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January 16, 2008

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

PROJECT NAME : Washington Street Shopping Center
PROJECT MUNICIPALITY : Hanover
PROJECT WATERSHED : South Coastal Watershed
EEA NUMBER : 14046
PROJECT PROPONENT : **Hanover** Washington Limited Partnership
DATE NOTICED IN MONITOR : December 10, 2007

As Secretary of Environmental Affairs, I hereby determine that the Single Environmental Impact Report (Single EIR) submitted on this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

Project Description

According to the Single EIR, the proposed retail development will be constructed on approximately 39 acres of partially developed land located on the east side of Washington Street (Route 53), approximately one mile south of Route 3 and proximate to the Hanover Mall. The proposed project will entail demolishing a vacant house, preserving the existing office building (with conversion of first floor space to commercial/retail use) and the construction of additional retail and restaurant buildings resulting in a change of 177,350 square feet (sf) of new floor area for a total of 229,000 sf of retail, office and restaurant space and 972 new associated parking spaces. The project is expected to generate 11,470 vehicle trips on an average weekday and 15,358 vehicle trips on an average Saturday. The proposed project will result in approximately 18 acres of new impervious area. Water service will be provided by the Town of Hanover and sewer will be treated by means of an on-site wastewater treatment facility.

MEPA Jurisdiction and Required Permits

The project is undergoing review and requires the preparation of an EIR pursuant to sections 11.03(6)(a)(6) and 11.03(1)(a)(2) of the MEPA regulations, because it will generate more than 3,000 new vehicle trips per day and create ten or more acres of impervious area. The project will require a State Highway Access Permit from the Massachusetts Highway Department (MHD) and a Groundwater Discharge Permit from the Department of Environmental Protection (MassDEP). Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction is limited to those aspects of the project that are within the subject matter of the required or potentially required state permits. In this case MEPA jurisdiction exists over land alteration, and traffic/air quality issues.

MEPA History

In accordance with Section 11.05(7) of the MEPA regulations, the proponent submitted an Expanded ENF (EENF) with a request that I allow the proponent to fulfill its EIR obligations under MEPA with a Single EIR, rather than the usual process of a Draft and Final EIR. The EENF received an extended comment period pursuant to Section 11.06(8) of the MEPA regulations. In a Certificate issued on August 1, 2007, I found that the EENF met the regulatory requirements and I allowed the proponent to file a Single EIR in fulfillment of Section 11.03 of the MEPA regulations. The Certificate on the EENF laid out the issues to be addressed in the Single EIR.

Review of the Single EIR

The Single EIR included a detailed description of the project and described each state agency action required for the project. It contained sufficient information to allow the permitting agencies to understand the environmental consequences of their official actions related to the project.

Traffic/Transportation

The Single EIR included a traffic study that generally conforms to the EEA/EOTPW Guidelines for Traffic Impact Assessment and has adequately analyzed the traffic operations along Route 53. MassHighway has stated in its comment letter that any remaining issues can be adequately addressed by the proponent prior to the issuance of a Section 61 Finding.

Traffic analysis included in the Single EIR indicates that the Route 53/Route 3 northbound ramp intersection is shown to be operating at unfavorable levels of service under the existing conditions. For the future build conditions, it was assumed that traffic signals would be installed by MassHighway, thereby improving traffic operations. However, this project may not be constructed in time to mitigate the project's traffic impacts at this location. I strongly encourage the proponent to continue to working closely with MassHighway to ensure

implementation of the traffic signal prior to site occupancy.

The proponent should also continue to work with MassHighway regarding the coordination between the MassHighway Route 53 project and their project. MassHighway has stated that the proponent will be responsible for any additional cost related to accommodating the proposed mitigation measures. Additionally, the proponent will be asked to donate any land under its control that may be necessary to construct the roadway improvements along Route 53.

To improve mobility along this corridor, the proponent has committed to coordinating the traffic signal operations between the primary site driveway and the three traffic signals located between the site and Route 3. I note that the proponent will be responsible for all hardware and software necessary to operate the interconnected/coordinated system must be reviewed by MassHighway. The proponent will also be responsible for all costs related to the operation and installation of the system.

Air Quality and Climate

The project is subject to the Executive Office of Energy and Environmental Affairs (EEA) Greenhouse Gas Emissions (GHG) Emissions Policy, which requires GHG information to be provided during the MEPA process. In accordance with the EEA Greenhouse Gas Emissions Policy, the Single EIR identified and described all GHG emissions associated with the project and proposed measures to avoid, minimize and mitigate project-related GHG emissions.

Stormwater/Wetlands

The Single EIR states that stormwater management will conform to MassDEP's Stormwater Management Policy by incorporating Low Impact Development (LID) techniques and Best Management Practices (BMP's). Please note that the MassDEP's Stormwater Standards have been incorporated into the Wetlands Protection Act Regulations effective January 2, 2008. A final Order of Conditions must be obtained before any work within Areas Subject to Jurisdiction commences. I also note that the project construction activities may disturb one or more acres of land and therefore, may require a NPDES Stormwater Permit for Construction Activities.

The proponent proposes to fill 952 square feet of Bordering Vegetated Wetlands (BVW) and replicate (1,050 square feet) adjacent to a larger area of BVW. According to the project proponent, this activity shall adhere to the requirements of 310 CMR 10.55 4. MassDEP recommends that the proponent review the MassDEP's Wetlands Replication Guidance. MassDEP has also stated in their comment letter that the proponent has not filed a Notice of Intent with the Hanover Conservation Commission and the MassDEP office. An abbreviated Notice of Resource Area Delineation has been filed and an Order of Resource Area Delineation was issued by the Hanover Conservation Commission on October 19th, 2007 under Wetlands File NO. SE 31-951.

Water Supply

The project site lies within the watershed to the Third Herring Brook, a major tributary to the North River. The Third Herring Brook is listed Level 5 (Impaired) under the Clean Water Act and does not meet State Water Quality standards for pathogens due to stormwater pollution. In addition to abutting the Third Herring Brook, the project site lies within the drinking water supply recharge areas for Hanover and Norwell. MassDEP's *Division of Water Supply* has reviewed the Single EIR and notes that the proponent has adequately responded to MassDEP's comments on the EENF.

Mitigation and Draft Section 61 Findings

The Single EIR presents Draft Section 61 Findings that address mitigation measures. The final Section 61 Findings will be included with all state permits issued for this project, and will be considered binding upon the proponent as mitigation commitments. In accordance with Section 11.12 (5) (e) of the MEPA regulations, final Section 61 Findings must be forwarded by each permitting agency to the MEPA Office, which will publish a Notice of Availability in the Environmental Monitor. The proponent must submit a revised letter of commitment to the Office of Transportation Planning that outlines the commitment to fund mitigation at the Route 53/Route 3 northbound ramp intersection. The Section 61 Finding to be issued by this office will be based on this letter. The proponent has committed to the following mitigation measures:

Transportation Mitigation

Transportation improvements include (a) access-related improvements, (b) off-site signal improvements, and (c) a travel demand management (TDM) program. These mitigation elements will be provided by the Proponent to support operation of the site, offset project-related traffic increases along the Route 53 corridor and reduce or minimize dependence on single-occupant auto trips generated by the site. Additionally, the Proponent will provide a financial contribution to the Town to be used at the Town's discretion for general corridor planning and/or improvements.

Site Access Improvements

- Recommended access improvements to support the site are to be integrated with currently planned widening of Washington Street by MassHighway in coordination with MassHighway and the Town of Hanover. The Proponent has engaged in discussions with the MassHighway District 5 office and the Hanover Route 53 Study Committee in the development of proposed access improvements.
- The access design will also incorporate pedestrian accommodations including sidewalks, access ramps and pedestrian-activated signal controls to ensure proper accessibility to/from the proposed retail development and Washington Street, to be defined in further discussions with MassHighway and the Town of Hanover.

Off-Site Signal Improvements

- The Proponent will implement coordinated signal operation along Washington Street from the site to Route 3. This entails extending the existing underground conduit along Washington Street to the site and providing appropriate equipment upgrades to the existing signal system along Washington Street as necessary to allow proper signal coordination and timing. This improvement will allow platooned traffic flow along Washington Street, thereby minimizing vehicle delays along the corridor.
- The Proponent will also implement emergency vehicle pre-emption (OPTICOM) at the proposed site drive signal. This system will establish priority movement for enabled emergency vehicles (fire, police, ambulance) to readily access/exit the site, thereby reducing emergency response times and delays.

Travel Demand Management

- The proponent is committed to reduce auto dependency by employees and patrons by implementing a TDM program. These elements are also consistent with the MassDEP's directive to use all reasonable and feasible mitigation actions to reduce auto emissions. The TDM program includes the following elements: 1. Mixed Use Development Planning; 2. Automatic Employee Payroll Reduction; 3. On-Site Banking; 4. On-Site Pharmacy; 5. Bicycle Racks; 6. Internet Sales; 7. MassRides. MassRides programs may encourage workers to use alternative forms of transportation such as carpooling, vanpooling, and to utilize a large database for rideshare matching. The proponent will promote commuter assistance programs available through MassRides. 8. Transit Information. The Applicant will coordinate with the Plymouth and Brockton Street Railway Company (provider of existing transit service serving the Hanover Mall) to determine the feasibility of extending transit (bus) service to the site. 9. Bus Shelter/Taxi Stand; 10. On-Site Vehicle Trip Reduction Coordinator; 11. Walking Incentives. The proponent will install adequate sidewalks with connections to Washington Street (Route 53) to encourage walking on-site and to and from the site.

Route 53 Corridor Improvement Funding Contribution

- The proponent recognizes that the efforts of the Town of Hanover to improve traffic flow and safety along Route 53, including the intersection of Route 53 and Route 3 and along Route 53 to the south of the Project, will inure to the benefit of the Proponent's property. Accordingly the Proponent has committed to making a cash contribution of \$180,000 to be directed to the Town's discretion toward study and design work relative to improving the operation of Route 53.

Wastewater Mitigation

- The proponent has committed to the elimination of an outdated sewage leaching facility serving the existing 40,000± s.f. retail building from the Zone II area of well contribution.

The proponent has committed to the elimination of two other similarly outmoded sewage leaching facilities that serve the now demolished single family house and the existing office building.

The proponent has committed to the construction of a modern state-of-the art WWTF which will discharge a treated effluent which has a nitrate concentration lower than that allowed in drinking water and will provide disinfection of the treated sewage effluent prior to discharge into the ground.

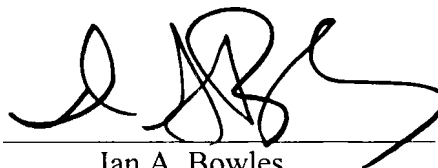
The proponent has committed to treating sewage effluent that will be discharged on site, serving to recharge the groundwater at the site instead of removing it to a central, municipal sewage treatment plant.

Conclusion

I find the Single EIR to be adequate and am allowing the project to proceed to the state agencies for permitting. The Single EIR contained adequate information on project alternatives, impacts, and mitigation, and provided the state permitting agencies with sufficient information to understand the environmental consequences of their permit decisions. No further MEPA review is required. I reiterate that the proponent must submit a revised letter of commitment to the Office of Transportation Planning that outlines the commitment to fund mitigation at the Route 53/Route 3 northbound ramp intersection. The Section 61 Finding to be issued by this office will be based on this letter.

January 16, 2008

Date



Ian A. Bowles

Comments received:

- 01/09/08 Department of Environmental Protection, SERO
- 01/11/08 Town of Hanover, Planning Board
- 01/11/08 Executive Office of Transportation Planning, MHD

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