge to the existing resources of our town, without significant investments in water transport infrastructure.

Similarly, the project report estimates an additional 4,262 car trips per day, amounting to a traffic increase that would strain the capacity of Route 104. As with the increase to water usage, such an increase in traffic would strain the capacity of the existing road, which is the only entrance/exit for the neighborhood. The increase in traffic is not nearly a “quality of life” concern but one of safety: in the event of a fire or another disaster requiring evacuation, the entire enlarged neighborhood would be stuck in a bottle neck. Significant expansion to road infrastructure would be necessary for this dimension of the project to be tenable.

This project even promises to “destroy” two sites of archeological historical significance, a loss that strikes us as unconscionable in ways similar to the projected ecological impacts.

Proponents may point out that a part of the proposal provides for an assisted retirement community—an addition Bridgewater’s growing aging population will surely need in years to come. The project also accounts for additional condominiums, which might help aid the housing shortage in Massachusetts. However, the portion of the proposal for the

assisted living facility is only a small fraction of it, and none of the new housing would serve those who most need affordable housing. Instead, this development seems to serve the interests of profit, without care for the land or aims to serve a more inclusive Bridgewater. This project does not serve the common good. Instead, this project would place unacceptable strain on the fragile ecology, limited natural resources, and current infrastructure of our town.

Please oppose this plan. Thank you again for your consideration and attention.

Kind regards,

Amanda and Jeff Napior
(413) 441-3464
316 Main Street Apt 1
Bridgewater MA 02324

From: [Andrea Monteith](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Fwd: EEA# 16558 Lakeshore Center Phase IV, Bridgewater, MA Comments
Date: Wednesday, June 15, 2022 6:28:40 AM
Attachments: [Andrea Monteith Comments Claremont ENF 16558.pdf](#)

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----- Forwarded message -----

From: **Andrea Monteith** <amonteith118@gmail.com>
Date: Tue, Jun 14, 2022, 6:49 PM
Subject: EEA# 16558 Lakeshore Center Phase IV, Bridgewater, MA Comments
To: <purvi.patel@mass.gov>, <purvi.patel@state.mass.us>

Dear Ms. Patel,

Attached please find my comments for the above referenced ENF.

Thank you for your consideration of my comments and concerns.

Also, can you please verify receipt of the attached comments?

Thank you very much,

Andrea Monteith
255 Lakeside Dr, Bridgewater, MA 02324
amonteith118@gmail.com

June 11, 2022

Purvi Patel
Environmental Analyst
MEPA Office Executive Office of Energy and Environmental Affairs 100 Cambridge
Street, Suite 900 Boston, MA 02114
purvi.patel@state.mass.us
purvi.patel@mass.gov

RE: EEA #16558 : Lakeshore Center Phase IV, Bridgewater MA

Dear Ms. Patel:

As a former board member of the Taunton River Watershed Alliance and longtime resident of Bridgewater and the Lake Nippenicket area, I am submitting the following comments on the Environmental Notification Form (ENF) for Lakeshore Center Phase IV, published in the Environmental Monitor on May 25, 2022.

First and foremost, I concur with and support the comments submitted by the Lake Nippenicket Action Focus team by its representative, Melissa Ramondetta.

Additionally, I have the following comments:

Designated Wild and Scenic River:

The proponent states in the ENF that “the project is within the watershed of the Taunton River, which is designated as Wild and Scenic River, however, the Project is approximately 2.5 miles northwest of the Taunton River as its closed point.”

Lake Nippenicket is the headwaters of the **Town River**. The Taunton River begins at the confluence of the Matfield and **Town Rivers** in Bridgewater. In 2009, the Taunton River was designated a Wild and Scenic River by the National Park Service. The National Wild and Scenic Rivers Act of 1968 established a system to identify rivers that possess “outstanding remarkable values” and to **protect them** “for the benefit and enjoyment of present and future generations.”

Given that the wetlands on the subject property are hydrologically connected to Lake Nippenicket, and Lake Nippenicket is the headwaters to the Town River, which is one of two main tributaries that begin the Taunton River, the project could potentially impact the “outstandingly remarkable” values and resources of the Taunton River.

LAND SECTION: Comprehensive Master Plan - November 2002

Open Space:

The proponent states that the “The open space at the Project Site is not usable as it is along a busy corridor between Route 24 and Route 495.”

Lake Nippenicket and the surrounding area is currently used extensively by Bridgewater and residents from other communities for walking, fishing, boating, and picnicking. Furthermore, the proponent did not mention in their comments the Master Plan’s identification of Lake Nippenicket and the surrounding area as follows:

The greatest natural setting within the community is the several hundred acres of land surrounding Lake Nippenicket. The 500-acre great pond attracts a diversity of waterfowl, amphibians, and mammals indigenous to the greater Hockomock Swamp. The community should develop awareness programs for this resource area.

Equally significant as a conservation resource is Lake Nippenicket. Its scenic qualities are most readily appreciated as it borders Pleasant Street along the lake’s southern shores. The lake also attracts many boaters during the warmer months while many hikers throughout the year are drawn to the over 200 acres of wilderness bordering its northern shores. Lake Nippenicket comprises a portion of the Hockomock Swamp, which extends into several other communities. The Massachusetts Executive Office of Environmental Affairs (EOEA) in 1990 designated most of the Hockomock Swamp, including the lake, as an Area of Critical Environmental Concern (ACEC) as shown in Map 3-1. This designation provides additional protection for what are recognized as being significant environmental resources in the vicinity of Lake Nippenicket, Lakeside Drive and Elm Street.

(Town of Bridgewater Comprehensive Master Plan - 2002)

Compatibility with adjacent land uses:

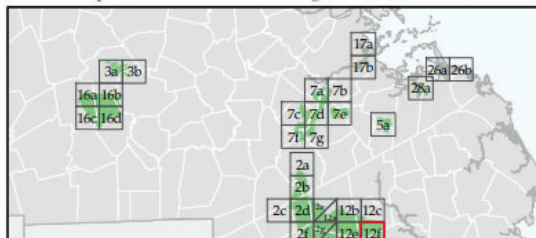
The proponent states in the ENF that the project site is bounded by Route 104, Route 24, and Route 495 and that the surrounding area is a mix of commercial and residential uses and therefore the proposed project is compatible with these adjacent land uses.

The construction of Routes 24 and 495 have spurred development over the years of the land adjacent to these major highways, however, that does not change the facts as to why the land area was designated as an Area of Critical Environmental Concern (ACEC) and at a very minimum, any development should be low impact and thus protect the plant and animal habitat, the wetlands and their respective upland buffer zones.

As stated earlier, the wetlands on the proposed project site are hydrologically connected to Lake Nippenicket and also the Zone II Raynham aquifer. The wetlands act as a huge water reservoir and also serve as the headwaters for the Town River, one of two major tributaries that form the Taunton River.



Map # **12f** **Hockomock Swamp ACEC**
Map Tile 6 of 9 ACEC Designated 2/10/90 16,960 Acres





Lake Nippenicket, a major water body included in the Hockomock Swamp ACEC Designation.

Inconsistency with the Old Colony Planning Council Regional Policy Plan - 2018

The proponent states the project is consistent with the plan as it will create temporary and permanent jobs. However, most of the proposed development is some form of housing (condominiums, 55+ housing, and assisted living), which will create limited permanent employment. Additionally, the combination of the many potential new residents to the area and any jobs that may be created will dramatically increase automobile traffic that will exacerbate global warming and climate change.

Relative to open space impacts, Claremont states that the plan encourages growth in previously developed areas, citing that the project is located within the existing Lakeshore Center development. However, it is the proponent that has created the existing development in this ACEC over the past twenty plus years and has already caused significant damage to this fragile ecosystem. I highly encourage the proponent to scale down any additional development so as not to permanently destroy an additional 25.8 acres of the remaining upland and wetland habitat that currently exists, potentially creating 14 additional acres of impervious area.

The proposed project is inconsistent with the Old Colony Council Regional plan as stated below:

A Sustainable Place is where the use of resources resulting in emissions of greenhouse gases and other pollutants are going down, not up; where the air and waterways are accessible and clean; where land is used efficiently and shared parks and public spaces are plentiful and easily visited.

(Old Colony Planning Council Regional Plan, 2018)

As currently proposed, the project will result in an increase of greenhouse gases and other pollutants, reduce the air and water quality, and decrease the possibility of Bridgewater and residents from adjoining towns having access to plentiful parks and open space.

A model for sustainable communities includes neighborhoods sporting healthy amounts of green space and shared vegetable gardens; mass transit; biking and walking replacing the majority of automobile traffic; and mixed-use communities where schools, residences and commercial spaces are near each other and are powered by solar panels, geothermal heat pumps or windmills.

(Old Colony Planning Council Regional Plan, 2018)

The proposed project is not located near mass transit, biking, or walking trails, and therefore only increases automobile traffic. The proponent also does not address the use of solar panels, wind, or any other renewable source of energy in the ENF.

The environment and our natural resources assets are preserved, protected and restored under the sustainable planning approaches. Natural assets such as wetlands and open space provide benefits, including clean air and water that are essential for the health and vitality of the region's residents and neighborhoods.The contributions of natural resources to human well-being are explicitly recognized and valued and maintaining health is a primary objective.

(Old Colony Planning Council Regional Plan, 2018)

As such, I encourage the proponent to reduce the size of the proposed project so these natural assets are preserved and protected to the greatest extent possible.

Additionally, the Old Colony Planning Council encourages the development of housing and job growth in urbanized areas in compact-walkable developments close to job

centers, public services, and transit access. None of these exist in the area where this project is proposed.

The Council also urges the protection of the environment to help ensure the success of climate-smart land use policies by preserving sensitive habitat, open space and cultural resources.

Priority Habitat:

Although the proposed project site (excluding the Northern Site) is currently not mapped as Priority or Estimated Habitat by the Massachusetts Natural Heritage and Endangered Species Program, it was mapped as such prior to the current development of the site (EOEA #4959). At that time there was a sizable yellow spotted turtle population (which has since been delisted, but is still a Species of Conservation Concern) and also the Eastern box turtle.

The Division has also determined that the proposed project will result in a Take of the Eastern Box Turtle and a total of 14.4 acres of suitable habitat will be lost. As it is, the existing development of the site has already fragmented suitable habitat for many species, including the Eastern Box Turtle and the Yellow Spotted Turtle. (The current Marriott Residence Inn is sited where there was an extensive population of the Yellow Spotted Turtle.) It is disappointing to think that an additional 14 acres of the suitable habitat will also be taken.

Stormwater Management:

Given the ACEC designation and significant wetlands on the parcels, I encourage the proponent to explore Low Impact Development systems and practices that mimic natural processes in order to protect water quality and associated habitat.

EPA currently uses the term green infrastructure to refer to the management of wet weather flows that use these processes, and to refer to the patchwork of natural areas that provide habitat, flood protection, cleaner air and cleaner water. At both the site and regional scale, LID/GI practices aim to preserve, restore and create green space using soils, vegetation, and rainwater harvest techniques. LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. There

are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions.

<https://www.epa.gov/nps/urban-runoff-low-impact-development>

In summary, given the ecological sensitivity (wetlands, upland habitat to many species of both plants and animals in an ACEC) of the proposed development site and its hydrological connection to Lake Nippenicket, a Massachusetts Great Pond that is subject to Chapter 91 protection, I urge the proponent to significantly scale down any development of the what is left of the original 150 plus acres of pristine upland and wetlands. It is also imperative that consideration be given as to how the proposed destruction of the extensive upland woodlands on the site and the expected immense increase in automobile traffic and associated carbon emissions will impact us all relative to climate change.

Thank you for the opportunity to comment and your consideration of my comments and concerns,

Sincerely,

Andrea Monteith

255 Lakeside Drive, Bridgewater, MA 02324

amonteith118@gmail.com

From: [Eileen Hiney](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Lake Shore Center Phase 4
Date: Tuesday, June 14, 2022 11:47:14 AM
Attachments: [MEPACommentltr6_14_22.pdf](#)

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Patel,

It was nice to meet you last week on the site visit. Please find the comments of the Bridgewater Open Space Committee on this project.

Eileen Hiney, Chair
Bridgewater Open Space Committee

June 14, 2022

Subject: EEA Project #16558; Lake Shore Center Phase 4, Bridgewater

Dear Ms. Patel:

The Bridgewater Open Space Committee (OSC)* submits that elements of the above-referenced project will harm the natural resources of the project area and are inconsistent with the 2017 Bridgewater Open Space Plan and the ACEC status of the area. We strongly oppose the construction of a restaurant on the shore of Lake Nippenicket, the part of the proposal that was not previously subject to MEPA review.

The *Bridgewater Open Space Plan* identifies, among its *Goals and Objectives*, the following (https://www.bridgewaterma.org/DocumentCenter/View/2158/Bridgewater-OSRP-2017-Update_FINAL_FOR-STATE-APPROVAL_082018):

Goal 5. *To protect and preserve environmentally sensitive areas that promote local and regional ecological and environmental integrities.*

Objectives: *1. Improve water quality of rivers and other surface water bodies*

A restaurant will not protect and preserve Lake Nip, an environmentally sensitive area. On the contrary, it will lead to degradation of its waters, disruption of its shoreline, possible impacts to wildlife, and impaired views of the Lake. Whatever mitigation or local requirements and restrictions might be imposed on a permitted restaurant, they will not eliminate the harm from construction and operation of a restaurant including, runoff, litter, noise, lighting, and impacts on the stream that flows into the Lake at this location. Of great significance is the fact that Lake Nippenicket shoreline parcels are among properties included in the *Hockomock Swamp ACEC*. The ACEC designation, which was achieved largely through the work of interested Bridgewater citizens and officials, was granted by the Secretary of Environmental Affairs in 1990. The purpose of an ACEC designation is the “long term preservation, management, and stewardship of critical resources and ecosystems”. A restaurant at this location is clearly inconsistent with this purpose.

In addition, the Bridgewater 2017 Open Space Plan identifies a number of potential Scenic Ways including Lakeside Drive along the edge of Lake Nippenicket. While these “ways” do not have additional regulatory protection based on their recognized scenic value, they nonetheless, have been recognized through the Town’s planning processes as worthy of protection. A restaurant on the edge of the Lake will impede scenic views of the Lake for everyone except the restaurant patrons.

Thank you for your consideration of our comments.

Respectfully submitted,

Bridgewater Open Space Committee
Eileen Hiney, Chair
Nicole Holmes
Kevin Mandeville
Maureen Minasian
Lauren Webb

* The Open Space Committee advises and otherwise assists the Town Manager on the preservation of open space, and updating the Open Space Plan. The Committee evaluates opportunities for the acquisition and protection of open space parcels against a number of criteria, including whether the Town's acquisition of the parcel would (i) help preserve Bridgewater's character, (ii) protect Bridgewater's water resources, (iii) abut or conjoin existing conservation lands, (iv) provide public access for walking, biking or other passive recreation, (v) preserve or enhance distinctive streetscapes, views or vistas, or (vi) preserve important wildlife and/or vegetation habitat. To this end, the Committee works with Town residents, local officials, state and federal agencies, and private nonprofit land conservation organizations to further these open space objectives. The Committee advises the Town Manager on the development and content of the Open Space Plan. The Open Space Committee is an advisory committee in the Town.

From: [Curry, Kevin](#)
To: [Patel, Purvi \(EEA\)](#)
Cc: [Curry, Kevin \(BSC\)](#)
Subject: Comments on Lake Shore Center Development Phase 4
Date: Tuesday, June 14, 2022 12:25:47 PM
Attachments: [image.png](#)

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Please find the attached comment and questions raised on the Lake Nippenickut Lake Shore Center Phase 4 Development proposal:

From: Kevin D. Curry

Re: Response to Proposal for Lake Shore Center Development Phase 4

Date: 14 June 2022

In reviewing the proposal for the development alternatives proposed for this area, the following questions and/or concerns have risen for me in reading the information in the current proposal of 16 May 2022.

Respectfully yours

Kevin D. Curry

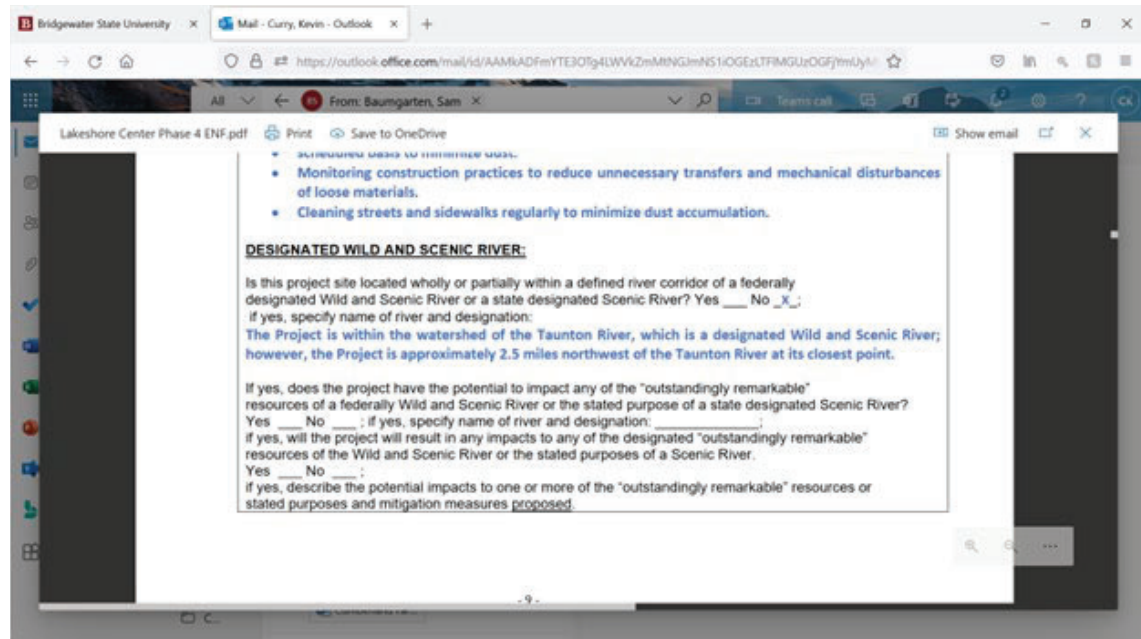
Professor Emeritus

Bridgewater State University

Bridgewater, MA

1. In the section addressing concerns about the Designated Wild and Scenic River designation, it is clear that the Project is within the Taunton River watershed which is a designated Wild and Scenic River but that the Project proposal has checked a NO for being wholly or partially within a delineated river corridor. It identifies the Project as being 2.5 miles from the Taunton River. On a map, the physical distance to the beginning of the Taunton River may be this far, however, Lake Nippenickut drains into the Town River which is one of the major tributaries forming the Taunton River at the confluence of the Town and Matfield Rivers. The increased number of parking spaces and amount of impervious surface in the proposed alternative would add to the water quality concerns for Lake Nippenickut and its future status as a breeding area for River Herring. Massachusetts Division of Marine Fisheries has been actively engaged in proposed dam removal projects on the Town River at High Street in Bridgewater and modifications of the dam at the WAR Memorial Park in West Bridgewater. These would

be designed to improve passage of River Herring and American Eels through the Town River with hopes of improving the population of River Herring. Since a TMDL has been developed for Lake Nippenickut, how much of an impact will the increased impervious surface from parking spaces and runoff from proposed homes have on the water quality given that the TMDL was most likely determined without this project in mind? Though physically 2.5 miles from the beginning of the Taunton River, the drainage from the Project will still enter it through Lake Nippenickut and the Town River.



2.

purvi.patel@mass.gov

[Dashboard](#) > [View Comment](#)

View Comment

Comment Details

EEA # / MEPA ID 16558	First Name Melissa	Address Line 1 --	Organization --
Comments Submit Date 6-14-2022	Last Name Ramondetta	Address Line 2 --	Affiliation Description --
Certificate Action Date 6-14-2022	Phone +15088077969	State --	Status Opened
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email mttr3@comcast.net	Zip Code --	

Comment Title or Subject

Topic: Lakeshore Center Phase IV / Bridgewater, MA / EEA #16558

Comments

**B***I*U Segoe UI 10 pt   X₂ X²   Paragraph        

Thank you for the opportunity to comment on Lakeshore Center Phase IV in Bridgewater. Please find my comments attached.

Attachments

[MR COMMENTS_061422.pdf](#)

Update Status

Status

Opened

SUBMIT

Share Comment

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[BACK TO SEARCH RESULTS](#)

June 14, 2022

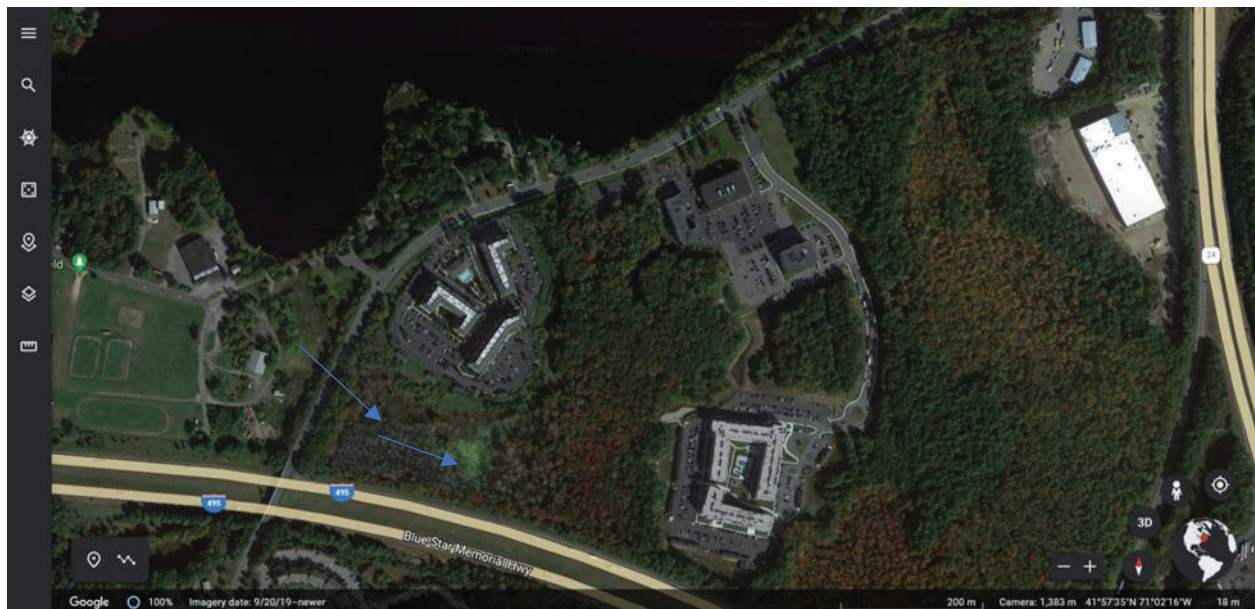
Purvi Patel
Environmental Analyst
MEPA Office Executive Office of Energy and Environmental Affairs 100 Cambridge Street, Suite 900
Boston, MA 02114
purvi.patel@state.mass.us

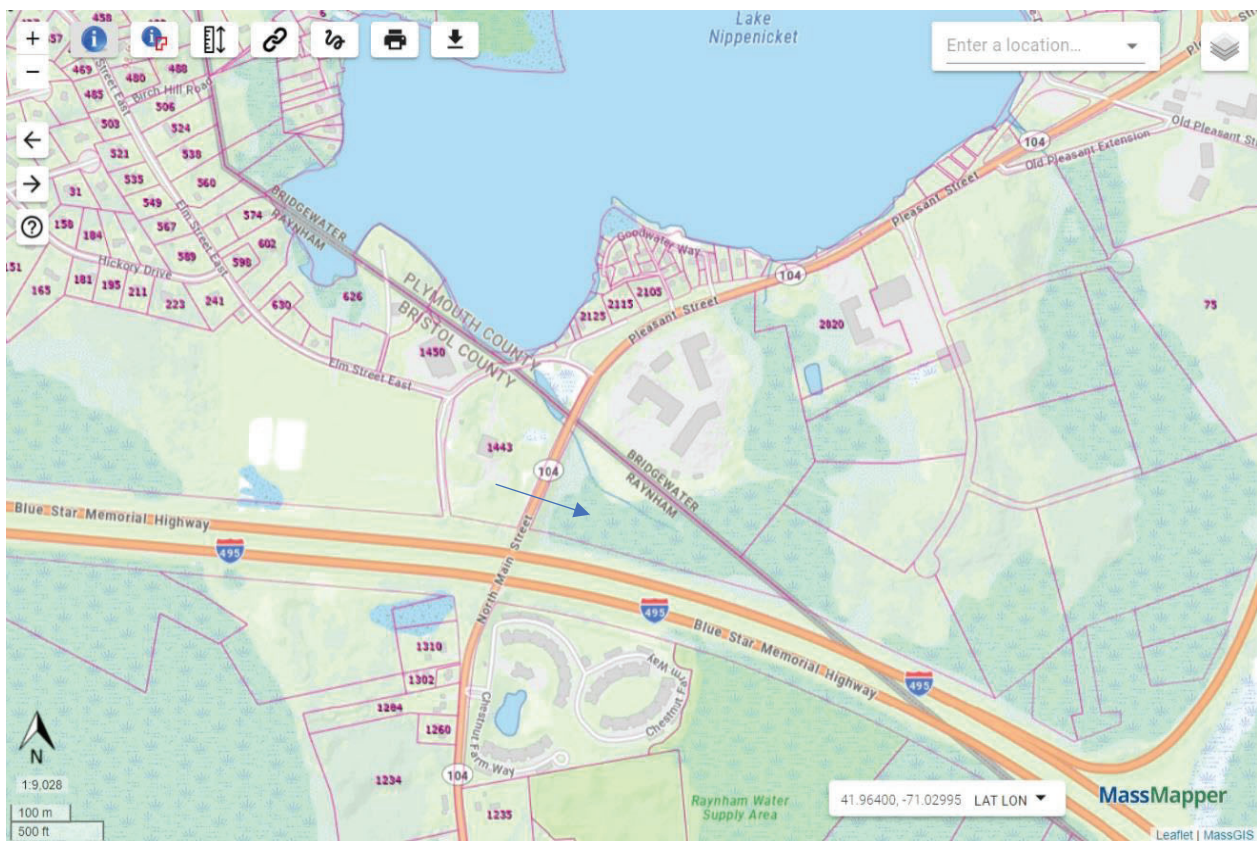
RE: EEA #16558 : Lakeshore Center Phase IV, Bridgewater MA

Dear Ms. Patel:

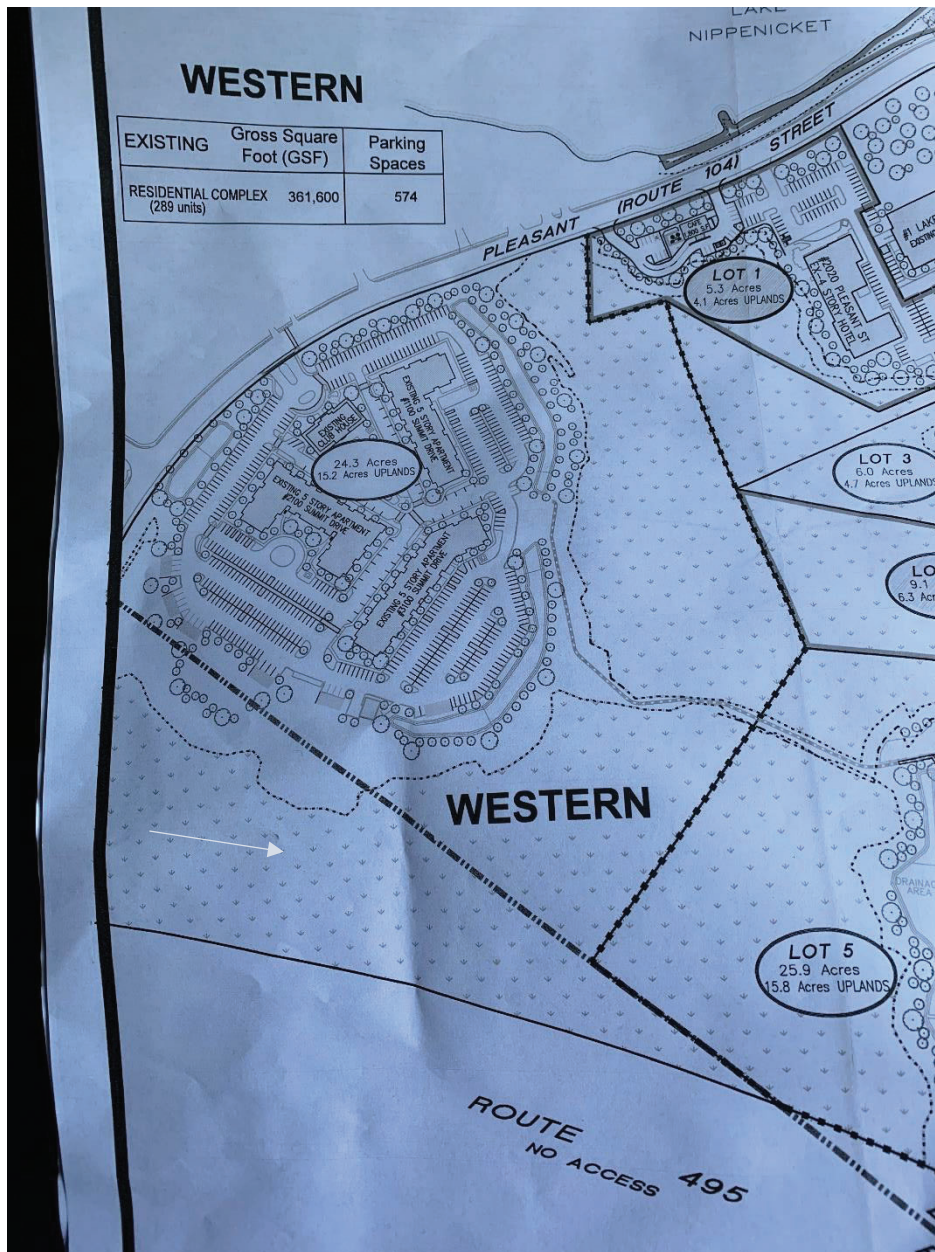
Thank you for the opportunity to comment on EEA #16558: Lakeshore Center Phase IV, Bridgewater, MA.

I have noticed when travelling west on Route 104 towards Raynham that there is a large area of dead trees on the western side of the Axis complex, which was part of the earlier phases of Lakeshore Center (#4959). Please find below Google Earth images, including a close-up from 9/20/2019. There also appears to be an algae bloom.





Mass Mapper



Lakeshore Center Phase IV Preferred Option Plan 5/6/22

I have included additional photos taken from Route 495 North looking east on June 12, 2022.







I would encourage MEPA to request or initiate a study as to the cause of the large area of dead trees and to determine if an algae bloom continues to be an issue on the property by requiring water testing of the wetland and stream that passes under Route 104 and through towards Lake Nippenicket. As the wetlands that are the subject of this letter are connected to the areas to be impacted by Lakeshore Center Phase IV, I hope that this can be reviewed.

Thank you.

With kind regards.

Melissa Ramondetta
317 Lakeside Drive
Bridgewater, MA 02324

cc: Raynham Conservation Commission
Raynham Board of Health

From: [PATRICIA NEARY](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Fwd: EEA #16558. Lakeshore Center. PhaseIV, Bridgewater, Ma
Date: Tuesday, June 14, 2022 2:17:09 PM

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Regards,
Pat
508-697-8791 (Landline!)
She/her/hers

Sent from I Pad

Begin forwarded message:

From: PATRICIA NEARY <Pneary7@aol.com>
Date: June 14, 2022 at 9:49:08 AM EDT
To: Purvi.patel@state.ma
Subject: EEA #16558. Lakeshore Center. PhaseIV, Bridgewater, Ma

Dear Ms Patel,

Please accept the following comments regarding the above subject as there are many concerns about this extreme proposal.

The Northern site, where a restaurant is proposed, has not been included in any previous MEPA filings. AND, there is a perennial stream on this property which flows into Lake Nippenicket, a "Great Pond" within a designated Area of Critical Environmental Concern. This stream is not shown on the proponent's maps and is subject to the River Protection Act which requires a 200' buffer. This area also contains plants of SPECIAL CONCERN and ENDANGERED and would be "taken" during the restaurant development. The eastern Box turtle was relocated during the previous construction of the hotel, office buildings and two massive apartment buildings. NOW, will they be moved again?

Throughout the parcel(s) there are wetlands (part of the Hockomock Swamp) that feed into Lake Nippenicket. The proponent plans to utilize land area within the required 100' Buffer in order to maximize their plan. This is not acceptable in this Area of Critical Environmental Concern.

The scale of this project will impact not just the immediate neighborhood, but the area as well. Adding over 4200 auto trips to our inadequate roads needs to be scaled down.

Bridgewater has been experiencing substantial growth in recent years and the

town management has residents on "Restricted" water usage. This plan, along with other current projects in town will impact our water supply even more.

Of importance also are the two historic archeological sites which the developer indicates "will be destroyed". How can that happen?

In addition to all of the above concerns, the cutting of thousands of trees which clean our air as well as act as a sound buffer from Rt 495 must be addressed and limited.

Please consider all of these serious concerns.

Thank you.

Cordially,

Patricia Neary

225 Lakeside Drive

Bridgewater, Ma 02324

508-697-8791 (Landline!)

She/her/hers

Sent from I Pad

From: [Leiry Samantha Melendez](#)
To: [Patel, Purvi \(EEA\)](#)
Subject: Claremont Proposed Project
Date: Tuesday, June 14, 2022 9:34:40 AM

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

I am a resident of the Lakeshore Neighborhood. I am concerned about the Claremont Proposed Project and its impact on our lake and neighborhood. My concerns about the Planned Project include:

Environment: It substantially impacts an Area of Critical Environmental Concerns, the Hockomock Swamp, including Lake Nippenickets, a Great Pond and its nearby wetlands. The project site falls within mapped rare species habitat and I am concerned about the impact this project will have on the surrounding wildlife. My grandkids and nephews enjoy all the different animals around the shore and area and it would be really sad for them to lose this experience.

TRAFFIC: It involves a large increase in traffic on Route 104 (estimated by Claremont to be 4,262 extra trips per day) impacting surrounding neighborhoods, and all members of which would like to use the lake for peaceful recreation. My mother is an elderly driver and enjoys being able to still drive and drive with my nephews around with her. Entering and exiting our neighborhood is already hard at times due to the high volume of traffic on Route 104 and we fear it will become worse and possibly dangerous. It should be noted, that for some surrounding neighborhoods, Route 104 represented the only way in and out of the neighborhood, and access to the public boating dock by members of the public is also dependent on access to Route 104. In addition, it directly impacts the commuting route of the commuting route of all individuals in the local area who must use Route 104 to get to Route 24 and connecting highways to go to work. Also extremely important for my mother and my nephews and grandkids to go to school, sports and/or doctors appointments.

WATER USAGE: It involves a large increase in water usage and Bridgewater is already on "Restricted Water Usage".

NOISE: The project will likely increase noise which will have a substantial impact on the activities of local wildlife and the **QUALITY** of life of all nearby residents and all the members of the public whom would like to use the lake for peaceful recreation. We have many elderly people like my mother and our neighbors who love to go for their peaceful walks or bike rides, young moms walking their newborn children and kids just enjoying nature which nowadays is very rare to see.

WASTE/TRASH: I am very concerned that specific aspects of this project will increase waste and trash in the overall area and find its way into Lake Nippenicket and surrounding neighborhoods and areas. My husband loves to go fishing with our boys and our boys go fishing with their friends very often. I would hate for them to lose that experience due to waste and trash that more than likely will increase.

POLLUTION: Increased air pollution will also be generated by the large number of cars that will need to use a two-lane road. Once again, impacting the health and enjoyment of the lake by members of the community and public.

LAND ALTERATION: A substantial amount of open space will be destroyed by the project, impacting the beauty of the lake, surrounding areas, and setting the stage for additional climate change impacts to the immediate area.

ARCHAEOLOGICAL/HISTORICAL SITE DESTRUCTION: Two sites of archaeological/historical significance will be destroyed.

OPEN SPACE: Finally, I also dispute the statement made by Claremont in the ENF Document/Report "The open space at the Project Site is not useable as it is along a busy corridor between Route 24 and Routh 495". This space could be used to support additional recreational activities for the adjacent Boat Ramp/Parking Lot area by adding space for members of the community to picnic and walk. Which during the pandemic we saw an increase of members of the public utilizing and enjoying as a away to enjoy fresh air and nature. Many of us chose to lived here because of the area's beauty and open space. We chose this quiet and beautiful area as a way to escape the busy, overcrowded, annoying levels of noise, garbage, excessive traffic at all hours of the day, absence of wild life, lack regards for nature and the need for QUALITY of life that we experience when we lived in the city.

Thank you for your taking the time to read our concerns and your consideration on this important matter.

Thanks
Samantha Melendez



TAUNTON RIVER WATERSHED ALLIANCE

A VOICE FOR THE RIVER SINCE 1988

June 14, 2022

Purvi Patel
MEPA Office
100 Cambridge St., Suite 900
Boston, MA 02114

Re: **EEA No 16558: ENF : Lake Shore Center Phase 4 (Bridgewater)**

Dear Ms. Patel:

On behalf of the Taunton River Watershed Alliance (TRWA) and the membership we represent including many who reside within the Town of Bridgewater, we are writing to urge that the Secretary of EEA extend the public comment period a minimum of 30 days to allow the public additional time to review this complex multi-phase project which has significant potential to adversely affect the headwaters watershed of Lake Nippenickett, Lake Nippenickett itself and the Town River, a primary tributary of the Wild and Scenic Taunton River. As discussed below, there are many reasons to question this major project in such a small vulnerable headwaters watershed which is already suffering adverse impacts from previously completed project phases. There is a need for greater information for adequate review by both interested citizens and public agencies.

TRWA requests that MEPA approval not be granted for this project until more is known about:

- The environmental impact of the phases of development completed to date, the stormwater pollution load generated by the project's phases completed to date (particularly the phosphorus load to the perennial stream on site, Lake Nippenickett and the Town River),
- Pollutant loads (particularly phosphorus load) projected to be generated from each proposed phase of new development,
- Analysis/assessment of the current state of eutrophication of the perennial stream on site, Lake Nippenickett and the Town River, along with an analysis of the assimilative capacity (if any) of these waterbodies to accept the additional loadings from the proposed phases.

Since 1988, the Taunton River Watershed Alliance (TRWA) has been a voice for the 562 square mile [Taunton River watershed](#) which extends from Mount Hope Bay in Fall River to the City of Brockton, including all or parts of 43 cities and towns. We are an advocate for environmental protection, sustainable development, and responsible stewardship of our precious water resources. We are an Alliance of concerned residents, businesses, and organizations united to restore and properly manage water and related natural resources within the Taunton River Watershed.

Our Mission: ...to protect and restore the watershed's natural resources for current and future generations.

Taunton River Watershed Alliance, at Sweets Knoll State Park, 1387 Somerset Ave., (Rt. 138), Dighton
Mailing address: P.O. Box 1116, Taunton, MA 02780 • 508 -828-1101 • www.savethetaunton.org

The purposes of the Alliance are:

- To protect and restore the watershed's natural resources for current and future generations
- To build and support responsible stewardship of fragile ecosystems, water quality, forests, farmland, and wetlands
- To provide opportunities for people to enjoy the river and the watershed's open space
- To be an integral resource for environmental education and be voice for threatened land and water resources.

The residents of the area report and have pictures of significant eutrophication (algae, weed growth, impaired transparency) in Lake Nippenickett. This is not surprising due to the low water depth and large surface area of the lake along with the significant development which has taken place in this small sub watershed. We believe the Lake has reached and indeed exceeded its assimilative capacity to absorb additional phosphorus and pollution from stormwater. It is not good enough for the applicant to vaguely propose to meet state stormwater rules that are not designed to address atypical water quality limited waters. This is why MEPA review is so important.

We believe that stormwater management, including remediation of existing inadequate stormwater controls from previous phases, should assure no discharge of stormwater to the perennial stream, Lake Nippenickett and ultimately the phosphorus impaired Town River which the Town of Bridgewater is being required to install advanced treatment phosphorus controls to address. Pervious pavement, infiltration best management practices (BMPs) such as gravel wetlands, redirection of BMP overflows from the Lake watershed, minimization of impervious cover in project design, weekly vacuuming of impervious roadways and parking areas to remove sediment and phosphorus deposition, collection of roof runoff and storage for landscape irrigation and other measures are needed and should be detailed before MEPA approval.

As far back as 1978, in a report titled Route 495 Areawide Approach to Growth, Part II, the Southeastern Regional Planning and Economic Development District (SRPEDD) identified the necessity to provide guaranteed protection of the Hockomock and Titicut Swamps, Lake Nippenicket, and the adjoining wetlands from the potential impacts of development (this document was in fact submitted with the original Hockomock Area of Critical Environmental Concern – ACEC - nomination in June of 1989). The area of the proposed development lies in the ACEC of the Hockomock Swamp as well as inside the Zone II aquifer for Town of Raynham drinking water wells. It requires special protection, not the additional creation of up to 14 acres of impervious surface, much of which is on the additional parcel located on the north side of Pleasant Street where a restaurant and parking lot is proposed immediately adjacent to Lake Nippenickett. This is antithetic to an ACEC especially on a Lake and bordering wetlands which feed the Town River, a headwater of the Wild and Scenic Taunton River. This area should not be developed but instead be utilized as open space. The “no build alternative” is the best alternative in this case. Loss of pervious surfaces and vegetation does in fact create susceptibility to climate change in opposition to proponents’ argument.

The proponent intends to use Massachusetts State Stormwater Standards which require only 80% removal of total suspended solids. Solids that can carry nitrates, phosphates and oil from runoff into surface water. Because of the sensitivity of the Lake Nippenickett area, higher standards should be in effect and periodic testing of best management standards (i.e. deep sump catch basins, oil/grit separators, sediment forebays) as well as where proponent intends to install them should be subject to review and required to be tested to ensure no impact to the perennial stream, wetlands and Lake Nippenickett. This should be included in the Operation and Management Plan prepared for the project. Additionally, any fill material trucked in from off-site sources should be tested at a 1/200 ton ratio and included with clean certifications of the fill material's origin.

Also, we ask that the proponent describe the specific mitigation measures to prevent disturbance and destruction of significant archaeological resources identified on the site. Although the proponent has been in consultation with the federally recognized Wampanoag Tribe, the Taunton River Stewardship Council also recognizes and respects the culture and heritage landscapes of all indigenous peoples in the watershed, including the Massachuset Tribe, who also populated areas in the Bridgewater; the Sagamore should at the very least be notified of this proposed development.

Because of the damage that has been done from existing development in the Nippenickett Lake watershed and large amount of existing stressors, no exceptions to state recommended buffer requirements should be approved for any part of the proposed phases. The project adjacent to the Lake on the North side of 104 should be abandoned. The existing structures on this location should be removed and the land deeded to the Town of Bridgewater for a park adjacent to the existing boat ramp to mitigate the harm from the current development North of Route 104 and any adverse effects from the new proposed phases despite taking the measures suggested here.

We believe the applicant should be required to conduct a monitoring program (2/month, April through October) of the perennial stream and the Town River at 2 to 3 locations above the Bridgewater wastewater treatment plant for total phosphorus, chlorophyll-a, blue green algae, nitrate-N, E. coli bacteria, temperature, pH, specific conductivity and chlorides. A sampling program for Lake Nippenickett should be developed in consultation with the MassDEP Watershed Planning Program. Representative locations recommended by MassDEP such as near route 104, the Town River outlet and several locations in the lake should be sampled 2 times per month for transparency (Secchi Disk), dissolved oxygen, total phosphorus, nitrate-N, chlorophyll-a, blue green algae, temperature, pH, and specific conductivity at depths and final locations recommended by MassDEP. The applicant should consult with the MassDEP Watershed Planning Program and obtain a Quality Assurance Project Plan (QAPP) approval for this monitoring program. Each year a summary report with data interpretation and analysis should be submitted to the Town or Bridgewater, MassDEP Planning Program and placed on a website for citizen access.

For the reasons stated above Taunton River Watershed Alliance, Inc. (TRWA), the Wild & Scenic Taunton River Stewardship Council (TRSC) and SRPEDD request that a MEPA approval not be granted until more information is available concerning this project.

Sincerely,

Joseph Callahan

Joseph Callahan
President, Taunton River Watershed Alliance

Bill Napolitano

Bill Napolitano
Rivers, Trails and Watersheds Coordinator
Southeastern Regional Planning and Economic Development District (SRPEDD)

Donna Desrosiers

Co-Chair, Taunton River Stewardship Council (TRSC)

cc: via email to,

Kathleen A. Theoharides, Secretary EOEEA

Thelma Murphy, EPA Region 1

Mark Voorhees, EPA Region 1

Laura Schiffman, MassDEP

Richard Carey, MassDEP

Dan Arsenault, EPA Region 1

Helen Zincavage, Southeastern Regional Planning & Economic Development District

Kate McPherson, Save the Bay

Heidi Ricci, Massachusetts Audubon

Danielle Perry, Massachusetts Audubon

Jamie Fosburgh, National Park Service, Wild and Scenic River Program

Paul M. Maniccia U.S. Army Corps of Engineers

Edward Reiner, EPA Region 1

David Paulson, Mass Wildlife

Massachusetts Archeological

Massachusetts Historical Commission

June 14, 2022

Subject: EEA Project #16558; Lake Shore Center Phase 4, Bridgewater

Dear Ms. Patel:

The Bridgewater Open Space Committee (OSC)* submits that elements of the above-referenced project will harm the natural resources of the project area and are inconsistent with the 2017 Bridgewater Open Space Plan and the ACEC status of the area. We strongly oppose the construction of a restaurant on the shore of Lake Nippenicket, the part of the proposal that was not previously subject to MEPA review.

The *Bridgewater Open Space Plan* identifies, among its *Goals and Objectives*, the following (https://www.bridgewaterma.org/DocumentCenter/View/2158/Bridgewater-OSRP-2017-Update_FINAL_FOR-STATE-APPROVAL_082018):

Goal 5. *To protect and preserve environmentally sensitive areas that promote local and regional ecological and environmental integrities.*

Objectives: *1. Improve water quality of rivers and other surface water bodies*

A restaurant will not protect and preserve Lake Nip, an environmentally sensitive area. On the contrary, it will lead to degradation of its waters, disruption of its shoreline, possible impacts to wildlife, and impaired views of the Lake. Whatever mitigation or local requirements and restrictions might be imposed on a permitted restaurant, they will not eliminate the harm from construction and operation of a restaurant including, runoff, litter, noise, lighting, and impacts on the stream that flows into the Lake at this location. Of great significance is the fact that Lake Nippenicket shoreline parcels are among properties included in the *Hockomock Swamp ACEC*. The ACEC designation, which was achieved largely through the work of interested Bridgewater citizens and officials, was granted by the Secretary of Environmental Affairs in 1990. The purpose of an ACEC designation is the “long term preservation, management, and stewardship of critical resources and ecosystems”. A restaurant at this location is clearly inconsistent with this purpose.

In addition, the Bridgewater 2017 Open Space Plan identifies a number of potential Scenic Ways including Lakeside Drive along the edge of Lake Nippenicket. While these “ways” do not have additional regulatory protection based on their recognized scenic value, they nonetheless, have been recognized through the Town’s planning processes as worthy of protection. A restaurant on the edge of the Lake will impede scenic views of the Lake for everyone except the restaurant patrons.

Thank you for your consideration of our comments.

Respectfully submitted,

Bridgewater Open Space Committee
Eileen Hiney, Chair
Nicole Holmes
Kevin Mandeville
Maureen Minasian
Lauren Webb

* The Open Space Committee advises and otherwise assists the Town Manager on the preservation of open space, and updating the Open Space Plan. The Committee evaluates opportunities for the acquisition and protection of open space parcels against a number of criteria, including whether the Town's acquisition of the parcel would (i) help preserve Bridgewater's character, (ii) protect Bridgewater's water resources, (iii) abut or conjoin existing conservation lands, (iv) provide public access for walking, biking or other passive recreation, (v) preserve or enhance distinctive streetscapes, views or vistas, or (vi) preserve important wildlife and/or vegetation habitat. To this end, the Committee works with Town residents, local officials, state and federal agencies, and private nonprofit land conservation organizations to further these open space objectives. The Committee advises the Town Manager on the development and content of the Open Space Plan. The Open Space Committee is an advisory committee in the Town.