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October 17, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
NOTICE OF PROJECT CHANGE

PROJECT NAME : 20 Somerset Street Academic Project  
PROJECT MUNICIPALITY : Boston  
PROJECT WATERSHED : Boston Harbor  
EOEA NUMBER : 13902  
PROJECT PROPONENT : Suffolk University  
DATE NOTICED IN MONITOR : July 23, 2008

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA Regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted for this project and hereby determine that it **does not require** an Environmental Impact Report (EIR).

Project Description

The original project proposal consisted of the demolition of an existing building and construction of a 550-bed dormitory, 200-seat dining hall and 47,000 square foot (sf) student center at 20 Somerset Street in Boston. The purpose of the project was to increase the availability of on-campus housing for undergraduate students at Suffolk University and to provide a consolidated student center.

### Project Change

The project change consists of a change in use and a reduction in the size of the building. The dormitory and student center has been substituted with academic classrooms, faculty offices and gallery space, including relocation of the New England School of Art and Design (NESAD). The project will not contain any student services, athletic or residential uses and the project will result in the removal of approximately 400 classroom seats from buildings located on Derne and Temple Streets in the residential area of Beacon Hill. The mass of the building will be reduced by 99,342 gross square feet (gsf) for a total of 112,000 gsf. The height of the building has been reduced from 236 feet to 132.75 feet (measured from Somerset Street). The number of stories has been reduced from 23 to 10. The proponent has committed to cap the height of the building at the height of the existing structure's mechanical penthouse and to maintain the existing buffer between the building's north facade and the Garden of Peace.

Suffolk University will construct a new dormitory at the site of the Modern Theater (523 – 525 Washington Street). An Environmental Notification Form (ENF) (EEA #14254) for the project was filed in June, 2008 and a Certificate was issued on July 11, 2008 indicating that no further MEPA review was required.

### Project Site

The 13,282 square foot (sf) site includes a building which served as the headquarters of the former Metropolitan District Commission (MDC) and a small electrical substation. The site is bounded by Cambridge Street to the north, Somerset Street to the east, Ashburton Place on the south, and Bowdoin Street on the west. It is adjacent to office, residential, institutional, judiciary and retail uses. These include the 100 Cambridge Street/Saltonstall State Office Building and the Bowdoin Street Condominiums to the north, the McCormack Building to the west, the John Adams Courthouse and One Center Plaza to the east, and Suffolk University facilities to the south. The former MDC building is included in the Inventory of Historic and Archaeological Assets of the Commonwealth and MHC has determined that the building is eligible for listing in the National Register of Historic Places. The Garden of Peace, an urban park designed as a memorial to homicide victims, is located immediately to the north of the project site.

### Permitting and Jurisdiction

The project change does not alter MEPA jurisdiction or the types of permits required. The project is subject to MEPA review pursuant to Section 11.03 (10)(b) because it consists of demolition of all or any exterior part of any Historic Structure listed in or located in any Historic District listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth and it requires a transfer of state land. The project requires a land transfer by the Division of Capital Asset Management (DCAM)<sup>1</sup> and review by the Massachusetts Historical Commission (MHC).

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<sup>1</sup> DCAM and the proponent have entered into a Purchase and Sale Agreement but the transfer has not been completed.

The project will be subject to review by the Boston Redevelopment Authority (BRA) pursuant to Article 80, Section 80B (Large Project Review). The project will be required to develop a Construction Management Plan (CMP) for review and approval by the Boston Transportation Department (BTD) and may be required to develop a Transportation and Access Plan Agreement (TAPA). Since the filing of the ENF, Suffolk University obtained approval of its Institutional Master Plan (IMP) from the Boston Zoning Commission under Article 80 Section 80D (IMP Review).

Because the project involves a transfer of state land, MEPA jurisdiction extends to all aspects of the project that may cause Damage to the Environment as defined by the MEPA regulations. These include historic resources, open space, transportation, stormwater and wastewater.

### Review of the NPC

The NPC indicates that the project will reduce water use by 63,571 gallons per day (gpd) for a total of 11,000 gpd and reduce wastewater generation by 50,510 gpd for a total of 10,000 gpd. There will be a small increase in traffic generation of approximately 50 average daily vehicle trips (adt) for a total of 106 adt.

The previous proposal included the following measures to minimize and mitigate impacts to historic resources:

- repair and reconstruction of the north and east facades of the building;
- development of a building design to complement the historic MDC building through use of brick, architectural detailing and shape and spacing of window patterns;
- photographic documentation of the MDC building prior to demolition;
- development of a preservation plan for Suffolk University property and buildings;
- an interpretive exhibit/display regarding the history of the MDC; and
- participation by the Boston Landmarks Commission (BLC) in design review.

The NPC does not address whether these commitments will be part of the current project; however, a memorandum to the MEPA Office dated August 11, 2008 clarifies this issue. It indicates that retention of the facades is no longer feasible, that the preservation plan was reviewed as part of Suffolk University's IMP, that the proponent will provide photographic documentation of the existing building, that an interpretive display of the history of the Metropolitan District Commission (MDC) history will be provided within the building or within Roemer Plaza and that the BLC will participate in design review. In addition, it indicates that some features of the existing building (such as architectural fixtures or granite) will be incorporated into the new building or the Roemer Plaza improvements.

Measures to avoid, minimize and mitigate other project-related impacts include:

- re-development of an existing site
- construction of up to \$2 million in improvements to Roemer Plaza including enhanced pedestrian circulation and accessibility, new areas for seating and new and enhanced landscaping; and
- development of a stormwater management system consistent with the wetland regulations for stormwater management.

Comments from MHC indicate that the project will have an “adverse effect” on historic resources through the demolition of the building. MHC indicates that it will address impacts to historic resources through its consultation process which will require exploration of prudent and feasible alternatives to avoid, minimize or mitigate the adverse effect. Comments from the Boston Environment Department include comments from the staff of the Boston Landmarks Commission (BLC). They identify the need for a thorough study of alternatives to demolition and also note that, in the absence of rehabilitation or demolition, it appears that the massing and layout of the building is appropriate to the scale of the neighborhood.


There was significant opposition to the redevelopment of the site as a dormitory from residents in Beacon Hill and from representatives of the Garden of Peace. The building is being designed to minimize impacts to the Garden of Peace and the change in use appears to address the community’s primary concern with the previous proposal.

I encourage the proponent to consult with the Garden of Peace to minimize construction period impacts. Because this project is located in a dense urban environment, I urge the proponent to consult with MassDEP regarding the development of a construction equipment retrofit program and use of on-road low sulfur diesel fuel in off-road construction equipment. These measures can reduce exposure to diesel exhaust fumes and particulate emissions for workers and abutters.

### Conclusion

Based on the review of the NPC, consultation with state agencies and review of public comments, I find that outstanding issues can be addressed adequately through state and local review. Review of and mitigation for impacts to historic resources will be addressed through the MHC consultation process. No further MEPA review is required.

October 17, 2008  
Date



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Ian A. Bowles

Comments Received:

8/11/08      Massachusetts Historical Commission (MHC)  
8/20/08      City of Boston/Environment Department  
8/12/08      Boston Preservation Alliance (BPA)  
10/8/08      BPA (second letter)

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