



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

Maura T. Healey
GOVERNOR

Kimberley Driscoll
LIEUTENANT GOVERNOR

Rebecca L. Tepper
SECRETARY

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

January 30, 2023

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

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 : December 23, 2022

Pursuant to Section 11.08(8)(b)(iii) of the MEPA regulations, I hereby determine that the Draft Environmental Impact Report (DEIR) submitted on this project **does not adequately and properly comply** with the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62L) and with its implementing regulations (301 CMR 11.00), and therefore requires the filing of a Supplemental DEIR (SDEIR). Specifically, I find that further analysis is required to satisfy the MEPA requirement that the project's environmental impacts and mitigation measures have been adequately analyzed prior to the close of MEPA review. In particular, the Proponent should provide additional discussion and analysis to evaluate the project's impacts with regard to traffic, land alteration and impervious area, greenhouse gas emissions, adaptation and resiliency, and cultural resources. The SDEIR should provide further alternatives to avoid or minimize impacts to the Hockomock Swamp Area of Critical Environmental Concern (ACEC).

Project Description

As described in the DEIR, the project represents an expansion of the existing Lakeshore Center Development (EEA#4959) on Pleasant Street (Route 104) in Bridgewater. The project consists of ±809,840 square feet (sf) of new mixed-use development on Lots 1, 4, 6, and 7 of the Lakeshore Center Development and a new parcel located on the north side of Pleasant Street adjacent to Lake Nippenicket

that was not previously reviewed (Northern Lot).¹ The project proposes to construct a one-story, ±1,800-sf café shop on Lot 1; a five-story, 150-unit assisted living facility on Lot 4; a four-story, 225-unit 55+ residential community on Lot 6; a four-story, 106-room hotel, and a four-story, 160-unit condominium community on Lot 7; and a 6,000-sf restaurant on the Northern Lot. The project also proposes to construct a stormwater management system, parking (1,114 spaces) and loading areas, utilities, lighting, and landscaping. Access will continue to be provided from the Lakeshore Center central access road from Pleasant Street. In addition, the project will include several curb cuts off of 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 55+ residential 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).

Changes to the Project Since the ENF

Since the filing of the Environmental Notification Form (ENF), the DEIR indicates that the size of the project will increase by 121,040 sf (from 688,800 sf to 809,840 sf), of which 107,400 sf is associated with the proposed 55+ residential community (with the same number of units as proposed in the ENF). A comparison of the ENF and DEIR projects is shown below:

Table 1-1 Comparison of the ENF and DEIR Preferred Alternatives

Lot	ENF Alternative	DEIR Preferred Alternative	Change
North	Restaurant (179 seats) 6,000 SF 64 parking spaces	Restaurant (179 seats) 6,000 SF 59 parking spaces	-5 parking spaces
1	Café Shop (1,800 SF) 19 parking spaces	Café Shop (1,800 SF) 19 parking spaces	No change
4	Assisted Living (150 units) 200,000 SF 261 parking spaces	Assisted Living (150 units) 200,00 SF 249 parking spaces	-12 parking spaces
6	55+ Residential (225 units) 200,000 SF 314 parking spaces	55+ Residential (225 units) 307,400 SF 348 parking spaces	+107,400 SF +34 parking spaces
7	Hotel (102 Rooms) 56,000 SF 105 parking spaces Condominiums (160 units) 225,000 SF 320 parking spaces	Hotel (106 Rooms) 69,640 SF 121 parking spaces Condominiums (160 units) 225,000 SF 318 Parking Spaces	Hotel (+4 rooms) +13,640 SF +16 parking spaces Condominiums -2 parking spaces
Total	688,800 SF 1,083 Parking Spaces	809,840 SF 1,114 Parking Spaces	+121,040 SF +31 parking spaces

The DEIR does not provide a comparison of impacts estimated in the ENF and those associated with the project as described in the DEIR.

¹ “Northern Lot” and “Northern Parcel” are interchangeably used.

Procedural History

In October 1983, an Environmental Notification Form (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. The Bridgewater Crossroads development 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 the 1997 NPC. 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 NPC 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 building² 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 that 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 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

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

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, which 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 Site³ 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 the proposed 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 a future 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 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 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

³ 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.

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 in 2022 disclosed 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 described an additional use on Lot 1 (coffee shop) and enlargement of the project site to include the newly acquired Northern Lot with a new proposed use on that parcel (restaurant). According to the Certificate on the 2018 FSEIR, the entire site of the Lakeshore Corporate Center, as reviewed through the 2007 to 2018 filings, totaled 162.5 acres. The site of the project activities disclosed in the ENF for Phase IV was 67.2 acres. According to the DEIR, the project site associated with Phase IV is now 68.2 acres as described in Table 2-1 (this 1-acre increase is associated with Lot 4). In addition, the DEIR indicates that the overall Lakeshore Center Development is now 167.5 acres because it was expanded in recent years in two areas. Lot 1 was increased in size to add a parking lot and the Northern Lot was acquired. According to the DEIR, prior MEPA filings excluded the ± 1.3 -acre development on Lot 1 and the ± 1.9 -acre development on the Northern Lot, both of which are included in this current filing.

Project Site

The ± 68.2 -acre project site is located within the 167.5-acre Lakeshore Center Development⁴ off Pleasant Street (Route 104); of this area, 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 $\pm 77,000$ sf, three-story office building with 237 parking spaces on Lot 2; a $\pm 65,000$ 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 $\pm 100,000$ 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 ± 68.2 -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 Lot located on the north side of Pleasant Street adjacent to Lake 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.

⁴ It is unclear how the estimate for the total project site was derived in the DEIR.

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 Lot contains mapped habitat for two listed species of plants.

The project site is not located within one mile of any Environmental Justice (EJ) populations, both under the EEA EJ Mapper⁶ in place prior to November 12, 2022 and after that date, when EEA published an updated EEA EJ Maps Viewer ("*Updated 2020 Environmental Justice Block Groups*" tab.⁷ 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 was not required to comply with new EJ protocols that went into effect on January 1, 2022.

Environmental Impacts and Mitigation

Potential environmental impacts of the project include alteration of 27.85 acres of land; creation of 12.74 acres of impervious area; alteration of an undisclosed amount of buffer zone to BVW; generation of 4,296 new average daily trips (adt) on a typical weekday; construction of 1,114 new parking spaces; new water use of 158,280 gpd; new water withdrawal of 35,000 gpd; and new wastewater generation of 126,625 gpd. 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 direct impacts to wetland resource areas, banking of 260 of the proposed 1,114 parking spaces to reduce impervious area by 42,100 sf, implementation of pedestrian accommodations, construction of a stormwater management system, and construction period best management practices (BMPs).

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)(b)(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

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

⁶ The EEA EJ Mapper is available at: <https://mass-coeca.maps.arcgis.com/apps/MapSeries/index.html?appid=535e4419dc0545be980545a0eeaf9b53>.

⁷ "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.

single location, and construct 1,000 or more new parking spaces at a single location. The project also exceeds the ENF thresholds 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; and 301 CMR 11.03(11)(b) for any project within a designated ACEC.⁸ 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 DEIR

The project proposed in the DEIR is not substantially different from that proposed in the ENF. The DEIR provides a description of existing and proposed site conditions, programming for each of the parcels and new buildings, and an alternatives analysis. The DEIR identifies minimal changes to impacts associated with the project since the filing of the ENF. It provides a general assessment of impacts, although this is not summarized clearly in the DEIR, and identifies mitigation measures. It identifies and describes state, federal and local permitting and review requirements associated with the project and provides an update on the status of each of these pending actions. It includes a description and analysis of applicable statutory and regulatory standards and requirements, and a discussion of the project's consistency with those standards. It includes site plans for existing and post-development conditions, which identify project elements such as buildings, access roads, stormwater and utility infrastructure, and wetland resource areas and buffer zones. The project proposes development only within Bridgewater and does not include work on the 9.68 acres of land in Raynham.

Alternatives Analysis

The DEIR does not include a Reduced Build Alternative for the site as required by the Scope because it claims that the scale of development is required to be financially feasible. Instead, the DEIR includes an alternatives analysis that considers reducing land alteration, impervious area and tree clearing while maintaining the same proposed development program proposed in the Preferred Alternative to be economically viable. According to the DEIR, the project considered increasing 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.

height of buildings on Lots 6 and 7 (from four to five stories) to reduce the footprint, a central parking garage, shared surface parking, underground parking, podium parking, and banking parking spaces. Increasing the height of buildings, was dismissed based on a limited elimination of impervious area and additional costs. A central parking garage was considered impracticable because there is no feasible location near lots 4, 6, and 7; this garage was also deemed to be too expensive. The Proponent determined that underground parking and podium parking were financially infeasible. Shared parking was eliminated because there are no proposed uses that have opposite time of day parking demand. As described further below, the project will bank 260 parking spaces.

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 includes a Transportation Impact Analysis (TIA) prepared in accordance with the *EEA/MassDOT Transportation Impact Assessment (TIA) Guidelines*. The TIA includes an analysis of the study area that reviews project impacts on intersection operations, safety, and bicycle, pedestrian, and transit modes. MassDOT comments identify several issues related to project design, transportation analysis methodology, and mitigation which should be addressed in the SDEIR.

Project Access

The project proposes numerous curb cuts along Route 104. Lot 1 will include an 1,800-sf drive-through restaurant use with two full-access driveways under STOP-sign control on Route 104. Lots 4 and 6 will include 150 assisted living housing units, 225 age-restricted housing units, and 160 condominiums in mid-rise buildings, with access provided via the existing Lakeshore Center driveway. Lot 7 will include a hotel with 106 rooms with access provided via a new full-access driveway under STOP-sign control on Route 104. The Northern Lot will be developed as a 6,000-sf high-turnover sit-down restaurant, with access provided via three full-access driveways on the north side of Route 104.

Study Area

According to the DEIR, MassDOT Engineering Directive E-20-005, which provided guidance on traffic conditions as a result of the COVID-19 pandemic, has been replaced with Engineering Directive E-22-003 which notes an update to the Traffic and Safety Engineering 25% Design Submission Guidelines and the Traffic Volume guidance. The new guidelines from MassDOT indicate that traffic count data collected on or after March 1, 2022 are not subject to COVID-19 adjustments. Traffic counts to establish roadway volumes were conducted in April 2022; therefore, no COVID-19 adjustment was applied. It is unclear if the Proponent consulted with the Highway Division Traffic and Safety Section on the most recent updates of the MassDOT guidance on traffic count data. The SDEIR should provide additional information regarding traffic counts as described in the Scope.

Trip Generation

The TIA estimates that the combination of uses proposed for the overall project site will generate an additional 4,296 unadjusted adt over existing conditions in accordance with the Institute of Traffic Engineers (ITE) *Trip Generation Manual* using Land Use Code (LUC) 932 (High-Turnover Sit-Down Restaurant), LUC 937 (Coffee/Donut Shop with Drive-Through Window), LUC 254 (Assisted Living), LUC 252 (Senior Adult Housing – Multifamily), LUC 310 (Hotel), and LUC 221 (Multifamily Housing

Mid-Rise). The DEIR estimate is an increase of 34 adt compared to that described in the ENF (4,262 unadjusted adt). The building program remains unchanged from what was proposed in the ENF. This estimated trip generation represents an increase over the existing commercial and residential uses present at the project site. The TIA proposes an adjusted rate of trip generation for the overall project site based on the expectation of pass-by trips already present on the roadway network traveling to the two proposed fast-food restaurants. Based on the rate of pass-by trip generation, the DEIR estimates that the project will generate 289 trips and 268 trips during the weekday morning and evening peak hour, respectively. The DEIR was required to ensure that any analysis of pass-by trips is consistent with MassDOT TIA Guidelines; however, MassDOT comments request additional information the pass-by trip credit as described in the Scope.

Safety

The TIA includes a crash analysis for intersections and roadways within the study area, noting that the intersection of Pleasant Street/Lakeside Drive/Fruit Street has a higher rate of crashes than the District 5 average for unsignalized intersections (0.82 per million vehicles). The DEIR does not describe additional mitigation measures that will be provided at this intersection to improve safety. There are no Highway Safety Improvement Program (HSIP) eligible crash clusters within the project study area. Additionally, the TIA includes a site distance evaluation for the proposed project driveways, finding that each driveway exceeds the recommended site distance to avoid accidents under adverse road conditions.

Traffic Operations

The TIA provides a capacity analysis including a summary of delays and queuing on study area intersections and roadways under Existing, 2029 No-Build, and 2029 Build conditions. Under the Build condition as compared to the No-Build condition, the overall level of service (LOS) at the intersection of Pleasant Street/Lakeshore Center driveway is anticipated to decline from LOS D to LOS E, with delays and queues increasing within the project site rather than on the public roadway. Under both future scenarios, the intersection of Pleasant Street/North Main Street/Elm Street is anticipated to remain at LOS E. All other study area intersections are anticipated to remain at acceptable LOS for suburban use.

MassDOT comments note that the project proposes six new driveways onto Route 104 in addition to the existing channelized driveway for the Lakeshore Center. The Proponent should supply design alternatives and associated capacity analysis to examine the potential to reduce curb cuts and associated traffic impacts on the state jurisdictional right of way.

Multimodal Access Accommodations

The TIA notes that the project study area includes bicycle and pedestrian infrastructure. Pedestrian infrastructure serving the project site includes a concrete sidewalk on either side of Route 104 with crosswalks connecting across Pleasant Street at Summit Drive and across the Route 24 ramps to the east. Formal bicycle lanes or seven- to eight-foot shoulders are provided on either side of Route 104 to the west of the Route 24 interchange.

The TIA notes that the project site is not presently served by area transit operated by the Greater Attleboro Taunton Regional Transit Authority (GATRA) or the Brockton Area Transit (BAT) services. The TIA summarizes ongoing discussions held by the Proponent with both authorities to identify potential expansions of transit service to the project site but does not identify a commitment to the

expansion of transit service to the project site. The DEIR indicates that the Proponent will consult with the Council on Aging for potential services to the elderly population of the project during local permitting.

Mitigation

The DEIR includes a summary of mitigation intended to offset the impacts of project-generated trips within the surrounding area. The Proponent proposes to install push-button actuated rapid rectangular flashing beacons (RRFB) at the existing crosswalk across Route 104 west of Lakeshore Center, repaint existing crosswalks on Route 104 west of Lakeshore Center and east of Summit Drive and construct a new crosswalk with RRFBs across Route 104 west of Old Pleasant Street providing a direct connection to the proposed restaurant. As noted in MassDOT comments, the SDEIR should include additional mitigation to improve transit access to the project site and safety performance at the Pleasant Street/Lakeside Drive/Fruit Street intersection.

Parking

The DEIR does not describe further reduction of site parking spaces. Instead, the DEIR estimates an increase in proposed parking spaces by 31 spaces (1,114 spaces) compared to that proposed in the ENF (1,083 spaces). However, the Proponent proposes to seek approval for the current number of proposed spaces (1,114) but will build 854 initially and will “bank” the remaining 260 spaces, which will be built only if demand requires it (Table 2-3 below). The TIA does not explain the methodology used to determine the total parking required nor does it review the ITE *Parking Generation Manual* (5th Edition). The DEIR indicates that peak parking use will be in the evenings when guests of the proposed hotel, and residents of the condominiums and 55+ building are present. As described above, the DEIR evaluates and dismisses the feasibility of shared parking, underground parking, and podium parking.

Table 2-3 Parking Spaces Summary

Lot	ENF Number Proposed	Current Number Proposed	Number of Spaces Required by Zoning	Reduction Potential	Potential Reduction in Impervious ¹ (square feet)
1	19	19	19	0	
4	261	249	180	-60	9,720
6	314	348	245	-100	16,200
7	425	439	332	-100	16,200
North	64	59	59	0	0
Total	1,083	1,114	835	260	42,100

1. Based on 162 square feet per space.

Transportation Demand Management

The DEIR describes a limited Transportation Demand Management (TDM) program intended to reduce single-occupancy vehicle (SOV) trips to the project site including establishment of an on-site TDM coordinator to manage the TDM program, employee scheduling to stagger shifts and minimize peak impacts, provision of bicycle parking, provision of pedestrian access to the project site, and identification of existing car sharing/carpooling services.

Land Alteration and Open Space

The DEIR provides a conflicting update on impacts associated with new land alteration and impervious area creation. The DEIR indicates that the project will alter 27.85 acres of previously undisturbed land (increase of ±2.1 acres from the 25.8 acres reported in the ENF) and create 12.74 acres of impervious area (decrease of ±1.3 acre from the 14.0 acres reported in the ENF). Table 3-1 summarizes land alteration proposed on a per lot basis. The table indicates that the project will create 13.95 acres of impervious area for buildings, parking and other paved areas, versus the 12.74 acres referenced above. The DEIR also states that “[o]verall, the proposed new development will alter 64.2-acres, of which 60.5 acres is currently undisturbed.” However, the table below notes only 27.85 acres of alteration of previously undisturbed land. These inconsistencies should be clarified in the SDEIR.

Table 3-1 Land Alteration Summary

Site Feature	Lot 1: Area (ac)	Lot 4: Area (ac)	Lot 6: Area (ac)	Lot 7: Area (ac)	Northern Lot (ac)	Total Area (ac)
Total Land Area	1.3 ¹	10.06	30.3	19.9	2.6	
Total Amount of Land Altered	0.8	7.0	8.0	10.9	1.15	27.85
Building	0.04	0.9	1.80	1.64	0.14	4.52
Parking and other paved areas	0.33	2.4	2.2	3.8	0.70	9.43
Above Ground Stormwater Features	0.19	1.1	1.0	1.2	0	3.49
Landscaping	0.24	2.6	3.0	4.26	0.31	10.41
Undeveloped Areas Remaining	0.5	3.06	22.3	9.0	1.45	36.31

¹ Total land area for Lot 1 is 5.3 acres. Total area for this redevelopment portion is 1.3 acres.

Conceptual site plans for each lot are presented in Figures 1-7 through 1-12 and conceptual grading plans for each lot are presented in Figures 3-1 through 3-6. The DEIR includes site plans that locate and delineate areas proposed for development and those to be left undisturbed. The DEIR estimates that the project will require 22.2 acres of tree clearing (4.7 acres on Lot 4, 7.5 acres on Lot 6, 9.4 acres on Lot 6 and 0.6 acres on the Northern Lot).

The project will leave ±33.5 acres of the overall Lakeshore Center project site undeveloped. Figure 3-7 shows the project area to remain undisturbed. To enhance the long-term protection of these undeveloped areas, the Proponent is investigating the feasibility/practicality of placing a deed restriction, or similar land preservation mechanism, on the property to restrict future development from occurring. Figure 3-8 depicts the potential areas for conservation restrictions.

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 (CMP) 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 DEIR, 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 Lot 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 and round-fruited seedbox. These species and their habitat are protected pursuant to the Massachusetts Endangered Species Act (MESA; MGL c.131A) and its implementing regulations (312 CMR 10.00). The Proponent has continued consultation with NHESP to address proposed changes to the project, including, but not limited to, proposed expansion to the Northern Lot. On November 18, 2022, NHESP determined that this portion of the project would not result in a Take of state-listed species. Provided that the Proponent continues to adhere to all conditions of the 2019 CMP, NHESP anticipates that no further review or permitting will be required pursuant to MESA. The DEIR indicates that erosion control barriers will be established along the downgradient limit of work on the Northern Lot during construction and until the site is stabilized, to avoid and minimize any impacts to the pond shore habitat of these aquatic plant species.

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 includes 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 project will alter an additional 27.85 acres of ACEC and create 12.74 acres of new impervious area within the ACEC. Impacts to the ACEC and Zone II wellhead area will include stormwater runoff from new impervious surfaces. 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. I received numerous comments on the DEIR from the abutters, residents of Bridgewater, and other interested parties 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 Lot which is directly adjacent to Lake Nippenicket. Comments from the Bridgewater Open Space Committee on the ENF indicated that elements of the project are inconsistent with the 2017 Bridgewater Open Space Plan and the ACEC designation.

The DEIR was required to 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 includes a brief narrative regarding each of these resource values and concludes that the project is not expected to impact these resources. The DEIR does

not include 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. It does not explore alternative designs that will improve, restore, and enhance the ACEC.

The DEIR includes a bio-inventory report (Attachment B) for undisturbed areas of project site proposed for alteration within the ACEC to evaluate proposed impacts to biodiversity and related functions and values of the existing habitats, wildlife, and natural communities. The report concludes that, overall, the project site does not contain exemplary or unique habitat features within areas of proposed impact. Surrounding roadways (I-495 and Route 24 to the east and south, and Route 104 to the north and west) fragment the site from surrounding habitat complexes. Proposed clearing of upland forest will have some level of impact to the local vegetation and wildlife community; however, it is not expected to be deleterious to the overall wildlife habitat of the general area. The loss of forested upland habitat on site will reduce forage, cover, and shelter for some mammals and birds. The project does not propose impacts to wetland-dependent species or rare species. As previously mentioned, the Proponent is investigating the feasibility of placing a deed restriction, or similar land preservation mechanism on 33.5 acres of the site.

Wetlands and Stormwater

The project will impact an undisclosed amount of 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 the current floodplain and other wetland resource areas. The DEIR affirms that the project will not impact BVW, as proposed development will occur on upland areas and in wetland buffer zones. The project will comply with the local bylaw requiring a 25-foot-no-disturb buffer from BVW. Although specifically required in the Scope, the DEIR does not describe project activities proposed in the 100-foot buffer zone to BVW, quantify these impacts nor identify consistency with the WPA. The DEIR confirms that the stream that flows into Lake Nippenicket has previously been determined to be intermittent by MassDEP in 2009 (supporting documentation and MassDEP opinion is provided in Attachment E of the DEIR).

Comments from the Massachusetts Department of Conservation and Recreation (DCR) Flood Hazard Management Program (FHMP) on the ENF indicated that the Proponent will be required to develop BFEs in order to meet the requirements of the WPA regulations and the local floodplain regulations of Bridgewater because unnumbered A zones do not include BFEs. According to the DEIR, when development of the Western Site was completed, FEMA approval was sought to establish a BFE for the area, which was used when Lot 5 was developed and will be adhered to when work adjacent to the Western wetland, Lots 1 and 4, is designed. Likewise, the areas related to Lots 6 and 7 and the Northern Lot will use the BFE previously determined since flooding in this region is controlled by the conditions along Lake Nippenicket. The DEIR does not identify the value of this BFE, which should be provided in the SDEIR. The DEIR was required to 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 DEIR does not explicitly state that work is not proposed in floodplain; this should be clarified in the SDEIR. As discussed below, the SDEIR should discuss whether the site will be elevated in a manner that considers future climate conditions.

The project will add 12.74 acres of impervious area onsite and will remove a substantial number of existing mature trees from 22.2 acres of 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 DEIR includes a 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. The DEIR does not include a Stormwater Report. 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 proposed stormwater management system will be designed such that the peak rate will be 90% of the existing condition, and a reduction in stormwater volume by 10% will be achieved using infiltration BMPs to provide recharge. Water quality mitigation using various BMPs will be used to achieve compliance with the SMS and protect the wetland resource areas and the drinking water aquifer of the Town of Raynham. The conceptual site plans in Figures 1-7 through 1-12 show the location of the stormwater system. Underground infiltration is not planned. The DEIR does not commit to implementing LID strategies except to note that bioretention areas may be proposed.

Water and Wastewater

The ENF indicated that 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). However, these estimates have increased in the DEIR without an explanation of why. Table 8-1 of the DEIR provides a tabular estimate of new water demand and wastewater generation.

Table 8-1 Anticipated Water Demand and Sewer Generation

	Lot 1	Lot 4	Lot 6	Lot 7		Northern Lot	
	Café Shop	Assisted Living Facility	55+ Residential Community	Hotel	Condominium Community	Restaurant	Total
Sewer Demand (GPD)	1,500	22,500	49,500	11,660	35,200	6,265	126,625
Water Demand (GPD)	1,875	28,125	61,875	14,575	44,000	7,830	158,280

According to MassDEP comments, the Town has the capacity to provide the requested volume for the project based on its renewed Water Management Act (WMA) permit issued on January 5, 2021 and its recent water use. The DEIR identifies water conservation measures and BMPs that will be implemented at the project site, which include flow controllers and low flow toilet fixtures, dish washers and clothes washers. The DEIR indicates that the Proponent has installed irrigation wells on all lots within the project site and it will follow the nonessential outdoor water use restriction requirements implemented by the Town.

The DEIR notes that the Town requires either a 3:1 reduction in infiltration and inflow (I/I) or a cash contribution, as part of their connection fee process, to allow the Town to reduce I/I elsewhere in the municipal system. The Proponent expects to make the required financial contribution for I/I mitigation for the project. All stormwater will be infiltrated and managed on-site per MassDEP

requirements. No stormwater will be connected to public utility drainage systems.

Cultural Resources

The project will impact two significant Native American 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. In March 2021, the Proponent signed a Memorandum of Agreement (MOA) (Attachment F of the DEIR) prepared by MHC that outlines stipulations to mitigate the “adverse effects” (36 CFR 800.5 and 950 CMR 71.05(a)) of project on significant archaeological resources in the Lakeshore Center project area. The DEIR notes that 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 MGL, c. 9, Sections 26-27C, as amended by Chapter 254 of the Acts of 1988 (950 CMR 71).

According to the DEIR, the data recovery program has been implemented and archaeological fieldwork completed on both sites by The Public Archaeology Laboratory, Inc. (PAL). Analysis of recovered cultural materials and other archaeological information and preparation of a technical report on the data recovery program is in progress. The Proponent, assisted by PAL, participated in consultation and coordination with federally recognized Native American tribes (Mashpee Wampanoag and Wampanoag Tribe of Gay Head (Aquinnah)), and the Massachusetts Commission on Indian Affairs (MCIA) during implementation of the archaeological data recovery program on the two sites. The DEIR indicates that some adjustments in the project design and specifications have been made through consultation with the federally recognized tribes, MCIA, and MHC. Consultation included development of a plan to preserve in place four subsurface Native American features on the Bassett Site. A plan to remove an unmarked Native American feature from the Tomb Road Area B Site and reinter it at another location selected by the tribes has been implemented. According to the DEIR, these plans to preserve and protect specific archaeological features were carried out under an amendment to the current MHC permit and no modifications to the MOA were necessary.

In August 2022, in response to a request from the MHC, PAL conducted an archaeological sensitivity assessment of the Northern Lot, which identified an archaeologically sensitive zone with the potential to contain unrecorded pre-contact Native American and post contact Euro-American sites. An intensive archaeological survey with subsurface testing conducted by PAL identified the Lakeshore Drive Site, an unrecorded Native American site. The DEIR indicates that this site does not have sufficient integrity to be considered a potentially significant archaeological resource and no further investigation is recommended.

Climate Change

Adaptation and Resiliency

The DEIR was generally unresponsive to the Scope on adaptation and resiliency of the site. The SDEIR should specifically respond to the scope identified below.

Greenhouse Gas (GHG) Emissions / Stationary Sources

This project is subject to review under the GHG Policy which requires projects to quantify carbon dioxide (CO₂) emissions and identify measures to avoid, minimize or mitigate emissions. The DEIR includes an analysis of GHG emissions for the project; however, the analysis is largely unresponsive to the guidance and recommendations provided in the comment letter submitted by the Massachusetts Department of Energy Resources (DOER) and the Scope. The project has significant opportunities to avoid, minimize and mitigate GHG emissions, which were not evaluated in the DEIR. The GHG analysis does not 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 practicable.

The GHG analysis groups the 55+ multifamily and the condominium building into a similar typology and the assisted living building and hotel into a second typology. It is expected that water heating will make up a large amount of energy use for these buildings.

According to DOER comments, the multifamily and condominium are proposed to minimally meet Code (HERS55) with gas space and water heating and do not provide additional mitigation. DOER indicates that other projects reviewed through MEPA routinely commit to reduced HERs (at least HERS 45) and efficient electrification. The DEIR evaluates a HERS 45 (with efficient electrification using heat pump space heating) and concludes this scenario is infeasible without providing a rationale to substantiate this claim. The DEIR also evaluates a HERS 35 scenario, which is also described as infeasible with limited cost information (Table 11-1). The SDEIR should provide additional substantiation including design summaries provided to the cost estimator. The DEIR did not include any sub-scenarios related to water heating which were requested in DOER comments on the ENF to evaluate electric resistance, in-unit heat pumps, and central heat pumps (or a mixed fuel approach using efficient electric heat pump heating and gas water heating). The SDEIR should incorporate these sub-scenarios into the cost feasibility described above, which should include credit for downsizing and removal of gas from the buildings, as appropriate for the scenario.

According to DOER comments, the GHG analysis does not evaluate a key scenario requested for the assisted living and hotel buildings which includes improved windows, envelope, air infiltration, and energy recovery to achieve a (low) target heating thermal energy demand intensity (TEDI) of 2-3 kBtu/sf-yr. Instead, the DEIR proposes a scenario having a heating TEDI more than double this target with very low-performing fenestration (R-2.6 storefront glass, R-2.4 operable window, and R-1.3 doors), unimproved air infiltration, relatively unimproved roof and walls (R-30 and R-20, respectively), and low-level ventilation energy recovery (50%). This proposed scenario also incorporates air source heat pump (ASHP) equipment which does not operate in heat pump mode below 47F with the space heated with electric resistance heating. DOER comments indicate this is a highly inefficient, high-emissions, and expensive approach to space heating. The GHG analysis evaluates one other scenario that includes an electric heat pump heating version (without electric resistance) of this high-TEDI scenario. The GHG analysis also did not include any sub-scenarios related to water heating as requested to evaluate electric resistance, in-unit heat pumps, and central heat pumps (or a mixed fuel approach using efficient electric heat pump heating and gas water heating).

The GHG analysis does not evaluate GHG emissions for the restaurant and café. According to DOER comments, while modeling may not be necessary for these relatively small buildings (however, they do still have high energy use, e.g., the restaurant could have an energy use close to half of the

assisted living building), the buildings should include some mitigation with a focus on envelope and efficient space and water heating electrification strategies.

Table 11-8 presents a summary of the project GHG emissions for the Baseline and Proposed cases. The DEIR states that the HERS studies do not calculate a baseline; therefore, the project summary includes the Hotel and Assisted Living buildings only. GHG emissions from the project’s stationary sources are calculated to be 597 tons per year (tpy) compared to a baseline of 705 tpy, which represents a 108-tpy reduction (15.3%). As noted above, DOER comments indicates that any reductions in GHG emissions for these buildings are achieved without meaningful reductions in thermal energy demand and with inefficient heating strategies that ultimately do not result in significant emissions reductions. The SDEIR should revise the GHG analysis in accordance with the Scope and DOER comments.

Table 11-8 Project GHG Emissions Summary

Source	Baseline Tons/year	Proposed tons/yea	Difference	Percent Change
Stationary	705	597	-108	-15.3%
Mobile	2,070	2,345	275	13.3%

Greenhouse Gas (GHG) Emissions / Mobile Sources

The GHG analysis includes an evaluation of potential GHG emissions associated with mobile emissions sources for the Existing, No-Build, and Build conditions; it does not evaluate a Build with Mitigation condition as required. Mobile-source CO₂ emissions were modeled using the EPA’s MOVES3 model and data from the TIA. According to the DEIR, the Build condition analysis accounts for the Proponent’s TDM program. The DEIR asserts that the GHG emission reduction from the TDM program cannot be quantified because of the methodology used for the Build condition transportation analysis. Although the project will increase mobile source emissions by 13% (275 tpy increase from the No-Build to Build condition), it does not propose any mitigation to offset this increase.

The DEIR was required to review installing EV charging stations and providing designated parking for a minimum of 25% of these spaces with the balance of spaces being EV ready for future installation. However, the Proponent will install EV charging stations for only 36 parking spaces (3% of total parking spaces) with an additional 36 EV-ready parking spaces. The DEIR asserts that the project will conduct an annual Traffic Monitoring Program over a period of five years to evaluate the adequacy of mitigation measures and determine the effectiveness of the TDM program; however, as previously mentioned, the DEIR does not propose any mitigation for the increase in mobile source emissions nor does it explain how TDM measures will be adjusted over time.

Construction Period

The DEIR provides a review of the project’s construction-period impacts and mitigation relative to noise, traffic, air quality, and water quality. The Proponent will prepare a Construction Management Plan in consultation with the Town. The Proponent will provide a community liaison who will be respond to questions, comments, and concerns of the residents and businesses in the neighborhood regarding mitigating construction period impacts. The DEIR identifies the schedule for construction of both phases; Phase 1 is anticipated to start in 2023. The project will commit to the use of ultra-low sulfur diesel (ULSD) in off-road engines. The Proponent will encourage contractors to comply

with MassDEP's Diesel Retrofit Program, which encourages users of diesel construction equipment to install exhaust emission controls such as oxidation catalysts or particulate filters on their diesel engines. The DEIR describes the project's generation, handling, recycling, and disposal of construction and demolition (C&D) debris. A C&D waste management plan will be prepared, which will establish waste diversion goals, specify commingled versus site separated strategies, and describe where the material will be taken and how the recycling facility will process the material. The goal for C&D recycling on the project will be to divert 75% of C&D from landfills.

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 describes stormwater management measures that will be implemented during construction to minimize damage to the site and adjacent sensitive areas from storms. If dewatering is required to control groundwater during construction and the groundwater contains pollutants, then a NPDES Remediation General Permit may be required. 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 commits to implementing a spill prevention plan, which is incorporated in the draft SWPPP.

SCOPE

General

The SDEIR should follow Section 11.07 of the MEPA regulations for outline 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 SDEIR should describe the project and identify any changes since the filing of the DEIR. It should include updated site plans for existing and post-development conditions at a legible scale, which clearly identify buildings, access roads, impervious areas, wetland resource areas and buffer zones, pedestrian and bicycle accommodations, and stormwater and utility infrastructure. It should provide updated calculations of impacts in a tabular format. 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 SDEIR 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.

Among other items detailed in the Scope below, the SDEIR 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 LID techniques into the drainage system; and improve resiliency of the site to the effects of climate change. I expect that the DEIR will thoroughly address the numerous thoughtful and detailed comments provided which identify concerns regarding the project's impacts.

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

Traffic and Transportation

The Proponent should continue consultation with the Town, BAT/GATRA and appropriate MassDOT units, including PPDU, Traffic Operations, and the District 5 Office during preparation of the SDEIR. The Proponent should coordinate with PPDU prior to submittal of an amended TIA in the SDEIR.

MassDOT comments indicate that the resulting trip distribution from traffic counts taken in April 2022 represents a very low trip generation associated with the warehouse development on Lot 8 within the Lakeshore Center Development. The Proponent should review whether this project was at full occupancy during the April traffic count and revise the operations analysis to reflect increased volumes as needed. The SDEIR should address this concern and provide a revised analysis as required.

The SDEIR should provide documentation to demonstrate that the number of pass-by trips taken as credits by the project do not exceed 15% of the adjacent street traffic volume (street volume prior to site development) during the peak hour per the ITE *Trip Generation Manual* and MassDOT/EOEEA *TIA Guidelines*.

The SDEIR should identify and commit to implementation of mitigation strategies to improve safety performance at the intersection of Pleasant Street/Lakeside Drive/Fruit Street which exceeds the District 5 average for rate of crashes at unsignalized intersections. The SDEIR should update the analysis in the TIA to reflect proposed safety mitigation strategies and any related proposals.

The project proposes six new driveways onto Route 104 in addition to the existing channelized driveway for the Lakeshore Center. The SDEIR should supply design alternatives and associated capacity analyses to examine the potential to reduce curb cuts and associated traffic impacts on the state jurisdictional right of way.

Given the assisted-living and age-restricted residential components included in the project, the Proponent should continue dialogue with BAT and GATRA and the SDEIR should provide a commitment to expanded transit service in the final mitigation program included in the project's Section 61 finding. The SDEIR should provide a summary of the outcome of these consultations.

It is critical to maximize 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 SDEIR should identify a commitment to increase the proposed number of EV charging stations and EV ready spaces that will be provided on the project site.

I note comments from residents which identify existing traffic concerns regarding congestion and safety along Pleasant Street. The SDEIR should commit to additional TDM measures to demonstrate the

project is reducing SOV trips to the site to the maximum extent practicable. The SDEIR should describe further reduction of site parking spaces.

Land Alteration, Open Space and ACEC

The presentation of information in the DEIR associated with land alteration and impervious area was inconsistent. It should provide a clear understanding of the total area of the project site, the amount of undisturbed area on the project site, the amount of land alteration proposed, and the amount of impervious area creation proposed. The SDEIR should:

- should provide an update on impacts associated with new land alteration and impervious area creation
- 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
- include a breakdown showing the amount of alteration for each project element
- clarify the location, type and amount of alteration in previously undisturbed areas
- include site plans that clearly locate and delineate areas proposed for development and those to be left undisturbed
- specifically estimate the amount of tree clearing that will be required
- show the locations where fill will be placed for regrading purposes and the depth of fill

The SDEIR 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. 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 strongly 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 SDEIR should identify a commitment to preserve the 33.5 acres of open space identified in Table 3-4 and Figure 3-8 of the DEIR under a conservation restriction to ensure their permanent protection and identify this commitment in draft Section 61 Findings.

I expect the SDEIR will provide a detailed response to numerous comments from individuals 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 SDEIR should describe project activities proposed in 100-foot buffer zone to BVW, quantify these impacts and identify consistency with the WPA. The SDEIR should confirm that no work is proposed in BLSF (100-year floodplain associated with an unnumbered BFE). The SDEIR should specifically identify the value of the BFE, referenced in the DEIR, for which FEMA approval was sought. The SDEIR should include a detailed plan of project elements overlain on the FEMA map to demonstrate the location of work within the context of existing mapped floodplain.

The SDEIR 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 SDEIR should demonstrate that LID strategies have been incorporated into the stormwater design to the maximum extent practicable. The SDEIR should demonstrate the system will be designed to accommodate larger storm events. It should include a plan showing the location of BMPs. The SDEIR should provide analysis of the capacity of the stormwater management system under future climate conditions, as described below. The Stormwater Report for the project should be submitted with the SDEIR.

Water and Wastewater

The SDEIR should acknowledge and provide a discussion of the project's exceedance of the ENF threshold related to wastewater (301 CMR 11.03(5)(b)(4)(a) – new discharge or expansion in discharge to a sewer system of 100,000 gpd of sewage). It should describe additional mitigation to offset those impacts. The SDEIR should explain the increase in water use and wastewater generation in the DEIR compared to the ENF. Draft Section 61 Findings in the SDEIR should identify a commitment to appropriate I/I mitigation for this project.

The SDEIR should describe the new water withdrawal associated with irrigation wells. MassDEP comments note that if the irrigation withdrawal volumes exceed 100,000 gallons for any period of three consecutive months, for a total withdrawal of not less than 9,000,000 gallons, the project will require a WMA permit for those on-site irrigation wells. The SDEIR should clarify if these thresholds are anticipated to be exceeded such that a WMA Permit will be required, and if yes, the SDEIR should provide additional information regarding WMA permitting and consistency. Based on the project site's location within an ACEC and the aquifer for the Town of Raynham drinking water wells, the SDEIR should describe how the project may eliminate chemicals for fertilization instead of merely restricting their use. The SDEIR should describe additional measures to provide irrigation which does not introduce new pollutants into the environment.

Cultural Resources

As previously mentioned, consultation with tribes, MCIA and MHC resulted in development of a plan to preserve portions of the Basset Site, and to remove and reinter a portion of the Tomb Road Area B Site. As recommended by MHC, the SDEIR should confirm that a Preservation Restriction Agreement (MGL c. 184, ss. 31-33) will be developed for the reinternment location. The Proponent should consult with MHC regarding this agreement.

The DEIR did not respond to several required scope items regarding cultural resources, which should be discussed in the SDEIR. Specifically, the SDEIR should provide additional context, to the extent possible, regarding the nature of proposed activities that involve destruction of both Native American sites and a rationale for why these impacts are unavoidable; include the alternatives analysis for Lots 6 and 7 prepared in 2020;⁹ describe the public notice and comment that was conducted as part of the MOA process; and describe additional measures that the Proponent, assisted by PAL, 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), the MCIA, and MHC. The SDEIR should clarify which tribes were contacted as part of the consultation process, and

⁹ As described in MHC's comment letter this alternatives analysis was prepared by VHB, Inc. and Landvest.

whether opportunities for non-federal tribe participation were afforded. To the extent additional requests are made for participation in project reviews, the SDEIR should discuss how those requests would be handled and what regulatory or other process would govern them. I encourage the Proponent to be inclusive in involving tribes and indigenous organizations whose artifacts may be directly impacted/destroyed by this project in reviewing the proposed mitigation for the project.

The SDEIR should provide an update of any further 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 SDEIR should provide an additional response to the comments from residents which continue to identify concerns related to destruction of ancient Native American sites.

Adaptation and Resiliency

The output report, attached to the DEIR, generated for the project from the MA Climate Resilience Design Standards Tool (“MA Resilience Design Tool”)¹⁰ recommended 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. Based on this output report, 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. 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. Even if proposed work is outside of floodplain, the “High” risk rating in the Tool takes into account future climate conditions and is not limited to areas currently mapped as flood plain (based on historical rainfall projections).

The SDEIR should respond to the prior items included in the Scope, including the following:

- identify the project site’s vulnerabilities to climate change, in particular future flooding
- include a discussion of the potential effects of climate change on the project site
- describe features incorporated into the project that will increase the resiliency of the site
- 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 website¹¹
- analyze how the elevation of the proposed buildings was determined in light of the potential for future urban and riverine flooding, including the specific BFEs determined for the site
- 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
- discuss how the stormwater system will be sized to address/accommodate future climate conditions (including consulting the 24-hour volumes for the 25-year, 50-year and 100-year storm as of 2070)¹²
- discuss, with quantitative modeling to the extent practicable, whether the stormwater management system will attenuate peak flows based on future climate conditions in 2070

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

¹¹ <https://eea-nescaum-dataservices-assets-prd.s3.amazonaws.com/cms/GUIDELINES/20210330FlexibleAdaptationPathwaysFormFinal.pdf>

¹² Twenty-four-hour rainfall volumes associated with a variety of future storm scenarios are now available through the RMAP Maps Viewer: <https://resilientma-mapcenter-mass-eoea.hub.arcgis.com/>.

(estimates can be provided in lieu of exact calculations)

The SDEIR 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. It should demonstrate that the Proponent is developing appropriate strategies to adapt to extreme heat conditions throughout the useful life of the project beyond the minimal measures proposed in the DEIR. The SDEIR 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.

Greenhouse Gas Emissions

Stationary Sources

The SDEIR should include a revised GHG analysis prepared in accordance with the GHG Policy, and guidance and recommendations provided in the detailed comment letter submitted by DOER, which is incorporated in this Certificate in its entirety, and this Scope. 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 practicable. The SDEIR should provide data and analysis in the format requested in DOER's letter and present an evaluation of mitigation measures identified in DOER's comment letter. To the extent certain measures are not adopted, a clear cost justification should be provided with supporting documentation as detailed in DOER comments.

According to DOER comments, significant updates to the commercial stretch building energy code will go into effect on July 1, 2023 ("July 2023 stretch code"),¹³ which may apply to some or all the buildings proposed in this project. The July 2023 stretch code makes significant changes and improvements to many sections of the code including envelope performance, thermal bridge accounting, air infiltration limits and field verification testing, ventilation energy recovery, unit-by-unit ventilation requirements for multifamily, electrification, ASHRAE Appendix G, EV readiness, and other sections. DOER comments recommend the Proponent conduct a thorough evaluation of the new code to confirm that the proposed buildings meet or exceed the requirements of the proposed code. The Proponent may wish to compare a July 2023 code version of the residential buildings to a Passivehouse scenario to assess whether a Passivehouse approach is as cost-effective considering MassSave rebates.

DOER comments recommend the following commitments based on review of similar projects, which would not require further evaluations:

- Multifamily buildings: HERS 45 with cold-climate rated air source heat pump (ASHP) space heating; ideally ASHP water heating (in-unit or central) but gas water heating is an acceptable alternative; PV readiness of 50-60%; confirm fully compliant with July 2023 stretch code, including air infiltration, thermal bridging, EV readiness, and requirement to deliver outdoor air directly to the dwelling units. The Proponent may wish to reassess Passivehouse, as the "gap" between above and Passivehouse may be smaller or close to the \$3,000/unit rebate value

¹³ The details of this code are available here:

<https://www.mass.gov/info-details/stretch-energy-code-development-2022#final-code-language-for-stretch-code-update-and-new-specialized-stretch-code->

- Hotel and assisted living buildings: Improve windows, walls, roof, air infiltration, and energy recovery to achieve a heating TEDI of 2 to 3 kBtu/sf-yr with cold-climate ASHP space heating; ideally ASHP water heating (in-unit or central) but gas water heating is an acceptable alternative; PV readiness of 50-60%; confirm fully compliant with July 2023 stretch code, including EV readiness, air infiltration, thermal bridging, and (for the assisted living) requirement to deliver outdoor air directly to the dwelling units
- Café and restaurant: Cold-climate ASHP space heating and above code window performance; PV readiness of 50-60%; confirm fully compliant with July 2023 stretch code including thermal bridging, air infiltration, and EV readiness

As stated in DOER comments, meaningful commitments to GHG emissions reductions as shown above could obviate the need to conduct further modeling and analysis. To the extent revised commitments are made, the Proponent should consult with DOER and the MEPA Office to determine the extent to which additional modeling is needed for the SDEIR.

Mobile Sources

The GHG analysis should include an updated evaluation of potential GHG emissions associated with mobile emissions sources to determine mobile emissions for a Build with Mitigation condition which incorporates TDM measures, and any roadway improvements implemented by the project. The SDEIR should clearly explain why the GHG emission reduction from the TDM program cannot be quantified and incorporated into a Build with Mitigation condition. The SDEIR should clearly document the reductions in GHG emissions associated with the mitigation. The Proponent should thoroughly explore means to reduce overall SOV trips. The SDEIR should consider increasing 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.¹⁴ The SDEIR should explain how TDM measures will be adjusted over time and provide a methodology for quantifying emission reductions impacts rather than an assumed percentage reduction.

Mitigation/Draft Section 61 Findings

The SDEIR 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 filing 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. The filing should clearly indicate which mitigation measures will be constructed or implemented based upon project phasing, either tying mitigation commitments to overall project square footage/phase or environmental impact thresholds, to ensure that adequate measures are in place to mitigate impacts associated with each development phase.

¹⁴ More information on EV infrastructure can be obtained from the MassEVolves program at www.massevolves.org.

The SDEIR should include a commitment to provide a GHG self-certification to the MEPA Office upon expansion of the terminal building signed by an appropriate professional 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. The commitment to provide this self-certification in the manner outlined above should be incorporated into the draft Section 61 Findings included in the SDEIR.

Responses to Comments

The SDEIR 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 DEIR that specifically address each issue raised in the comment letter; references to a chapter or sections of the SDEIR 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 SDEIR beyond what has been expressly identified in this certificate.

Circulation

In accordance with 301 CMR 11.16, the Proponent should circulate the SDEIR to each Person or Agency who commented on the ENF and DEIR, 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 SDEIR to commenters in a digital format (e.g., CD-ROM, USB drive) or post to an online website. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer to be distributed upon request on a first come, first served basis. The Proponent should send correspondence accompanying the digital copy or identifying the web address of the online version of the SDEIR indicating that hard copies are available upon request, noting relevant comment deadlines, and appropriate addresses for submission of comments. A copy of the SDEIR should be made available for review in the Bridgewater Public Library.

January 30, 2023

Date



Rebecca L. Tepper

Comments received:

91 comment letters including “MEPA...require the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts...”

01/10/2023 Massachusetts Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP)

01/17/2023 Donna Hanson

01/18/2023 Jean DiBattista

01/19/2023 John Hagman

01/20/2023 Peter Josephine

01/20/2023 Theresa Brush

01/21/2023 Barbara Fullerton

01/21/2023 James Walsh

01/21/2023 Rose Abernathy

01/21/2023 Rosi W

01/22/2023 Adam Parks

01/22/2023 Alexandra Mastria

01/22/2023 Amanda Parks

01/22/2023 Deborah Ballem

01/22/2023 Emily Montour

01/22/2023 Janet Hanson

01/22/2023 Jeremy Gillespie (duplicate comments emailed)

01/22/2023 John FitzGerald

01/22/2023 Julia Blanchard

01/22/2023 K Ribeiro

01/22/2023 Melissa Ramondetta (duplicate comments through the comment portal and by email)

01/22/2023 Patricia Neary

01/22/2023 Robert DiBattista

01/23/2023 Andrea Monteith (duplicate comments through comment portal and by email)

01/23/2023 Anthony Joseph Oliveira

01/23/2023 Cory Alperstein

01/23/2023 Cristina Ajemian

01/23/2023 Dale LaBonte

01/23/2023 Eileen Hiney

01/23/2023 Henrietta Cosentino

01/23/2023 Dr. Benjamin Cronin

01/23/2023 Kelly Cannizzaro

01/23/2023 Leiry Melendez-Sullivan

01/23/2023 Linda Schmuck

01/23/2023 Mark Peterson

01/23/2023 Mary Kolodny

01/23/2023 Michelle Morey

01/23/2023 Steve Silva – Taunton River Watershed Alliance

01/23/2023 Susan Thomas

01/23/2023 Tim Santarcangelo

- 01/23/2023 Massachusetts Department of Environmental Protection (MassDEP) – Southeast Regional Office (SERO)
- 01/23/2023 Massachusetts Historical Commission (MHC)
- 01/25/2023 Massachusetts Department of Transportation (MassDOT)
- 01/27/2023 Massachusetts Department of Energy Resources (DOER)

RLT/PPP/ppp

Patel, Purvi (EEA)

From: Leddick, Jesse (FWE)
Sent: Tuesday, January 10, 2023 9:35 AM
To: Patel, Purvi (EEA)
Cc: David Hewett; Cheeseman, Melany (FWE); Holt, Emily (FWE)
Subject: RE: EEA# 16558 (NHESP 00-8132 / 019.333.DFW), Draft Environmental Impact Report for Lakeshore Center Phase 4, Bridgewater, MA - MassWildlife Comments

January 10, 2023

Rebecca Tepper, 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: Draft Environmental Impact Report
EEA No.: 16558
NHESP No.: 00-8132/019-333.DFW

Dear Secretary Tepper:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the Division) has reviewed the Draft Environmental Impact Report 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 issued a Conservation and Management Permit for the above referenced project. Since that time, the Proponent has consulted with the Division to address proposed changes to the project, including (but not limited to) the proposed expansion to the limit of work north of Pleasant Street (Northern Lot). On November 18, 2022, the Division determined that this portion of the project would not result in a Take of state-listed species. Provided that the Proponent continues to adhere to all conditions of the Conservation & Management Permit referenced above, the Division anticipates that no further review or permitting will be required pursuant to the Massachusetts Endangered Species Act (MESA) (MGL c.131A) and its implementing regulations (321 CMR 10.00).

We appreciate the opportunity to comment on this project. If you have any questions about this letter, please contact Jesse Leddick, Chief of Regulatory Review, at (508) 389-6386 or jesse.lednick@mass.gov.

Jesse Leddick (he/his)
Chief of Regulatory Review
Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road, Westborough, MA 01581
Phone: (508) 389-6386 | Email: jesse.lednick@mass.gov
mass.gov/masswildlife | facebook.com/masswildlife

JANUARY 17, 2023

DEAR MS. PATEL :

I LIVE IN BRIDGEWATER, AND I HAVE SERIOUS CONCERNS ABOUT THE MASSIVE PROPOSED DEVELOPMENT CALLED (#16558) LAKESHORE CENTER - PHASE 4.

THE ENVIRONMENTAL IMPACT WILL BE SIGNIFICANT IF THIS IS APPROVED. LET'S START WITH THE PROPOSED RESTAURANT DIRECTLY ON THE SHORE OF LAKE NIPPENICKET: IT WILL LIKELY DESTROY A WETLANDS 'PERENNIAL STREAM' WHICH REQUIRES A SETBACK OF 200'. THE DEVELOPER CLAIMS IT IS AN INTERMITTENT STREAM, WHICH REQUIRES ZERO SETBACK. THIS IS AN EXAMPLE, AMONGST MANY, MANY MORE OF THE DESTRUCTION THIS MONSTROUS PROJECT WILL CAUSE... AND WHY A RESTAURANT (!!) SITUATED IN A QUIET

HANSON

P.O. Box 1091

PEMBROKE, MA
02324

BROCKTON MA 023

18 JAN 2023 PM 2 L



BETHANY A. CARD, SECRETARY

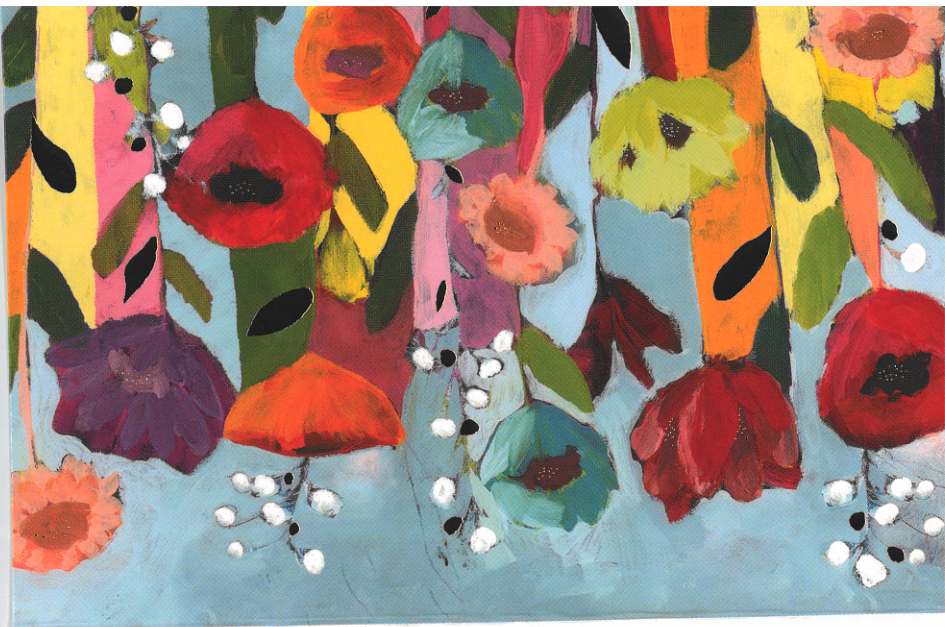
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL
AFFAIRS

MEPA OFFICE

100 CAMBRIDGE STREET, SUITE 900

BOSTON, MA 02114

ATTN. MS. PURVI PATEL / PUBLIC
COMMENTS



RESIDENTIAL DISTRICT.? THE TRAFFIC WILL ROB THE RESIDENTS OF SAFETY (GETTING IN AND OUT OF LAKESIDE DRIVE, AT THE LEAST, ALREADY VERY DIFFICULT).

"THE PROJECT WILL DISTURB APPROXIMATELY 27.85 ACRES AND CREATE 12.74 NEW ACRES OF IMPERVIOUS AREA"... THIS EXTRA BLACKTOP ADDS YET ANOTHER "HEAT ISLAND" TO EXACERBATE CLIMATE CHANGE, AND JUST MORE UGLY SUBURBAN SPRAWL...

ROUTE 104 IS A BUSY ROAD ALREADY SINCE IT LEADS TO THE ROUTE 24 RAMP, ROUTE 18, ANOTHER MAIN ROUTE IS SEEING A LARGE WAREHOUSE BEING BUILT, THESE TWO ROUTES CRISS-CROSS OUR TOWN AND ARE ALREADY AN INCONVENIENCE TO ALL THE RESIDENTS OF OUR TOWN, AS THEY ARE HEAVILY TRAVELED BY SUBURBANITES OF OTHER TOWNS. IF THESE NEW DEVELOPMENT COMPLEXES ARE BUILT, THE LITTLE BIT OF NATURAL LAND AND CHARACTER BRIDGEWATER HAS LEFT WILL BE GONE FOREVER....



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3659-1

SINCERELY, DONNA HANSON

Patel, Purvi (EEA)

From: Jean DiBattista <jdibattista@verizon.net>
Sent: Wednesday, January 18, 2023 10:23 PM
To: Patel, Purvi (EEA)
Subject: Draft Environmental Impact Report - EEA #16558 - Lake Shore Center Phase 4 - Public Comments
Attachments: Jean DiBattista_Comments on the Claremont DEIR EEA 16558.docx

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:

How are you? It has been awhile since I last was in contact with you. I hope you are doing well!

Attached are my new comments regarding the DEIR submitted by the Claremont Corporation for the Lake Shore Center Phase 4 project.

In summary, I remain very concerned about the project, and its impact on the environment, local communities, nearby towns, nearby neighborhoods (such as my own) and the public's enjoyment of peaceful recreation on Lake Nippenicket. I am also very concerned about the Claremont Corporation's response. I will explain why I am concerned about their response in the attached detailed comments.

The DEIR report is very detailed and lengthy, and so my comments in response are also more detailed and lengthy than those I originally submitted for the ENF. Also, although I have read a great deal of the report, I still have some additional sections to review.

I know you prefer to get each individual's comments in one submission and so I have done my best to include as many of my concerns upfront as possible in this submission.

However, I did not want to delay getting my current comments to you any longer as I consider this to be a high priority matter.

Therefore, it is possible that I may have one more round of comments to submit as I continue to read the remaining sections of the report.

I do apologize in advance for the length of my current comments, and for the possible need to provide two submissions of my public comments to you.

I would be happy to answer any questions you may have regarding the attached comments.

Thank you for your consideration of my concerns.

Please let me know that you received this email and its attachment.

Sincerely,

Jean DiBattista

Lakeside Drive
Bridgewater, MA 02324

Jean DiBattista's Comments on the DEIR Presented by the Claremont Corporation

I continue to be greatly concerned about the above project and its impact on Lake Nippenicket and the surrounding areas, communities, and neighborhoods. My concerns about the EEA # 16558 Lakeshore Center Phase 4 Projects include, but are not limited to, the following:

Scale of Development: Claremont's plans represent a scale of development that I do not believe the Lake, the nearby roadway (Route 104 - which is only one lane in each direction), and small nearby neighborhoods can sustain. While the Claremont Corporation considered multiple, less impacting alternatives in their original ENF, they rejected them in favor of the "Proposed Project" in order to meet "the Proponent's economic requirements for a return on investment". Everything they have proposed appears to have one purpose in mind which is to maximize their profits at the expense of every other key consideration including but not limited to the environment, the community, nearby towns and neighborhoods, and wildlife.

Make Public Economic Return on Investment: As they continue this trend in their DEIR submission by rejecting a multitude of alternatives which would be less impacting to the area, I believe that Claremont should be asked to submit and make public a financial analysis which outlines just how much profit would be made under the proposed project and how much profit would be made under all scaled down project alternatives originally outlined in the ENF.

Overall Cost of Impact Mitigation Measures Against Total Profits: Also, they should be asked to not only include the overall cost of all environmental impact reduction measures outlined in their report, **but they should be required to also outline how those costs would impact their overall projected profit.** The Economic Return on Investment should subtract those costs so the Public can see how much profit Claremont would continue to make with those measures in place. Currently, their proposals only include the list of the costs associated with each measure which by themselves are **out of context** without information on **overall projected profit.**

Examples of what should be included from the new report are options for parking spaces which would reduce wetland impacts, HERS 45, Passive House and the all-electric alternative for heat, electric, and hot water and all other less impacting options which were rejected due to cost.

Time to Review the DEIR: I would like to request that MEPA request that Claremont extend the time to review and comment on the DEIR report. The report is well over 627 pages, and contains quite a bit of technical information. It was also released during towards the end of the 2022 holiday season. This short time period is especially difficult for members of the community and other key interested parties to review the report and comment in detail. The review and comment period should be extended at least another 30 days.

Wetland Buffers: In addition, Claremont wants to build in 100 foot NO BUILD wetland buffer zones as outlined in state and local town wetland protection regulations. These buffers are violated by most of the planned parking lots in their plans. In addition, the entire restaurant

they want to build directly on Lake Nippenicket, is within the 100 foot NO BUILD wetland buffer, and its building is right up against the 25 foot NO TOUCH wetland buffer. A 100 foot NO BUILD wetland buffer also runs directly through the planned CAFÉ building.

Perennial streams vs. Intermittent Streams: Claremont is making the claim that the 3 streams that flow in a northerly direction from the Claremont site into Lake Nippenicket are "intermittent" streams. I found it odd that they used pictures from August 1999 in depicting these streams as that was so long ago. I checked the weather by googling it during that period and found out there was a severe drought in July of 1999. Currently, the streams are definitely flowing, and this old information may be seriously out-of-date and inaccurate.

Additional research was done by some of my neighbors, and it does appear that there is substantial evidence that these streams may actually be perennial streams and not intermittent. Their claim that these 3 streams are intermittent needs to be reviewed independently for accuracy, and interested members of the public and those responsible for the enforcement of the Massachusetts "Rivers Protection Act" should be given the chance to submit evidence to the contrary.

Prior and Future Impact: Extensive tree damage in an area has occurred in an area west of the site. The reasons for this tree damage which affects approximately 5 acres and over 500 trees should be explored as I believe it occurred after Lakeshore Center was built.

Also, the new project by their own estimates would directly convert approximately 12.74 acres of previously undisturbed area to impervious (building and parking lots) and require clearing of an additional 22.2 acres of existing trees.

Zoning Changes: Claremont's proposed projects require zoning changes for the new proposed lots and for the restaurant on Lake Nippenicket. There is substantial history behind why the existing zoning requirements were put in place, and these need to be understood and current zoning upheld if the reasons for the original zoning are still valid.

- **Bridgewater Comprehensive Master Plan:** For example, at the local town level, Claremont's overall plan does not comply with the Town of Bridgewater's Comprehensive Master Plan. Our town's PDD (Planned Development District) states that the PDD zoning district was added in order "to achieve significant revenue or employment benefits WITHOUT adverse impacts on their neighborhoods or on the town's natural resources." This project has significant potential adverse results on both.

Effect of aquatic pollution on Lake Nippenicket Fish/Fishing areas: Lake Nippenicket is an important and treasured area by local fisherman as it has a substantial fish population, including nursery areas and key fishing habitats (including as a breeding area for River Herring). Other aquatic wildlife, such as a substantial population of turtles also exist within the lake itself. In addition to fisherman, great blue herons, ospreys and eagles, and other raptors are also known to fish on the lake. The potential impact of the project on this important aspect of

wildlife needs to be studied and understood. Currently the potential impact of the project of these important natural populations has not been studied. Since multiple wetland buffers would be violated by this project, it is important to study the potential impact on these species.

- The effects of chronic pollution on fisheries may be long lasting, via degradation of nursery areas and key habitats, loss of biodiversity, changes to fish reproductive viability, and even direct contributions to fish mortality.

Effects on Other Wildlife Using the Lake: Multiple types of ducks, geese, birds, otters, deer, foxes, owls, and other animals utilize the lake regularly for drinking water, food, hunting, and for some species, for reproduction. Since the 100 foot wetland buffer of the lake would be violated by this project (especially by the restaurant) if Claremont's proposed project proceeds, the potential impact on these wildlife populations should also be studied and understood.

Downstream Impacts to the Taunton River: Given that the wetlands on the subject property are hydrologically connected to Lake Nippenicket, the entire proposed restaurant is right on the Lake within 100 foot NO BUILD wetland buffers, 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. In addition, Claremont's current response to these issues when previously raised has been woefully inadequate.

Traffic Noise, Restaurant Noise and Building Light Impact on peaceful Lake Recreational Activities, Local Residential Neighborhoods and on Wildlife: I strongly dispute Claremont's claim in *Section 6.2.5 Scenic and Recreational Resources of their DEIR* in which they state "...the project will not have any impacts that would interfere with the public's ability to utilize this recreational area...". The project will create very significant impacts on the ability of the public to enjoy Lake Nippenicket from a recreational standpoint because of the increased traffic generated by the proposed project – including substantially increased noise from the substantially increased traffic, increased air pollution, increased foot traffic, increased light from the main new buildings, increased wind due to the tear down of acres and acres of trees, and increased trash.

The restaurant alone if allowed to be built, would also bring substantial traffic (including parking lot activities), noise, and light pollution to the area right next to the public boat ramp on Lake Nippenicket. Claremont is planning to build a restaurant which is **substantially larger** than the current residential building on the lot, and put parking spaces on both side of the restaurant including the side that is adjacent to the boat ramp. They also plan to remove most of the vegetation that currently separates the proposed restaurant lot from the public boat ramp.

The lot will definitely NOT remain in its natural state. It will be completely changed. In addition, they plan to build a 6000 square foot restaurant right up to the 25 NO TOUCH wetland zone, and the entire proposed restaurant is IN the 100 foot NO BUILD wetland zone. The former use of this land was as a residence for one family which can in no way can be compared

to Claremont's plans to crowd a very large building (6000 square feet) with 179 seats, and 59 parking spaces on this very small site. The restaurant itself will most likely be very noisy due to the traffic that would be generated by this project on Rt. 104 and will not be an enjoyable experience for Bridgewater residents. The adjacent public boat ramp will go from a place to peacefully enjoy the sunset, picnic, kayak, boat and fish to a ridiculously noisy and crowded area.

In addition to all of the above; noise, vibration, fugitive dust, and traffic disruptions from a 6-7 year construction project (part of which would be right next to the public boat ramp and the rest of which would be right across the street), will also definitely reduce the public's enjoyment of the public boat ramp area and their enjoyment of Lake Nippenicket.

Air Pollution: A 13% increase of CO2 emissions is anticipated by Claremont due to an increase in vehicular traffic and increased delay times generated by their proposed project.

Traffic Impacts - The project 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 who would like to use the lake for peaceful recreation. As I previously noted, 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 the same Lakeside Drive entrance off 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. Also, Claremont has proposed 6 to 7 new driveways on Pleasant Street (Rt. 104) which are a very short distance from each other – adding to the strain on a road which has one lane each way.

The only intersection shown to have a crash rate higher than the MassDOT District 5 and statewide averages is Pleasant Street at Lakeside Drive/Fruit Street. This road is the only way out of the Lakeside Drive/Pleasant Street neighborhood. This intersection will become even more dangerous with significantly increased traffic as it does not nor are there plans for a new traffic light. A traffic light should definitely be considered by the town of Bridgewater to ensure the safety of the residents and the general public (using the boat ramp) in this area.

Claremont claims in their new report that only a 3 second delay would be experienced by residents utilizing Lakeside Drive to enter Pleasant Street. This is not a believable claim as one car going in each direction causes a 17 to 28 second delay at minimum. Claremont's traffic analysis should be carefully studied in order to determine its validity.

In addition, the impact of the seven new entrances, and two new sidewalk signals (rapid rectangular flashing beacons – RRFB's) does not appear to have been included in their analysis. For instance, what type of delay will occur if traffic is backed up at one of these entrances – such as the restaurant or cafe?

Increased Foot Traffic: In addition, the impact of foot traffic from the Lakeshore Center buildings to the restaurant and other areas on the lake has not been analyzed for impact. Foot traffic using the proposed RRFB signals could back up traffic on the Pleasant Street very significantly. It should also be noted, if it does, it could also significantly backup traffic to Route 24 – which is a major artery for entering major highways for all surrounding towns.

Another consideration regarding traffic which was not analyzed by Claremont is peak public boat ramp traffic which is seasonal.

The problem with Claremont's proposed mitigation measures for traffic is that they are largely volunteer (new residents and employees would need to choose to make use of them), and they are subject to change (such as staggering of employee shifts) based upon business need or employment fluctuations.

Area of Critical Environmental Concern – As I said in my previous comments on the ENF, the entire Lakeshore Center Development falls within the Hockomock Swamp Area of Critical Environmental Concern. Overall, the Project will disturb approximately 27.85 acres and create 12.74 acres of new impervious area and will require work within the buffer zone of bordering vegetated wetland (BVW). In addition, as can be viewed on Claremont's own maps:

- Half of the proposed Café is within the 100 feet NO BUILD Wetland Buffer Zone. Existing buildings previously developed by Claremont are also in this zone.
- A significant amount of the proposed parking lot of the 55+ community is within the 100 feet NO BUILD Wetland Buffer Zone.
- Parts of the parking lot for the proposed hotel and 1 edge of the building itself is within the 100 feet NO Build Wetland Buffer Zone.
- Roads and traffic control areas for the 55+ Community are also within this 100 foot buffer.
- The entire proposed New Restaurant is within the 100 foot NO BUILD Wetland buffer, and the proposed building also bumps right up against the 25 foot NO TOUCH wetland buffer. Claremont claims there will be no disturbance to this NO TOUCH zone, however, I am unable to see how they could build the restaurant so close to that zone without performing construction activities within it. Parts of the proposed building is also within the 50 foot Wetland Buffer.
- The proposed building is also directly on the lake and therefore, affects the wetland buffers zones which are directly part of Lake Nippenicket.

Note: The proposed “banking of 260 parking spaces” is not a viable solution to address the above parking space issues, as it is temporary and could be “revoked” by Claremont at any time. Thus, it does nothing to alleviate the above issues.

Water Usage: The proposed project involves a large increase in water usage and Regewater is already on "Restricted Water Usage". More information needs to be

provided to Bridgewater residents regarding Bridgewater's water needs, capacity and how the project will have an impact.

- **INFLOW AND INFILTRATION:** Claremont notes in the DEIR that they are in communication with the Town of Bridgewater and expect to make the appropriate monetary contribution for Inflow/Infiltration mitigation for the Project at the appropriate time. Where will the Town "reduce inflow and infiltration" in other parts of Town? At whose expense is this being arranged? More information is needed about how this project will impact Bridgewater's inflow and infiltration capacity.

Waste/Trash – Waste and trash in the overall area will increase and find its way into Lake Nippenicket, its wetlands and streams and surrounding neighborhoods and areas.

Disease – The extreme crowding of the proposed project site, could be a conduit to spread diseases such as COVID much more rapidly including to the vulnerable populations that this site currently hosts (low income) and could host in the future (55+ and especially, Assisted Living). Also, the café and the restaurant will assist in spreading disease beyond the immediate site into all nearby surrounding towns. The potential disease impact of crowding so many people in such a small area should be studied and understood. Climate change (extreme heat and cold) will also further aggravate this situation. The general public attempting to enjoy the boat ramp and the Lake itself could further spread disease to additional communities.

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.

Open Space: Claremont indicates that they will leave over 30 acres to be reserved for "open space." It should be noted that these areas consist mostly of wetlands. Claremont has proposed activities for all upland areas. Claremont should be encouraged to preserve both upland and wetland areas for open space. Also, Claremont should be encouraged to provide **open space recreation for residents** of Lake Shore Center and the surrounding neighborhoods.

Historic And Archaeological Findings

Within the area of a proposed hotel and condominium complex (Lots 6 & 7), the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, *In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the "adverse effects" (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area.* Few details are

shared in this 600+ document. More transparency is needed with regard to these important sites and the impacts of the proposed development. In addition, it is important to note, that Claremont may not have informed all potentially interested groups in the native American community.

Claremont's Responses to the Public's Expressed Concerns: I do not believe Claremont's responses as recorded in the DEIR to the public's expressed concerns in any way fully address those concerns. It appears to me that many of their responses only partially addressed the concerns raised, or inadequately addressed the public's expressed concerns, or addressed the concerns in a way that did not actually satisfy the issue raised. This includes, but certainly is not limited to the concerns I previously raised.

MORE INFORMATION AND STUDIES NEEDED

MEPA should require Claremont to prepare a **SDEIR (Supplemental Draft Environmental Impact Report)** to address and ask for additional studies, data, and project alternatives that reduce environmental impacts and fully address the public's concerns on this proposed project located in the *Hockomock Swamp ACEC*.

IN SUMMARY: In summary, given the ecological sensitivity (wetlands, upland habitat to many species of both plants and animals in an ACEC), the potential impact on the public, surrounding communities and nearby towns of the proposed development site and also because of its hydrological connection to Lake Nippenicket, a Massachusetts Great Pond (which is connected to the Taunton River) 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 and if they are unwilling, that concerned state and local town agencies which exist to protect these natural resources and their associated communities insist that they do so.

Patel, Purvi (EEA)

From: JOHN HAGMAN <jhagman1@comcast.net>
Sent: Thursday, January 19, 2023 5:23 PM
To: Patel, Purvi (EEA)
Subject: Lake Shore Center

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 Mr. Patel,

I am writing to you today regarding the Claremont Companies plan to build another phase (IV) of "The Lakeshore Center". I believe you are the environmental analyst reviewing the Environmental Impact Report.

As a Bridgewater resident living about a mile from Lake Nippenicket, I thought it was important to send this email voicing my family and neighbors concerns.

One major concern is the amount of additional water the Town of Bridgewater's wells and treatment plant can provide. Last year was very dry and the town imposed restrictions on outdoor watering, washing of cars and filling swimming pools. This project will add additional strain of approximately 160000 gallons per day to the system.

Another concern is the additional traffic that this project will bring to the area during construction and after the project is complete. Route 104 is difficult to navigate now during peak travel periods. This project and the end result will increase and exacerbate this current problem.

With an additional 535 new housing units comes additional burden on the towns fire, police, ambulance, public works and school system.

In closing, The "Nip" is a beautiful area that needs to be protected from the noise, trash, traffic and construction damage that this project will place on it. Please consider the information and comments I have provided above when reviewing the Environmental Impact report.

Sincerely,
John E. Hagman
8 Indian Ridge
Bridgewater

Patel, Purvi (EEA)

From: Peter Josephine <peteyjosephineq@gmail.com>
Sent: Friday, January 20, 2023 5:51 PM
To: Patel, Purvi (EEA)

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Stop Claremont from building condos at the Nip

Patel, Purvi (EEA)

From: Brush, Theresa <T1Brush@bridgew.edu>
Sent: Friday, January 20, 2023 12:03 PM
To: Patel, Purvi (EEA)
Subject: Comments Re: Lakeshore Center Phase 4 Draft Impact Report EEA # 16558

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 Mr. Patel,

January 20, 2023

To: MEPA and environmental analyst

Comments Re: Lakeshore Center Phase 4 Draft Impact Report EEA # 16558

Claremont's Lakeshore Center expansion will destroy 68+ acres which are irreplaceable. The site includes Native American archaeological sites, Eastern Box Turtle habitat, the Town of Raynham's Zone II aquifer, the whole area cited for construction is part of the Hockomock Swamp wetlands area, and the headwaters of Town River. Once this area is developed, the above will be forever changed. Claremont Companies must not be allowed to continue this project even at a reduced scale. The impacts from the construction and the long-term effects from storm water runoff into the Lake and wetlands, drainage from the building sites, pollution from the increased number of vehicles and people, light and noise pollution, increased traffic, the detrimental effect on wildlife and their habitat, wild bird migration, and endanger species in the surrounding area can never be mitigated to the point where they will survive. Large companies such as Claremont should not be allowed sidestep and finagle current laws designed to protect the environment for future generations to their advantage for increased profits.

The company states it will use "green building practices". A company can minimize the construction impact to a certain point, but environmental damage will be permanently done. Mistakes and shortcuts are taken when projects fall behind due to whatever reason. "Green practices" take you only so far.

Building a restaurant on the shore of Lake Nippenicket does not appear to be sound business considering the unpredictability of the climate and the intensity of the storms the past few years. The Lake has flooded the homes along that section of Rt 104 since I have lived in Bridgewater. We must rethink building along lakes and waterfronts because of climate change, more extreme storms, flooding, rising water levels of the lake or the opposite drought where water levels fall. There should be no further construction of restaurants, homes, or buildings along the Lake front. Damage to businesses and homes due to flooding is expensive. Insurance companies can only payout so much for damages and do go out of business, as witnessed in Louisiana. At least one is no longer doing business in certain southern states.

Comment on current traffic on Rt 104:

It has become exceedingly difficult to make left hand turns onto Pleasant St (Rt 104) during the morning and evening hours when people are going to and coming home from work. The past few years, there is now a midday rush hour when traffic is bumper to bumper and making a left hand turn is difficult from the side streets. The trash on the side of the road is evident everywhere along Pleasant St when one is walking along the sidewalks. Increasing the number of condominium communities, hotel, residential communities will only increase this problem for us that live along the side streets off Rt 104. The light pollution from the Home Depot and businesses along that section of the road affects our neighborhood now, creating a 68+ acre development will make it much worse. Crossing Pleasant St on foot can only be

done at crosswalks which are few and far between with the density of our current traffic and will be more difficult in increased traffic.

Comment on water supply for Bridgewater:

Our town has 10 wells, this past summer we were at a level 2-3 water emergency due to severe drought in Southeastern MA. Adding additional 4-story condominium, 55+ residential community, assisted living facilities, restaurant and 4-story hotel will only increase the stress on the town's water supply and sewage in the future. It is not a sustainable practice to increase the usage when there is only a certain quantity available in the ground aquifers for use. Where will the town get the water for this new community when there is an extended drought and water usage must be curtailed because the wells are only half full?

I find it insulting that Claremont proposes to donate to Nature Conservancy \$100,00 for destroying endangered species habitat. Donating money is not going to help the survival of the Eastern Box turtle after their habitat is destroyed or fragmented in the designated construction area.

There are always unintended consequences for our actions that appear years later that cannot be predicted now and undone in the future. Claremont should not be allowed to move forward with this project on any scale. Claremont has not stated what value the development of this property is to the town and how this will benefit Bridgewater in the future. It will increase the town population and put more strain on the schools, water and sewage, roadways and other town resources.

Regards,

Bridgewater resident

Theresa Brush

29 Indian Ridge

Bridgewater

Theresa Brush, Ph.D.
Part-Time Faculty
Department of Chemical Sciences
Bridgewater State University
t1brush@bridgew.edu

Patel, Purvi (EEA)

From: Barbara Fullerton <info@email.actionnetwork.org>
Sent: Saturday, January 21, 2023 10:18 PM
To: Patel, Purvi (EEA)
Subject: RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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Environmental Analyst Purvi Patel,

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

Dear Ms. Patel:

There is a long letter with many very specific reasons why this project should not go forward. I am appalled at the thought that a private company would be able to bypass all of the state's environmental laws and guidelines in order to enrich themselves and their shareholders. The environmental value is much more important to the entire local community than the ability of Claremont to make money for themselves. One main point is that this area is important for the aquifer and the water resource that flows into other waterways. With climate change here, we don't know what will happen to our water resources. Maybe we will have another drought as we did last year. This pond is very shallow and can easily go dry, killing the aquatic life there.

This is an extremely valuable area that needs to be protected.

MEPA should require the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts and size and scope of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern. As noted on the ACEC website, Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, are reviewed with closer scrutiny to avoid or minimize adverse environmental impacts.

Issues of concern include:

SCALE OF DEVELOPMENT:

The proponent's plans represent a scale of development that is not sustainable and will have significant impacts. In the DEIR, the proponent rejected less impactful alternatives presented in the Environmental Notification Form in favor of the "Proposed Project" that meets the proponent's financial expectations.

ENVIRONMENT:

The project impacts an Area of Critical Environmental Concern, the Hockomock Swamp, including Lake Nippenicket the headwaters of the Town River (and a Great Pond) and its nearby wetlands. The project site falls within mapped rare species habitat and there are concerns about the impact that this project will have on the surrounding wildlife, especially from destruction of habitat, noise, air, and light pollution. Lake Nippenicket forms the headwaters of the Town River, which is one of two main tributaries that feed the Taunton River, a Wild and Scenic River. This project requires an extensive review by MEPA with the focus to avoid all adverse environmental impacts. This includes not allowing work within the 100-foot buffer zone; minimizing tree cutting; reserving open space (both uplands and wetlands); employing green building practices and building within small footprints.

HISTORIC AND ARCHAEOLOGICAL FINDINGS

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the "adverse effects" (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area. Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development.

TRAFFIC:

The proposed development will increase traffic substantially on Route 104 (estimated to be 4,262 extra trips per day), increase CO2 and impact surrounding neighborhoods, commuters, and all members of the public utilizing the lake for peaceful recreation. An expanded traffic analysis should be required and suggested mitigation measures be reviewed with regard to actual benefit.

WATER USAGE:

The project will increase water usage and Bridgewater is already on "Restricted Water Usage". More information needs to be provided regarding Bridgewater's water needs and capacity and how the project will impact Bridgewater. In addition, the project resides within the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer.

With kind regards

.

Barbara Fullerton

Barbara Fullerton

redhouse02493@gmail.com

3 WINTER ST

WESTON, Massachusetts 02493

View Comment

Comment Details

EEA #/MEPA ID 16558	First Name James	Address Line 1 --	Organization N/A
Comments Submit Date 1-21-2023	Last Name Walsh	Address Line 2 --	Affiliation Description Individual
Certificate Action Date 1-23-2023	Phone --	State MASSACHUSETTS	Status Accepted
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email divides.02.aerials@icloud.com	Zip Code 02324	

Comment Title or Subject

Topic: Historical, environmental, and climate concerns

Comments

Dear Secretary Card:

As a Bridgewater neighbor, I have several concerns with this project, outlined below.

Historic Archaeological Resources - As noted in other comments, multiple historic archaeological sites are located on the project site. Of particular importance is a stone chamber dating back to the pre-Colonial era (see attached photos). The Proponent plans to demolish the site and replace it with a parking lot and drainage ditch.

The MHC noted that this site is worthy of inclusion on the National Register of Historic Places. This site is also located within the 100' buffer zone of a wetland, which should preclude it from this type of drastic construction. The Proponent is actively exploring reducing the parking requirements of the site—why not make the reductions in this area, to save this significant archaeological resource and wetland buffer?

The Proponent has responded several times that an archaeological and analysis is in progress. No EEA decision should be made on this proposal until these materials are complete and available for review by the MHC and the public.

Breach of Wetland Buffer Zone - On nearly all of the lots within the site, the 100' wetland buffer is breached: drainage areas on lot 4, buildings and parking areas on lot 6, parking and drainage areas on lot 7, and the entire restaurant and parking area on the northern lot. These buffers were established for a reason, and they are only intended to accommodate minor uses (pervious, low-impact use) that does not disturb the wetland ecosystem. Impervious parking lots are a clear violation, and drainage areas, while pervious, destroy the biomatter and vegetation that animals (including endangered species) depend on for food and shelter.

No development that alters the land should be allowed within the buffer zone of this Area of Critical Environmental Concern.

Replacement of Forests with Impervious Space - If built as proposed, the overall Lake Shore project (including the 7.7 acres already disturbed) will have disturbed 93% of the upland acreage of the site. This is drastic loss of existing forests, which filter our air, provide noise and pollution filtration from surrounding highways, and provide habitat for wildlife. Although the Proponent mentions conserving 33 acres through a deed restriction, this acreage is already protected wetland, making the point somewhat moot.

Nearly one third of the upland site (9.43 acres) will be dedicated to parking, roads, and other impervious surfaces. Together with the 4.52 acres of buildings, this will have a strongly negative impact on the bordering wetlands and FEMA-designated high-risk flood area, removing natural water runoff protection and filtration. Although stormwater management systems and an additional 3.49 acres of drainage ditches will be built, these will affect the food and shelter of wildlife (see above). This massive amount of dark, impervious surface will also contribute to a heat island effect, altering the temperature of the sensitive surrounding ecosystem.

There are several common-sense ways to reduce the overall parking square footage, some of which the Proponent explored in the proposal and dismissed due to increased cost. Unfortunately, increased cost is not an excuse to encroach on wetland buffers and pass the cost on to the local environment. Yes, the site is a planned development district, but development is expected to be within the bounds of restrictions and regulations.

Thank you for your consideration.

Sincerely,
James Walsh

Attachments

[IMG_5280.jpeg\(null\)](#)

[IMG_5279.jpeg\(null\)](#)

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Patel, Purvi (EEA)

From: Rose Abernathy <info@email.actionnetwork.org>
Sent: Saturday, January 21, 2023 8:39 PM
To: Patel, Purvi (EEA)
Subject: Bridgewater,ma Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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Environmental Analyst Purvi Patel,

Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

Dear Ms. Patel:

MEPA should require the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts and size and scope of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern. As noted on the ACEC website, Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, are reviewed with closer scrutiny to avoid or minimize adverse environmental impacts.

Issues of concern include:

SCALE OF DEVELOPMENT:

The proponent's plans represent a scale of development that is not sustainable and will have significant impacts. In the DEIR, the proponent rejected less impactful alternatives presented in the Environmental Notification Form in favor of the "Proposed Project" that meets the proponent's financial expectations.

ENVIRONMENT:

The project impacts an Area of Critical Environmental Concern, the Hockomock Swamp, including Lake Nippenicket the headwaters of the Town River (and a Great Pond) and its

nearby wetlands. The project site falls within mapped rare species habitat and there are concerns about the impact that this project will have on the surrounding wildlife, especially from destruction of habitat, noise, air, and light pollution. Lake Nippenicket forms the headwaters of the Town River, which is one of two main tributaries that feed the Taunton River, a Wild and Scenic River. This project requires an extensive review by MEPA with the focus to avoid all adverse environmental impacts. This includes not allowing work within the 100-foot buffer zone; minimizing tree cutting; reserving open space (both uplands and wetlands); employing green building practices and building within small footprints. I am also concerned about the secondary effects of increasing the towns population in this manner. If we add more people, the school are not adnuated for such an increase. As a result, more construction wil be required which will likely lead to more environmental damage.

HISTORIC AND ARCHAEOLOGICAL FINDINGS

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the “adverse effects” (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area. Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development. I want to also acknowledge native tribes who's ancestors used the land. The tribes should be stakeholders and heard with regards to their position on the land.

TRAFFIC:

The proposed development will increase traffic substantially on Route 104 (estimated to be 4,262 extra trips per day), increase CO2 and impact surrounding neighborhoods, commuters, and all members of the public utilizing the lake for peaceful recreation. An expanded traffic analysis should be required and suggested mitigation measures be reviewed with regard to actual benefit.

WATER USAGE:

The project will increase water usage and Bridgewater is already on "Restricted Water Usage". More information needs to be provided regarding Bridgewater's water needs and capacity and how the project will impact Bridgewater. In addition, the project resides within the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer. Also, the water quality has

decreased in the last year. Damaging wetlands reduces the remaining wetlands natural ability to filter out toxins and pollution such as PFAS (which have now been found in Bridgewater drinking waters). Also, flooding to the areas near and around the location will likely increase in frequency. The flooding will likely create costly damages home and businesses.

Please do not allow this project to take place. The benefits do not out weight the environment and financial costs associated with further wetland degradation in Bridgewater.

With kind regards.

Rose Abernathy
rosiwalsh2@gmail.com
36 auburn st,
BRIDGEWATER, Massachusetts 02324

Patel, Purvi (EEA)

From: Rosi W <rosiwalsh2@gmail.com>
Sent: Saturday, January 21, 2023 2:49 PM
To: Patel, Purvi (EEA)
Subject: Project No. 16558

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. I am emailing with concerns over the proposed project No. 16558. I recently graduated with a Masters in wildlife conservation and management and my capstone actually focused on wetlands. I am extremely concerned that a project along Lake Nippenicket would be detrimental to the resident non human species and humans. This project goes against the town and state wetland boundary and buffer zone regulations that are meant to protect wetlands. Turning a blind eye and allowing this project to take place would set an unhealthy precedent that other companies can also ignore the existing regulations. Bridgewater is also struggling with water quality issues as is and damaging more wetland acreage might only worsen the drinking water issue. I hope my concerns are heard and considered.

Sincerely

- a very concerned scientist and life long townee.

Patel, Purvi (EEA)

From: Adam Parks <adamparks942@msn.com>
Sent: Sunday, January 22, 2023 8:16 PM
To: Patel, Purvi (EEA)
Subject: LakeShore Center Phase 4 MEPA DEIR Filing

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.

My name is Adam Parks and I live at 15 Bridle Road in Bridgewater, MA. I am opposed to any further development by Claremont in Bridgewater, MA, off of 104 by Lake Nippenicket. I wanted to share with you the many reasons why. (My wife has already submitted an email to you as well. My reasons are the same as hers, as you can see below.)

First, the noise pollution is already so apparent since they've built their hotel and 2 apartment complexes in the past 10 years. I cannot even sit in my backyard without it sounding like a race track. This includes being inside my house as well (my master bedroom and bathroom). This noise is constant, including bedtime hours. We can no longer take peaceful night swims in our pool, even late, as the sound of the vehicles and increased congestion on this side of town is loud 24 hours a day, of which my backyard now reaps that reward.

My next concern is the people/traffic and increased congestion related to resources including water, to which we already have many water issues in Bridgewater. Police/Fire and other services as I fear our resources for our town already stretched thin, especially way on our side of town. Then there is the schools and the children having large class sizes already. There are just not enough resources in this town to accommodate the volume to which this project would bring. This is not a major city. These are not main/major roads (Route 104).

Next, there is the endangered wildlife. We have seen many bald eagles and lovely and fragile wildlife in this area. My neighbor has photos of the bald eagle. This area needs to be protected for that wildlife. We also, when we moved in Feb 2013 used to have deer frequent our area/neighborhood. This also has had a huge decline since the projects by Claremont have begun.

Finally, trash has already grown astronomically down at the boat ramp / lake area. The area is now being frequented with gas grills, tents, and the natural landscape and tranquility have changed drastically since the apartments went in.

The projects that have already been approved, allowed and completed are finished and the above is where we sit today. This is the time to stop any further projects from being completed. We cannot go back and undo what has already been done. But, we can stop further damage from being done to our environment and to our beautiful lake. We can stop any further congestion, traffic, etc. from being brought to this area. Thank you.

I hope these comments help to support those also opposed to this major project proposal.

Sincerely,
Adam Parks

Patel, Purvi (EEA)

From: Alexandra Mastria <amastria@gmail.com>
Sent: Sunday, January 22, 2023 7:03 PM
To: Patel, Purvi (EEA)
Subject: Comment regarding Draft Environmental Impact Report for Lakeshore Center

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 Patel,

I am writing in opposition to Claremont Companies' latest proposal to build on land near the valuable Lake Nippenicket in Bridgewater and Raynham, Massachusetts. I am concerned about the impact this project -- Lakeshore Center Phase 4 -- would have on the environment and living beings. The area is designated an Area of Critical Environmental Concern (ACEC), and thus the proposed project of 6 new buildings totaling 809,840 square feet, 16.3 acres of impervious material, 1,114 parking spaces, 4,296 additional car trips per day, 152,280 gallons per day of water demand and 126,624 gallons per day of water waste, not to mention the disruption caused to the land and living beings during the construction of the project, should be rejected. Last year, 2022, was the 5th hottest year on record despite cooling La Nina conditions. Clearing wetland and forest, which help sequester carbon and mitigate pollution caused by, among other sources, the two major highways located near Lake Nippenicket, is the exact opposite of what we as Massachusetts citizens need to be doing in order to help our state and country meet emissions goals. As quoted from the Paris Agreement on [https://urldefense.com/v3/__http://www.un.org__;!!CUhgQOZqV7M!mj5dDAIBduXzwhxNj04Laj-HRZMOXXwgnEeHna2pATV-dhIBvcKhUQuP5ucFjNZXAUGIZWXqJSZO1UaQt7bH\\$](https://urldefense.com/v3/__http://www.un.org__;!!CUhgQOZqV7M!mj5dDAIBduXzwhxNj04Laj-HRZMOXXwgnEeHna2pATV-dhIBvcKhUQuP5ucFjNZXAUGIZWXqJSZO1UaQt7bH$) , "to keep global warming to no more than 1.5°C, emissions need to be reduced by 45% by 2030 and reach net zero by 2050." Claremont Companies project is not aligned with this goal. Please reject this proposal due to its serious detrimental effects on the environment and the living beings, humans and animals, who cohabitate in this important area.

Sincerely,
Alexandra Mastria
Resident of Raynham, MA

Patel, Purvi (EEA)

From: ADAM & AMANDA PARKS <theparks_family@comcast.net>
Sent: Sunday, January 22, 2023 8:10 PM
To: Patel, Purvi (EEA)
Subject: Re: Lakeshore Center Phase 4 MEPA DEIR Filing

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Dear Ms./Mr. Patel,

My name is Amanda Parks and I live at 15 Bridle Road in Bridgewater, MA. I am opposed to any further development by Claremont in Bridgewater, MA, off of 104 by Lake Nippenicket. I wanted to share with you the many reasons why.

First, the noise pollution is already so apparent since they've built their hotel and 2 apartment complexes in the past 10 years. I cannot even sit in my backyard without it sounding like a race track. This includes being inside my house as well (my master bedroom and bathroom). This noise is constant, including bedtime hours. We can no longer take peaceful night swims in our pool, even late, as the sound of the vehicles and increased congestion on this side of town is loud 24 hours a day, of which my backyard now reaps that reward.

My next concern is the people/traffic and increased congestion related to resources including water, to which we already have many water issues in Bridgewater. Police/Fire and other services as I fear our resources for our town already stretched thin, especially way on our side of town. Then there is the schools and the children having large class sizes already. There are just not enough resources in this town to accommodate the volume to which this project would bring. This is not a major city. These are not main/major roads (Route 104).

Next, there is the endangered wildlife. We have seen many bald eagles and lovely and fragile wildlife in this area. My neighbor has photos of the bald eagle. This area needs to be protected for that wildlife. We also, when we moved in Feb 2013 used to have deer frequent our area/neighborhood. This also has had a huge decline since the projects by Claremont have begun.

Finally, trash has already grown astronomically down at the boat ramp / lake area. The area is now being frequented with gas grills, tents, and the natural landscape and tranquility have changed drastically since the apartments went in.

The projects that have already been approved, allowed and completed are finished and the above is where we sit today. This is the time to stop any further projects from being completed. We cannot go back and undo what has already been done. But, we can stop further damage from being done to our environment and to our beautiful lake. We can stop any further congestion, traffic, etc. from being brought to this area. Thank you.

I hope these comments help to support those also opposed to this major project proposal.

Sincerely,
Amanda Parks

Patel, Purvi (EEA)

From: Deborah Ballem <info@email.actionnetwork.org>
Sent: Sunday, January 22, 2023 5:24 PM
To: Patel, Purvi (EEA)
Subject: RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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Environmental Analyst Purvi Patel,

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

Dear Ms. Patel:

Areas of Critical Concern in Massachusetts need to be protected from large scale development projects like this. I cannot imagine that a project of this size will not have devastating consequences for the water quality of Lake Nippentucket and the wildlife who depend upon it for food and habitat. Bridgewater is a unique town that is valued specifically because of its beautiful natural spaces. Once ecological systems are polluted and destroyed, it is difficult or impossible to restore them. Please do not allow this project to be approved under the guise of job opportunities and income for the town.

Issues of concern include:

SCALE OF DEVELOPMENT:

The proponent's plans represent a scale of development that is not sustainable and will have significant impacts. In the DEIR, the proponent rejected less impactful alternatives presented in the Environmental Notification Form in favor of the "Proposed Project" that meets the proponent's financial expectations.

ENVIRONMENT:

The project impacts an Area of Critical Environmental Concern, the Hockomock Swamp, including Lake Nippenicket the headwaters of the Town River (and a Great Pond) and its nearby wetlands. The project site falls within mapped rare species habitat and there are

concerns about the impact that this project will have on the surrounding wildlife, especially from destruction of habitat, noise, air, and light pollution. Lake Nippenicket forms the headwaters of the Town River, which is one of two main tributaries that feed the Taunton River, a Wild and Scenic River. This project requires an extensive review by MEPA with the focus to avoid all adverse environmental impacts. This includes not allowing work within the 100-foot buffer zone; minimizing tree cutting; reserving open space (both uplands and wetlands); employing green building practices and building within small footprints.

HISTORIC AND ARCHAEOLOGICAL FINDINGS

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the “adverse effects” (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area. Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development.

TRAFFIC:

The proposed development will increase traffic substantially on Route 104 (estimated to be 4,262 extra trips per day), increase CO2 and impact surrounding neighborhoods, commuters, and all members of the public utilizing the lake for peaceful recreation. An expanded traffic analysis should be required and suggested mitigation measures be reviewed with regard to actual benefit.

WATER USAGE:

The project will increase water usage and Bridgewater is already on "Restricted Water Usage". More information needs to be provided regarding Bridgewater's water needs and capacity and how the project will impact Bridgewater. In addition, the project resides within the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer.

Thank you for your consideration.

Deborah Ballem

Deborah Ballem

quincygirl2@gmail.com

Patel, Purvi (EEA)

From: Emily montour <emilymontour@gmail.com>
Sent: Sunday, January 22, 2023 8:19 PM
To: Patel, Purvi (EEA)
Subject: LakeShore Center Phase 4 MEPA DEIR Filing

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.

My name is Emily Montour and I live at 15 Bridle Road in Bridgewater, MA. I am opposed to any further development by Claremont in Bridgewater, MA, off of 104 by Lake Nippenicket. I wanted to share with you the many reasons why. (My mom has already submitted an email to you as well. My reasons are the same as hers, as you can see below.)

First, the noise pollution is already so apparent since they've built their hotel and 2 apartment complexes in the past 10 years. I cannot even sit in my backyard without it sounding like a race track. This includes being inside my house as well (my master bedroom and bathroom). This noise is constant, including bedtime hours. We can no longer take peaceful night swims in our pool, even late, as the sound of the vehicles and increased congestion on this side of town is loud 24 hours a day, of which my backyard now reaps that reward.

My next concern is the people/traffic and increased congestion related to resources including water, to which we already have many water issues in Bridgewater. Police/Fire and other services as I fear our resources for our town already stretched thin, especially way on our side of town. Then there is the schools and the children having large class sizes already. There are just not enough resources in this town to accommodate the volume to which this project would bring. This is not a major city. These are not main/major roads (Route 104).

Next, there is the endangered wildlife. We have seen many bald eagles and lovely and fragile wildlife in this area. My neighbor has photos of the bald eagle. This area needs to be protected for that wildlife. We also, when we moved in Feb 2013 used to have deer frequent our area/neighborhood. This also has had a huge decline since the projects by Claremont have begun.

Finally, trash has already grown astronomically down at the boat ramp / lake area. The area is now being frequented with gas grills, tents, and the natural landscape and tranquility have changed drastically since the apartments went in.

The projects that have already been approved, allowed and completed are finished and the above is where we sit today. This is the time to stop any further projects from being completed. We cannot go back and undo what has already been done. But, we can

stop further damage from being done to our environment and to our beautiful lake. We can stop any further congestion, traffic, etc. from being brought to this area. Thank you.

I hope these comments help to support those also opposed to this major project proposal.

Sincerely,
Emily Montour

Patel, Purvi (EEA)

From: Janet Hanson <jnhanson1@verizon.net>
Sent: Sunday, January 22, 2023 10:37 PM
To: Patel, Purvi (EEA)
Subject: EEA #16558 Draft Enviromental Impact report, Lakeshore Center Phase 4
Importance: High

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Bethany A. Card, Secretary

Executive Office of Energy and Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114

Attn: Ms. Purvi Patel

Hello,

My name is Janet Hanson and I reside in Bridgewater, MA.

I am writing to comment on the proposed zoning changes and construction requests put forth by The Claremont Company for the area adjacent to the Nippenicket in Bridgewater.

As you are aware, that area is part of the Hockomock Swamp and is a designated area of Environmental Concern. So many changes have been already made to the land across the street from the Nip. The amount of development that The Claremont Company is proposing on top of what is already there is, would create even more stress on that area.

The development he is requesting requires many zoning bylaw changes particularly the restaurant that he wants to have built directly on the lake. The area is currently not zoned for it but they want to basically make this his own zone so he can build it. He wants to reduce wetland setbacks and squeeze it on a piece of property that doesn't support. The damage it will do to the lake, wildlife and beauty of the area is obvious. The volume of the proposed housing puts even more strain on the area. Water is critical, run off is of concern, etc.

There are archeological areas of concern, too.

I am very concerned about the impact on the environment wildlife, water levels and quality of this beautiful natural habitat that is being threatened by the overwhelming amount of construction Claremont wants to do. I therefore am in strong opposition of this being allowed and hope

that the EEA feels this way also or at least can hopefully not allow certain aspects of the project going forth particularly the restaurant on the lake and the amount of dwellings that the land can support.

Thank you for your time

Sincerely

Janet Hanson
665 Pleasant Street
Bridgewater, MA 02324
inhanson1@verizon.net

Patel, Purvi (EEA)

From: Jeremy gillespie <gillespietown@yahoo.com>
Sent: Sunday, January 22, 2023 6:38 PM
To: Patel, Purvi (EEA)
Subject: EEA #16558 Lakeshore Center Phase 4

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:

These Glacial lakes are very fragile and sensitive to change, especially from over development, forest removal & pollution within their watershed. These are not artificially constructed "highland" lakes as you see across the the southeast and other areas of the country, which are deep and very well flushed through the result of these lakes being constructed by damming up large rivers. Those artificial lakes can handle much more disturbances within their watersheds than these shallow & fragile living natural ecosystems. The 100 ft buffer is a joke, and any encroachment on it should be strictly forbidden. If Massachusetts really wants to protect it's rare glacial lakes, rivers and their surrounding habitat, they will need to put laws into place that extends this buffer to 500 feet in which no future development or disturbances would be allowed to occur. The proposed restaurant directly abutting this great pond is a horrendous idea. In addition, the upland forest that surround wetlands are absolutely vital to the health of the wetlands in which they surround. The addition of more parking lots will further amplify the salt pollution issue, which is killing trees and allowing for invasive species to take over. This project violates almost every environmental law in the Commonwealth. I have read that Massachusetts has some of the "strongest wetlands protection laws in the country", but what I've witnessed since moving to this state in 2016 is massive environmental destruction of wetlands, glacial lakes and their surround watersheds, rivers, streams and rare upland forest. If this project is allowed to go through, then it will finally cement to me that Massachusetts environmental protection laws are an invalid joke. These places are meant for the public to visit and enjoy, and the location of a great pond next to an interstate should not be it's death sentence. We all have a duty to protect these places for future generations to enjoy, it's an investment in their future and well being.

MEPA should require the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts and size and scope of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern. As noted on the ACEC website, Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, are reviewed with closer scrutiny to avoid or minimize adverse environmental impacts.

Issues of concern include:

SCALE OF DEVELOPMENT:

The proponent's plans represent a scale of development that is not sustainable and will have significant impacts. In the DEIR, the proponent rejected less impactful alternatives presented in the Environmental Notification Form in favor of the "Proposed Project" that meets the proponent's financial expectations.

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HISTORIC AND ARCHAEOLOGICAL FINDINGS

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road,

Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the “adverse effects” (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area. Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development.

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WATER USAGE:

The project will increase water usage and Bridgewater is already on "Restricted Water Usage". More information needs to be provided regarding Bridgewater's water needs and capacity and how the project will impact Bridgewater. In addition, the project resides within the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer.

With kind regards.

Jeremy Gillespie
Halifax, MA 02338

Patel, Purvi (EEA)

From: John FitzGerald <fitzy50@comcast.net>
Sent: Sunday, January 22, 2023 9:44 AM
To: Patel, Purvi (EEA)
Subject: Claremont Lakeshore Center phase 4

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 morning Purvi,

I'm writing in my regards to my strong opposition to the proposed Claremont project. I'd like to start by saying that the proposed project would have devastating and long lasting negative effects on the Hockomock swamp. The Hockomock swamp is the largest fresh water wet land in Massachusetts and is an ACEC . Claremont themselves stated in their ENF and their DEIR that the delicate balance of nature , wildlife and the rare species surrounding the lake and wetlands will definitely be disrupted. 25 acre of land which act as a natural aquifer will be destroyed. These areas are home to the Eastern box turtle a species of special concern and at least 13 other endangered species.

The impact on the community would also be negative. With traffic on rte104 already a concern due to Claremont's other completed projects in the same area , to add an additional 4,300 trips per day on that stretch of road seems excessive. The water demand of over 150,000 gallons per day of clean water and 125,000 of waste water would also be negative. Last but not least the proposed restaurant on the Nip should definitely not be allowed due to it infringing on 100ft buffer zone in-wetland areas.

Please help us save what is left of the Hockomock swamp and our unique ecological area for future generations. Claremont has taken enough from us in the last few years please help us stop them from destroying what is left of our wetlands.

Thank you ,John FitzGerald
Fitzy50@comcast.net.
369 Lakeside Drive
Bridgewater Ma. 02324

Patel, Purvi (EEA)

From: julia.blanchard@comcast.net
Sent: Sunday, January 22, 2023 7:36 PM
To: Patel, Purvi (EEA)
Subject: Lakeshore Center Phase 4 project

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 Committee and Ms. Patel,

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>

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.

Thanks,

Julia Blanchard
27 Bridle Rd
Bridgewater, MA

Patel, Purvi (EEA)

From: K Ribeiro <info@email.actionnetwork.org>
Sent: Sunday, January 22, 2023 6:20 PM
To: Patel, Purvi (EEA)
Subject: Lake Nippenicket

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Environmental Analyst Purvi Patel,

Dear Ms. Patel:

There are many important reasons for slowing down the process with the proposed development of lake Nippenicket, and I hope the letters you receive regarding this case inspire such action to slow down and give more careful consideration to the complexities that are so often ignored in municipal developments.

The most important request for consideration I wish to highlight in this letter to you, is that members of the Wampanoag nation be invited into this discussion with the utmost respect. To not do so is to continue perpetuating harm as colonizers of their land.

Thank you for your consideration.

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

MEPA should require the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts and size and scope of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern. As noted on the ACEC website, Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, are reviewed with closer scrutiny to avoid or minimize adverse environmental impacts.

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HISTORIC AND ARCHAEOLOGICAL FINDINGS

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WATER USAGE:

The project will increase water usage and Bridgewater is already on "Restricted Water Usage". More information needs to be provided regarding Bridgewater's water needs and capacity and how the project will impact Bridgewater. In addition, the project resides within the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer.

With kind regards.

K Ribeiro

khalbrecht57@gmail.com

Plainfield, Massachusetts 02360

View Comment

Comment Details

EEA #/MEPA ID 16558	First Name Melissa	Address Line 1 --	Organization Lake Nippenicket Action Focus Team
Comments Submit Date 1-22-2023	Last Name Ramondetta	Address Line 2 --	Affiliation Description --
Certificate Action Date 1-23-2023	Phone +15086972118	State --	Status Accepted
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email Inaft@outlook.com	Zip Code --	

Comment Title or Subject

Topic: Comments on EEA #16558 Lakeshore Center Phase 4 DEIR / Lake Nippenicket Action Focus Team

Comments

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Dear Ms. Patel: Please find comments attached from the Lake Nippenicket Action Focus Team.

Please confirm receipt. Thank you.

Melissa Ramondetta, Coordinator

Lake Nippenicket Action Focus Team

Attachments

- [Attachment A MOA Including Letter from VHB LandVest.pdf\(Null\)](#)
- [LNAFT COMMENTS MEPA DEIR 16558 LAKESHORE CENTER PHASE 4 012223.pdf\(Null\)](#)
- [Attachment B Bridgewater Water.pdf\(Null\)](#)

Update Status

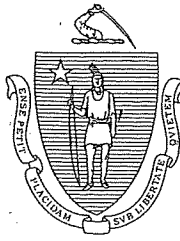
Status

Accepted ▼

SUBMIT

Share Comment

SHARE WITH A REGISTERED USER



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

March 8, 2021

Ned Carney
Claremont Companies
1 Lakeshore Center
Bridgewater MA 02324

RE: Claremont Lake Bridgewater LLC Lakeshore Center Project, Bridgewater & Raynham, MA.
EEA#4959. MHC #RC.2038.

Dear Mr. Carney:

Enclosed please find a copy of the fully executed Memorandum of Agreement (MOA) that summarizes the measures to assist 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 referenced above.

These comments are offered to assist in compliance with M.G.L. c. 9, ss. 26-27C (950 CMR 71) and MEPA (301 CMR 11). 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
Brona Simon
State Historic Preservation Officer
Executive Director
State Archaeologist
Massachusetts Historical Commission

Enclosure (MOA)

xc w/ copy of enclosure:
Secretary Kathleen Theoharides, EEA, Attn. Anne Canaday, MEPA Office
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
David Weeden, Mashpee Wampanoag Tribe
Nicole Benjamin-Ma, VHB
Deborah C. Cox, PAL

**MEMORANDUM OF AGREEMENT
BETWEEN
CLAREMONT LAKESIDE BRIDGEWATER LLC
AND
THE MASSACHUSETTS HISTORICAL COMMISSION
REGARDING
LAKESHORE CENTER, BRIDGEWATER & RAYNHAM, MASSACHUSETTS**

This Memorandum of Agreement (MOA) is entered into by Claremont Lakeside Bridgewater LLC (Claremont), and the Massachusetts Historical Commission (MHC).

WHEREAS, Claremont proposes to construct Lakeshore Center, a mixed-use development of approximately 163.87 acres located off of Route 104 (Pleasant Street) adjacent to Route 24 and I-495 in Bridgewater and Raynham, Massachusetts, as shown on the plan included in Exhibit 1 of this MOA, "Preferred Alternative, Site: Lakeshore Center," revised to March 30, 2018, and prepared by Silva Engineering Associates, P.C. (the Undertaking); and

WHEREAS, the Undertaking has been reviewed through the Massachusetts Environmental Policy Act (MEPA) (301 CMR 11.00) to consider project alternatives to minimize and mitigate damage to the environment to the maximum extent practicable; and

WHEREAS, the MEPA review has required that Claremont consult with MHC pursuant to MEPA and M.G.L. Chapter 9, Sections 26-27C and its regulations (950 CMR 71.00); and

WHEREAS, the Undertaking, within Lots 6 and 7, includes two significant archaeological sites included in MHC's *Inventory of Historic and Archaeological Assets of the Commonwealth*, the Tomb Road Site (19-PL-498) and the Bassett Site (19-PL-497), that in the opinion of MHC meet the Criteria of Eligibility for listing in the National Register of Historic Places (36 CFR Part 60); and

WHEREAS, Claremont has provided information to the MHC that indicates that avoidance and protection of Lots 6 and 7 are not prudent and feasible; and

WHEREAS, MHC has determined that the Undertaking within Lots 6 and 7 will have an "adverse effect" (950 CMR 71.05(a)) on the Tomb Road Site and the Bassett Site; and

WHEREAS, Claremont has proposed to mitigate the adverse effect of the Undertaking on the archaeological sites by completing a program of archaeological data recovery;

NOW, THEREFORE, Claremont and the MHC agree that the Undertaking will be implemented in accordance with the following stipulations in order to mitigate adverse effects on the archaeological sites.

Stipulations

Claremont shall ensure that the following stipulations are implemented prior to the construction phase of the Undertaking, and shall provide proof of compliance to MHC

I. Interim Archaeological Site Protection

1. To protect the archaeological sites from inadvertent impacts until the MHC has commented that Stipulation II.7 of this MOA is fulfilled, Claremont shall maintain temporary fencing,

such as high-visibility plastic fencing and/or staked haybales around the boundaries of Lots 6 and 7. Claremont's personnel and contractors shall be informed verbally and in writing, and suitable language specified in Stipulation I.2 of this MOA shall be included in contract and construction documents, to prohibit impacts within the boundaries of Lots 6 and 7.

2. Construction personnel and contractors shall be informed verbally and in writing, and suitable language shall be included in contract and construction documents, that Lots 6 and 7 are "no impact areas." Within Lots 6 and 7, construction personnel and contractors should neither perform nor permit any activities, including but not limited to tree cutting or tree stumping, construction, excavation, grading, filling, dumping, or the storage or staging of equipment, vehicles, supplies, or debris. No unauthorized artifact collecting or archaeological investigation shall be permitted within Lots 6 and 7, other than for which the Massachusetts State Archaeologist has issued an archaeological field investigation permit (950 CMR 70). Lots 6 and 7 shall remain in their existing natural condition until the MHC has commented that Stipulation II.7 of this MOA is fulfilled. The Massachusetts Historical Commission shall be consulted and provided the opportunity to review and comment on any otherwise unforeseen activities that may be proposed within Lots 6 and 7.

II. Archaeological Data Recovery Plan

1. Claremont shall ensure that an Archaeological Data Recovery Plan (DRP) is developed and implemented by a qualified and experienced professional archaeological consultant for the recovery, analysis, reporting, and permanent curation of archaeological data, artifacts, specimens, samples, and records from the archaeological sites in Lots 6 and 7 of the Undertaking. The archaeological consultant's research team shall consist of individuals who meet the qualifications and experience standards outlined in the State Archaeologist's Permit Regulations (950 CMR 70.10 (1) and (2)) and have successfully completed in a timely manner programs of archaeological data recovery on ancient period archaeological sites under previous State Archaeologist's permits.

The DRP shall be developed and implemented to be consistent with the standards and guidelines outlined in 950 CMR 70; the Secretary of the Interior's "Standards and Guidelines for Archeology and Historic Preservation" (48 Fed. Reg. 190 (September 29, 1983): 44716-44742); the "Recovery of Scientific, Prehistoric, Historic, and Archaeological Data: Methods, Standards, and Reporting Requirements" (42 Fed. Reg. 19 (January 28, 1977): 5374-5383); and, "Curation of Federally Owned and Administered Archeological Collections" (36 CFR 79). The DRP shall specify, at a minimum:

- a.) the locations where data recovery are to be carried out and their expected archaeological features and deposits, explicitly considering and summarizing previous relevant archaeological research and collections;
- b.) the specific research questions to be addressed through the data recovery with an explanation of their relevance and importance;
- c.) the methods for archaeological research, field, and laboratory approaches for identification, evaluation, sampling, documentation, and reporting to be used, including a protocol for post-excavation systematic topsoil stripping to identify, develop, and implement a treatment plan in consultation with the MHC for significant archaeological features and deposits, with explanation of the relevance to and suitability for addressing the research questions, and fulfilling the purposes of implementing the DRP in a cost-effective, efficient, and timely manner;
- d.) the methods to be used in analysis, data management, data security, data preservation, and dissemination of data from the implementation of the DRP;

e.) the manner, archival quality materials, and schedule for curation of the recovered artifacts, specimens, samples, and resulting records including but not limited to original research, field, and laboratory records, including maps, drawings, original negatives, photographs, reports, and any other form of documentation in analog or digital formats resulting from the DRP;

f.) the details of proposed contents and formats of progress and completion memoranda, draft report outline, draft and final reports, and other documentation with a detailed schedule of their submission for review and approval;

g.) the members and qualifications of the research team with a personnel chart and a schedule that specifies their qualifications and experience pursuant to Stipulation II.1 of this MOA, and the amount and the nature of effort that individuals on the research team will expend to implement the DRP.

2. If unforeseen circumstances require the modification of the DRP, Claremont and the Principal Investigator (950 CMR 70.04) of the archaeological research team for the DRP shall consult with MHC to develop and implement the required modifications. The Principal Investigator of the archaeological research team shall also obtain the approval of the Massachusetts State Archaeologist pursuant to 950 CMR 70.13(2) prior to implementing the modifications.

3. Claremont shall ensure that upon completion of the archaeological fieldwork phase of the DRP and any preliminary analyses of the results that may be necessary, a paper copy of a completion memorandum prepared by the archaeological consultant shall be submitted to MHC which describes the DRP activities completed, a brief description of the results of the fieldwork and any preliminary analyses, and a schedule for completing the remaining aspects of the DRP.

4. Within two (2) months of completion of the archaeological excavation phase of the DRP, Claremont shall ensure that a paper copy of a draft outline prepared by the archaeological consultant of the proposed technical archaeological report is submitted to MHC for review and comment within thirty (30) days of receipt.

5. Within six (6) months of completion of the archaeological excavation phase of the DRP, Claremont shall ensure that a bound paper copy of the draft technical archaeological report prepared by the archaeological consultant is submitted to MHC for review and comment within thirty (30) days of receipt.

6. Within two (2) months after submittal of the draft technical report to MHC, Claremont shall submit comb-bound paper copies of the final technical report prepared by the archaeological consultant that has addressed MHC's comments on the draft report. Claremont shall ensure that two (2) paper copies of all final reports resulting from this project shall be provided to MHC pursuant to 950 CMR 70.14, along with updated MHC archaeological site inventory forms in paper format with all necessary attachments (USGS locus map, smaller scale maps and drawings, and photographs), and an electronic file on a CD-ROM with an Adobe pdf. file of the final report; and a Microsoft Word file listing the final report's bibliographic data (authors, date, title, page count) with an archaeological abstract prepared in accordance with the State Archaeologist's guidelines on preparing report abstracts (together, documentation).

7. Within thirty (30) days of receipt of the documentation, the MHC shall comment on the adequacy of the submitted information to have addressed the MHC's comments on the draft technical report. If the MHC determines that the documentation is not adequate, the MHC shall comment, specifying the deficiencies and requesting revised documentation. In the event that the documentation is determined by

the MHC to be adequate, the MHC shall comment that the Undertaking may proceed as planned in Lots 6 and 7, subject to Claremont's further compliance with all other provisions of this MOA.

III. Human Remains and Other Post-Review Discoveries

1. Claremont shall ensure that if any human remains are discovered during the implementation of the DRP or during any other activities during implementation of the Undertaking, then the activities that caused the human remains to be discovered shall cease immediately, the discovery location protected from further impact, the Massachusetts State Archaeologist shall be notified immediately, and the procedures under the Massachusetts Unmarked Burial Law (Mass. Gen. Laws c. 114, s. 17; c. 38, s. 6; Mass. Gen. Laws c. 9, ss. 26A and 27C; and Mass. Gen. Laws 7, s. 38A; all as amended and together, the "Unmarked Burial Law") shall be implemented.

2. Claremont shall notify MHC if any other historic or archaeological property is discovered within the Undertaking during construction. Claremont shall protect the discovery location from further impact, and shall consult with MHC to identify and evaluate, and to avoid, minimize, or mitigate any adverse effect to, the historic or archaeological property, consistent with 950 CMR 71 and the stipulations of this MOA.

IV. Project Changes

If the Undertaking is substantially modified pursuant to 950 CMR 71.07(2)(g), the Proponent shall notify the MHC and the MEPA office in writing and shall consult with MHC to reach agreement pursuant to 950 CMR 71.

V. Transfer of Responsibilities to Subsequent Proponent

The responsibility for completion of implementation of this MOA may be transferred to subsequent proponents of the undertaking, provided that the parties to this MOA are notified in writing prior to such transfer, and provided that the notice includes a written agreement by the new proponent to affirmatively assume and implement the applicable outstanding obligations of this MOA, by attachment and incorporation of a written amendment to this MOA.

VI. Dispute Resolution

Should any of the signatories to this MOA object to any materials submitted requesting its review, comment, approval, or to other action carried out in accordance with this MOA, Claremont shall consult with the objecting party in good faith to resolve the objections, and shall notify the MOA signatories of its proposed resolution. If the other signatories do not object to the proposed resolution within thirty (30) days of notification, then Claremont shall implement the resolution.

VII. Duration

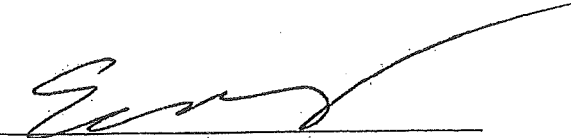
This MOA shall be null and void if its terms are not carried out within five (5) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms.

VIII. Amendments

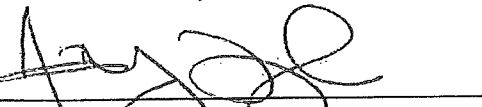
Any signatory to this MOA may propose that this MOA be amended, whereupon the signatory parties to this MOA will consult to consider such amendment. This MOA may be amended upon the written agreement of all the signatory parties, and will be effective on the date when the amendment has been signed by all of the signatories.

Execution of this Memorandum of Agreement by the signatories below and implementation of its terms by Claremont is evidence that Claremont has consulted with MHC on the proposed project and its effects on archaeological resources, and that Claremont has taken into account the effects of the undertaking on historic properties in compliance with M.G.L. c. 9, ss. 26-27C (950 CMR 71) and MEPA (301 CMR 11).

CLAREMONT LAKESIDE BRIDGEWATER LLC

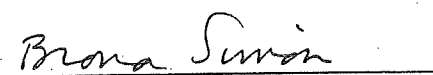
By: 
Edward Carney, Manager

Date: 2/18/2021

By: 
Francis X.J. Lynch, Manager

Date: 02/18/20

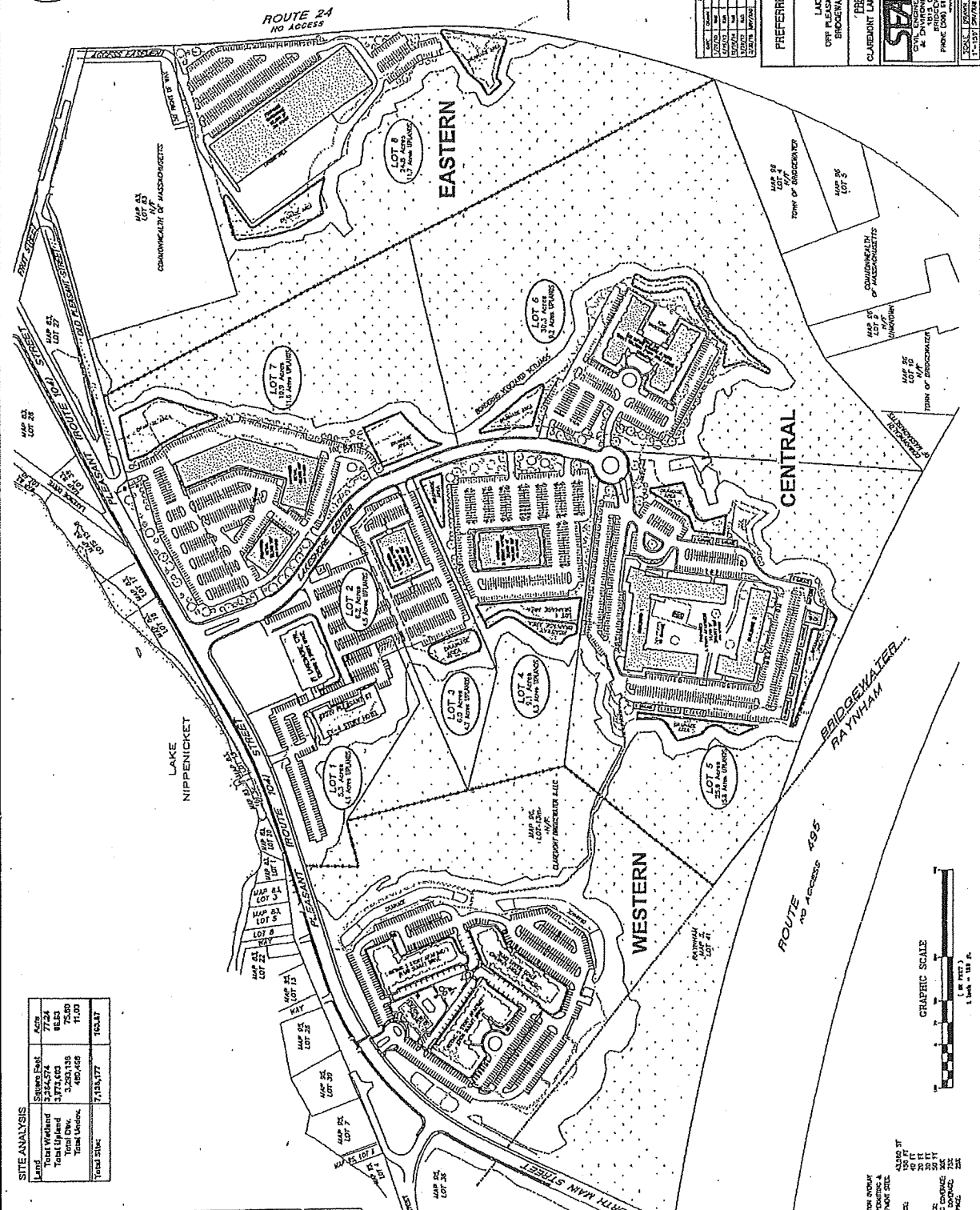
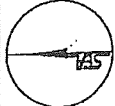
MASSACHUSETTS HISTORICAL COMMISSION

By: 
Brona Simon, Executive Director &
State Archaeologist

Date: 3/8/2021

Exhibit 1

“Preferred Alternative, Site: Lakeshore Center,” revised to March 30, 2018,
prepared by Silva Engineering Associates, P.C.



SITE ANALYSIS

Land	Square Feet	Acres
Total Wetland	3,254,574	77.24
Total Wetland	3,971,635	91.53
Total Wetland	4,400,425	101.03
Total Wetland	7,133,177	163.17

Summary

Section	Building	Gross Square Foot (GSF)	Parking Spaces
WESTERN	EXISTING	351,000	510
	NEW	5,104	5
	TOTAL	356,104	515
	EXISTING	71,000	254
	NEW	76,735	126
CENTRAL	EXISTING	160,000	523
	NEW	200,000	244
	TOTAL	370,000	767
	EXISTING	7,851	600
	NEW	65,500	507
	TOTAL	73,351	1,107
	EXISTING	82,000	330
NEW	47,310 SF	9,239	
TOTAL	1,418,718 GSF	9,239	

NO.	DATE	DESCRIPTION
1	10/15/10	PRELIMINARY
2	11/15/10	REVISED
3	12/15/10	REVISED
4	01/15/11	REVISED
5	02/15/11	REVISED
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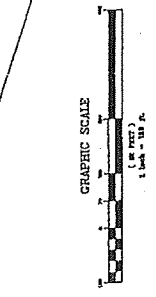
PREFERRED ALTERNATIVE

SITE:
LAKESHORE CENTER
OFF PLEASANT STREET ROUTE 100
BRIDGEWATER, MASSACHUSETTS

PREPARED FOR:
CLAREMONT LAKESIDE BROOKWATER, LLC

SAI ENGINEERING ASSOCIATES, P.C.
200 UNIVERSITY LANE, SUITE 200
BRIDGEWATER, MASSACHUSETTS 01926
PHONE: (508) 531-1100 FAX: (508) 531-1101
WWW.SAIENGINEERING.COM

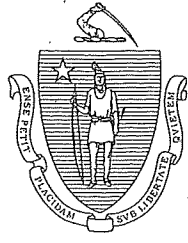
DATE: 10/15/10
SCALE: 1" = 100' (AS SHOWN)
PROJECT NO.: 10100



REVISIONS:

NO.	DATE	DESCRIPTION
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100	01/15/19	REVISED

Bridgewater
2038



November 27, 2020
The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

Ned Carney
Claremont Companies
1 Lakeshore Center
Bridgewater MA 02324

RE: Claremont Lake Bridgewater LLC Lakeshore Center Project, Bridgewater & Raynham, MA.
EEA#4959. MHC #RC.2038.

Dear Mr. Carney:

Staff of the Massachusetts Historical Commission (MHC) received the additional information prepared by VHB and LandVest for the project referenced above.

The information submitted indicates that a land conservation project alternative to preserve the Bassett Site (19-PL-497 in Lot 6), and the Tomb Road A & B Site (19-PL-498 in Lot 7), in the portion of the project located in Bridgewater, is not economically prudent and feasible.

The project will have an "adverse effect" (950 CMR 71.05(a)) on the two archaeological sites.

The MHC has prepared the enclosed draft Memorandum of Agreement that outlines stipulations to assist to mitigate the adverse effects.

Please review the draft MOA and please provide the MHC with any comments for proposed revisions to discuss. If the MOA is acceptable, please have the two managers sign and date the document and return the MOA to the MHC to be finalized.

These comments are offered to assist in compliance with M.G.L. c. 9, ss. 26-27C (950 CMR 71) and MEPA (301 CMR 11). 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
Brona Simon
State Historic Preservation Officer
Executive Director
State Archaeologist
Massachusetts Historical Commission

Enclosure

xc w/enclosure:
Secretary Kathleen Theoharides, EEA, Attn. Anne Canaday, MEPA Office
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
David Weeden, Mashpee Wampanoag Tribe
Bridgewater Historical Commission
Nicole Benjamin-Ma, VHB

220 Morrissey Boulevard, Boston, Massachusetts 02125
(617) 727-8470 • Fax: (617) 727-5128
www.sec.state.ma.us/mhc

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MASS. HIST. COMM

2038



October 14, 2020

Ref: 14964.00

Brona Simon
Executive Director
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Attn: Edward L. Bell

Re: Claremont Lake Bridgewater LLC Lakeshore Center Project, Bridgewater, MA
EEA#4959, MHC #RC.2038

Dear Ms. Simon and Mr. Bell,

On behalf of the Claremont Companies and Claremont Lake Bridgewater LLC, thank you for your continued review of the Project under M.G.L. Chapter 9, sections 26-27C (950 CMR 71.00) and MEPA (301 CMR 11). This letter and the accompanying materials are provided in response to your letter dated September 9, 2019 to Ned Carney of the Claremont Companies. The letter from the MHC acknowledges receipt of a real estate appraisal report, "Appraisal of: Land Proposed for Retail and Assisted Living, Location: Lots 6 and 7 at Lakeshore Center, Bridgewater, Massachusetts 02324" (June 26, 2019) prepared by Keystone Consulting Group for the Claremont Companies. The September 2019 letter offers further clarification regarding the MHC's requested alternatives analysis, to take into account potential tax benefits of a conservation easement that protects one or both known archaeological sites.

To ensure that the requested analysis would be performed by an individual or entity well-versed in land conservation easements, the MHC's September 2019 letter suggested contacting three well-known organizations to identify an appropriate professional: Wildlands Trust, Massachusetts Land Trust Coalition, and the Trust for Public Land. We spoke with representatives from all three organizations, as well as Mass Audubon and VHB's natural sciences team to gain as broad a range of information as possible. The overwhelming consensus among those we spoke with is that a tax advisor or tax lawyer is the preferred source of this type of financial analysis. However, two organizations had experience working with the Boston-based firm Landvest, and suggested the firm would have the background necessary to conduct the alternatives analysis requested by the MHC. Landvest has a unique lineup of services, including land appraisal and planning, conservation services, and spatial analysis/GIS mapping, all of which could be applied to developing an alternatives analysis that considers land use and value before and after a conservation easement(s), and the rules regarding the financial benefits of such easements. Upon

101 Walnut Street

PO Box 9151

Watertown, Massachusetts 02471

P 617.924.1770

F 617.924.2286

Engineers | Scientists | Planners | Designers



confirming this direction with Mr. Bell in late June 2020, the Claremont Companies engaged Landvest for the analysis.

This analysis, titled "Real Estate Advisory Report – Preliminary Conservation Alternative Analysis of Lots 6 and 7 in the proposed Lakeshore Center Master Plan, Bridgewater, MA" was completed by Landvest on September 4, 2020 (report is enclosed). The regulations for donated conservation easements and how the financial implications of the donation are calculated are detailed in Section 1 of the report. Section 2 contains the spatial mapping used to analyze the impact on buildable upland given site constraints (setbacks, wetlands, etc.).

In Section 3, Landvest analyzes land valuation before and after the development of a conservation easement, utilizing the previous appraisal completed by the Keystone Consulting Group; this analysis assumes a 25-foot buffer around each conservation easement to protect the archaeological sites during ancillary activities. While the Project consists of two separate parcels, Landvest's evaluation considered the interrelated nature of the development of the parcels, which makes a potential encumbrance on one parcel especially challenging. The report concludes that the delta between the value of the two parcels before the dedication of easements (\$12,235,000) and after the dedication of easements (\$3,550,000) amounts to \$8,685,000. As the amount of a deduction resulting from the setup of an easement is up to 50% of the donor's contribution base, that means if a donor falls within a 25% tax bracket, the most that can be claimed is 50% of that 25% base. This fraction would rarely, if ever, come close to offsetting the approximately \$8.5 million lost in development rights. Additionally, it is noted that this delta is based on the land value only. If the value of the new construction and stabilizing the development were factored into the appraisal, the difference in value before and after the utilization of a conservation easement would increase.

The last paragraphs of the report provide information on who is eligible to receive the tax benefits of a conservation easement and suggest further analysis of the ability of Claremont Companies to make use of such benefits. Consultation with Claremont's financial advisors and counsel provided the following insight:

- Claremont Companies specializes in the hospitality industry, which has been struck with major losses in 2020 due to the pandemic. Therefore, even if it were determined that the company could take advantage of the tax benefits, the fact that this year's return (and those projected for the near-term) will be a loss means that there is no opportunity to utilize this benefit.
- Meanwhile, we were informed that the ownership structure of the two parcels is set up in a way that any tax benefit would be passed through to a single person. Therefore, any tax benefit would be realized by an individual rather than the entity which would lose development rights.

While the conclusions do not support the development of one or more conservation easements as prudent or feasible alternatives, we hope that the enclosed report, and the summary included in this letter, provide the MHC with the information requested. We appreciate the opportunity to continue consultation for this Project and to address the concerns expressed by the MHC regarding potential adverse effects. We look forward to your response and guidance regarding next steps.

Brona Simon
Ref: 14964.00
October 14, 2020
Page 3



As always, please feel free to contact me at (617) 607-2657 or nbenjamin-ma@vhb.com. You are also welcome to contact Ned Carney at the Claremont Companies at (508) 279-4302 or ecarney@claremontcorp.com.

Sincerely,

Vanasse Hangen Brustlin, Inc.

A handwritten signature in cursive script that reads "Nicole J. Benjamin-Ma".

Nicole Benjamin-Ma

Senior Preservation Planner

cc:

Secretary Kathleen Theoharides, EEA, Attn. Anne Canaday, MEPA Office
Elias Patoucheas, Claremont Lakeside Bridgewater, LLC
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
David Weeden, Mashpee Wampanoag Tribe
David R. Moore, Chair, Bridgewater Historical Commission

Enc.

New News Flash MANDATORY WATER RESTRICTION for www.bridgewaterma.org



Bridgewater News Flash <listserv@civicplus.com>
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July 12, 2022

MANDATORY WATER RESTRICTION

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Department of Public Works
Water Supply & Water Pollution Control

90 Cottage Street
Bridgewater, MA 02324
508-697-0910
508-279-1307 Fax

Frequently Asked Questions About Bridgewater Water January 2023

Why do we have discolored water?

The simple answer is that iron and manganese occur naturally in our water supply. These elements have a tendency to discolor when exposed to oxygen. Water pumped from our 10 main wells is exposed to oxygen during the pumping and treatment processes. Other factors can exacerbate the discoloration when it comes out of your tap:

- The wells located on High Street and Plymouth Street are currently treated but not filtered. Once the water treatment plant on High Street is operational, water going to all locations will be filtered and treated.
- Water main breaks increase volume and stir up sediment in the system.
- Increased usage during the summer months increases the volume of water flowing through the pipes and stirs up sediment.
- Water main flushing. Generally, once or twice a year the Water Department flushes the water mains to keep the sediments from collecting in the pipes. Due to the drought, most routine flushing was not performed in the Fall of 2022.
- Some dead-end streets are not "looped" in our system, meaning it is a dead-end water main. These are difficult to flush and allow excess sediment to collect in the main. The Town no longer permits the installation of dead-end water mains, but there are many pre-existing dead-ends.
- Buildings and homes may need to be flushed. The Water Department's reach extends to your property line. Hot water heaters are notorious for the build up of sediment causing brown water.

What should I do if I have brown water?

Report the issue by logging onto the Town Website www.bridgewaterma.org, click on "Report a Problem", drop down to "Water Issues" and complete the form. The Town can't work to address specific issues if we don't know about them.

What are the long-term plans to address the brown water issue?

The Town built a second filtration plant to ensure that all our municipal well water is filtered for iron and manganese prior to being distributed to residents. The plant will open in the spring of 2023 and will give us full iron and manganese filtering coverage for the Town. Temporary brown water issues associated with construction, dead end streets, in-home water system failures, and illegal irrigation or pool filling may continue to surface and will be researched and addressed on an individual, as-needed basis. Any residents experiencing temporary brown water issues should contact the Water Department so we can troubleshoot the issue.

What is manganese and is it dangerous?

According to the US EPA, manganese is one of the most abundant metals on the earth's surface, making up approximately 0.1% of the earth's crust. As a result, it is naturally occurring in many surface and groundwater sources. It is an essential nutrient for humans and animals but there can be health effects from overexposure. For more information, visit <https://www.epa.gov/cc/regulatory-determination-1-support-documents-manganese>.

What is iron and is it dangerous?

Iron is a naturally occurring element that can be found throughout our air, soil, and water. It is an essential nutrient for humans and animals but there can be health effects from overexposure.

How do the Fall 2022 rate increases help with this issue?

Bridgewater's water infrastructure is funded through the water bills you pay. The rate increases cover the portion of the new filtration plant that could not be covered by state or federal assistance. It also covers the ongoing improvements to the distribution system and plant operations.

What are PFAS regulations?

On September 24, 2020, the Massachusetts Department of Environmental Protection (MassDEP) announced the final regulations for PFAS in drinking water. MassDEP continues to clarify how laboratory results should be calculated and reported. The MassDEP press release can be found here: <https://www.mass.gov/news/baker-polito-administration-establishes-strict-standards-for-pfas-in-drinking-water-to-protect-communities-across-massachusetts> It also promulgated a new drinking water standard for the sum of six PFAS compounds. This new standard is significantly lower than prior guidance. The Maximum Contaminant Level (MCL) for the sum of PFAS6 may not exceed 20 nanograms per liter (ng/L), which is equal to 20 parts per trillion (ppt). Federal Drinking water standards do not currently regulate PFAS.

What are PFAS?

Per- and Polyfluoroalkyl Substances or PFAS, are a group of numerous human-made chemicals used since the 1950s to manufacture stain-resistant, water-resistant, and non-stick products. Because these chemicals have been used in many consumer products, virtually everyone has been exposed to them. PFAS have been detected in wastewater and even in rainfall around the world. Often referred to as "forever chemicals," PFAS stay in the environment for a long time and do not break down easily. As a result, PFAS may be widely detected in soil, water, air, and food. While consumer products and food are the largest source of exposure to these chemicals for most people, drinking water can be an additional source in communities where PFAS are present in water supplies. For a full list of the communities that have reported pfas, please visit https://www.ewg.org/interactive-maps/pfas_contamination/map/

Do Bridgewater's wells exceed the new pfas limits?

Bridgewater has 10 wells, all of which are regularly tested for a variety of items, including PFAS. Since the new PFAS requirements were enacted, wells 5 and 6 have tested slightly above the new pfas standard on a few occasions but returned to normal levels on follow-up testing. The remaining wells have never tested above the PFAS limit. Because the water from each well is blended with water from other wells, the water that actually reaches residential homes contains lower levels than are tested at the individual wells. As of December 2022, we are not aware of any water reaching a residence that has tested above state pfas guidelines. The standard PFAS notification letter we have sent in the past is required by state law and was triggered by test results at the two specific wells. All testing results are available on Bridgewater's website at <https://www.bridgewaterma.org/177/Water-Supply-Water-Dept.>

Why was the Bluedrop machine installed if our PFAS levels have been within the mandated guidelines?

We wanted to be proactive by installing a machine that filters for PFAS in case our levels exceed the DEP mandated levels. The Bluedrop machine is located at 151 High Street and is free fill up for our residents.

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New News Flash TEMPORARY WATER RESTRICTION for www.bridgewaterma.org

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August 01, 2022

TEMPORARY WATER RESTRICTION

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Town Manager Emergency Regulations 2022
Regulation #2022-0727DPW
Date: July 28, 2022

**TOWN of BRIDGEWATER
TEMPORARY EMERGENCY WATER USE RESTRICTIONS**

INTRODUCTION:

Our region is experiencing a Level 2 – Significant Drought as declared by the Massachusetts Energy and Environmental Affairs (EEA) Secretary. It is expected to rise to Level 3 – Critical Drought soon.

Over the past few months, the Town has also experienced an unprecedented demand for water use.

These two issues are forcing us to implement emergency water restrictions which will ban all outdoor water use. Many cities and towns near and around us are facing the same issues (Attleboro, Pembroke and others).

Given the critical need for a sufficient water supply, the following temporary restrictions will begin Friday, July 29, 2022 and remain in place until further notice.

POLICY:

1. All use of water outside is prohibited, including use of any type of sprinklers (handheld as well) and car washing.
 - a. Exception: Vegetable gardens may be watered by hand between the hours of 5 a.m. to 9 a.m. and 6 p.m. to 8 p.m.
2. The Town will increase its water use enforcement patrols to educate residents and cite violators when necessary. The fines for violating these temporary restrictions are \$50 for the first offense, and \$100 for each violation thereafter.
3. The Town, through its Fire Department, will place sign boards at key locations throughout Town to advise of the new water use restrictions.
4. The Water Supply Department will bring on temporary help to confirm infractions, process the billing of fines and collections, and handle questions related to these new, temporary restrictions.

BACKGROUND:

Here is what is precipitating this action:

1. The Town is in a Level 2 – Significant Drought designation and anticipate moving to Level 3 – Critical Drought shortly.
2. On Monday, July 25, both of the Town’s water towers had supply levels less than 50%. This is the lowest they have ever been.

3. The Town's wells are pumping at maximum capacity to keep up with demand. This is also unprecedented. We normally rest the wells for several days on a rotating basis to allow recharge. No wells have been able to rest since June 26 when two of the wells rested for only 3 hours. We have had to bring on the well that produces the most discolored water to cover the demand.
4. The heaviest water use is on weekends between Friday afternoon and Monday morning, indicating significant violations of our current prohibition on automated sprinkler use.
5. **Low water pressure caused by low tower levels places an unacceptable risk on our firefighting capabilities.** Without adequate pressure created by the towers, pressure at hydrants will be insufficient to fight fires and the wells will not be able to keep up with that demand.

Here are some points to remember:

1. Our ability to withdraw water is governed by our DEP-issued withdrawal permit. Over the past few years, DEP has lowered the amount we can take out of the ground from 2.4 million gallons per day to 1.88 million gallons per day. DEP's permissible withdrawal is based upon a "safe yield" calculation which accounts for aquifer recharge.
2. Residents and businesses that have their own wells (registered with our Health Department) for irrigation or outdoor use are not affected by the emergency regulations, however, the Town respectfully requests these owners to comply with these emergency restrictions.
3. The Water Supply Department is working hard to educate people who call the office. The Town anticipates a larger call volume and asks for patience as we distribute additional information and answer resident questions in as through a manner as possible.

January 22, 2023

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

Attn: Ms. Purvi Patel

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

Dear Ms. Patel:

The Lake Nippenicket Action Focus Team (LNAFT) submits the following comments on the Draft Environmental Impact Report / EEA 16558) for Lakeshore Center Phase 4, published in the Environmental Monitor on December 23, 2022.

The narrow parcels of land that are the subject of the Northern site (restaurant) 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 Northern Site parcels, mapped as Priority Habitat of Rare Species (*Natural Heritage Atlas, 15th Edition*) and located within an ACEC are not part of the existing Lakeshore Center development zoning within the Planned Development District that is located across Route 104. The Northern Site parcels were never part of previous Lakeshore Center EEA #16558 MEPA filings by the Proponent and the fact of whether the Proponent is “segmenting the project” should be reviewed (301 CMR 11.00 (4)(c)). The Proponent has proposed a 6,000 SF restaurant (4,000 SF restaurant and 2,000 SF deck/raised patio) and 59 parking spaces. The entire building and most parking is sited entirely within the 100 foot buffer zone to Lake Nippenicket and the riverfront area to the [perennial stream](#) located on the eastern boundary of the site. Due to the environmental sensitivity of the Northern Site, no development should be permitted.

Within the DEIR, the Proponent notes in 7.3.1.4 Proposed Conditions:

Since most of the Project Site is in proximity to known wetlands and habitat areas for turtles and other species of concern, the design of all sites will attempt to meet the following:

No disturbance within 25 feet of the wetlands.

Stormwater management facilities located between 25 and 100 feet of the wetland buffer.

No pavement, where practical, within 75 feet of the wetlands.

No buildings within 50 feet of the wetlands.

It should be noted that that the “raised patio” of the restaurant will be built on the periphery of the 25 foot NO-TOUCH buffer (Bridgewater wetland by-law) and the Proponent should clarify, how the “raised patio” can be constructed without impacting the area within the 25 foot NO-TOUCH buffer. No building should be allowed this close to the 25-foot NO-TOUCH buffer.

On the Northern Site, along the shore of Lake Nippenicket, pavement is proposed within 75 feet of the wetlands (Lake Nippenicket) and riverfront area. A building is proposed for construction within 50 feet

of the wetlands and riverfront area. The Northern Site does not meet the Proponent's own criteria for protection of the wetlands and surrounding habitat.

The Proponent indicates that for the restaurant the "**Stormwater management will be accomplished underground with cleaning of runoff followed by recharge to the underlying aquifer.**" (Page 7-16) but notes in ENF comments to MEPA that:

MEPA.90 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.

*Proponent: The design and construction of the individual sites will be done in compliance with the NPDES, the Massachusetts DEP Stormwater Management Regulations, and with local requirements of the Town of Bridgewater. **Underground infiltration is not planned.***

The Proponent should clarify what is meant by "Underground infiltration is not planned."

The Northern Site parcels are located within the Hockomock Swamp ACEC. Lake Nippenicket forms the headwaters of the Town River, one of the two tributaries that feed into the [Taunton River](#) (Figure 1), a Wild and Scenic River. In the LNAFT comment letter on the ENF dated June 13, 2022 it was noted that Lake Nippenicket is identified as an *impaired water body*. According to mywaterway.epa.gov (Figure 2), Lake Nippenicket is impaired for *fish consumption* and *fish and other aquatic life and wildlife*. Impairments include fanwort and mercury in fish tissue. The Proponent did not address the fact that Lake Nippenicket is an *impaired water body* as noted in the LNAFT letter dated June 13, 2022 or the TRWA letter dated June 14, 2022. Instead, the Proponent deferred to the project's future review by the Bridgewater Conservation Commission as it relates to the stormwater management system. Lake Nippenicket is managed by the Commonwealth of Massachusetts, Division of Fisheries and Wildlife. The protection of the lake and the evaluation of the possible impacts of this phase, and impacts of previous phases of Lakeshore Center on the already *impaired water body* needs to be further studied and reviewed during the MEPA process. As the TRWA notes in their ENF comment letter dated June 14, 2022. *MEPA approval should 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 Nippenicket 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 Nippenicket 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.*

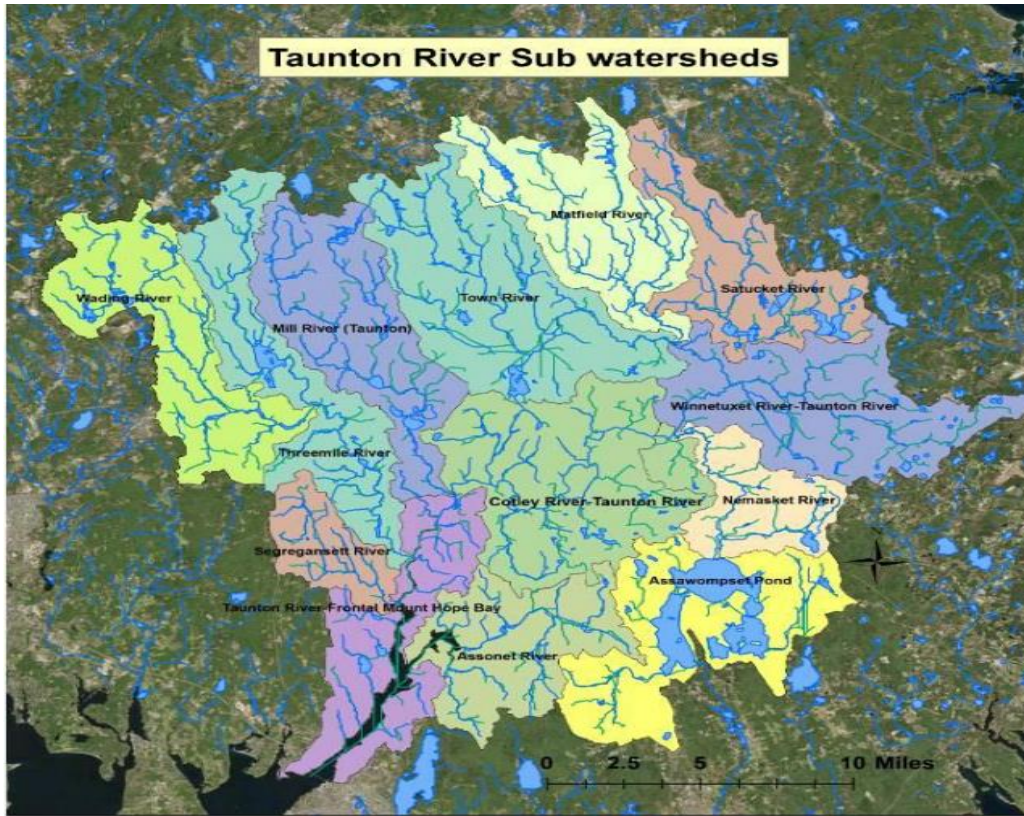


Figure 1: Map of Taunton River Watershed (from [Stream Continuity Assessment in the Taunton Watershed 2017](#))

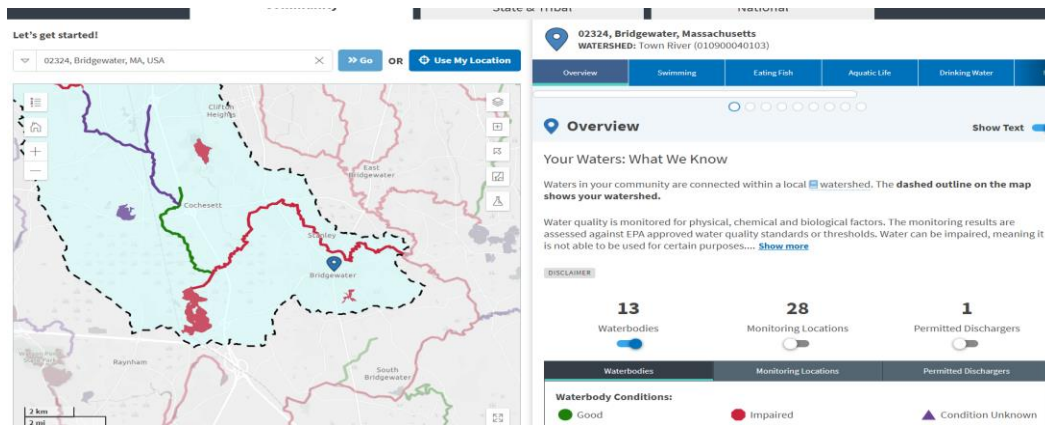


Figure 2: [Impaired Water Body Map](#) : Lake Nippenicket and Town River

On the eastern side of the Northern and Central Sites is a perennial stream that connects Lake Nippenicket to wetlands located across Route 104. The stream is subject to the protections of the River Protection Act and is noted as a perennial stream on the current [USGS Topographical Map](#) (Figure 3).

The stream on the Northern Site and the stream on the Central Site are depicted on a Town of Bridgewater historical map dating back to 1879 (Figure 4). In the DEIR and comments to LNAFT (LNAFT.02/LNAFT.03), the Proponent has mistakenly identified the Northern Site stream as intermittent and included data from Carr Research Laboratory (Attachment E in DEIR) from 20+ years ago to support their findings. The data was taken during August 1999, when the area was experiencing [abnormally dry conditions](#) (Figure 5). All three streams on the Northern, Central and Western Sites are part of the Zone II Aquifer of the Town of Raynham and connected to Lake Nippenicket culverts that were installed 70+ years ago. Please take note of CMR 10.58 (2)(d) that reads:

*Notwithstanding 310 CMR 10.58 (2)(a)1.a. through c., the issuing authority shall find that any stream is intermittent based upon a documented field observation that the stream is not flowing. A documented field observation shall be made by a competent source and shall be based upon an observation made at least once per day, over four days in any consecutive 12 month period, **during a non-drought period on a stream not significantly affected by drawdown from withdrawals of water supply wells, direct withdrawals, impoundments, or other human-made flow reductions or diversions.***

In the matter [of South Ave LLC \(OADR Docket No. WET-2019-028\)](#) (2020) the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs, Department of Environmental Protection, The Office of Appeals and Dispute Resolution determined that *the Wetlands Regulations provide the following four tests for determining whether a waterbody is perennial. First, "[a] river or stream shown as perennial on the current [USGS] or more recent map provided by the Department is perennial."* 310 CMR 10.58

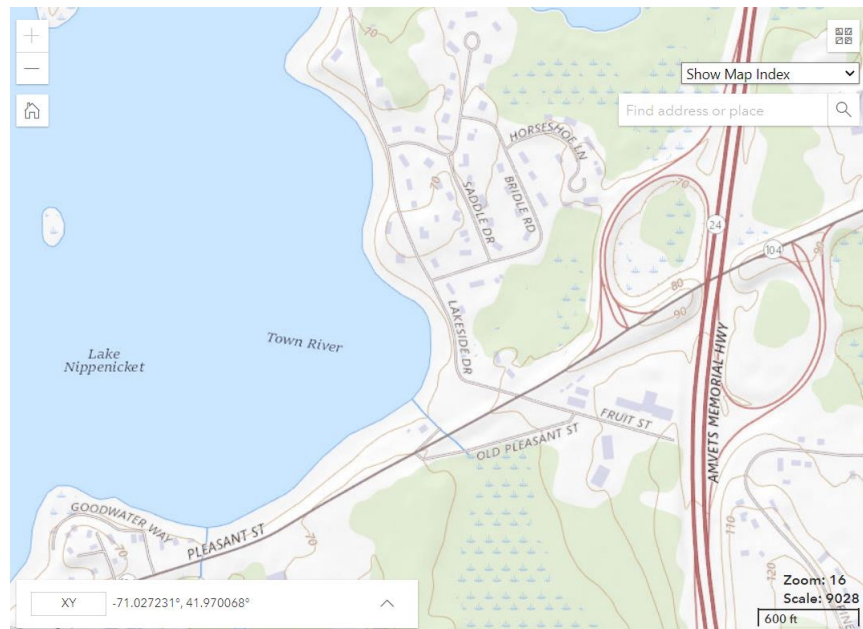


Figure 3: [USGS Topo Map](#) – Northern and Central Site Streams

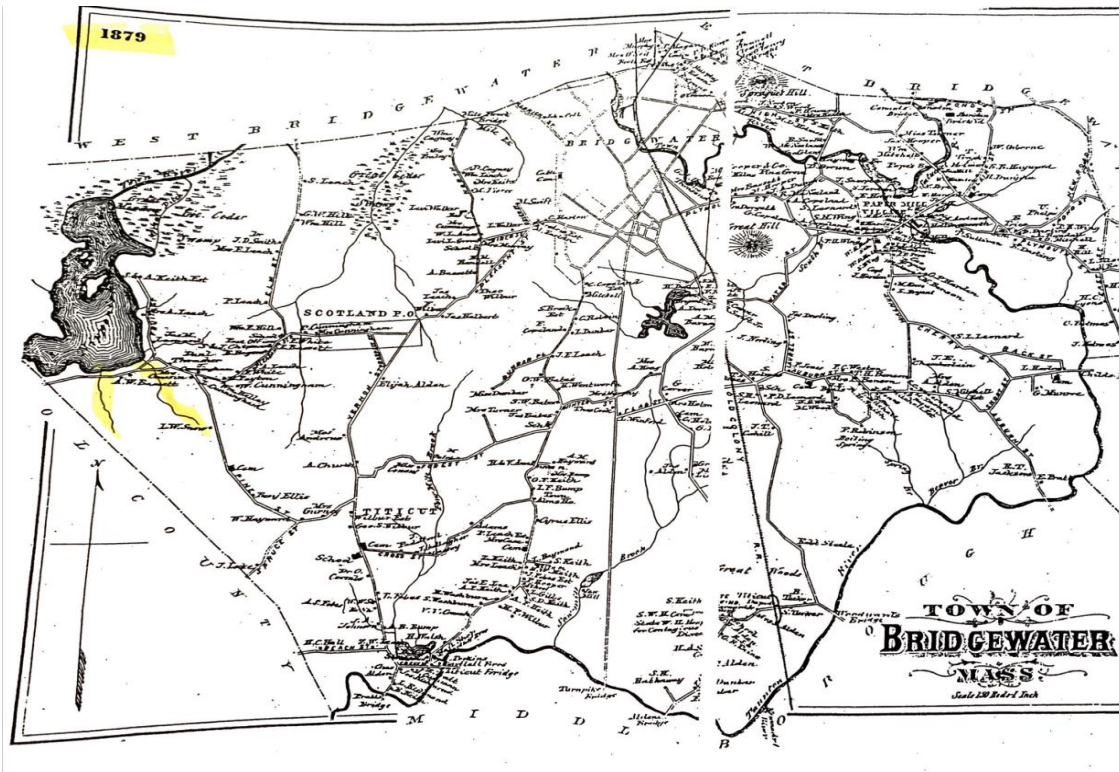


Figure 4: Historical Map (1879) of Bridgewater showing Northern and Central Site Streams

The Proponent has included in Attachment E (Northern Lot Stream Determination) a letter dated (2009? – stamp is blurry) from the DEP Southeastern Regional Office addressing Bridgewater resident Andrea Monteith regarding an intermittent stream determination on the “site” and notes that the “site” is grandfathered from Riverfront Area Requirements due to a Draft Environmental Impact Report submitted before November 1, 1996. The Proponent did not own the Northern Site residence parcel until 2018. In the top right corner of this letter, it is noted that the location of the stream referred to in the letter is RAYNHAM – Wetlands (SE 269-811). The Northern Stream is located in BRIDGEWATER. This document is not related to the Northern Stream.

With regard to the “site” referred to in the DEP Southeastern Regional Office letter (2009), it has changed over the years and prior (and we would argue segmented) applications we believe may have been filed under EEA #4959. If there was a very long delay between the initial MEPA filing and/or approval and activity on the project, we would also argue that the project remained dormant too long to maintain its grandfathered status regarding the Riverfront Area Requirements.

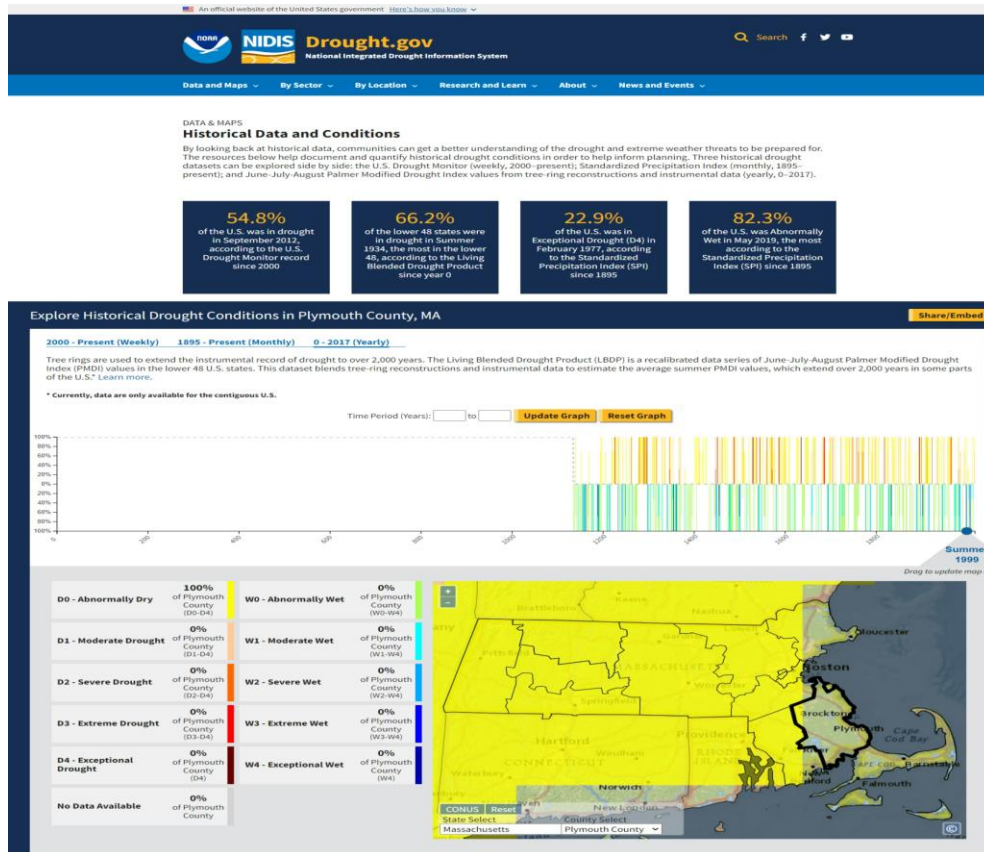


Figure 5: www.drought.gov

The Proponent's response to (LNAFT.05) regarding the Northern Site did not sufficiently address the fact that the Proponent is proposing tree clearing within the 100-foot buffer zone of a wetland (Lake Nippenicket) and within a Riverfront Area. Instead, the Proponent's comments confuse the 100-foot buffer zone of a wetland with an upland forest. Please refer to LNAFT.05 on page 14-56 for reference.

With regard to Section 6.24 (DEIR) *The Proponent has also conducted an archaeological sensitivity assessment of the Northern Lot. An archaeologically sensitive zone was identified in the Northern Lot with the potential to contain unrecorded pre-contact Native American and post contact Euro-American sites. An intensive archaeological survey with subsurface testing conducted by PAL identified the Lakeshore Drive Site, an unrecorded Native American site. This site does not have sufficient integrity to be considered a potentially significant archaeological resource and no further investigation is recommended.* The Northern Lot is not part of the current MOA with MHC and needs to be further explored. How is "sufficient integrity" determined and why would this be determined by the Proponent? MHC needs to review the findings and comment on this site.

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development. In MEPA's comments to the Proponent (MEPA.99), the Proponent did not include the documentation from Landvest in their Attachment F. This is included as Attachment A to this letter for your review.

Regarding the Proponent's response to traffic issues that there will be a 3 second additional delay overall (LNAFT.05), there are issues with the traffic study. Claremont has proposed 6 new driveways on Pleasant Street (Rt. 104) within an approximate distance of 870 yards from the Route 24 southbound offramp. The six driveways are in addition to two existing streets, the Park and Ride driveway and Lakeshore Center Drive. This stretch of road, particularly heading west, can see speeds more than 85% (45 mph) as cars exit from Route 24. The proposed traffic plan is insufficient and compromises safety for residents of the area and commuters. The Café traffic alone turning in and out of the driveway will cause a safety hazard. Has the speed of traffic exiting Route 24 been considered in the speed percentage of 85% shown in Table 4-8? An expanded traffic analysis should be required and suggested mitigation measures be reviewed with regard to actual benefit. Many of the mitigation measures proposed are voluntary and not within the control of the Proponent.

The Proponent's response to (LNAFT.06) indicates that the project will not impact the recreational aspects of Lake Nippenicket. The Proponent has largely ignored the environmental sensitivity of Lake Nippenicket and the recreational value of the Lake to the community throughout the DEIR and presents the Lake instead as a scenic accessory to their project. There are numerous impacts that the proposed project would have on Lake Nippenicket which have been described by the many comment letters received by MEPA from other concerned residents of the Commonwealth including peaceful recreation on Lake Nippenicket such as fishing, kayaking, canoeing, picnicking, walking, and enjoying the evening sunsets, a favorite activity at "The Nip."

Missing from the DEIR is any detail regarding the water capacity for the Town of Bridgewater (LNAFT.08). The Proponent indicates that *According to Mass DEP 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.* Please find in Attachment B, information related to water restrictions and water quality in Bridgewater sent to residents in 2022 and 2023. Residents have also complained about discoloration of water.

The following comments by LNAFT regarding the ENF were either not addressed by the Proponent or not addressed fully:

- Expired General Permit Covered Facility for Two Lakeshore Center for non-potable water (sludge) has expired as of February 15, 2022 and remains expired (Envirofacts). (Not addressed)
- A large portion of the Eastern site is located within Flood Zone A. The Proponent is planning to work within the 100 foot buffer zone of the wetlands. (LNAFT.12) (Not addressed fully)

The Zone II aquifer for the Town of Raynham is located within the site and more information is needed regarding impacts and the potential for contamination. Data from the [Nitrogen Loading Computer Model](#) should be provided to assess how this project could impact water quality for the Zone II Aquifers for the Town of Raynham. Also, the Proponent has not provided any documents indicating communication with the Town of Raynham regarding this project and any impacts to the Zone 2 Aquifer.

The Proponent's plans represent a scale of development that is not sustainable and will have significant impacts. In the DEIR, the Proponent rejected less impactful alternatives presented in the Environmental Notification Form in favor of the "Proposed Project" that meets the Proponent's financial expectations. The information supplied in the DEIR is not sufficient. MEPA should find the DEIR inadequate and require that the Proponent file a Supplemental Draft EIR in accordance with 301 CMR 11.07.

The Proponent needs to provide additional studies, data, and project alternatives that reduce environmental and community impacts of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern. As noted on the [ACEC website](#), *Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, are reviewed with closer scrutiny to avoid or minimize adverse environmental impacts.* This project requires an extensive review by MEPA with the focus to avoid all adverse impacts to the environment and surrounding communities.

Recommendations include:

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. As noted in the June 14, 2022 ENF comment letter by the TRWA, “We believe that stormwater management, including remediation of existing inadequate storm controls from previous phases, should assure no discharge of stormwater to the perennial stream, Lake Nippenicket and ultimately the phosphorus impaired Town River...”
3. Significant reductions in project scope and size that will address municipal, state and federal air, water, waste and traffic concerns. Further studies needed.
4. Green space plan must be incorporated into overall plan to include recreational open space with a view towards preservation of important natural resources including uplands, wetlands, the three perennial streams and Lake Nippenicket. The proposed “banking” of parking spaces is not an open space solution.
5. Minimize tree cutting.
6. Small building footprints.
7. Protection of historic and archaeological sites. More information and studies needed.
8. Data supplied regarding Phases 1, 2 and 3 of Lakeshore Center and the overall impacts from each of these phases included within the MEPA Review to understand the full scope and overall impact of the project. “Phasing” of project dilutes the overall impact on this environmentally sensitive area.

With kind regards.

Melissa Ramondetta, Coordinator
On behalf of the Lake Nippenicket Action Focus Team

CC: Bridgewater MA Conservation Commission
 Bridgewater MA Planning Board
 Erik Moore, Bridgewater Town Council, District 7
 Taunton River Watershed Alliance

List of Figures:

Figure 1: Map of Taunton River Watershed (from [Stream Continuity Assessment in the Taunton Watershed 2017](#))

Figure 2: [Impaired Water Body Map](#) : Lake Nippenicket and Town River

Figure 3: [USGS Topo Map](#) – Stream 2

Figure 4: Historical Map Town of Bridgewater 1879 : Source Unknown

Figure 5: [Historical Drought Conditions Summer 1999](#)

List of Attachments:

Attachment A: MOA with MCH including Landvest Letter

Attachment B: Communications from Town of Bridgewater with regard to water emergency and water quality in 2022 and 2023.

January 22, 2023

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

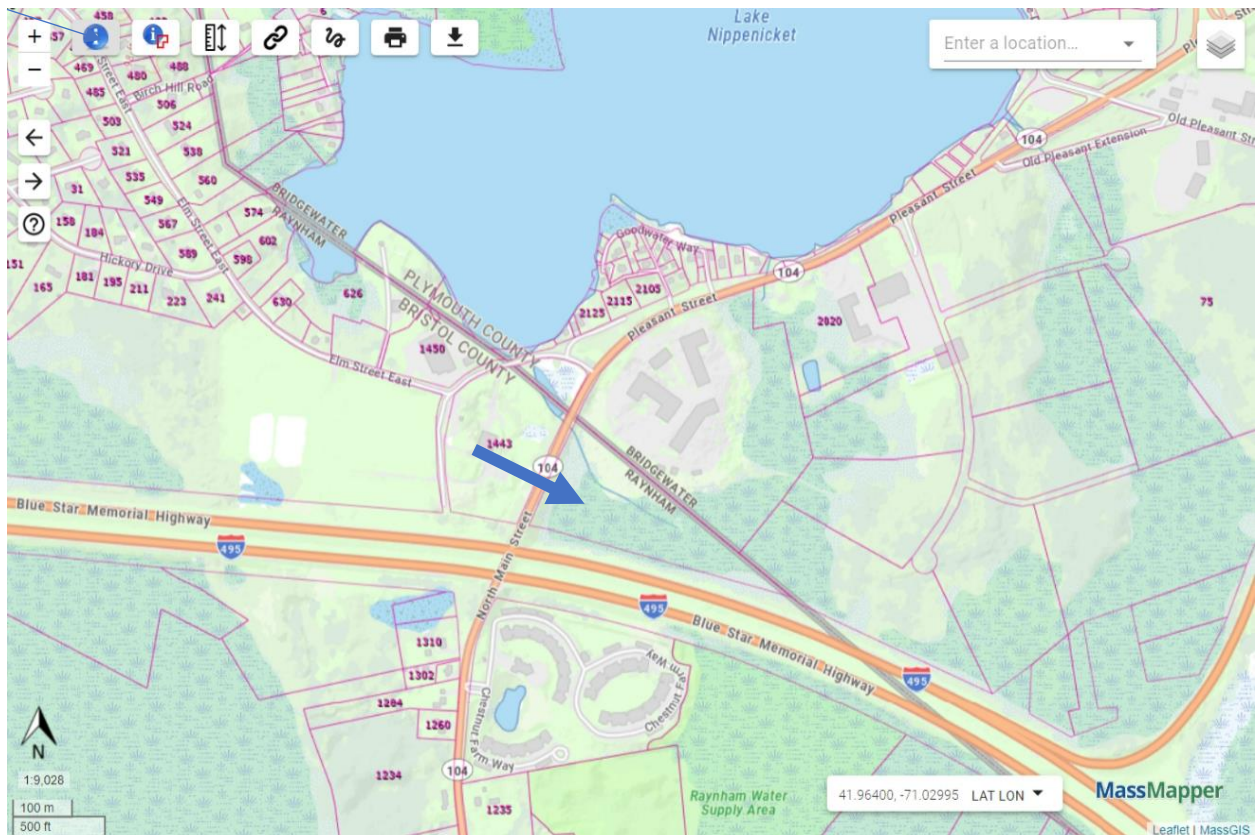
Attn: Ms. Purvi Patel

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

Dear Ms. Patel:

With reference to my previous comments to the ENF dated June 14, 2022, I would appeal to MEPA to find the Proponent's DEIR inadequate.

I remain concerned by the large area (5+ acres) of dead trees on the western side of the Axis complex (ie: Western Site), which was part of an earlier phase of Lakeshore Center (EEA #4959). It should be noted that the site lies in proximity to and connects to Lake Nippenicket (according to USGS Topographic Map) hydrologically.



Mass Mapper

The proponent's response to my comments were "If deemed necessary, MEPA will request the Proponent to initiate a study of the wetlands."

I urge MEPA to deem the study necessary as the Proponent is now proposing work on the remainder of the Central and Northern sites that will impact the surrounding wetlands, streams and Lake Nippenicket. According to mywaterway.epa.gov (Figure 2), Lake Nippenicket is impaired for *fish consumption* and *fish, other aquatic life and wildlife*. Impairments include fanwort and mercury in fish tissue. The TRWA has noted in their comment letter to the ENF dated June 14, 2022 that "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."

Algae bloom was seen in this Google Earth view of the site from 9/20/19. Excess levels of nutrients in water bodies can come from phosphorus and nitrogen which are found in fertilizers as well as human and animal waste. Potential sources could include leaking septic or sewer systems, stormwater runoff, lawn fertilizers, pet and wildlife waste and agricultural activities.



I urge MEPA to deem the study of this wetland area and cause of 5+ acres of dead trees necessary and hold any further action on the Lakeshore Center 4 DEIR until the study has been completed and the findings reviewed. I also urge MEPA to find the DEIR inadequate due to the lack of response from the Proponent with regard the matter of the dead trees and algae bloom located on the site of the Axis apartments.

With kind regards,

Melissa Ramondetta
317 Lakeside Drive
Bridgewater, MA 02324

Patel, Purvi (EEA)

From: Patricia Neary <pneary7@aol.com>
Sent: Sunday, January 22, 2023 2:29 PM
To: Patel, Purvi (EEA)
Subject: DEIR: EEA #16558: Lakeshore Center Phase 4, Bridgewater, Ma.

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.

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

Attn: Ms. Purvi Patel

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Dear Ms. Patel:

I would like to submit the following comments on the Draft Environmental Impact Report/ EEA 16558) for Lakeshore Center Phase 4, published in the Environmental Monitor on December 23, 2022.

Once again, Claremont Companies is presenting plans that do not comply with town and state environmental regulations. A major concern is the proposed construction of a 6,000 s.f. restaurant to be built on the (northern parcel) protected shore of Lake Nippenicket . This will be in violation of the Bridgewater Wetland Protection Act as well as the state regulations (310CMR 10.00:Wetlands Protection Act). Claremont has proposed significant work within a number of 100 foot BUFFER zones. This environmentally sensitive area is within a designated Area of Critical Environmental Concern. Projects within an ACEC "are to be reviewed with closer scrutiny to avoid or minimize adverse impacts". MEPA should take a really close look at this project as the impacts of Lakeshore Center Phase 4 does not comply with these regulations. The proposed restaurant is to be situated next to a perennial stream which is protected by the Rivers Protection Act AND this stream is not shown on the proponent's maps. No development that alters the land or doesn't comply with our Wetland Protection Act should even be considered. (Claremont claims it is "conserving 33 acres" which is all wetlands and protected anyway.)

Claremont Companies statements that the development will have "minimum impact" is absolutely false. The estimated 4200+ ADT addition to this area will create havoc on Rt 104 as this roadway is a 2 lane road which is already causing problems for the residents that live and travel in this area. The proposed six additional driveways/curb cuts will only add to the existing problems.

Many issues may be outside of the MEPA scope, however we, the people that reside here, are concerned about:
Water usage - our town is on "Restricted Use" now
Noise/Light pollution from clearing acres of trees resulting in removal of those buffers.
Air pollution - Adding unknown numbers of vehicles - autos and trucks

Archeological sites - to be impacted

Please pay close attention to the Taunton River Watershed Alliance's letter with recommendations to MEPA dated June 14, 2022, as the writer is an expert on the health of Lake Nippenicket and the Taunton River Watershed.

There are so many issues with this project and the DEIR is inadequate

Please request that the proponent prepare a SEIR in accordance with 301CMR 11.07 to address and ask for additional studies, data and alternatives that reduce environmental impacts on this project located in the Hockomock Swamp ACEC.

Thank you for this opportunity to comment,

Sincerely,

Pat Neary

225 Lakeside Drive

Bridgewater, Ma 02324

Patel, Purvi (EEA)

From: Robert DiBattista <robert.dibattista@gmail.com>
Sent: Sunday, January 22, 2023 12:36 PM
To: Patel, Purvi (EEA)
Subject: Comments to Draft Environmental Impact Report - EEA #16558 Lakeshore Center Phase 4

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Hello Purvi, Please see below for my comments to the Draft Environmental Impact Report - EEA #16558 for Lakeshore Center Phase 4.

1. The 354-acre Great Pond Lake Nippenicket supports a productive fishery and significant aquatic species. As this project has significant potential to alter sensitive wetlands an in-depth study to inventory all aquatic life supported by Lake Nippenicket and the surrounding Hockomock Swamp should be completed. The study should include both actual, not estimated, current fish and other aquatic life counts as of the time of this submission and the expected multiyear impacts on the counts from this wetland altering project.

2. Most of the site plans call for significant grade adjustments via the construction of retaining walls and/or bringing in additional fill to modify the current site grade. As many of the proposed site changes within all lots are adjacent to or within documented DEP wetlands, MEPA should request a detailed analysis of how much additional fill is required for each lot and the impact these grade changes will have on the groundwater flow.

3. Hockomock Swamp is one of the largest freshwater wetlands in Massachusetts. As this proposed project is well within the boundaries of this sensitive ecological environment, I am requesting MEPA to require that the Proponent file a supplemental draft EIR in accordance with 301 CMR 11.07.

Thank you,
Robert DiBattista

View Comment

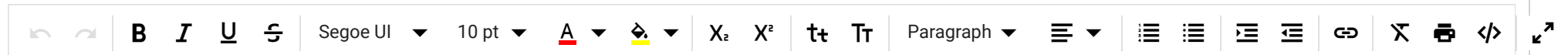
Comment Details

EEA #/MEPA ID 16558	First Name Andrea	Address Line 1 255 LAKESIDE DRIVE	Organization --
Comments Submit Date 1-23-2023	Last Name Monteith	Address Line 2 --	Affiliation Description Individual
Certificate Action Date 1-23-2023	Phone --	State MASSACHUSETTS	Status Accepted
Reviewer Purvi Patel (617)874-0668, purvi.patel@mass.gov	Email amonteith@arcindustries.co	Zip Code 02324	

Comment Title or Subject

Topic: Comments on DEIR EEA #16558 LAKESHORE CENTER PHASE 4

Comments



Dear Ms. Patel:

Attached please find my comments with regard to EEA No 16558: DEIR: Lake Shore Center Phase 4 (Bridgewater).
Please confirm receipt of my comments.

Thank you very much.

Sincerely,

Andrea Monteith
255 Lakeside Dr, Bridgewater, MA 02324
508-697-9825
amonteith118@gmail.com(mailto:amonteith118@gmail.com)

Attachments

[Andrea Monteith Comments Claremont DEIR 16558.pdf](#)(null)

Update Status

Status

Accepted ▼

SUBMIT

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January 23, 2023

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 DEIR : 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 **Draft Environmental Impact Report (DEIR)** for Lakeshore Center Phase IV, published in the Environmental Monitor on December 23, 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 to the comments submitted by the Lake Nippenicket Action Focus Team, I have the following comments in reference to the Hockomock Swamp ACEC, wildlife habitat, and the perennial streams that traverse the property.

We are currently facing two major crises, **biodiversity loss** and **climate change**. Climate change and **habitat loss** are some of the main causes of the decline in insect populations and its direct impact on key ecosystem services such as pollination and food sources for birds and wildlife in general.

- In 2019, *Biological Conservation* reported 40% of all insect species are declining globally and that a third of them are endangered.
- Insects play critical roles in pollinating plants, breaking down waste in forest soil and forming the base of a food chain that other, larger animals rely upon.

<https://www.sciencedirect.com/science/article/abs/pii/S0006320718313636>

Insects are essential in the functioning of land and freshwater ecosystems. They also provide ecological processes of vital importance for frogs, lizards, birds, and mammals, especially as a source of food.

<https://www.pnas.org/doi/10.1073/pnas.2023989118>

To date, North America has lost three billion birds since 1970. This has major implications for ecosystem integrity, the ecosystems the birds depend on, and the broad conservation of wildlife.

<https://www.science.org/doi/10.1126/science.aaw1313>

As you know, the ACEC program was established by the Massachusetts State Legislature in 1975 to identify and designate “areas of critical environmental concerns” to the Commonwealth. The purpose of the ACEC designation is long-term preservation, management, and stewardship of critical resources and ecosystems. The stewardship of ACECs and its resources is the responsibility of all citizens (**including corporate citizens**) through cooperative and collaborative efforts involving all of us.

As such, there are **higher environmental standards with higher scrutiny** for development projects within ACECs that impact wetlands, tidelands, Great Ponds and most navigable rivers and streams.

The proponent’s entire project site (its review has been segmented many times over the past 23+ years) is located within the **Hockomock Swamp ACEC** and is comprised of 50% + wetlands, is hydrologically connected via its wetlands and three perennial **streams** that feed into Lake Nippenicket, a **Great Pond**. The streams empty into Lake Nippenicket via underground culverts crossing Route 104, which were installed when Route 104 was rerouted during the construction of Route 24 and Route 495.

As a **corporate citizen**, responsible for the stewardship of the Hockomock ACEC, Claremont did not present any viable alternatives in their DEIR to reduce the impact of their proposed build out. They are proposing the clearing of approximately 25 acres of upland forest, removing a valuable watershed filter, essential wildlife habitat, and a critical carbon sink, installing stormwater management systems and parking lots in the 100 foot buffer to the wetlands, including the 200 foot riparian zone to the perennial streams.

Woodlands support food webs, sequester carbon, clean and manage water, and support pollinators that in turn support our wildlife and plants, all critically important given the current crisis of biodiversity loss and climate change.

In 1999, the Nature Conservancy identified the most compelling biodiversity sites in the North Atlantic Coast Ecoregion. 48 biodiversity sites were identified as compelling and in need of priority conservation action. The Hockomock Swamp ACEC was identified as one of those priority sites. This ACEC is considered by the Nature Conservancy a keystone site for biodiversity due to its relatively undisturbed natural conditionals, and exceptional diversity, and abundance of reptiles and amphibian species.

Lake Nippenicket, its shores and parts of the proponent's parcel are currently mapped as both Core Habitat and Critical Natural Landscape on [BioMap](#), the result of an ongoing collaboration between MassWildlife and the Massachusetts Chapter of The Nature Conservancy. Prior to Claremont's ongoing and prior segmented development of this 150+ acre site, the **entire site** was mapped as Priority Habitat by the Massachusetts Natural Heritage and Endangered Species Program.

The proponent submitted a Bio-Inventory report with the DEIR that was conducted in September of 2022 by Goddard Consulting. Their report concluded overall that the site does not contain exemplary or unit habitat features within the areas of proposed impact. However, reviewing in detail their conclusions of each area of impact, **this is not true.**

Area 1

The proponent states Area 1 consists primarily of developed areas (manicured lawns, some mature trees, roadways, parking, and building). Sadly, this was the result of the proponent's segmented development over the past 23+ years. They agreed to a 200 foot buffer to the Route 104 roadway in front of the first office building, yet cleared all the smaller trees, shrubs, and groundcover, leaving only some of the larger trees. They subsequently installed a lawn to replace the shrubs, leaf litter, and groundcover, which does not have any habitat value for wildlife. They have also cleared the area on the shores of Lake Nippenicket within its 100 foot buffer to the lake a number of times without authorization from the Bridgewater Conservation Commission. A citizen noted the clearing and contacted Bridgewater Conservation, who then issued a cease and desist order.

Area 4

Goddard Consulting noted that Area 4 consists of an area of upland forest dominated by white pine, white oak, red oak, and red maple. The white oak alone is an essential native tree that sustains a complex web of wildlife. Oaks alone support hundreds of butterfly and moth species which we need for our ecosystem to function properly. The insect life they support helps feed birds, giving them energy for breeding and migration. Oak trees provide insects to support birds and in turn keep our beneficial insect population robust.

The proposed plans, as presented in the DEIR, will completely eliminate this upland forest, and the proponent has not identified alternatives to shrink its footprint of buildings, associated paved parking, and stormwater management, providing at the very minimum a 100 foot untouched buffer to the wetlands.

Additionally, according to [BioMap](#), protecting Aquatic Buffers will help to minimize the impact of development on the aquatic systems, provide connectivity among habitats, and allow for the continuation of vital natural processes, like stream meanders within a floodplain, which result in a wider diversity of habitats and species.

Area 5

Development of Lots 6 and 7 is proposed in Area 5. This area consists of forested uplands of a canopy of mature trees (reaching up to 70 feet in height) made up of white pines and oaks, and American Beeches. In addition, this upland includes a beneficial to wildlife shrub layer consisting of low bush blueberry, ground cedar, princess pine, star flower, hay-scented fern, and partridge berry. It was also noted that the area was largely free of invasive plant species. Moreover, Area 5 includes leaf litter and coarse woody debris, essential for the completion of the life cycle of many insects. The area also includes some standing dead trees (snags) which are essential to provide habitat to wildlife.

The proponent is proposing a 225 unit, 4-story over 55 residential building with associated parking and stormwater management systems on this pristine forested upland in Lot 6, including the 100 foot buffer to the adjoining wetlands. In Lot 7, a four-story complex consisting of 180 units, and a four story 106 unit hotel are proposed in this unspoiled woodland, including associated parking and stormwater systems in the 100 foot buffer to the wetlands and the 200 foot riparian zone to the perennial stream.

It is imperative that the proponent not only explore, but come up with alternatives that significantly reduce the environmental and wildlife impact to this pristine forested upland habitat. The DEIR presented **does not** include any alternatives that reduce the footprint of buildings, associated parking, and stormwater management systems. On the contrary, all proposed development is within the 100 foot buffer of the wetlands and 200 foot riparian of the streams located in this proposed [project site](#) located in the [Hockomock Swamp ACEC](#).

Area 6

The proponent notes that Area 6 is characterized by the prevalence of invasive species across a deciduous upland forest. Goddard states that the invasive plant species are likely due to edge habit due to the positioning of the road into the Central Site of the development. It is important to note the developer (proponent) likely caused this prevalence of invasive plant species when the Lakeshore roadway was installed. I would also note that part of Area 6 adjoining the “Lakeshore Center” roadway and Route 104 were recently completely cleared of woodland vegetation and a lawn installed in its place. In addition to the invasive species, native vegetation essential to pollinators, birds, and wildlife in general, were noted on the site, including goldenrod, red oak, sugar maple, and red cedar.

As previously noted, the proponent over the past 23 + years has not only segmented the development of this site, but the impacts of the development are already significant as is evident in the loss and destruction of functioning wildlife habitat and its wildlife (mammals, birds, reptiles, and amphibians) on the site.

I strongly encourage MEPA to request that the proponent present much lower impact alternatives as the development completed to date has already significantly degraded the wildlife habitat, including habitat for the Eastern Box Turtle and Yellow Spotted Turtle.

On a personal note, about 10 or more years ago, I would often see Yellow Spotted Turtles on my walks along the lakeshore of Lake Nippenicket. I have not seen any within recent years. Dr. Carr's report from the initial MEPA filing on EOE 4959 indicated a large population of the Yellow Spotted Turtle. I understand that this species has been delisted, but the fact that Goddard did not find any evidence of the Yellow Spotted Turtles' existence during their site studies is strong evidence of the significant impact and degradation resulting from the development of the site to date.

Area 7

Area 7, a parcel not part of the Planned Development District, nor part of any previous MEPA filings, was purchased by the proponent in 2018. On the site there is currently an existing single family house with associated lawn and driveway. The proponent notes that a fence that runs along the perimeter of the property is largely cutting off the ability of the area to function as a wildlife corridor. Although this may be true, this can easily be mitigated by removing the fencing. The proponent also notes that the area is dominated by invasive plant species, again likely resulting from edge effects. Although the site, as it currently exists, may be poor habitat, this can easily be remedied by removing the fencing and invasive species, removing the lawn, and planting keystone plants, shrubs, and trees that support the birds, mammals, reptiles, and amphibians in this Core and Critical Habitat within the 100 foot buffer to Lake Nippenicket.

Instead, the proponent's current plans propose to build a 6000 square foot restaurant that abuts within 25 feet of Lake Nippenicket. It should also be noted that the water level of Lake Nippenicket fluctuates greatly depending on the time of year. For example, currently the level of the water is very high and it has been even higher in past years. Given that the entire restaurant and associated parking is proposed within 100 feet of a wetland resource area (Lake Nippenicket), this should not be permitted.

Perennial Streams on the Proposed Project Site

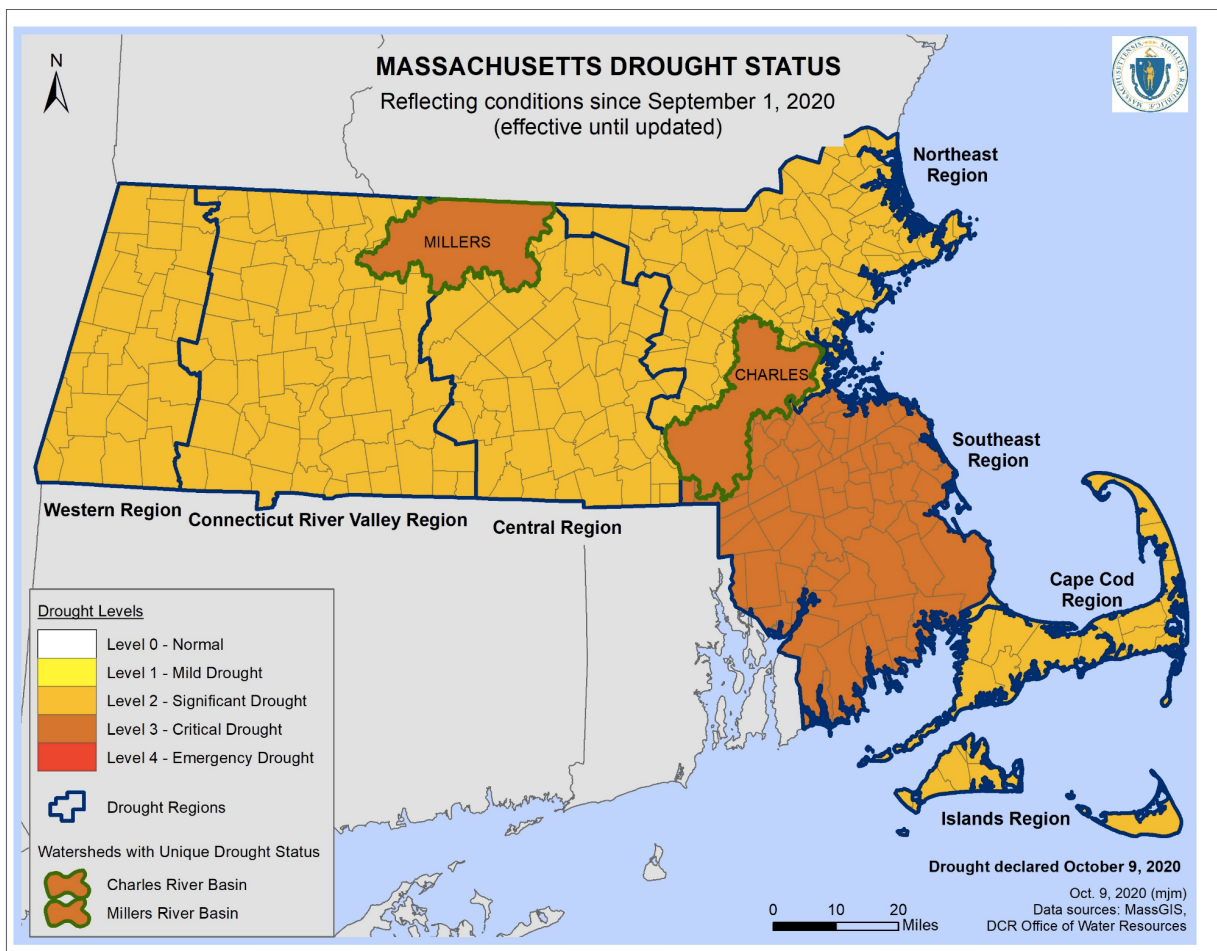
There are three perennial streams on the entire site, two within the current proposed project site. According to 310 Mass. Reg. 10.58, *A river or stream shown as perennial on the current United States Geological Survey (USGS) or more recent map provided by the Department is perennial.* All three streams are shown on the USGS map as perennial.

Additionally, Notwithstanding 310 CMR 10.58(2)(a)1.a. through c., the issuing authority shall find that any stream is intermittent based upon a documented field observation that the stream is not flowing. A documented field observation shall be made by a competent source and shall be based upon an observation made at least once per day, over four

days in any consecutive 12 month period, during a **non-drought period** on a stream **not significantly affected by drawdown from withdrawals of water supply wells, direct withdrawals, impoundments, or other human-made flow reductions or diversions.**

The proponent presented field data and observations of the streams in August of 1999, during a period of severe drought. According to the [National Centers for Environmental Information](#), during the summer (June-August) of 1999, the United States experienced an intensifying drought and heat wave. The east coast was the area hardest hit by the drought, with record and near-record short-term precipitation deficits occurring on a local and regional scale resulting in agricultural losses and drought emergencies being declared in several states. In response to this period of deficient precipitation that began in 1999, the Massachusetts Drought Management Plan was developed.

Furthermore, these streams are located on a Zone II Aquifer for the Town of Raynham, whose drawdown also affects their flow.



I would also like to point out that the letter the proponent addressed to myself from the Massachusetts DEP (the date is smudged and difficult to read) in reference to a Superseding Order of Resource Delineation (SE-269-811) is for a stream on the

Raynham side of the development, which is not part of this DEIR (Phase 4) of the proposed project. Furthermore, at the time of the letter, the proponent's MEPA review referred to a previous EEA, not the present DEIR # 16558. Moreover, the letter from DEP states that the subject stream is grandfathered and was therefore exempt from the Massachusetts River Protection, 310 Mass. Reg. 10.58, because the initial MEPA DEIR was prepared and submitted prior to 1996. However, the DEP letter referred to a different EEA (if my memory serves me correctly, it was EEA #4959), not EEA #16558, which is the subject of this DEIR. Additionally, even if it were the same EEA, it is my understanding that there is a time limit of five years on how long a MEPA review is good for.

Per 310 Mass. Reg.10.58, *riverfront areas are significant to protect the private or public water supply; to protect groundwater; to provide flood control; to prevent storm damage; to prevent pollution; to protect land containing shellfish; to protect wildlife habitat; and to protect the fisheries.* For all of these reasons, it is imperative that a 200 foot riparian buffer is maintained in this ecologically fragile ACEC.

In response to my comments on EEA #16558 by the proponent:

Monteith.01

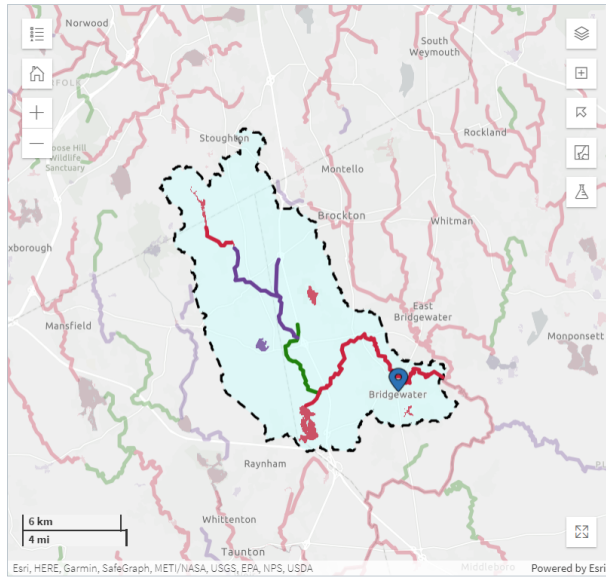
Given that the wetlands on the subject property are hydrologically connected to Lake Nippenicket, and Lake Nippenicket is the headwaters to the Town River, which is one of two main tributaries that begin the Taunton River, the project could potentially impact the "outstandingly remarkable" values and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

The proponent's response claims that they expect that the expansive wetland systems bordering the central upland area will provide substantial capacity to withstand the largest storms historically in the area. However, as is evident throughout the United States and the World, climate change is bringing us unprecedented storms that have not been seen historically.

Additionally, no mention is made of the fact that the water quality of Lake Nippenicket is already impaired according to the [United States Environmental Protection Agency](#), most notably in the area along Route 104, directly across from the Lakeshore Claremont development.

Let's get started!

02324, Bridgewater, MA, USA OR



Coweeseet Brook
State Waterbody ID: MA62-22

Hockomock River
State Waterbody ID: MA62-35

Lake Nippenicket
State Waterbody ID: MA62131

Year Last Reported: 2020
Waterbody Condition: ● Impaired (Issues Identified)

Organization Name (ID): Massachusetts (MA_DEP)

What is this water used for?	Condition
Aquatic Life	Impaired
Fish and Shellfish Consumption	Impaired
Swimming and Boating	Condition Unknown
Other	Condition Unknown

Identified Issues:

- [Algae](#)
- [Mercury](#)

[View Waterbody Report](#) (opens new browser tab)

Monteith.02

In response to traffic impacts, the proponent states that their traffic studies estimate the overall delay of the proposed development will increase by three seconds. Personally, I exit Lakeside Drive onto Route 104 daily between 7 and 7:30 AM and it routinely takes me several minutes to safely make a left turn, as the traffic coming from the existing development of the site (two large 40B apartment complexes, two large office buildings, and a Marriott hotel) creates an immense amount of traffic during the morning hours.

Additional studies and mitigation, including reducing the size of the proposed buildout, are needed.

Monteith.03

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)

The proponent purports that their proposed project has been carefully designed to protect natural resources. As noted in my comments above, past development of the

site has already degraded many of the natural resources. Their current proposed plans are not carefully designed to protect natural resources as the plans aim to maximize their buildout to include parking and stormwater systems in all the 100 foot upland buffer areas and the 200 foot riparian zone in all the proposed lots.

Monteith.04, Monteith.05, Monteith.06

For each of my comments, the proponent offers the same response,

Comment noted. The proposed Project has been carefully designed to protect natural resources in compliance with all applicable local, state, and federal regulations.

but does not elaborate or explain in detail how they plan to protect these natural resources.

Monteith - LAND SECTION: Comprehensive Master Plan - November 2002

The proponent did not offer any response to my comments below as to the project's incompatibility to the Town of Bridgewater Master Plan in reference to Lake Nippenicket.

Open Space:

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)

Pesticides, Herbicides, and Nighttime Light Pollution

Pesticides, herbicides, and nighttime light pollution are major causes of insect decline,

Artificial lights are powerful attractants to nocturnal insects, which can exhaust themselves to death by circling bulbs or fall prey to predators that spot an easy target.

The proponent should investigate alternatives to their current lighting (which can presently be seen brightly across Lake Nippenicket) and also planned future lighting. Some [suggestions](#) include:

- Make lights motion-activated
- Put fixtures on lights to cover up bulbs and direct light where it is needed
- Use different colors of lights

Given the ecological sensitivity (wetlands, upland habitat to many species of both plants and wildlife) of the proposed development site in the Hockomock Swamp ACEC and its hydrological connection to Lake Nippenicket, a Massachusetts Great Pond that is subject to Chapter 91 protection, I urge the proponent **again** to significantly scale down any development of what is left of the original 150 + acres of pristine upland and wetlands. It is also imperative that consideration be given as to how to significantly limit the proposed clearing of the remaining upland woodlands on the site as it will not only destroy wildlife habitat, but will also release stored carbon into the atmosphere, accelerating climate change, as well as the expected increase in automobile traffic and associated carbon emissions. There will also be substantially fewer trees to sequester the carbon emissions.

In summary, the proposed plans, as presented in the draft EIR, will have significant environmental and wildlife impacts. The proponent has not presented any alternatives that would substantially reduce these impacts. The draft EIR is inadequate and I respectfully ask that MEPA require that the Proponent file a supplemental draft EIR in accordance with 301 CMR 11.07 that includes:

- Data relative to previous phases of this development and its overall impacts to the natural resources of the site, its wildlife, and Lake Nippenicket.
 - The proponent's phasing of the development of this site over the past 23+ years has allowed them to dilute the impacts on this environmentally sensitive area of the Hockomock Swamp ACEC.
- No development of the Northern Site as the proposed restaurant and associated parking will be sited within the 100 foot buffer to a wetland (Lake Nippenicket).
- Substantial reductions be made on the other sites, including smaller building footprints, to allow a full 100-foot buffer zone to the wetlands and a 200 foot buffer to the perennial streams, so as to maintain as much as possible of the forested uplands and their associated habitats.
- Minimize tree cutting as much as possible.
- Additional Green Space be incorporated into the overall plan to include recreational open space with a view towards preservation of the important natural resources (wetlands, streams, habitat, pristine upland forests, wildlife).

The responsibility of our earth's stewardship resides in each and all of us.

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

Patel, Purvi (EEA)

From: Oliveira, Anthony J <AOLIVEIRA@PARTNERS.ORG>
Sent: Monday, January 23, 2023 3:53 PM
To: Patel, Purvi (EEA)
Subject: Environmental Impact Report -EEA #16558 Lakeshore Center Phase 4 Public Comment Due 1/23/23

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Environmental Impact Report -EEA #16558 Lakeshore Center Phase 4 Bridgewater MA

Bethany A. Card, Secretary

Executive Office of Energy and Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114

Attn: Ms. Purvi Patel

Secretary Bethany A.Card and Ms. Purvi Patel,

I am writing you in regards to our beloved Lake Nippenicket in Bridgewater as she is being threatened by a massive development by Claremont Company. The destruction includes digging up a Native American site.

The area surrounding Lake Nippenicket has slowly being destroyed in multi face projects from the Claremont group. I urge you to please side on the side of conservation of this beautiful lake and surrounding areas.

The additional volume of traffic 4,296 additional cars , the destruction of 25 acres, The water demand of 132,000 gallons per day, the wash off of salt and other chemicals will make their way to the lake no matter how many barriers Claremont states they will put in place and then ignore once project is approved by Town as we the case with the their other building projects,

The environmental impact on the lake which I was already suffering by the demonstration of the lack of fish , the invasive weeds that have been brought in on boats from other lakes, and the trash and debris that makes its way into the lake from passing cars is bringing this jewel to her knees.

The Claremont group is also pushing for their 6000 square foot restaurant right on Lake NIP. I cannot stress how detrimental this would be to the lake and the all the residents who live on the lake and enjoy the quiet enjoyment of her throughout the year.

Noise pollution from outdoor deck seating and live music they proposed, Trash that will make its way to lake from dumpster and not to mention the rodents, The risk of drunk boaters drinking at this establishment and then going out onto the lake all are

Please Ms. Card I ask that you championed the cause to stop further development of this scale to an area that only 10 years ago was mostly green space.

Respectfully asking for your assistance,

Anthony Joseph Oliveira

35 Birch Hill Road
Raynham,MA 02767
aoliveira@partners.org
617-653-9224



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Patel, Purvi (EEA)

From: Cory Alperstein <info@email.actionnetwork.org>
Sent: Monday, January 23, 2023 7:14 PM
To: Patel, Purvi (EEA)
Subject: RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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Environmental Analyst Purvi Patel,

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

Dear Ms. Patel:

It is long past the time when developers can get away with minimal attention to environmental impact. We are facing a climate crisis and are teetering on the edge of complete environmental degradation. The waterways are particularly vulnerable as ecosystems, as sources of water for residents and as buffers to flooding damage we know will be a huge problem in the future because of the impact of climate change on water level rise and massive, prolonged storm activity. Trees are essential to contain water overflow - we need more planted and must protect those that e

It is MEPA's job to require the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts and size and scope of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern.

If MEPA ignores its responsibilities in favor of irresponsible development, whatever the rationale given by savvy developers, it can be held criminally liable. The list below identifies

As noted on the ACEC website, Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, are reviewed with closer scrutiny to avoid or minimize adverse environmental impacts.

Issues of concern include:

SCALE OF DEVELOPMENT:

The proponent's plans represent a scale of development that is not sustainable and will have significant impacts. In the DEIR, the proponent rejected less impactful alternatives presented in the Environmental Notification Form in favor of the "Proposed Project" that meets the proponent's financial expectations.

ENVIRONMENT:

The project impacts an Area of Critical Environmental Concern, the Hockomock Swamp, including Lake Nippenicket the headwaters of the Town River (and a Great Pond) and its nearby wetlands. The project site falls within mapped rare species habitat and there are concerns about the impact that this project will have on the surrounding wildlife, especially from destruction of habitat, noise, air, and light pollution. Lake Nippenicket forms the headwaters of the Town River, which is one of two main tributaries that feed the Taunton River, a Wild and Scenic River. This project requires an extensive review by MEPA with the focus to avoid all adverse environmental impacts. This includes not allowing work within the 100-foot buffer zone; minimizing tree cutting; reserving open space (both uplands and wetlands); employing green building practices and building within small footprints.

HISTORIC AND ARCHAEOLOGICAL FINDINGS

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the "adverse effects" (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area. Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development.

TRAFFIC:

The proposed development will increase traffic substantially on Route 104 (estimated to be 4,262 extra trips per day), increase CO2 and impact surrounding neighborhoods, commuters, and all members of the public utilizing the lake for peaceful recreation. An expanded traffic analysis should be required and suggested mitigation measures be reviewed with regard to actual benefit.

WATER USAGE:

The project will increase water usage and Bridgewater is already on "Restricted Water Usage". More information needs to be provided regarding Bridgewater's water needs and capacity and how the project will impact Bridgewater. In addition, the project resides within the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer.

With kind regards.

Cory Alperstein

cory.alperstein@gmail.com

19 Hibbard Rd

Newton, Massachusetts 02458

Patel, Purvi (EEA)

From: Cristina Ajemian <info@email.actionnetwork.org>
Sent: Monday, January 23, 2023 4:20 PM
To: Patel, Purvi (EEA)
Subject: RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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Environmental Analyst Purvi Patel,

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

Dear Ms. Patel:

Multiple studies have been done by the MEPA over the years in response to attempts to build shopping centers, hotels, restaurants and hundreds of apartments along the edges of the environmentally threatened Hockomock Swamp area. Requiring the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts and size and scope of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern only serves to keep the project alive in the mind of the proponents. There should be no further development along the banks of Lake Nippenicket.

A zoning change by the Bridgewater Zoning Board would be required to allow this project to go forward. I oppose this since that would encourage developers to come before the board to request further changes in zoning to accommodate their projects in areas that deserve protection.

There are already two apartment developments with hundreds of units that border the edges of the Lake and Hockomock. Enough!

There are many concerns about this proposed project:

- the scale of the project;
- the negative impact on the aquifer, the environment, wildlife, and tree loss;
- the impact on historical, Native-American sites and archeological research;

-the increase in thousands of car trips along the already heavily traveled intersections of Route 24 and 104.

During early and afternoon rush hour times, the lines of traffic are impossible. Students making their way to and from Bridgewater State University already add to this increase in traffic, not only during the traditional semester months, but all year round.

The project will increase water usage and Bridgewater, like much of the area, suffered adrought this past summer and has had a ban on sprinklers, requiring residents to use hand-held hoses for limited watering. is already on "Restricted Water Usage".

In addition, the project resides within the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer.

With kind regards.

Cristina Ajemian
221 Aldrich Road
Bridgewater, MA 02324
608-697-6653
cmajemian@aol.com

Cristina Ajemian
cmajemian@aol.com
221 Aldrich Rd
Bridgewater, Massachusetts 02324

Patel, Purvi (EEA)

From: Dale LaBonte <info@email.actionnetwork.org>
Sent: Monday, January 23, 2023 2:42 PM
To: Patel, Purvi (EEA)
Subject: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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Environmental Analyst Purvi Patel,

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

Dear Ms. Patel:

I write to urge that MEPA exercise thorough review of a project proposed by the Claremont Companies, requiring additional studies, data, and project alternatives to reduce environmental impacts of the project.

This 68.2 acre development has many elements, and many have potential impacts on the area, including forest clearing and land disruption, among others. This destruction will occur around the Hockomock Swamp, an Area of Critical Environmental Concern. Its impacts extend to include Lake Nippenicket, the headwaters of the Town River, and other nearby wetlands. The project site falls within mapped rare species habitat.

In addition to the ecological impacts of construction, the ongoing operation of these facilities may lead to long-term pollution from lawn care practices.

This project requires an extensive review by MEPA with the focus to avoid all adverse environmental impacts. This includes not allowing work within the 100-foot buffer zone; minimizing tree cutting; reserving open space (both uplands and wetlands); employing green building practices and building within small footprints.

There are three other areas of consideration include archaeological sites, increased traffic, and demand for water.

Regarding the latter point, More information is needed regarding the impact on Bridgewater and Raynham.

Thank you for the opportunity to comment,
Dale LaBonte

Dale LaBonte
dale.labonte@gmail.com
32 Crabapple Lane
Northampton, Massachusetts 01060

January 23, 2023

Ms. Purvi Patel
Environmental Analyst
MEPA Office, Executive Office of Energy and Environmental Affairs
[Emailed to: purvi.patel@state.mass.us](mailto:purvi.patel@state.mass.us)

Subject: EEA Project #16558; DEIR, Lakeshore Center Phase 4, Bridgewater

Dear Ms. Patel:

The Bridgewater Open Space Committee (OSC) submits these comments in response to the Draft Environmental Impact Statement (DEIR) dated December 15, 2022, submitted by Claremont Companies. The OSC previously submitted comments in June 2022 in response to the ENR.

The proponent has not adequately responded to our previous comment that the project is inconsistent with the 2017 Bridgewater Open Space Plan. We note again that the Open Space Plan includes the following:

*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.*

(www.bridgewaterma.org/DocumentCenter/View/2158/Bridgewater-OSRP-2017-Update_FINAL_FOR-STATE-APPROVAL_082018):

The proponent has not suggested that this project will *improve the quality* of Lake Nippenicket, which is the Open Space Plan objective. It attempts to show that the project will “protect and preserve” this sensitive area but its attempt falls short. With respect to the negative impacts of the project within the ACEC, the proponent responds that it will “limit or avoid adverse impacts *to the greatest extent possible*”. The proponent takes a limited view of what is possible. The North Lot, if converted to a small lakeside park, or even if left as is, might provide at least some buffer from runoff from the rest of Phase 4 and the already existing development. A “no-restaurant” option would also protect the views of the Lake from Route 104, reduce traffic to the area from customers and trucks that will service the restaurant, and eliminate the impervious service created by 59 parking spaces and the restaurant building. The North Lot was not part of the numerous other proposals for this area that Claremont made in the past. A restaurant at this location has never been essential to the proponent’s plans for the area. Abandoning the restaurant is a reasonable and feasible way to avoid, minimize and mitigate the impact of the other components of the project. This would give some credence to the proponent’s assertion that it will reduce adverse impacts “to the greatest extent possible.”

A drive-through “café” on Lot 1 is another element of the proposal that creates additional, unnecessary, adverse impacts. This element will entail 19 parking spaces, create additional traffic on Route 104 and within the complex itself, and generate litter and trash that will end up in the Lake and surrounding wetlands. If Phase 4 is fully developed as proposed there will be four substantial new buildings on the south side of Route 104. If the “café” is meant to serve residents of the project, why can’t one of these buildings, perhaps the hotel, incorporate a small café inside the first floor of the building that would be accessible to all residents? Shoe-horning into Lot 1 a drive-through fast-food establishment, which is what this “café” will be, is overreach. Eliminating the “café” is a reasonable, feasible way to minimize the overall impacts of the Phase 4 Proposal.

Our earlier comments also pointed out that the Open Space Plan identifies a number of potential Scenic Ways including Lakeside Drive along the edge of Lake Nippenicket. Notwithstanding the proponent's response that *"Overall scenic views to and from the lake will not be significantly changed,"* a restaurant on the edge of the Lake will detract from scenic views of the Lake for people driving on Route 104 and Lakeside Drive, kayakers and boaters, and anyone who enjoys viewing the lake or watching the sunset from the boat ramp area.

The OSC strongly supports the June 14, 2022 comments on the ENR submitted by the Taunton River Watershed Council (TRWC). Those comments, which exhibit an understanding of the impacts of the Claremont project *in its entirety* - both the existing development and the current proposal -- are of great concern. As the TRWC points out, merely meeting the Massachusetts State Stormwater Standards is not adequate given the sensitivity of the ACEC and given the concern that the Lake may have reached, and even exceeded, its capacity to absorb additional pollutants. The Open Space Committee does not have the expertise to assess existing water quality in Lake Nip or to propose the higher standards and methods that could be imposed to minimize additional harm. The TRWC clearly does and their comments appear to provide a blueprint for the stricter standards, restrictions, and short-and-long term operational parameters that would minimize through, reasonable, feasible ways, the serious long-term impacts that Phase 4 may have on the ACEC.

In closing, the DEIR is a great disappointment. MEPA's June 24, 2022 Certificate on the ENF calling for a Draft EIR set out extensive and detailed expectations for the DEIR including the following statement at page 13: *"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."* It does not appear that the proponent has done this. Rather, it seems to be unwilling to do anything beyond what it already intended to do. (Banking of 260 parking spots seems to be one of the only new ideas.) Most of its responses to comments from MEPA and from other commenters seem to be simple assertions that: there will be no harm; that impacts will be minimal; that the impacts will be reviewed by the Bridgewater Conservation Commission, Planning Board or Town Council; that Claremont has done all that is feasible to minimize impacts and to meet standards; and that doing anything more is not in their financial interest. It is disturbing that the DEIR does not acknowledge or address the need for a different approach in an ACEC, and in light of the increasingly dire consequences of widespread environmental degradation and the climate change crisis.

Thank you for your consideration of our comments.

Respectfully submitted,

Bridgewater Open Space Committee
Eileen Hiney, Chair
Nicole Holmes
Maureen Minasian
Michael Silvia
Lauren Webb

Patel, Purvi (EEA)

From: Henrietta Cosentino <info@email.actionnetwork.org>
Sent: Monday, January 23, 2023 9:47 PM
To: Patel, Purvi (EEA)
Subject: RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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Environmental Analyst Purvi Patel,

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

Dear Ms. Patel:

I live in Plymouth, Mass, which, like Bridgewater, is currently overwhelmed with development that directly threatens environmental destruction and the degradation of our sole source aquifer. Developments like the one proposed in Bridgewater threaten the future wellbeing of the people and the environment not just in Bridgewater but all over Southeastern Massachusetts.

The size and scope of the proposed project located in the Hockomock Swamp Area of Critical Environmental Concern is very concerning. MEPA is in the position to make a difference. As the gatekeeper to such a project, MEPA owes it to the citizens of Bridgewater and surrounding areas to require additional studies, data, and project alternatives that reduce environmental impacts. Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, must be reviewed with closer scrutiny to minimize adverse environmental impacts.

The proposed plans represent a scale of development that is unsustainable. The only thing being these plans sustain is the proponent's profit expectations.

Within the Hockomock Swamp (including Lake Nippenicket, the headwaters of the Town River and its nearby wetlands), rare species and other wildlife are likely to suffer from the

destruction of habitat, as well as from noise, air, and light pollution. Lake Nippenicket forms the headwaters of the Town River, one of two main tributaries that feed the wild and scenic Taunton River. This project requires an extensive review by MEPA with the focus to avoid all adverse environmental impacts. The 100-foot buffer zone deserves special protection, minimal tree cutting; maximal open space; green building practices and small building footprints.

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the “adverse effects” (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area. Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development. It is also important to review the impact of the impacts of expanded traffic.

Bridgewater is already on "Restricted Water Usage". How will the proposed project impact Bridgewater? Or the Zone II aquifer for the Town of Raynham? It would be highly irresponsible to green light this project without a great deal of additional information.

With great concern,
Henrietta Cosentino
43 Gallows Pond Road
Plymouth, MA 02360

Henrietta Cosentino
henrietta.cosentino@gmail.com
43 Gallows Pond Rd
Plymouth, Massachusetts 02361

Patel, Purvi (EEA)

From: Ben Cronin <dr.jbc1983@gmail.com>
Sent: Monday, January 23, 2023 1:13 PM
To: Patel, Purvi (EEA)
Subject: Comments Opposing Bridgewater Development (EEA No. 16558)
Attachments: Comment re_ Project No. .pdf

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Hello,

My name is Dr. Benjamin Cronin, and I'm an historian of Southeastern Massachusetts. I inadvertently sent this email from a different account (plymouthcountyobserver@gmail.com). Please accept it from this one instead.

Attached as a PDF please find comments opposing Claremont's proposal for a development in Bridgewater, Lake Shore Center Phase 4, EEA No. 16558.

I have also linked a version that is substantially similar to the attached comments published in my online publication, *The Plymouth County Observer*:

<https://plymouthcountyobserver.substack.com/p/bridgewaters-lake-nippenicket-threatened>

Thank you, and please let me know if you have any questions.

Sincerely,

J. Benjamin Cronin, Ph.D
774-228-8238

Comments Opposing Lake Shore Center Phase 4, EEA No. 16558

J. Benjamin Cronin, Ph.D

17 Pill Hill Lane

Duxbury, Massachusetts

These comments are made in opposition to the development project (No. 16558), known as Lake Shore Center Phase 4, proposed by the Claremont Companies in Bridgewater.

The proposal is in the Hockomock Swamp Area of Critical Environmental Concern (ACEC), and is directly proximate to Lake Nippenicket, a 354-acre Great Pond¹ in Bridgewater that serves as a source for both the Town River and the Taunton River, supports a productive fishery, and sits in the heart of the vast Hockomock Swamp, the largest freshwater wetland in Massachusetts.

Lake Nippenicket and the larger Hockomock Swamp are both gravely threatened by this proposed 68.2 acre development on its shores by the Claremont Companies, a southeastern Massachusetts real estate developer. The proposal stands directly contrary to the plain language of Massachusetts regulations regarding Areas of Critical Environmental Concern and should be rejected by relevant Massachusetts regulatory authorities.

The proposal, according to a Dec. 15, 2022, Draft Environmental Impact Report (DEIR) submitted by Epsilon Associates, a Maynard engineering firm, on behalf of Claremont to the Massachusetts Environmental Policy Act Office (MEPA), includes a 225-unit, 4-story, 55+

¹ Under the laws of Massachusetts and other New England states, a freshwater pond that is more than ten acres is a Great Pond, that is open commonly for fishing and navigation, and, unless it is a reservoir, must allow public access; in Massachusetts as well as several of her neighbors, Great Ponds are defined both by statute and at common law.

residential structure; a 150-unit, 5 story assisted living facility; a 4 story, 160 unit condominium; a 4 story, 106 unit hotel; a cafe; and a 179-seat restaurant directly on Lake Nippenicket.

Grassroots Opposition

Grassroots opposition is presently gathering, including the Lake Nippenicket Action Focus Team (lnaft.org). Critics argue that the site of the proposed development is located in an Area of Critical Environmental Concern (ACEC), the Hockomock Swamp (on which see more below), and that Lake Nippenicket is the headwaters of Bridgewater's Town River, which flows into the Taunton River, a National and Scenic River that drains 562 square miles across Southeastern Massachusetts. Approximately 25 acres of forest would be destroyed, removing both a valuable watershed filter and a critical carbon sink, reducing the ability of the Town of Bridgewater — and the entire Commonwealth — to mitigate and ameliorate the effects of climate change. Indeed, such a proposal is the very antithesis of climate resilience, which has been one of Gov. Healey's highest priority policy goals and watchwords thus far in her young Administration.

The proposal intrudes upon the 100-foot buffer zone areas of wetland resource areas, and poses a threat to the biodiversity of Massachusetts, as the site is habitat for the Eastern Box Turtle, a species of special concern. The site is moreover in a Massachusetts Dept. of Environmental Protection (MADEP) Zone II Wellhead Protection Area for the Town of Raynham.

There is likewise significant concern regarding the effect on Native archaeological sites that may be affected.

The developer, meanwhile, is disputing the classification of three perennial streams on the property, although they are clearly marked as such on the USGS Geological Survey Topographical Maps of the area, say critics.

Claremont: A Pattern of Attempting To Use Public Goods for Private Gain

Context is important here: Claremont's invasions of the watery commons of the Commonwealth — for their own, private profit — are not limited to Bridgewater, though the proposal for that Town is the subject of this comment. The same developer, after all, under its Claremont Plymouth limited liability corporation, is engaged in a project at Colony Place in West Plymouth that abutters and concerned Plymoutheans, citing multiple reports from engineers commissioned by the Town, argue poses a severe threat to Plymouth and her neighbors' water supply, the Plymouth-Carver Sole Source Aquifer.

Lake Nippenicket is extremely shallow, with an average depth of just three feet, and a maximum depth of six feet, according to the Massachusetts Division of Fisheries and Wildlife (MassWildlife). Fish species, according to MassWildlife, include “yellow perch, pumpkinseed, bluegill, largemouth bass, white perch, black crappie, chain pickerel, brown bullhead, golden shiner and American eel. A large number of quality sized largemouth bass up to 5.5 pounds were captured during the 1990 survey. White sucker and alewife (searun) were captured in the 1978 survey.”²

The shallowness of the lake is one reason the runoff that would occur from such a development is such a concern. Nor is this Claremont's first bite at this particular apple; a similar proposal in 2020 by Claremont to build a restaurant on Lake Nippenicket was strenuously

² See <https://www.mass.gov/doc/dfwnippepdf/download>.

opposed by the Taunton River Watershed Alliance (TRWA), an environmental advocacy group headquartered in Taunton. In that case, Claremont was asking Bridgewater to essentially ignore its own zoning bylaws so that it could build its restaurant directly on the Lake.

“TRWA opposes this request because the proposed construction would harm the water quality in Lake Nippenicket and the ecological communities that inhabit the site and surrounding area. These impacts would occur as a result of earth removal and other work during construction, the rendering of a large portion of the property to impermeable surface, and the discharge of polluted stormwater runoff after the project is completed,” wrote TRWA President Priscilla A. Chapman, in a March 14, 2020, letter to Patrick Driscoll, Chair of the Bridgewater Planning Board.

"This project sets a dangerous precedent for other future potential developments that may be planned within sensitive areas within the Town," wrote Chapman, who noted that the Town's 2002 Master Plan calls for the preservation of the shores of Lake Nippenicket, the largest body of water in Bridgewater.

The Hockomock Swamp, said Ms. Chapman, “is home to at least 13 species listed as endangered, threatened or of special concern by the Massachusetts Natural Heritage Program, including the blue spotted salamander, (*Ambystoma laterale*), listed as ‘threatened.’”

The Hockomock Swamp: Natural and Human History

The Hockomock Swamp is a vast complex of swamps, marshes, rivers, ponds, and other ecosystems that, at nearly 17,000 acres, is the largest freshwater wetland in Massachusetts; Lake Nippenicket is part of this complex. It serves as a critical zone of recharge for the region's aquifers, and the source of many rivers and streams, including the Taunton River, which, flowing for 37 miles through ten towns, is a critical water resource for its entire 562 square mile basin,

from Halifax to Fall River, and from just a few miles west of Plymouth Bay, in the east, all the way to Plainville, in the west.

The Hockomock sits in the basin of glacial Lake Taunton, which was formed in the long process of glacial retreat; the impermeable soils of the lake bottom form the geological core of the vast wetland

The Hockomock, including Lake Nippenicket, is a mysterious, wild, and beautiful landscape, with a rich natural and human history. As one of the few remaining watery wildernesses of this size in southern New England, it serves as a refugium for flora and fauna that are threatened by the relentless attempts by development interests to realize private profits through the enclosure of public goods, like water. Mass Audubon notes that in addition to serving as a home to several important bird populations, the wetland is important in a broader sense: “Atlantic White Cedar swamps, especially of large acreages, are globally rare and uncommon in southeastern Massachusetts. This large swamp undoubtedly has a good population of mammals, including mink, fishers, and bobcats,” says Mass Audubon.³

The human history of the Hockomock is likewise of critical importance in the life of our region. Evidence of human habitation in the area extends seven thousand years before the present on the shores of Lake Nippenicket, and a preserved, Native dugout canoe was unearthed in the swamp in 1970. Atlantic White Cedar Swamps such as the Hockomock were used as places of refuge by Native people, including as fortresses in time of war — the impenetrable wetlands offered protection against invaders, particularly Europeans who had no knowledge or experience of their ecology. One of the largest battles of King Philip’s War, the Bridgewater Swamp Fight,

3

<https://www.massaudubon.org/our-conservation-work/wildlife-research-conservation/bird-conservation-monitoring/massachusetts-important-bird-areas-iba/iba-sites/hockomock-swamp>.

took place between English and Native forces in August, 1676, and was a brutal affair on both sides.

The memory of the immensely bloody (as a proportion of population on both sides) fighting in the swamps of the Hockomock, I would argue, lodged itself in the historical consciousness of the region; in particular, I would argue that it is expressed today in the folk mythology surrounding “The Bridgewater Triangle” and what some suggest is heightened supernatural activity in the area, including stories of demon dogs, will o’ the wisps in the haunted swamp, and disappearing hitchhikers. Putting aside those claims, it is clear that the great violence that occurred in the swamp nearly 350 years ago still inheres in our collective memory, even if in attenuated, subconscious form, today.

Precisely because it was not useful from the point of view of either colonial agriculture or the Industrial Revolution, local people continued to use the Hockomock as a vast commons in the 18th, 19th, and 20th centuries, and continuing today, fishing, hunting, trapping, and gathering in its remote recesses.

Beginning in the 1960s and 1970s, amid the burgeoning environmental movement, efforts were made to inform the public of their magnificent natural commons, and the need to guard them for posterity. Local conservationists, including the authors of the excellent 1968 pamphlet, *Hockomock: Wonder Wetland* — still the one of the finest sources of information on the Hockomock — made the case, successfully, that the wetland is a critical natural resource that belongs to us all.⁴ Ultimately, citizens and their government were able to extend legal protections

4

<https://www.bridgewaterpubliclibrary.org/sites/bridgewaterpubliclibrary.org/files/attachments/HockomockWonderWetland-compressed.pdf>

to the Hockomock, which was designated as an Area of Critical Environmental Concern (ACEC) in February, 1990.

Claremont's Proposal Violates The Relevant Massachusetts Regulations

Which brings us to the current proposal by Claremont to add new development to the Hockomock Swamp ACEC. The entire proposal stands in stark contradiction to the language of the Massachusetts regulations governing Areas of Critical Environmental Concern, specifically the language at 301 CMR 12.11 (1)(b) and (c), which states that “all EOEEA agencies shall take action, administer programs, and revise regulations in order to,” inter alia, “preserve, restore, or enhance the resources of the ACEC,” and “ensure that activities in or impacting on the area are carried out so as to minimize adverse effects on: 1. marine and aquatic productivity; 2. surface and groundwater quality or quantity; 3. habitat values and biodiversity; 4. storm damage prevention or flood control; 5. historic and archeological resources; 6. scenic and recreational resources; and 7. other natural resource values of the area.”

I would suggest that the proposal for a 68.2 acre development on the parcel in question does in fact, impose adverse effects on every one of those enumerated categories. Indeed, the proposal to construct hundreds of new units in an ACEC is wildly inappropriate. This is most properly understood as the creation of a small village in one of the areas of the Commonwealth that has, under the law, an elevated degree of environmental protection and consideration. It is precisely what the ACEC designation was intended to prevent.

The relevant Massachusetts regulatory authorities therefore should reject this proposal, and continue the work of past decades in preserving our treasured watery wilderness at the heart of Southeastern Massachusetts.

Patel, Purvi (EEA)

From: Kelly J. Cannizzaro <KCannizzaro@nutter.com>
Sent: Monday, January 23, 2023 3:01 PM
To: Patel, Purvi (EEA)
Subject: EEA #16558 (Lakeshore Center Phase 4)

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Ms. Patel

The latest construction phase for this project would have devastating effects on an already overly developed area. Bridgewater is a small town with a beautiful resource that not many towns have – a lake. There are many birds, fish, and other animals that are now displaced by all the construction that has occurred over the past few years on/around Lake Nippenicket. I live directly on the Nip and have for 25 years and not until recently have noticed so many changes to the wildlife. I am not against business at all, however, I don't feel that this area should be developed any more considering the devastating and irreversible effects that these projects would have on the environment and that has already changed since the first 3 phases have taken place. All of these projects would significantly increase an already congested area with a large amount of traffic coming on and off the highway – just reading their own facts - **a 150 unit assisted living facility, 225 unit 55+ residential community, a 106 room hotel, and a 179 seat restaurant** – that is so much more congestion and pollution never mind the amount of trees that will be removed **right on the lake and off** to accommodate these buildings. You typically don't see development like this in an area such as this. I understand why Claremont wants to develop this area because of its close proximity to 24 and 495 and immediate access off the highway, but this next phase of this project is more suited for an area that is already developed (Route 44, Route 138). Claremont wants to build within the 100 foot, no build wetland zone which has been established under state and local wetland protection laws. The large restaurant itself is proposed to be directly on the Nip. The destruction to the habitats of so many animals would occur if it takes place. You can't put a building up of that size and take down that many trees and not expect any impacts to occur. There would be trash trucks and delivery trucks idling for long periods of time which would pollute the air even more, never mind the possibility of oil leaking out of a vehicle in the parking lot and traveling into the Nip from one of the many cars at a 179 seat restaurant, never mind that amount of staff that would be needed for a restaurant of that size.

Please protect this natural resource and not allow it to be jeopardized any more than the most recent projects already have.

Thank you for your time in reading this and for your careful consideration of this matter.

Sincerely,

Kelly Cannizzaro

This Electronic Message contains information from the law firm of Nutter, McClennen & Fish, LLP, which may be privileged and confidential. The information is intended to be for the use of the addressee only. If you have received this

communication in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail, so that our address record can be corrected. Thank you.

Patel, Purvi (EEA)

From: Leiry Melendez <leimelendez@yahoo.com>
Sent: Monday, January 23, 2023 4:32 PM
To: Patel, Purvi (EEA)
Subject: Lakeshore Center Phase 4

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,

My name is Leiry Melendez-Sullivan, I am a mother of two young children and a resident of Bridgewater Lakeshore Neighborhood.

When we first saw our neighborhood, we fell in love with it instantly. We relocated from the busy city of Boston, where we still work. Leaving the convenience of city living was not an easy decision but we did it for our children trying to offer them a better quality of life and it was the best decision we made even for them and for our health. We love how beautiful nature and the wildlife is here. We do not miss the city noise, the pollution, heavy traffic and/or litter. We love seeing our kids riding their bikes, skates, skateboards etc on our street without worrying about speeding motor vehicles coming by. They walk to the lake with the other kids to try to fish. They come back wet and dirty but happy. My husband joins them on their walks on the weekend and he likes the bounding opportunities he gets with them. They have developed such a love of wildlife which is fascinating. My kids enjoy the time of year where the turtles come up to our neighborhood from the lake to lay their eggs. Then later on watching the baby turtles make their way to the lake. Even sometimes caring for them and helping them cross the road. My youngest is so captivated with them that now has a tortoise as a pet.

Over the past few years the area has seen some changes. Two new large apartment complexes, hotel and office building went up. With that the traffic began to increase. Getting in and out of our neighborhood is very complicated at all hours of the day and even at night at times specially for my elderly mother and the school buses. Traffic through our side streets has also increased with loud sport motor vehicles and motorcycles. The foot traffic also increased which is not a bad thing. I have seen many people take advantage of the beauty the area has to offer to get their walks in. But with that, the litter and dog feces has extremely increased as well and not all people are nice enough to help clean up after themselves. We have also noticed that the increase in traffic has affected wildlife. We have been finding more turtles trying to make it back to the lake with no luck. Cars no longer drive carefully or even stop. It is heartbreaking for us as adults but even harder for young children.

We are asking to please look very hard at this proposal and take action to protect our water, our safety, our quality of life and the impact it will have on the environment and wildlife in the Lakeshore Neighborhood. We understand the state of Massachusetts in the past few years has had a growth in population and a need for more housing. But also the state of Massachusetts has made a pledge to protect the climate and environment. Please take in account how overpopulating certain areas have caused irreversible damage to the environment and natural resources.

Thank you so much for taking the time and your attention on this matter that to my family and neighbors is extremely important and concerning.

Sincerely,

Leiry Melendez-Sullivan
Lakewood Lane
Bridgewater, Ma 02324

Patel, Purvi (EEA)

From: tschmuck@aol.com
Sent: Monday, January 23, 2023 4:26 PM
To: Patel, Purvi (EEA)
Subject: Comments on Lakeshore Center Phase 4

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 Ms. Patel,

This is my second letter with comments on proposed project.

This project lies in an Area of Critical Environmental Concern and MEPA should require strict limitations as to the size and scope. I am concerned that the developer will infringe on the 100 ft. buffer to the wetlands. I am further concerned that the perennial streams on this property are being disputed by the developer as such.

It is paramount that MEPA should require additional studies and data from this developer in order to minimize the adverse effects in this area.

The proposed construction will harm the quality and quantity of water which we will never be able to regain once the harm is done. The lake and surrounding wetlands are interconnected and critical to other rivers and streams, the area is vast and not limited to these few acres or indeed to just Bridgewater itself.

Beyond water issues there lies the issues of impact to fish, forest, animal habitat and plant life. All of these concern the whole and relate to the scenic and recreational use of the area.

Further project alternatives need to be developed in order to reduce the environmental impact.

Make no mistake about it, these Hobomock wetlands and Lake Nippenicket have been (by past development) and will be further impacted by this project. The entire project seems to be in contradiction to the meaning of "critical environmental concern". This Phase 4 is a threat, directly to the health of our most valuable resources that needs our help to preserve it for future generations.

Thank you for considering my comments.

Respectfully,
Linda M. Schmuck
15 Sunset Ln
Bridgewater

View Comment

Comment Details

EEA #/MEPA ID

16558

First Name

Mark

Address Line 1

--

Organization

--

Comments Submit Date

1-23-2023

Last Name

Peterson

Address Line 2

--

Affiliation Description

Individual

Certificate Action Date

1-23-2023

Phone

--

State

MASSACHUSETTS

Status

Accepted

Reviewer

Purvi Patel (617)874-0668,
purvi.patel@mass.gov

Email

mhp4bwater@gmail.com

Zip Code

02324

Comment Title or Subject

Topic: Effects on equity, community, water quality & natural assets, resources and services

Comments

Rich text editor toolbar with icons for undo, redo, bold, italic, underline, strikethrough, font face (Segoe UI), font size (10 pt), text color, background color, bulleted list, numbered list, indent, outdent, link, unlink, print, and source code.

- Equity: This location is not connected to the Bridgewater community. "connectivity to the community" is Defined by Urban Institute as "[developments] near public transportation connect older adults to the hospitals, grocery stores, parks, recreation centers, and libraries they need to stay healthy and engaged." This site location does not meet that criteria.
- Equity: Loss of wooded areas will affect infiltration and filtration of stormwater and will reduce the quality of drinking water for both Bridgewater and Raynham.
- Equity: Loss of wooded areas will increase the ambient temperatures for tenant and nearby residents.
- Equity: Loss of wooded areas will increase noise from intrastate highways for tenant and nearby residents.
- Loss of wooded areas, and new structures, will affect wind patterns, which will alter the precipitation/fog regime above Lake Nippenicket and surrounding natural areas.
- Streams on site are perennial streams, per latest and historical USGS data.
- Absent plans to address the problem of overabundance of deer on site, and its continued degradation of the site's natural assets. Degradation of natural assets by deer can be deconstructed as the driving factors behind this assessment: "the Project site does not contain exemplary or unique habitat features, within areas of proposed impact".
- Loss of wooded areas, and unmanaged invasive vegetation such as Japanese Knotweed, Phragmites, et. al.:
 - Risk: become a vector for spreading more invasive vegetation into nearby unmanaged woodland and wetland areas.
 - Risk: diminish the recreational value of planned recreational trails and activities that highlight natural surroundings.
 - Risk: impact the soil's ability to infiltrate and slow stormwater, and will lead to site erosion onto other sites.
 - Risk: alter the regimes of wetland areas, such that wetland areas will be at risk of losing wetland services and status.
 - Risk: disrupt the habitat of "at risk species" in surrounding woody and wetland areas.

Attachments

Update Status

Status

Accepted ▼

SUBMIT

Share Comment

SHARE WITH A REGISTERED USER

Patel, Purvi (EEA)

From: Mary Kolodny <mkolodny@lesley.edu>
Sent: Monday, January 23, 2023 3:35 PM
To: Patel, Purvi (EEA)
Subject: RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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Environmental Analyst Purvi Patel,

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

Dear Ms. Patel:

MEPA should require the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts and size and scope of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern. As noted on the ACEC website, Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, are reviewed with closer scrutiny to avoid or minimize adverse environmental impacts.

Issues of concern include:

SCALE OF DEVELOPMENT:

The proponent's plans represent a scale of development that is not sustainable and will have significant impacts. In the DEIR, the proponent rejected less impactful alternatives presented in the Environmental Notification Form in favor of the "Proposed Project" that meets the proponent's financial expectations.

ENVIRONMENT:

The project impacts an Area of Critical Environmental Concern, the Hockomock Swamp, including Lake Nippenicket the headwaters of the Town River (and a Great Pond) and its nearby wetlands. The project site falls within mapped rare species habitat and there are

concerns about the impact that this project will have on the surrounding wildlife, especially from destruction of habitat, noise, air, and light pollution. Lake Nippenicket forms the headwaters of the Town River, which is one of two main tributaries that feed the Taunton River, a Wild and Scenic River. This project requires an extensive review by MEPA with the focus to avoid all adverse environmental impacts. This includes not allowing work within the 100-foot buffer zone; minimizing tree cutting; reserving open space (both uplands and wetlands); employing green building practices and building within small footprints.

HISTORIC AND ARCHAEOLOGICAL FINDINGS

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the “adverse effects” (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area. Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development.

TRAFFIC:

The proposed development will increase traffic substantially on Route 104 (estimated to be 4,262 extra trips per day), increase CO2 and impact surrounding neighborhoods, commuters, and all members of the public utilizing the lake for peaceful recreation. An expanded traffic analysis should be required and suggested mitigation measures be reviewed with regard to actual benefit.

WATER USAGE:

The project will increase water usage and Bridgewater is already on "Restricted Water Usage". More information needs to be provided regarding Bridgewater's water needs and capacity and how the project will impact Bridgewater. In addition, the project resides within the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer.

With kind regards,
Mary Kolodny

P.S. I hope you are aware of the impact of deforestation in our state and health of residents overall being compromised by reduction of green spaces for exercise, by tainting of water

sources due to industrial waste, and by wetland destruction as well, affecting surrounding human environments.

Mary Kolodny
mkolodny@lesley.edu
24 Clark Street
Holyoke, Massachusetts 01040



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

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Gary Moran
Acting Commissioner

January 23, 2023

Rebecca L. Tepper
Secretary of Energy and Environment
Executive Office of Energy and Environmental
Affairs
ATTN: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

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

Dear Secretary Tepper,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Draft Environmental Impact Report (DEIR) for the Lakeshore Center Phase 4, 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 1-6 for an overall conceptual site plan. Development will include the following components:

- A 1-story, approximately 1,800 GSF café shop on Lot 1;
- A 1-story, approximately 1,800 SF café shop on Lot 1;
- A 5-story, 150-unit (200,000 SF) assisted living facility on Lot 4;
- A 4-story, 225-unit (307,400 SF) 55+ residential community on Lot 6;
- A 4-story, 106-room hotel (69,640 SF), and a
- 4-story, 160-unit (225,000 SF) condominium community on Lot 7; and
- A 179-seat (6,000 SF) restaurant on the north side of Pleasant Street adjacent to Lake Nippenicket.

A total of 1,114 parking spaces are proposed to accommodate the varied uses across the site. Figures 1-7 through 1-12 present more detailed plans for each of the development areas.

Overall, the Project will disturb approximately 27.85 acres and create 12.74 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.

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Bureau of Water Resources Comments

Wetlands. There are no impacts to wetland resource areas as currently proposed by the development. The Project Proponent has indicated that Notices of Intent will be filed for work in the Buffer Zone.

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

NPDES Construction General Stormwater Permit. The Project Proponent reports that a “SWPPP will be implemented during construction to comply with the requirements of the NPDES General Permit for Construction Activities.”

Water Management. According to the DEIR, it is anticipated that water use for the Lakeshore Center will be 158,280 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.

The DEIR responded to the ENF Certificate comments by identifying water conservation measures and BMPs that will be implemented at the Project site, which include flow controllers and low flow toilet fixtures, dish washers and clothes washers. The Project Proponent stated in the DEIR that it has installed irrigation wells on all lots within the Project site and it will follow the nonessential outdoor water use restriction requirements implemented by the Town of Bridgewater. Please note that should the irrigation withdrawal volumes exceed 100,000 gallons for any period of 3 consecutive months, for a total withdrawal of not less than 9,000,000 gallons, a Water Management Act (WMA) permit will be required for those on-site irrigation wells.

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](#). 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. Due to the Project's sensitive nature for protecting water quality within the Zone II of a public water supply, the Project Proponent has adequately proposed to address the importance of incorporating a spill prevention control plan and another plan that will be incorporated in the NPDES Draft SWPP.

Bureau of Air and Waste (BAW) Comments

Air Quality. As presented within the DEIR, the Project Proponent's construction/demolition activities have adequately addressed the Department's regulatory requirements per 310 CMR 7.09 Dust, Odor, Construction, and Demolition; 310 CMR 7.10 Noise.

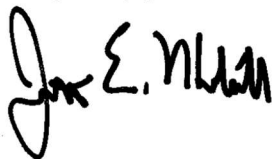
Solid Waste Management. The Project Proponent reports that its "construction and demolition activities will be managed with applicable MassDEP's solid waste regulations - Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017) and all C&D activities shall be undertaken in compliance with the conditions of all State and local permits."

The Project Proponent also reports: "the reprocessing and recycling of construction waste, and construction and demolition recycling (C&D) will be a sustainable measure for the Project. A construction and demolition waste management plan will be prepared, which will establish waste diversion goals, specify commingled versus site separated strategies, and describe where the material will be taken and how the recycling facility will process the material. "

Other Comments/Guidance

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

Very truly yours,



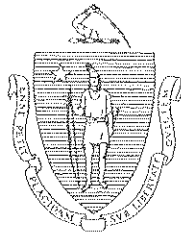
Jonathan E. Hobill,
Regional Engineer,
Bureau of Water Resources

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, 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



The Commonwealth of Massachusetts

January 23, 2023 William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

Secretary Rebecca Tepper
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 Tepper:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Draft Environmental Impact Report (EIR) submitted for the project referenced above, and the MHC's files.

The Draft EIR (pg. 9-1) indicates that the project proponent has consulted with the Mashpee Wampanoag Tribe and the Wampanoag Tribe of Gay Head (Aquinnah), and the Massachusetts Commission on Indian Affairs to develop a plan to preserve portions of the Basset Site, and to remove and reinter a portion of the Tomb Road Area B Site. The MHC recommends that a Preservation Restriction Agreement (Mass. Gen. Laws c. 184, ss. 31-33) be developed for the reinternment location. Staff of the MHC are able to provide an example Preservation Restriction Agreement that can be adapted for the reinternment location.

The Draft EIR (pg. 9-1) indicates that an intensive (locational) archaeological survey of the Northern Parcel identified the Lakeshore Drive Site.

The MHC will continue to assist the project proponent 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 me.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Bell".

Edward L. Bell
Deputy State Historic Preservation Officer
Senior 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

220 Morrissey Boulevard, Boston, Massachusetts 02125
(617) 727-8470 • Fax: (617) 727-5128
www.state.ma.us/sec/mhc

Patel, Purvi (EEA)

From: Michelle Morey <mmorey1120@comcast.net>
Sent: Monday, January 23, 2023 9:05 PM
To: Patel, Purvi (EEA)
Subject: EEA #16558 Lakeshore Center Phase 4
Attachments: MMorey Concerns EEA #16558 Lakeshore Center Phase 4 012323.docx

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Dear Ms. Patel,

I have attached a letter regarding my concerns related to EEA #16558 Lakeshore Center Phase 4 for your review. Please feel free to contact me if you have any questions. Thank you.

Michelle Morey
20 Lakeview Park Lane
Bridgewater, MA 02324

Michelle Morey
20 Lakeview Park Lane
Bridgewater, MA 02324

January 23, 2023

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

Dear Ms. Card and Ms. Patel,

I am writing about EEA #16558 Lakeshore Center Phase 4 pertaining to Claremont Companies' intent to build another multi-site project at Lake Shore Center and a restaurant on the shore of Lake Nippenicket in Bridgewater. As a homeowner who lives on the lake, advocacy on behalf of this Area of Critical Environment Concern (ACEC) is necessary to prevent Claremont from further damaging this environmentally impactful area.

There are a multitude of concerns associated with Claremont's plan that include even more traffic, noise, and pollution than already exist. Trying to navigate this area during the morning and evening rush hours is daunting, and this development will add approximately 4300 more vehicle trips per day. Along with the noise from the existing Claremont buildings, such as frequent police/ambulance/firetruck sirens and routine and random car alarms, the noise level will inevitably increase, especially with the proposed restaurant on the water. Sound echoes across the lake, as a loudly-playing radio at the boat ramp can be heard on the other side of the lake.

Additionally, as Claremont has systematically cut down the vegetation along Route 104, one can now hear the vehicles and see headlights from the other side of the lake, whereas at one time, this was not possible due to the thick foliage. When walking along Route 104 between the AXIS apartment project and the boat ramp, the lakeshore is covered with more litter (*cardboard, Styrofoam, plastic bags, cans, bottles, cigarettes, used masks, car parts, fast-food packaging, etc.*), than ever before, which will only increase with Claremont's proposed project.

Last summer, we had drought-like conditions, which ultimately resulted in a prolonged water ban. If there is currently not enough water for the residents of Bridgewater, some of which have lived in this town for decades, what will happen when Claremont's buildings increase our town's water demand by approximately 152,300 gallons a day?

There is no doubt that Claremont's plan will have significant consequences on Lake Nippenicket, the Town River and the Taunton River, as well as the Hockomock Swamp, the largest freshwater wetland in Massachusetts. The paving of all the parking lots for the proposed six enormous buildings will astronomically increase the polluted stormwater runoff (*rock salt, drops of oil, antifreeze, etc.*), which as gravity dictates, will drain into the lake. It stands to reason that with 16+ acres of paved surfaces and 4300 additional vehicles in the area, the polluted runoff will have a negative effect on the lake itself, along with the habitat of fish, wildlife (*endangered, threatened, rare species*), and vegetation. Given that Claremont's proposed project is within the Zone II Aquifer Protection District for the Town of Raynham, more research is needed to address the potential for contamination. Of note, Claremont is involved in a similar project in Plymouth, which poses a severe threat to the Plymouth-Carver Sole Source Aquifer.

During the initial building of Claremont's AXIS apartment projects, there was an increased number/variety of dead animals on the roadside of Route 104, that had been displaced and hit by vehicles when Claremont cut down/ripped up all the trees in the nearby woods. It is estimated that Claremont's proposed plan includes developing over 25 acres of undisturbed open space that will impact the habitat, wildlife, and beauty of the lake and surrounding areas.

There are currently zoning and environmental laws in place to protect the ACEC, including the wetlands. While the 310 CMR 10.00 Wetlands Protections Act is supposed to prevent the destruction and alteration of the wetlands, Claremont has proposed substantial work within the 100-foot wetland buffers, including a portion of the restaurant that is on the periphery of the 25-foot No Touch zone to Lake Nippenicket. It appears that Claremont's plan is in violation of this state regulation. The ACEC website includes language that requires projects within an ACEC under state jurisdiction to undergo state agency scrutinization to avoid or minimize adverse environmental impacts. Given this, it is imperative that Claremont's proposed project is carefully and thoroughly reviewed and analyzed to prevent encroachment on the 100-foot buffer zone, minimizing tree cutting, preserving both upland and wetland open spaces, employing green building practices, and building within small footprints.

In closing, I have one question. Do the zoning and environmental protection laws and regulations apply to all citizens and entities, regardless of the number of zeros in their bank account(s)? Thank you for considering the points in this letter and I trust you will do the ethical, legal, and right thing.

Sincerely,



Michelle Morey

Patel, Purvi (EEA)

From: Stephen Silva <steve124@gmail.com>
Sent: Monday, January 23, 2023 1:39 PM
To: Patel, Purvi (EEA)
Cc: Tepper, Rebecca (AGO); Harry Bailey; Pat Neary; Julia Blatt; Danielle Perry; Reiner, Edward; Thelma Murphy; Carey, Richard (DEP); Heidi Ricci; Jamie Fosburgh; Paulson, David (FWE); Helen Zincavage; Paul Maniccia; Patton, Jonathan K (DCR); Schifman, Laura (DEP); Kate McPherson; Dan Arsenault; Voorhees, Mark; Historical Commission
Subject: DEIR EEA # 16558 Lakeshore Center Phase 4, Bridgewater, MA
Attachments: 12-15-2022 Draft EIR No 16558 ENF Lake Shore Center Phase 4 (Bridgewater) TRWA Comments.pdf

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Dear Ms Patel,

Attached please find our comments on [DEIR No 16558: ENF: Lake Shore Center Phase 4 Bridgewater, MA December 15,2022.](#)

As indicated in our comments we have serious concerns with this project.

Thank you for considering our comments.

Best,

Stephen Silva
Secretary, Taunton River Watershed Alliance

<http://savethetaunton.org/>

Taunton River Watershed Alliance
At the Watershed Center
Sweets Knoll State Park

1387 Somerset Avenue, Dighton, MA

Mailing Address: P.O. Box 1116, Taunton, MA 02780
Phone (508) 828-1101

email: director@savethetaunton.org



TAUNTON RIVER WATERSHED ALLIANCE

A VOICE FOR THE RIVER SINCE 1988

January 22, 2023

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

Via email: purvi.patel@mass.gov

Re: **December 15, 2022 Draft Environmental Impact Report EEA No 16558: Lakeshore 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 withhold approval of or deny this project which has significant potential to adversely affect the headwaters of the Taunton River including Lake Nippenicket and the Town River, a primary tributary of the Wild and Scenic Taunton River. We note that this fourth phase is proposed in an already highly developed small headwaters sub-watershed. The project will disturb 27.85 acres, create 12.74 acres of new impervious cover and include 1,114 parking spaces. Despite substantial concern raised about the large size of the June 2022 ENF Alternative the proponent has added +121,040 SF and +31 parking spaces in the current DEIR Preferred Alternative.

As discussed below, the [December 15, 2022 Draft Environmental Impact Report](#) (DEIR) leaves 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.

As requested in our letter of June 14, 2022, 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 and bacteria load to the streams on site, Lake Nippenicket and the Town River),
- Stormwater volumes and pollutant loads (particularly phosphorus load) generated by the development to date and projected to be generated from each proposed phase of new development,
- Analysis/assessment of the current state of eutrophication of the streams on site, Lake Nippenicket and the Town River, along with an analysis of the remaining assimilative capacity (if any) of these waterbodies to accept the additional loadings from the proposed phases.

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

- Compliance of this project with Bridgewater’s stormwater regulations, specifically the required total phosphorus (TP) reduction required.

It is not enough to simply state as the proponent does in its response to comments that the Project will be reviewed by the Bridgewater Conservation Commission and comply with the 15-year-old MassDEP stormwater regulations.

Cumulative impacts are important and must be quantified as well as the assimilative capacity of the receiving waters to accept more pollution for a valid MEPA DEIR analysis.

Receiving Water Assimilative Capacity

The residents of the area report and have pictures of significant eutrophication (algae, weed growth, impaired transparency) in Lake Nippenicket. The Lake is listed on MassDEP’s Clean Water Act Section 303(d) Impaired Waters List for nuisance weed growth – macrophyte non-native aquatic plant *cabomba caroliniana* (fanwort). 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. The DEIR presents no information on pollutant loading such as phosphorus and bacteria from the proposed project elements and no information on the assimilative capacity of the receiving waters.

Stormwater

The Draft EIR fails to quantitatively describe how the development will meet MassDEP Stormwater Policy Standard 3 “Loss of annual recharge to groundwater shall be eliminated or minimized”. The Draft EIR should include a table of pre and post development stormwater runoff volumes (both without and with the proposed stormwater treatment) for each area of the proposed development.

The report must demonstrate compliance with Bridgewater’s stormwater regulations, specifically the TP reductions. Section 11 (A)(2) of Bridgewater’s stormwater regulations reads:

“(2) Stormwater management systems for New Development projects are also to meet minimum requirements of the General Permit for Stormwater Discharges From Small Municipal Separate Storm Sewer Systems in Massachusetts (MS4 Permit) including the following: (a) Retain the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the site AND/OR (b) Remove 90% of the average annual (not per storm) load of Total Suspended Solids (TSS) generated from the total post-construction impervious area on the site AND 60% of the average annual (not per storm) load of Total Phosphorus (TP) generated from the total postconstruction impervious surface area on the site. Pollutant removal shall be calculated consistent with EPA Region 1’s BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1, where available. If EPA Region 1 tools do not address the planned or installed BMP performance any federally or State approved BMP design guidance or performance standards (e.g., State stormwater handbooks and design guidance manuals) may be used to calculate BMP performance.”

Bridgewater is required to implement and enforce their SW regulations consistent with MS4 permit requirements. If any of the project components were to move forward it is unclear if the MS4 permit conditions would be met, potentially putting the town at risk of non-compliance for not properly implementing their post-construction stormwater bylaw and regulations. At a minimum, the report should contain the required information to assess if the town stormwater standards are being met so the town can remain in compliance with their MS4 permit.

We believe that stormwater management, including remediation of existing inadequate stormwater controls from previous phases, should assure no discharge in excess of predevelopment conditions of stormwater to the streams, Lake Nippenicket and ultimately the phosphorus impaired Town River which the Town of Bridgewater is being required to install advanced treatment phosphorus controls to address. Pervious walkways, infiltration best management practices (BMPs) such as gravel wetlands and infiltration galleries, minimization of impervious cover in project design, collection of roof runoff and storage for landscape irrigation and other measures are needed and should be used. Recent studies have shown the high effectiveness of weekly vacuum sweeping of impervious roadways and parking areas to remove sediment and phosphorus deposition. Given the size of both the existing and proposed development this should be specifically included in the Stormwater Operation and Maintenance Plan outlined in Section 7.3.10 of the Draft EIR along with regular BMP inspection, cleaning and repair.

The proponent intends to use the Massachusetts 2008 Stormwater Management Standards and Handbook which are 15 years old. Stormwater management both in treatment technology and quantification of flows and pollution loads (TP, nitrogen, bacteria, metals, TSS, etc.) have improved. Because of the sensitivity of the Lake Nippenicket area, higher standards should be in effect and periodic testing of best management practices (i.e., roadway/parking lot vacuum sweeping efficiency, deep sump catch basins, oil/grit separators, sediment forebays, infiltration system effectiveness and final effluent volume and pollutant load annual estimation). The location of where the proponent intends to install BMPs should be subject to review to assess the impact on wetland buffers. Rather than provide the necessary information to evaluate the stormwater system impacts in the DEIR, the Draft report pushes much of it off to future Conservation Commission consideration. This is unacceptable since stormwater management is crucial to evaluating the environmental impact of the various components of the Phase 4 Draft Plan.

Area of Critical Environmental Concern (ACEC)

In TRWA's letter of June 14, 2022 we commented that "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 Ticut 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 13 acres of impervious surface, some 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 Nippenicket. 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 Draft EIR inappropriately dismisses this comment saying in effect that ACEC designation doesn't affect the proponent's ability to do whatever they want. It ignores the fact that this is the fourth phase of development in a sensitive area and that cumulative effects do matter. In evaluating whether this Draft EIR provides sufficient analysis of environmental impact the MEPA Office must consider whether the applicant has properly considered the sensitivity of the project area and the area's assimilative ability to absorb additional impacts in light of the development that has already occurred. Until the Draft EIR provides this information it's incomplete.

Fill Material Contamination Concerns

TRWA asked that 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. The Draft EIR response states that "All fill material will be handled in accordance with applicable regulations." The Draft EIR should describe in more detail how the applicable regulations are sufficiently protective or what additional measures will be used.

Archaeological Resources and Tribal Consultation

Section 9.0 of the Draft EIR describes archaeological studies and 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. The Draft EIR simply says "Comment noted." The Draft EIR is deficient in the area of tribal consultation until the Massachuset Tribe is consulted.

Buffer Zone Protection

TRWA noted that because of the damage that has been done from existing development in the Nippenicket Lake watershed, no exceptions to state recommended buffer requirements should be approved for any part of the proposed phases. The Draft EIR says an Order of Conditions from the Bridgewater Conservation Commission will be sought for the proposed work within the Buffer Zone. TRWA believes that the impact of proposed work in the Buffer Zone should be evaluated in the Draft EIR so that its impact along with past Buffer Zone impacts from previous development may be evaluated as part of the MEPA review.

Restaurant Proposed on the Lake Nippenicket Shoreline

TRWA stated in our June 14, 2022 comment letter that the restaurant project on Lake Nippenicket shoreline 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 or conservation land as mitigation for the harm from both the current development and adverse effects from the new proposed phases. This site despite the fact that stormwater infiltration galleries are proposed is the most damaging component of the Phase 4 development. Any stormwater infiltration design constructed will still require a bypass for large storm events. Landscaping such as lawns and shrubs will be fertilized. Trash and litter will find their way to the Lake. This portion of the project has generated a great deal of public concern.

There are ample options for a 179-seat restaurant on the South side of Route 104 adjacent to the already developed areas that would eliminate this environmental damage. The Draft EIR simply says the proponent chooses to develop a restaurant here. We think additional options should be evaluated in the DEIR and this component deferred pending analysis and monitoring of the impacts of the existing and any new development South of Route 104.

Monitoring Program

In TRWA's letter of June 14, 2022 we commented that the applicant should be required to conduct a monitoring program (2/month, April through October) of any streamflow to the Lake from its development and of the Town River at 2 locations between the Lake outlet and 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 Nippenicket should be developed in consultation with the MassDEP Watershed Planning Program. Representative locations recommended by MassDEP such as near route 104, the Lake 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. Monitoring is necessary to support evaluation of the impact of both existing and new development at this site as well as support quantification of the ability of this area to assimilate pollution and determine what refinements in pollution measures may be necessary.

The Draft EIR simply states “Comment noted. The Proponent will file a Notice of Intent with the Bridgewater Conservation Commission and comply with all requirements of the Order of Conditions once issued.” The adequacy of post project monitoring is critical to evaluating the environmental impact of this project. The Draft EIR should not be approved until a MassDEP approved monitoring plan is agreed to, and the proponent commits to include it in the stormwater O&M covenant recorded with the Plymouth Registry of Deeds.

Perennial vs Intermittent Streams

The maps submitted with the DEIR show three streams draining the western, central and eastern wetlands on site. The applicant has attached an August 1999 (23-year-old) evaluation to the DEIR which claims these streams are intermittent. Considering the amount of development and stormwater runoff from the site today recharging these wetlands, it is unlikely that these streams are intermittent currently even if they ever were decades ago. We believe these streams should be treated as perennial streams for water quality review and protection measure purposes because they flow directly to Lake Nippenicket across the street (Route 104) and do in fact carry year round flow.

Impact on Drinking Water

As mentioned above the project site is inside the Zone II aquifer for Town of Raynham drinking water wells. The Town’s Center Water District has recently found both coliform bacteria and PFAS levels in excess of state criteria in its raw water supply. This begs the question of how much additional development this small headwaters aquifer can support. Property rights are not a license to pollute. Nor are they a grant of free reign to over develop a sensitive site. The proponent knew 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 when it purchased the land and should realize that there is a limit to the development carrying capacity of the site.

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

Sincerely,

Joseph Callahan

Joseph Callahan
President, Taunton River Watershed Alliance¹

Donna Desrosiers

Co-Chair, Taunton River Stewardship Council (TRSC)²

cc: via email to,

Rebecca Tepper, Secretary EOEEA
Harry Bailey, Bridgewater Conservation Commission
Pat Neary, Lake Nippenicket Action Focus Team
Thelma Murphy, EPA Region 1
Mark Voorhees, EPA Region 1
Laura Schifman, MassDEP
Richard Carey, MassDEP
Dan Arsenault, EPA Region 1
Helen Zincavage, Southeastern Regional Planning & Economic Development District
Kate McPherson, Save the Bay
Sarah Bower, Massachusetts Rivers Alliance
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
Jonathan Patton DCR Archeology
Massachusetts Historical Commission

¹ Since 1988, TRWA has been a voice for the 562-square-mile Taunton River watershed, as an advocate for environmental protection, sustainable development, and responsible stewardship of our precious water resources.

² The Taunton River Stewardship Council (TRSC) is dedicated to promoting the long-term protection of the Wild and Scenic Taunton River and its tributaries.

Patel, Purvi (EEA)

From: Susan Thomas <info@email.actionnetwork.org>
Sent: Monday, January 23, 2023 2:51 PM
To: Patel, Purvi (EEA)
Subject: RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4, Bridgewater MA

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.

Environmental Analyst Purvi Patel,

RE: Draft Environmental Impact Report: EEA #16558: Lakeshore Center Phase 4,
Bridgewater MA

Dear Ms. Patel:

MEPA should require the proponent to provide additional studies, data, and project alternatives that reduce environmental impacts and size and scope of this proposed project located in the Hockomock Swamp Area of Critical Environmental Concern. As noted on the ACEC website, Projects within an ACEC that are subject to state agency jurisdiction or regulation, particularly those that are initiated by an agency, require a state permit, or are funded by a state agency, are reviewed with closer scrutiny to avoid or minimize adverse environmental impacts. It is imperative that we consider land use impacts as we work to mitigate climate change, increase environmental resiliency and protect our water. The Commonwealth of Massachusetts has outlined the necessity of protecting forest and wetlands to meet our Netzero by 2030 goals, and this project reflects both permanent loss of this sequestering capacity and potential ongoing damage to vital environmental resources and services.

Issues of concern include:

SCALE OF DEVELOPMENT:

The proponent's plans represent a scale of development that is not sustainable and will have significant impacts. In the DEIR, the proponent rejected less impactful alternatives presented

in the Environmental Notification Form in favor of the "Proposed Project" that meets the proponent's financial expectations.

ENVIRONMENT:

The project impacts an Area of Critical Environmental Concern, the Hockomock Swamp, including Lake Nippenicket the headwaters of the Town River (and a Great Pond) and its nearby wetlands. The project site falls within mapped rare species habitat and there are concerns about the impact that this project will have on the surrounding wildlife, especially from destruction of habitat, noise, air, and light pollution. Lake Nippenicket forms the headwaters of the Town River, which is one of two main tributaries that feed the Taunton River, a Wild and Scenic River. This project requires an extensive review by MEPA with the focus to avoid all adverse environmental impacts. This includes not allowing work within the 100-foot buffer zone; minimizing tree cutting; reserving open space (both uplands and wetlands); employing green building practices and building within small footprints.

HISTORIC AND ARCHAEOLOGICAL FINDINGS

Within Lots 6&7 the development will impact significant archaeological sites (Bassett Site (19-PL-497) and Tomb Road, Area B Site (19-PL-498). Findings have also been determined at the site of the proposed restaurant. According to the DEIR, In March 2021, the Proponent signed a Memorandum of Agreement (MOA) prepared by the Massachusetts Historical Commission (MHC) that outlines stipulations to mitigate the "adverse effects" (36 CFR 800.5 and 950 CMR 71.05(a)) of proposed development on significant archaeological resources in the Lakeshore Center project area. Few details are shared in the DEIR. More information is needed regarding these important sites and the impacts of the proposed development.

TRAFFIC:

The proposed development will increase traffic substantially on Route 104 (estimated to be 4,262 extra trips per day), increase CO2 and impact surrounding neighborhoods, commuters, and all members of the public utilizing the lake for peaceful recreation. An expanded traffic analysis should be required and suggested mitigation measures be reviewed with regard to actual benefit.

WATER USAGE:

The project will increase water usage and Bridgewater is already on "Restricted Water Usage". More information needs to be provided regarding Bridgewater's water needs and capacity and how the project will impact Bridgewater. In addition, the project resides within

the area of the Zone II aquifer for the Town of Raynham. Additional information is needed as to the impacts of such a large development on the Zone II aquifer.

With kind regards.

Susan Thomas

susanlavignethomas@gmail.com

7 Old Homestead Road

Westford , Massachusetts 01886

Patel, Purvi (EEA)

From: Tim Santarcangelo <tmmy20@yahoo.com>
Sent: Monday, January 23, 2023 3:17 PM
To: Patel, Purvi (EEA)
Subject: Lakeshore Center Phase IV - Bridgewater, MA Proposal

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 writing to address my concern about Lakeshore Center Phase IV - in Bridgewater, MA proposed by Claremont companies. As a resident who will be drastically affected by this proposal, I cannot fully express my opposition to this plan, but wanted to at least write to you as a concerned resident. Claremont has erected a hotel, two office complexes, and two large apartment complexes in a matter of years. This has drastically increased traffic and noise in the neighborhoods while removing vegetation that wildlife thrive on. Adding additional complexes would only add to those issues.

Another issue I foresee in this change would be the addition of a restaurant overlooking the lake. Not only would this destroy the existing vegetation, but the noise would echo off the lake effecting all the area residents as well as the wildlife we currently have the pleasure of viewing in our back yards routinely. You'd be surprised how far noise travels across the lake. I live two streets over from the boat launch and can hear music playing when people are hanging out around the launch.

I grew up in VT and moved to the area in 2017. Since living around the lake I have witnessed more wildlife than I had ever previously seen in VT. I have seen bald eagles, hawks, foxes, raccoons, rabbits, turtles, blue herons, coyotes, various ducks/birds and even a bear pass through our yards. I believe erecting additional large scale properties would have a negative effect on the wildlife habitat, and their survival.

Finally, the town has had several large scale apartments and housing developments built in the past 5 years. I do not believe Bridgewater has the bandwidth to accommodate the rapidly growing community. Our water treatment facilities are already struggling to keep up with the demand. Schools will be overpopulated and our emergency services jeopardized. I begin to fear what this town will be like by the time my children attend classes at the high school level.

I truly hope that resident concerns are heard and that studies are done correctly to identify and eliminate any possibility of these structures moving forward. I appreciate you taking the time to review my concerns.

Tim Santarcangelo



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Jamey Tesler, Interim Secretary & CEO



January 25, 2023

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

RE: Bridgewater: Lakeshore Center Phase 4 - DEIR
EEA #16558

ATTN: MEPA Unit
Purvi Patel

Dear Secretary Tepper:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Draft Environmental Impact Report filed for the proposed Lakeshore Center Phase 4 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 Lavalley, P.E., Chief Engineer, Highway Division
Mary Joe Perry, District 5 Highway Director
James Danila, P.E., State Traffic Engineer
Planning Board, Town of Bridgewater
Old Colony Planning Council (OCPC)



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Jamey Tesler, Interim 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: January 25, 2023

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

The Public/Private Development Unit (PPDU) has reviewed the Draft Environmental Impact Report (“DEIR”) for the Lakeshore Center Phase 4 located in Bridgewater submitted by Epsilon Associates, Inc. on behalf of Claremont Companies (the “Proponent”).

The Project represents an expansion of the existing Lakeshore Center development on Pleasant Street (Route 104) in Bridgewater. Within the broader development, the Project entails the development of five parcels (Lots 1, 4, 6, and 7 on the south side of Route 104, and Northern Lot on the north side of Route 104) with distinct layouts, access, and uses. Lot 1 will include an 1,800-square foot (sf) drive-through restaurant use with two full-access driveways under STOP-sign control on Route 104. Lots 4 and 6 will include 150 assisted living housing units, 225 age-restricted housing units, and 160 condominiums in mid-rise buildings, with access provided via the existing Lakeshore Center driveway. Lot 7 will include a hotel with 106 rooms with access provided via a new full-access driveway under STOP-sign control on Route 104. Finally, the Northern Lot will be developed as a 6,000-sf high-turnover sit-down restaurant, with access provided via three full-access driveways on the north side of Route 104.

The Project previously filed an Environmental Notification Form (ENF) which was duly noticed in the Environmental Monitor on May 25, 2022, for which the Secretary of Energy and Environmental Affairs issued a Certificate on June 24, 2022. Project details, including general scope, site design, and transportation impact subject to MassDOT review, remain substantially unchanged from the ENF proposal.

The DEIR includes a Transportation Impact Analysis (TIA) prepared by McMahon Associates in accordance with the *EEA/MassDOT Transportation Impact Assessment (TIA) Guidelines*. The TIA includes an analysis of study area that addresses Project impacts on intersection operations, safety, and bicycle, pedestrian, and transit modes. MassDOT has several comments related to Project design, transportation analysis methodology, and mitigation which should be addressed prior to the submittal of a Final EIR for the Project.

Trip Generation

The Proponent estimates that the combination of uses proposed for the overall Project site will generate an additional 4,296 vehicle trips over existing conditions in accordance with the Institute of Traffic Engineers (ITE) *Trip Generation Manual*. To produce this unadjusted trip generation estimate, the TIA utilizes Land Use Code (LUC) 932 (High-Turnover Sit-Down Restaurant), LUC 937 (Coffee/Donut Shop with Drive-Through Window), LUC 254 (Assisted Living), LUC 252 (Senior Adult Housing – Multifamily), LUC 310 (Hotel), and LUC 221 (Multifamily Housing Mid-Rise). This building program and resultant trip generation remain unchanged since the original TIA filed with the Project ENF.

The TIA proposes an adjusted rate of trip generation for the overall Project site based on the expectation of pass-by trips already present on the roadway network traveling to the two proposed fast-food establishments. Based on the rate of pass-by trip generation, the Proponent estimates that the Project will generate 289 trips during the weekday morning peak hour and 268 trips during the weekday evening peak hour. In the Project FEIR, the Proponent should provide documentation to demonstrate that the number of pass-by trips taken as credits by the Project do not exceed 15 percent (15%) of the adjacent street traffic volume (street volume prior to site development) during the peak hour per the ITE *Trip Generation Manual* and MassDOT/EOEEA *TIA Guidelines*.

Trip Distribution

The TIA includes a diagram of the anticipated trip distribution for Project-generated vehicle trips based on the proposed land uses and area census data. The Proponent anticipates that the majority (80% inbound, 75% outbound) of site-generated will arrive at and depart from the Project via Route 24 northbound and southbound, while the remaining site trips will predominantly travel via Route 104 eastbound and westbound.

Study Area

Based on analysis of area traffic patterns and consultation with the Town of Bridgewater, the TIA includes the following intersections in the Project study area:

- North Main Street (Route 104) at Pleasant Street (Route 104)/Elm Street.
- Route 104 at Residence Inn Driveway
- Route 104 at Lakeshore Center
- Route 104 at Old Pleasant Street
- Route 104 at Lakeside Drive/ Fruit Street
- Route 104 at Route 24 Southbound Ramps
- Route 104 at Route 24 Northbound Ramps

Traffic counts to establish existing roadway volumes were taken in April 2022. The resulting trip distribution represents a very low trip generation associated with the warehouse development at Lot 8 within the Lakeshore Center. The Proponent should review whether this Project was at full occupancy during the April traffic count and revise the operations analysis to reflect increased volumes as needed.

Traffic Operations

The TIA provides a capacity analysis including a summary of delays and queuing on study area intersections and roadways under present conditions, 2029 No-Build conditions, and 2029 Build conditions. Under the 2029 Build conditions as compared to the 2029 No-Build scenario, the overall level of service (LOS) at the intersection of Pleasant Street with the Lakeshore Center driveway is anticipated to decline from LOS D to LOS E, with delays and queues increasing within the Project site rather than on the public roadway. Under both future scenarios, the intersection of Pleasant Street/North Main Street with Elm Street is anticipated to remain at LOS E. All other study area intersections are anticipated to remain at acceptable levels of service for suburban use.

MassDOT notes that the Project proposes six new driveways onto Route 104 in addition to the existing channelized driveway for the Lakeshore Center. The Proponent should supply design alternatives and associated capacity analysis to examine the potential to reduce curb cuts and associated traffic impacts on the state jurisdictional right of way.

Safety

The TIA includes a crash analysis for intersections and roadways within the study area, noting that the intersection of Pleasant Street with Lakeside Drive and Fruit Street has a higher rate of crashes than the District 5 average for unsignalized intersections (0.82 per million vehicles). The FEIR should include mitigation strategies to improve safety performance at the intersection of Pleasant Street with Lakeside Drive and Fruit Street and include this analysis and any related proposals in the Project FEIR.

There are no Highway Safety Improvement Program (HSIP) eligible crash clusters within the Project study area. Additionally, the TIA includes a site distance evaluation for the proposed Project driveways, finding that each driveway exceeds the recommended site distance in order to avoid accidents under adverse road conditions.

Transit Operations

The TIA notes that the Project site is not presently served by area transit operated by the Greater Attleboro Taunton Regional Transit Authority (GATRA) or the Brockton Area Transit (BAT) services. The TIA includes ongoing discussions held by the Proponent with both authorities to identify potential expansions of transit service to the Project site but does not indicate an expansion of transit service to the Project site. Given the assisted-living and

age-restricted residential components included in the Project proposal, MassDOT encourages the Proponent to continue dialogue with BAT and GATRA to provide a commitment to expanded transit service in the final mitigation program included in the Project's Section 61 finding.

Pedestrian/Bicycle Operations

The TIA notes that the Project study area includes bicycle and pedestrian infrastructure. Pedestrian infrastructure serving the Project site includes a concrete sidewalk on either side of Route 104 with crosswalks connecting across Pleasant Street at Summit Drive and across the Route 24 ramps to the east. Formal bicycle lanes or 7-to-8-foot shoulders are provided on either side of Route 104 to the west of the Route 24 interchange.

Mitigation

The DEIR include a summary of mitigation intended to offset the impacts of Project-generated trips within the surrounding area. In order to improve pedestrian and bicycle operations, the Proponent proposes to install push-button actuated rapid rectangular flashing beacons (RRFB) at the existing crosswalk across Route 104 west of Lakeshore Center. Additionally, the Proponent proposes to repaint existing crosswalks on Route 104 west of Lakeshore Center and east of Summit Drive and construct a new crosswalk with RRFBs across Route 104 west of Old Pleasant Street providing a direct connection to the proposed restaurant.

As noted in the Safety and Transit Operations sections above, the Proponent should include additional mitigation to improve transit access to the Project site and safety performance at the Pleasant Street/Lakeside Drive/Fruit Street intersection.

Transportation Demand Management

The Proponent includes a Transportation Demand Management (TDM) program intended to reduce single-occupancy vehicle trips to the Project site. The TDM program, briefly summarized, includes:

- Establishment of an on-site TDM coordinator;
- Employee scheduling to stagger shifts and minimize peak impacts;
- Provision of on-site bicycle parking;
- Provision of pedestrian access to the Project site; and
- Identification of existing car sharing/carpooling services.

Transportation Monitoring Program

The TIA includes a commitment from the Proponent to conduct an annual Traffic Monitoring Program (TMP) to run for five years beginning six months after Project occupancy.

- 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, PM and Saturday peak 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 FEIR and the adequacy of the mitigation measures, as well as to determine the effectiveness of the TDM program.

Conclusion

Based on the above recommendations, MassDOT strongly recommends the Proponent coordinate with the PPDU prior to the submittal of an amended TIA to accompany the Project FEIR. The Proponent should additionally continue consultation with the Town of Bridgewater, BAT/GATRA, and appropriate MassDOT units, including PPDU, Traffic Operations, and the District 5 Office during the preparation of the FEIR for the Project. If you have any questions regarding these comments, please contact *Curtis.B.Wiemann@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

Maura Healey
Governor

Kim Driscoll
Lt. Governor

Rebecca Tepper
Secretary

Patrick Woodcock
Commissioner

27 January 2023

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

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

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

Dear Secretary Tepper:

We've reviewed the Draft Environmental Impact Report (DEIR) for the proposed project. The project includes the following:

- 310,000-sf multifamily "active adult 55+" building, 225 units, 4 stories
- 225,000-sf condominium building, 160 units, 4 stories
- 69,000-sf hotel
- 200,000- sf assisted living
- 6,000-sf restaurant
- 1,800-sf café

In the submission the active adult and condominium building were evaluated as a pair due to their similar nature. Similarly, the assisted living and hotel were evaluated as a pair.

Executive Summary

The active adult and condominium buildings are proposed to have **no mitigation**. The hotel and assisted living are proposed to have **minimal mitigation** and are proposed to include very low-performing fenestration and extensive, high-emissions electric resistance space heating. No information was provided concerning the restaurant and café and thus it is inferred **no mitigation**

is proposed. Key scenarios and sub-scenarios which were requested in the ENF were **unevaluated**. Key information requested in the ENF was **not produced** in the DEIR.

Active Adult and Condominium Buildings

These buildings are proposing **no mitigation**. Code requires HERs 55 for these buildings and HERs 55, with gas space and water heating, is proposed. This is a significant outlier from other similar MEPA submissions this office has reviewed which routinely commit to reduced HERs and efficient electrification.

In the submission, a HERs 45 (with efficient electrification using heat pump space heating) was evaluated. The submission states that this scenario is “infeasible”. However, no explanation or backup was provided to substantiate this statement for the HERs 45 scenario.

For projects that wish to evaluate cost feasibility issues, we would expect to see detailed design summaries for each scenario and accompanying cost estimates from a cost estimator with pricing linked to the changed design elements. The design summaries should include key information such as heating and cooling system size and capacities, HVAC distribution system equipment, and envelope elements. It is also typical that HERs 45 (and HERs 35) result in reduced HVAC sizes, equipment, and sometimes distribution infrastructure and thus we’d expect the summaries to capture these reductions. Cost estimates should, therefore, show net costs.

In the submission, a HERs 35 scenario was evaluated which was also described as “infeasible”. The submission contains limited cost information (Table 11-1). Additional substantiation should be provided, including design summaries provided to the cost estimator.

The evaluation also did not include any sub-scenarios related to water heating which were requested in the ENF. In the ENF, we requested sub-scenarios evaluating electric resistance, in-unit heat pumps, and central heat pumps. We’re also open to a mixed fuel approach using efficient electric heat pump space heating and gas water heating. It’s expected that water heating will make up a large amount of energy use. These sub-scenarios should also be incorporated into the cost feasibility described above. Cost feasibility should include credit for downsizing and removal of gas from the buildings, as appropriate for the scenario.

Table I below presents an organized way to present evaluation inputs and findings. (Add sub-scenario column if using heat pump space heating and gas water heating.) We recommend this table be used to present the results of the active adult and condominium buildings. We note in the table an “NP” to flag key information which was requested in the ENF, but not provided; or key information which would be essential in conducting a cost feasibility analysis.

**This is proposed –
there is no mitigation**

Table I

	Baseline with gas space heating (HERs 55)	Improved with HP space heating (HERs 45)			Passivehouse level with HP space heating (HERS 35)		
	Gas	Electric resistance	In unit HP	Central HP	Electric resistance	In unit HP	Central HP
Water heating type							
Peak elec (MBH)	NP	NP	NP	NP	NP	NP	NP
Peak gas (MBH)	NP	NP	NP	NP	NP	NP	NP
Total elec (MMBtu/yr)		NP		NP	NP		NP
Total gas (MMBtu/yr)		NP		NP	NP		NP
Emissions (tpy)		NP		NP	NP		NP
Total annual heating (MMBtu/yr)							
Total annual cooling (MMBtu/yr)							
Peak heating (MBH)	NP		NP			NP	
Peak cooling (MBH)	NP		NP			NP	
Heating TEDI (kBtu/sf-yr)							
Cooling TEDI (kBtu/sf-yr)							
Air infiltration (cfm at 75 Pa)							
Window U after derating							
Whole wall U after derating							
% window							
Weighted average vertical U							
Roof R							
Energy recovery effectiveness (%)							

Assisted Living and Hotel Buildings

A key scenario requested in the ENF for these buildings was **not evaluated**. In the ENF, we requested a scenario with improved windows, envelope, air infiltration, and energy recovery to achieve a target heating thermal energy demand intensity (TEDI) of 2-3 kBtu/sf-yr.

Rather than present a scenario with low target heating TEDI, the submission presented a scenario (which is the scenario being proposed to be built) having a heating TEDI **more than double this target**. This proposed scenario has very low-performing fenestration (R-2.6 storefront glass, R-2.4 operable window, and R-1.3 doors), unimproved air infiltration, relatively unimproved roof and walls (R-30 and R-20, respectively), and low-level ventilation energy recovery (50%).

This low-TEDI scenario also incorporates air source heat pump equipment which does not operate in heat pump mode below 47F. Below this temperature, which represents most of the heating season, the space is heated with electric resistance heating. This is a highly inefficient, high-emissions, and expensive approach to space heating.

The only other scenario evaluated was an electric heat pump heating version (without electric resistance) of this high-TEDI scenario.

Similar to the multifamily buildings described above, the evaluation also did not include any sub-scenarios related to water heating which were requested in the ENF. In the ENF, we requested sub-scenarios evaluating electric resistance, in-unit heat pumps, and central heat pumps. We're also open to a mixed fuel approach using efficient electric heat pump space heating and gas water heating. It's expected that water heating will make up a large amount of energy use.

Table II below presents an organized way to present evaluation inputs and findings. (Add sub-scenario column if using heat pump space heating and gas water heating.) We recommend this table be used to present the results of the assisted living and hotel buildings. We note in the table an "NP" to flag key information which was requested in the ENF, but not provided; or key information which would be essential in conducting a cost feasibility analysis.

Table II

	Baseline with gas space heating	Proposed with SPVHP, ER and gas in common areas	All electric	Low TEDI (2-3 kBtu/sf-yr) with air source heat pump heating		
				Electric resistance	In unit HP	Central HP
Water heating type	Gas	Gas	In unit HP	Electric resistance	In unit HP	Central HP
Peak elec (MBH)	NP	NP	NP	NP	NP	NP
Peak gas (MBH)	NP	NP	NP	NP	NP	NP
Total elec (MMBtu/yr)				NP	NP	NP
Total gas (MMBtu/yr)				NP	NP	
Emissions (tpy)				NP	NP	
Total annual heating (MMBtu/yr)					NP	
Total annual cooling (MMBtu/yr)						
Peak heating (MBH)	NP	NP	NP			
Peak cooling (MBH)	NP	NP	NP		NP	
Heating TEDI (kBtu/sf-yr)	NP				NP	
Cooling TEDI (kBtu/sf-yr)	NP				NP	
Air infiltration (cfm at 75 Pa)					NP	
Window U after derating					NP	
Whole wall U after derating					NP	
% window					NP	
Weighted average vertical U					NP	
Roof R					NP	
Energy recovery effectiveness (%)					NP	

Not evaluated

Restaurant and Cafe

No evaluations were performed for these buildings. Based on this, it's inferred that these buildings are proposing **no mitigation**.

In our ENF, we recommend various scenarios to model. We subsequently agreed that modeling may not be necessary for these relatively small buildings. (These building do, however, still have

high energy use. The restaurant, for example, could have an energy use about half of the assisted living building.) However, we did expect these buildings to include some mitigation and recommended focusing on envelope and efficient space and water heating electrification strategies. Table III presents a recommended reporting format for these two buildings.

Table III

	Baseline	Proposed
Space heating type		
Water heating type		
Air infiltration (cfm at 75 Pa)		
Window U after derating		
Whole wall U after derating		
% window		
Weighted average vertical U		
Roof R		
Energy recovery effectiveness (%)		

Code Updates

Note that the commercial energy code undergoes significant updates on 1 July 2023 and could apply to some or possibly all the buildings. The details of this code area available here:

<https://www.mass.gov/info-details/stretch-energy-code-development-2022#final-code-language-for-stretch-code-update-and-new-specialized-stretch-code->

The new code makes significant changes and improvements many sections of the code including:

- envelope performance
- thermal bridge accounting
- air infiltration limits and field verification testing
- ventilation energy recovery
- unit-by-unit ventilation requirements for multifamily
- electrification
- ASHRAE Appendix G
- other sections.

A thorough check by the design team is recommended to confirm that the proposed buildings meet or exceed the requirements of the proposed code. The team may wish to compare a July 2023 code version of the residential buildings to a Passivehouse scenario to assess whether a Passivehouse approach is just as cost-effective considering MassSave rebates.

PV

Solar ready zones (Appendix CB of IECC 2021) on 40% of the rooftop will be mandatory for all proposed buildings, including the café and restaurant. As a mitigation measure, we recommend increasing solar readiness to more than 40%. In our ENF we recommended assessing possible increases to this minimum amount of solar readiness using to-scale roof plans showing rooftop appurtenances. This assessment was not performed and is recommended. Solar readiness in the order of 60-70% is potentially possible.

EV Charging Stations

Very limited EV charging is proposed. Only 3% of the proposed spaces will have EV charging. Consistent with other MEPA submissions, we recommend this be increased to 10 to 15% of the parking spaces.

EV Readiness

Very limited EV readiness is proposed. Only 3% of the proposed spaces will be EV ready.

Note that the July 2023 commercial stretch code (Section C405.13) mandates that **20%** of all spaces for International Building Code (IBC) Group B and R use buildings be EV ready. All other building use types require **10%** of the spaces be EV ready. We recommend that at least this number of spaces be made EV ready.

Recommended Approach

Based on numerous other submissions this office has reviewed for similar projects, we recommend the commitments below. With these commitments, no further evaluations are required.

- Multifamily buildings: HERS 45 with cold-climate rated air source heat pump space heating. Air source heat pump water heating, either in-unit or central, would be ideal but gas water heating would be an acceptable alternative. PV readiness of 50-60%. Also, confirm fully compliant with July 2023 commercial stretch code, including air infiltration, thermal bridging, EV readiness, and requirement to deliver outdoor air directly to the dwelling units.
 - The proponent may wish to reassess Passivehouse, as the “gap” between above and Passivehouse could be smaller or close to the \$3,000/unit rebate value.
- Hotel and assisted living buildings: Improve windows, walls, roof, air infiltration, and energy recovery to achieve a heating TEDI of 2 to 3 kBtu/sf-yr with cold-climate air source heat pump space heating. As above, air source heat pump water heating, either in-unit or central, would be ideal but gas water heating would be an acceptable alternative. PV readiness of 50-60%. Also, confirm fully compliant with July 2023 commercial stretch code, including EV readiness, air infiltration, thermal bridging, and (for the assisted living) requirement to deliver outdoor air directly to the dwelling units.

- Café and restaurant: Cold-climate air source heat pump space heating and above code window performance. PV readiness of 50-60%. Also, confirm fully compliant with July 2023 commercial stretch code including thermal bridging, air infiltration, and EV readiness.

Evaluations for Subsequent Submissions

For building(s) which do not conform to recommended approach above, provide the following evaluations in the next submission. (These reflect the recommendations contained in the ENF, the modeling simplifications/accommodations agreed to on 26 August 2022 call, and using the Tables.)

1. For the 4-story, 225-unit residential building and the 4-story, 160-unit condo building, complete Table I above including information and scenarios/sub-scenarios not provided in the DEIR.
2. For the 5-story, 150-unit assisted living and hotel buildings, complete Table II above including information and scenarios/sub-scenarios not provided in the DEIR.
3. Populate a Table III for both the 1,800-sf café and 6,000-sf restaurant (one Table III for each building) presenting proposed above-code mitigation.
4. If cost is going to be part of a feasibility analysis, provide the following:
 - a. A design summary of the baseline and proposed alternative provided to a cost estimator for pricing. Design summary should include details of HVAC system size, type, and distribution. Design summary should also include details of required gas infrastructure (both in-building and on-site), downsizing, and elimination as appropriate for the various electric space and water heating scenario and sub-scenarios.
 - b. Cost estimator's response tied to design summary items, including additional costs and cost credits, as applicable.
5. Evaluate above-code solar readiness with scaled building roof plans showing location of planned solar and location of roof HVAC equipment and other appurtenances for each building. Indicate on the plans the code-required extent of solar readiness.
6. Increase spaces with EV charging to 10 to 15%.
7. Increase EV readiness to 20% for Group B and R buildings and 10% for all other buildings. A detailed table and plan should be prepared which attributes which spaces apply to which building to demonstrate compliance.

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8. Evaluate stretch code to go into effect 1 July 2023 and confirm that the proposed buildings would meet or exceed the requirements of this new code.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul F. Ormond". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Paul F. Ormond, P.E.
Energy Efficiency Engineer
Massachusetts Department of Energy Resources