



The Commonwealth of Massachusetts

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November 24, 2006

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

PROJECT NAME : Jacob Wirth's (Hotel & Residences)
PROJECT MUNICIPALITY : Stuart/LaGrange Streets - Boston
PROJECT WATERSHED : Boston Harbor
EOEA NUMBER : 13870
PROJECT PROPONENT : Weston Associates
DATE NOTICED IN MONITOR : September 11, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L., c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form, the proposed project consists of the construction of a 28-story building containing a total of approximately 339,495 square feet (sf) with 219 parking spaces (56,805 sf) in three levels below ground. The building will include approximately 108-room hotel (104,599 sf) on the first six floors and 181 residential apartment units (234,896 sf) on the upper 22 floors. Twenty-four of the residential units will be designated as affordable. The project includes fully enclosed loading facilities (2,182 sf) with two truck bays on LaGrange Street. The parking garage entry will be located on LaGrange Street. Site pedestrian access will be provided along Stuart Street. The project includes the removal of the rear kitchen ell of the Jacob Wirth's Restaurant, which will be replaced by a new kitchen in approximately the same location, but incorporated into the new building. The site contains approximately 24,622 sf.

The project is subject to review pursuant to Sections 11.03(1)(b)(6), (6)(b)(14), and (10)(b)(1) of the MEPA regulations because it requires the approval, in accordance with MGL c.121A, of a fundamental change in an approved urban redevelopment project (Park Plaza Urban Renewal Plan Area) consisting of 100 or more dwelling units, it generates 1,000 or more new vehicles trips and includes the construction of 150 or more new parking spaces, and it demolishes the Jacob Wirth kitchen ell, which is included in the Inventory of Historic and Archaeological Assets of the Commonwealth. It will require a Memorandum of Agreement with the

Massachusetts Historical Commission (MHC). The project will require a Major Sewer Connection Permit, a Fossil Fuel Emission Permit, and a Non-Major Comprehensive (Air Quality) Plan Approval from the Department of Environmental Protection (MassDEP). It may also need a Groundwater Discharge Permit and a Construction Dewatering Permit from MassDEP and the Massachusetts Water Resources Authority (MWRA). Because the Boston Redevelopment Authority (BRA) will be transferring land to the proponent, MEPA jurisdiction extends to all aspects of the project that may have significant environmental impacts.

The proposed project is also subject to review by the BRA under the Article 80 project review process of the Boston Zoning Code. Accordingly, the proponent will prepare a Project Impact Report (PIR). It is my view that the detailed planning for this project can be adequately addressed during the BRA's review process. The City of Boston can handle the resolution of issues related to traffic, parking, pedestrian amenities, wind and shadow, wastewater, and stormwater impacts.

Using the Institute of Traffic Engineers (ITE) Handbook land use codes 232 (High Rise Residential Condominium) and 310 (Hotel), the proponent has estimated that the project will generate 1,872 unadjusted new daily vehicle trips. Using the Boston Transportation Department (BTD) mode split for this area, the proponent has estimated that the project will generate approximately 493 new daily vehicle trips. The proponent will provide 86 public parking spaces as replacement for the existing surface parking lots. The parking garage will contain a total of 219 spaces, which includes the 86 public parking spaces.

The project will be connected to the existing municipal water and wastewater service. The proponent has estimated that the project will consume 53,823 gallons per day (gpd) of water and it will generate about 48,930 gpd of wastewater.

The 24,622 sf site includes the Jacob Wirth building containing 14,006 sf of space and a paved surface parking lot with approximately 86 spaces. The project site is located within one block of the Liberty Tree District and other properties that are listed in the State and National Registers of Historic Places. The Jacob Wirth Building is a designated Boston landmark and a property individually listed on the State and National Registers of Historic Places.

MHC has determined that the proposed project would have an "adverse effect" on the Jacob Wirth Building. In its comment letter, MHC has requested that the proponent consider alternatives that would eliminate, minimize, or mitigate the adverse effect of the proposed construction. MHC also requests that the proponent seek ways to avoid or minimize the demolition of the historic kitchen at the Jacob Wirth Building. The proponent must comply with this request. In addition, the proponent must examine the effects of shadow on nearby historic properties. The proponent should consider measures to allow for the continuous operation or a very minimal closure of the Jacob Wirth restaurant during construction. A lengthy closure could

make reopening the historic restaurant a difficult undertaking. At the conclusion of the consultation process with MHC, the proponent and MHC should develop a Memorandum of Agreement to specify the measures that will be undertaken to minimize or mitigate the adverse effect of the project on historic properties.

The proposed project's impacts to the stormwater system will be mitigated by the implementation of Best Management Practices (BMP's). There is no increase in impervious area. Deep sump catch basins are proposed. Stormwater from the catch basins will flow to the Boston Water and Sewer Commission (BWSC) stormwater system. Roof runoff will also flow to the BWSC stormwater system. The proponent will provide an annual inspection and maintenance program of the stormwater system along with a seasonal sweeping program of driveways and walkways.

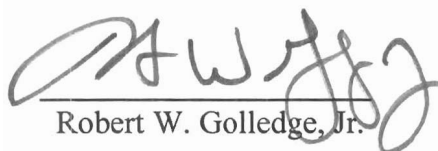
I encourage the proponent to participate in MassDEP's Diesel Retrofit Program as a way to mitigate adverse construction period impacts from diesel emissions. The proponent has committed to explore participation in the above program. It has stated that it will establish a Transportation Demand Management (TDM) program to reduce single passenger vehicle trips. The TDM program will include an on-site transportation coordinator, transit pass subsidies for employees, secure bicycle parking areas, and the distribution of transit maps and schedules to residents, guests, and employees. The proponent should consider subsidizing a transit pass program for residential tenants/owners.

If the shadow studies for the BRA's Draft Project Impact Report indicate that the project is inconsistent with the state statute regarding shadow impacts on the Boston Common, Chapter 362, the proponent is required to file a Notice of Project Change.

Based on a review of the information provided by the proponent and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant preparation of an EIR.

November 24, 2006

Date



Robert W. Golledge, Jr.

cc: Nancy Baker, MassDEP/NERO

Comments received:

Epsilon Assoc., 9/14/06

BRA, 9/21/06
Epsilon Assoc., 9/26/06
MWRA, 9/27/06
Jeff Hovis, 10/1/06
MassDEP/NERO, 10/2/06
BWSC, 10/2/06
BED, 10/12/06
MHC, 11/14/06
Epsilon Assoc., 11/16/06
BRA, 11/17/06
Epsilon Assoc., 11/20/06

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