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August 1, 2007

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

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 : June 25, 2007

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62H) and Sections 11.04 and 11.06 of the MEPA regulations (301 C.M.R. 11.00), I hereby determine that this project **requires** the preparation of an Environmental Impact Report (EIR).

Project Description

According to the Expanded Environmental Notification Form (ENF), 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.

Request for a Single EIR

In accordance with Section 11.05(7) of the MEPA regulations, the proponent has submitted an Expanded ENF with a request that I allow the proponent to fulfill its EIR obligations under MEPA with a Single EIR, rather than require the usual two-step Draft and Final EIR process. The Expanded ENF received an extended public comment period pursuant to Section 11.06(1) of the MEPA regulations.

The review of the Expanded ENF has generated some concerns about the project, particularly with regard to potential impacts to the watershed of the Third Herring Brook and with the recharge areas (Zone IIs) of both Norwell and Hanover's drinking water supply wells. It is clear that the project presents some unresolved issues at the local level. However, the Expanded ENF has adequately described the project's anticipated impacts on the state roadway network, and includes the information beyond the scope of MEPA jurisdiction. I have reviewed the proponent's request for a single EIR in accordance with Section 11.06(8) of the MEPA regulations, and I hereby find that the expanded ENF meets the regulatory standards. I will therefore allow the proponent to prepare a single EIR in fulfillment of the requirements of Section 11.03 of the MEPA regulations.

SCOPE

General

As modified by this scope, the EIR should conform to the general guidance for outline contained in section 11.07 of the MEPA regulations. The proponent should circulate the EIR to all who commented on the Expanded ENF and to the Hanover and Norwell Public Libraries.

Responses to Comments

The EIR should also address the issues raised in the comment letters received and listed

at the end of this Certificate, to the extent that comments are within MEPA jurisdiction. In addition, the EIR should explain whether and how local review of the project might have implications for project design, and hence operation of the state roadways. Given the small number of comments received, I also encourage the proponent to include at least conceptual responses to the comments received outside of MEPA jurisdiction.

Alternatives Analysis:

The EIR should summarize and compare the Preferred Alternative, a Reduced Build Alternative, and the No-Build Alternative. It should identify the impacts of each of the alternatives on each of the scoped areas in this Certificate. The EIR should discuss alternative building configurations that might result in fewer impacts, such as reducing the amount of impervious area. It should incorporate site design that maximizes site layout and sustainable design/Low Impact Development (LID) opportunities to minimize water, wastewater, stormwater and wetlands impacts. The EIR should summarize the alternatives already developed for the project site. The EIR should identify emergency access alternatives at the site and discuss the advantages and disadvantages of the Preferred Alternative. The EIR should provide a comparative analysis that clearly shows the differences between the environmental impacts associated with each alternative for the areas listed within this scope.

Traffic/Transportation

The EIR should summarize the results of the traffic analysis presented in the Expanded ENF, presenting additional information as necessary to respond to the technical comments submitted by MHD.

The Expanded ENF focuses potential traffic mitigation largely at the site drive. Given the estimated number of new vehicular trips from this project and current levels-of-service along the adjacent corridor, the EIR should reconsider the feasibility of additional project-specific mitigation measures for traffic impacts at locations in addition to the site drive. The EIR should identify any feasible off-site mitigation, should provide clear commitments to implement mitigation, and fully disclose any phasing of mitigation.

The EIR should discuss the proponent's coordination efforts with MHD and the local municipalities as they address regional and local traffic concerns within this area. It should provide the most current information on the proposed construction dates for any roadway improvements in the area.

The Expanded ENF outlines a Transportation Demand Management (TDM) program. The EIR should consider additional TDM strategies in an effort to reduce single occupant private vehicle trips, particularly by development employees. The EIR should describe the project's links to existing and planned pedestrian and bicycle facilities in the project area.

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 EIR should identify and describe all GHG emissions associated with the project and should propose measures to avoid, minimize and mitigate project-related GHG emissions.

The traffic generation from the project exceeds MassDEP's review threshold requiring the proponent to conduct an air quality mesoscale analysis comparing the Build and No Build conditions. The proponent should consult with MassDEP regarding modeling protocol prior to conducting this analysis, and use the current emission model, MOBILE 6.2.

The purpose of the mesoscale analysis is to determine whether and to what extent the proposed project will increase the amount of volatile organic compounds (VOCs) and nitrogen oxides (NOx) in the project area. The mesoscale analysis will also be used to determine if the project will be consistent with the Massachusetts State Implementation Plan (SIP). Emission increases due to the project must be mitigated and any subsequent environmental impact analysis should include the proponent's commitment to implement these mitigation measures. The EIR must address the detailed comments letter MassDEP regarding the mesoscale analysis.

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.

The Zone II area for the Pond Street Wells #1, #2, and #3 (PWS #s 4122000-01, 4122000-05, and 4122000-08, respectively) lies east of and overlaps at least 25 percent of the project site. Drainage from the site appears to be toward the additional wells belonging to Norwell, which are also located near the Pond Street Wells and within this Zone II. Two of these wells, South Street Well #1 (PWS# 4219000-01) and South Street Well #6, (PWS# 4219000-06) have Interim Wellhead Protection Areas noted in MassDEP's records, which would increase the area of site overlap. The proponent should work with the Hanover Water Department to review the Aquifer Protection District map and bylaw governing land uses within Zone II areas, as well as consult with the Town of Norwell's Board of Water Commissioners concerning the status of their wells in the Old Pond Meadows area. The proponent should also consult with the North and South Rivers Watershed Association (NSRWA) and address their comments on the Expanded ENF. The EIR should summarize these discussions and address the substantive issues raised in comment letters.

Stormwater

The proposed project includes adding 18.2 acres of new impervious surface within the watershed to the Third Herring Brook and within the recharge areas (Zone IIs) of both Norwell and Hanover's drinking water supply wells. The majority of this impervious surface will be in the form of paved parking surfaces to accommodate 1,210 parking spaces. The Expanded ENF states that the project will conform with DEP's Stormwater Management Policy through centralized collection and detention stormwater conveyance systems. Low Impact Development (LID) Techniques, which seek to decentralize stormwater using green spaces as treatment and recharge areas and directing overflow volumes go to other detention systems are more efficient at reducing pollution and recharging groundwater. As an alternative to the typical pavement and stormwater systems, the EIR should incorporate LID techniques such as bioretention areas within the parking islands and permeable pavement or pavers, as detailed in the comment letter from NSRWA.

The incorporation of high performance/green building elements in project design will help reduce the environmental footprint of the final project in terms of energy and water consumption, ambient and indoor air quality, land alteration, and resource consumption. Sustainable design measures, which can reduce project development and long-term operational costs, may include:

- water conservation and reuse of wastewater and stormwater;
- use of renewable energy;
- ecological landscaping;
- green roofs;
- Low Impact Development (LID) techniques (the proponent may find the following web sites useful www.mass.gov/envir/lid and www.lid-stormwater.net;
- optimization of natural day lighting, passive solar gain, and natural cooling;
- use of energy efficient Heating, Ventilation and Air Conditioning (HVAC) and lighting systems, appliances and other equipment, and use of solar preheating of makeup air;
- favoring building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- implementation of a solid waste minimization and management plan;
- provision of easily accessible and user-friendly recycling system infrastructure.

Construction/Community Disruption:

The EIR should present a discussion on potential construction period impacts (including but not limited to noise, dust, wetlands, and traffic maintenance) and analyze feasible measures that can avoid or eliminate these impacts. It should identify the amount of blasting required to develop the site. It should identify the number of truck trips required to handle the filling operation and the truck routes proposed to allow for this filling operation. The EIR should show where filling will be required on the site.

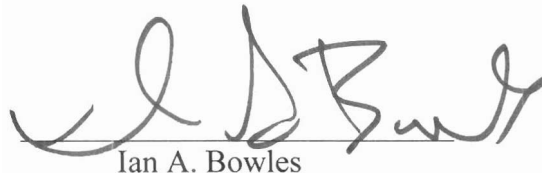
Project construction may disturb one or more acres of land and therefore, may require a NPDES Stormwater Permit for Construction Activities. MassDEP stated in its comment letter that the proponent must mitigate the construction-period impacts of diesel emissions to the maximum extent feasible and thus recommends that the project proponent participate in the MassDEP Diesel Retrofit Program.

Mitigation

The EIR should include a separate chapter on mitigation measures. This chapter on mitigation should include Proposed Section 61 Findings for all state permits: MHD and MassDEP. The Proposed Section 61 Findings should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation should also be included.

I urge the proponent to participate in any discussions and studies that evaluate the feasibility of traffic, pedestrian and bicycle improvements within this area.

August 1, 2007
Date



Ian A. Bowles

Comments received:

07/25/07	Department of Environmental Protection, SERO
07/25/07	Town of Hanover, Planning Board
07/25/07	Town of Norwell, Board of Water Commissioners
07/25/07	The North & South Rivers Watershed Association, Inc.
07/30/07	Town of Hanover, Board of Selectmen
07/31/07	Executive Office of Transportation, MHD

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