



SMART GROWTH AND REGIONAL COLLABORATION

June 23, 2017

Matthew A. Beaton, Secretary
Executive Office of Energy & Environmental Affairs
Attention: MEPA Office – Alex Strysky, MEPA #14681
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: 1265 Main Street, MEPA #14681

Dear Secretary Beaton:

The Metropolitan Area Planning Council (MAPC) regularly reviews proposals deemed to have regional impacts. The Council reviews proposed projects for consistency with *MetroFuture*, the regional plan for the Boston metropolitan area, the Commonwealth's Sustainable Development Principles, consistency with Complete Streets policies and design approaches, as well as impacts on the environment.

1265 Main Street (the Project) is a two phase development of the 94.4-acre former Polaroid Campus located on Main Street (Route 117) in Waltham, with frontage along Route 128/I-95. Phase I, previously developed under a Waiver granted by Secretary Maevé Vally Bartlett on January 7, 2015¹, comprises approximately 160,000 square feet (sf) of a mix of restaurant, supermarket, retail, and service uses in multiple new buildings. Phase I also includes a new U.S. headquarters for Clarks Shoes in a revitalized 120,000 sf office building. As we write this letter, Phase I is nearly complete.

As part of Phase II, 1265 Main Street LLC (the Proponent) proposes to develop a mix of office, retail, restaurant, service, hotel, health/wellness uses, along with an alternate residential component. Phase II will comprise an additional 1,825,000 sf of mixed-use development. When complete, Phases I and II will comprise a total 2,130,000 sf of mixed-use development and 4,800 proposed parking spaces. The entire Project is forecast to generate an estimated 18,954 daily vehicular trips.

MAPC has a long-term interest in alleviating regional traffic and environmental impacts, consistent with the goals of *MetroFuture*. The Commonwealth also has established a mode shift goal of tripling the share of travel in Massachusetts by bicycling, transit and walking by 2030. Additionally, the Commonwealth has a statutory obligation to reduce greenhouse gas emissions (GHG) by 25% from 1990 levels by 2020 and by 80% from 1990 levels by 2050.

In May 2016, the Massachusetts Supreme Judicial Court released a unanimous decision in *Kain vs. Massachusetts Department of Protection (DEP)* ordering the state's DEP to take additional measures to implement the 2008 Global Warming Solutions Act. Specifically, the Court held that DEP must impose volumetric limits on the aggregate greenhouse gas emissions from certain types of sources and that these limits must decline on an annual basis. This recent ruling reasserts the state's obligation to meet these goals.

MAPC appreciates and recognizes the Proponent's efforts in advancing this complex project. We have reviewed the Final Environmental Impact Report (FEIR) and our key concerns pertain to the Proponent's failure to delineate a clear and complete infrastructure development schedule, to provide a credible list of funding sources, and to provide detailed cost estimates for infrastructure improvements to mitigate the project's impacts - all of which were previously requested by the Secretary. Compliance with the Secretary's Certificate is a legal obligation and the Proponent needs to be held responsible for

¹ Waiver is part of an Amended Record of Decision.

appropriately answering, not circumventing, the fundamental project components of scheduling, funding sources, and cost estimates. In order to minimize adverse impacts and to keep the Commonwealth on track in meeting its regulatory and statutory goals, MAPC respectfully requests that you require the Proponent to address these outstanding issues prior to the forthcoming Section 61 Findings and permitting process.

Schedule

Despite directive from the Secretary's Certificate² and requests outlined in MassDOT's and MAPC's previous comment letters³, the FEIR does not provide a schedule outlining the implementation of the proposed infrastructure improvements. It is important to point out that the provision of a schedule was previously requested in the Secretary's Certificate for the Expanded Environmental Notification Form (EENF)⁴. MassDOT⁵ and MAPC⁶ underscored the same request in their comment letters addressing the EENF.

The Secretary's Certificate for the DEIR⁷ clearly states that “[t]he FEIR should contain clear commitments to...estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation (p 6-19).” While MAPC acknowledges the Proponent has identified phasing options, no timeline is provided. MAPC finds the Proponent's comment that “[g]iven the complexity of the Project and associated infrastructure improvements, together with the possibility of a multi-phased implementation of both traffic improvements and development components, it is difficult to provide even an approximate anticipated development schedule (p 1-11)” to be unacceptable.

Due to the Project's size, complexity, and significant regional impacts, providing a schedule is a fundamental component. At a minimum, a schedule should include the following infrastructure improvements:

- › Route 117 (Main Street) corridor widening (exclusive of the new Route 117 Bridge)
- › Connector road from Green Street to the I-95/Route 20 Interchange
- › Internal connection to CityPoint/Fifth Avenue
- › New Route 128/I-95 northbound ramp
- › Third Avenue/Totten Pond Road improvements

It is imperative that a schedule outlining the proposed infrastructure improvements be provided by the Proponent for inclusion as part of the Section 61 Findings and prior to the issuance of any permits.

Funding and Cost Estimates

Although the FEIR estimates that aggregate improvement costs are in the range of \$60 to \$70 million and full-build construction costs to be \$500 million⁸, the Proponent does not provide any more specific

² Certificate of the Secretary of Energy and Environmental Affairs on the Draft Environmental Impact Report, September 23, 2016.

³ MassDOT DEIR comment letter dated September 16, 2016 and MAPC DEIR comment letter dated September 9, 2016.

⁴ Certificate of the Secretary of Energy and Environmental Affairs on the Expanded Environmental Notification Form, February 25, 2011.

⁵ MassDOT EENF comment letter dated February 18, 2011 and MAPC EENF comment letter dated January 24, 2011.

⁷ Certificate of the Secretary of Energy and Environmental Affairs on the Draft Environmental Impact Report, September 23, 2016.

⁸ The DEIR estimated infrastructure and mitigation costs to be \$40 to \$50 million.

budgetary estimates, claiming they are “*difficult to determine* (p 1-12)”. Rather, the Proponent anticipates that Phase II improvements will be funded by a combination of private and public funds and that “*costs will be determined as the Project design is developed* (p 6-7)”. Furthermore, the Proponent states that the specific nature of the public/private partnership will be determined based upon further discussions with MassDOT and other relevant public and private stakeholders.

While MAPC complements the Proponent for its desire to partner with the state, to seek private and public funds, and to lead this effort, the FEIR needs to address how this partnership would be formed, the expected contribution of each partner, and how the funds would be managed. It is imperative that funding and cost estimates be delineated by the Proponent, and that they should be included as part of the Section 61 Findings and prior to the issuance of any permits.

While we recognize the challenge of determining precise figures and identifying the responsibilities of public and private stakeholders, reasonable and fact-based estimates are essential at this point in the review process. To reiterate, it is simply unacceptable to leave these key commitments unresolved.

Route 128 Corridor Study

The FEIR mentions that MassDOT still intends to conduct a Route 128 Corridor Study and will be seeking funds from the Proponent to complete it. Specifically, the Proponent is obligated to provide a financial contribution towards this study in the total amount of \$150,000. This long-standing commitment should continue to be recognized in both the FEIR Certificate and the Section 61 Findings. It is important to note that the Proponent’s obligation to provide \$150,000 was a condition of the Phase 1 Waiver for this Project.

It is also imperative that MassDOT, working in consultation with MAPC and the nearby municipalities, develop a scope of work as well as identify and secure other funding sources to advance the Route 128 Corridor Study. In addition to further understanding transportation and growth along the 128 Corridor, MAPC strongly recommends that this study also evaluate the feasibility of a multi-modal center. We stand ready to assist in this endeavor.

Thank you for the opportunity to comment on this Project.

Sincerely,



Marc D. Draisen
Executive Director

cc: Mayor Jeannette A. McCarthy, City of Waltham
Donna S. VanderClock, Town Administrator of Weston
David Mohler, MassDOT