

MEPA Analyst: *Anne Canaday*
Phone: 617-626-1035

NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: Highland Commons		EOEA #: 13795	
Street: Coolidge Street (Route 62)			
Municipality: Berlin and Hudson		Watershed: SuAsCo - Assabet River	
Universal Transverse Mercator Coordinates: UTM 19 286260E 4696812N (WGS84/NAD83)		Latitude: 42° 23' 66" N Longitude: 71° 35' 83" (WGS84/NAD83)	
Status of project construction: 25 %complete			
Proponent: SullivanHayes Companies Northeast, LLC/Benderson Properties Development, LLC			
Street: 10 Waterside Drive, Suite 200			
Municipality: Farmington		State: CT	Zip Code: 06032
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Doug Vigneau			
Firm/Agency: Vanasse Hangen Brustlin, Inc.		Street: 2 Washington Square – Suite 219	
Municipality: Worcester		State: MA	Zip Code: 01604
Phone: 508-752-1001	Fax: 508-752-1276	E-mail: dvigneau@vhb.com	

In 25 words or less, what is the project change? The Project Change involves minor modifications to aspects of the retail development in Hudson and inclusion of 482,000+ square feet of retail space and the redevelopment of an office out-parcel in Berlin.
See full project change description beginning on page 3.

Date of ExENF filing or publication in the Environmental Monitor: May 10, 2006

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date:) No
 was a Final EIR filed? Yes (Date:) No
 was a Single EIR filed? Yes (Date: September 26, 2006) No

Have other NPCs been filed? Yes (Date(s):) No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: The project involves no financial assistance or land transfer from the Commonwealth. Modified State Permits previously reviewed include the MassHighway Access Permit (Permit No. 3-2007-0048) and the MassDEP – Groundwater Discharge Permit GW #834-0. The Project will seek an Amendment to the MassHighway Access Permit and will file a DEP-BRP WP – 68 Treatment Works Approval, without Permit Modification for the new sewer construction in Berlin.

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))
 Yes No; if yes, attach justification.

Are you requesting that a Scope in a previously issued Certificate be rescinded?
 Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting: The Certificate of the Secretary on the 2006 Single EIR is included in Attachment B.

Summary of Project Size & Environmental Impacts ¹	Previously Reviewed	Net Change from Previously Approved	Currently Proposed
LAND			
Total site acreage	±161	±2	±163
Acres of land altered	±66	±42	±108
Acres of impervious area	±30(plus 30 house lots)	±44	±70
Square feet of bordering vegetated wetlands alteration	5,164	0	0
Square feet of other wetland alteration			
-Riverfront Area – On-site	65,269	31,742	97,010
-Riverfront Area – Rte 62 Work	103,870	43,850	147,450
Acres of non-water dependent use of tidelands or waterways	0/0	0	0
STRUCTURES			
Gross square footage			
Retail –	472,290	395,392	867,682
Office -	0	29,400	29,400
Number of housing units	30	0	0
Maximum height (in feet)	95 (water tower)	0	95
TRANSPORTATION			
Vehicle trips per day	15,030	12,360	27,390
Parking spaces	1,436	1,814 150 – office	2,913 150 - office

WATER/WASTEWATER			
Gallons/day (GPD) of water use	40,000	42,745- 57,245	65,000 – 68,500
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	82,000	0	82,000
Length of water/sewer mains (in miles)	W – 0.74 S – 0.55	W-1.77 S – 1.38	W- 2.43 S – 1.94

¹ -See Table 1-1 – Tabular Summary of Project Changes since the Filing of the 2006 SEIR

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No
2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No
3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No
4. impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?
Yes No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No
5. impact upon an Area of Critical Environmental Concern? Yes No

If you answered 'Yes' to any of these 5 questions, explain below:

PROJECT CHANGE DESCRIPTION (Please refer to the Expanded NPC information following this NPC Form). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

As most recently reviewed in the 2006 Single EIR, the Project consisted of the development of a total of approximately 472,724 square feet (SF) of building program in Hudson. The Hudson portion of Highland Commons was presented in two Phases, with Phase 1 consisting of 338,019 SF of commercial shopping center space concentrated on the easterly portion of the site. Phase 1 also included a 1,706-SF ancillary building to support the onsite wastewater treatment facility and replacement (new) facilities for the existing onsite water supply tank owned and maintained by the Town of Hudson and an existing AT&T/Cingular cellular communications tower. The wastewater treatment facility, water storage tank and cell tower have been constructed. Phase 2 of the Project called for the construction of an approximately 133,000 SF (222-room) hotel on the far western end of the Hudson portion of the property. The Project also includes construction of new replacement facilities for the existing onsite water supply tank owned and maintained by the Town of Hudson and an existing AT&T/Cingular cellular communications tower. The September 2006 Single EIR also summarized the cumulative impacts (i.e., water, wastewater, traffic)

associated with the conceptual development of a 30 unit single-family residential housing development on that portion of the property located in Berlin.

Today, following the adoption of the "Highway Shopping Center Overlay District" by the Town of Berlin and the inclusion of the Berlin portion of the site into the commercial mix, the hotel is no longer proposed in Hudson and the amount of Phase 1 retail space being constructed in Hudson is reduced slightly from 338,020± SF to 327,380± SF. However, with the elimination of the 133,000 SF hotel, there is substituted an additional 58,195± SF of retail space proposed for construction in Hudson. Overall, the total retail space proposed in Hudson is 385,575± SF with 1,346 parking spaces. Additionally, an eight-pump gas station will be situated on the Hudson side of the adjacent big box retail store "F" which straddles the Hudson/Berlin town boundary.

On the Berlin side of the Project Site, the Single EIR presented what was allowed by zoning at the time of the filing, which was a residential alternative. Today, the proposal for the Berlin portion of the site consists of 482,110± SF of retail space served by 1,567 parking spaces. Additionally, the existing 16,700± SF Heritage Office Building on Route 62 in Berlin will be replaced with a new 29,400± SF two-story office building and 150 parking spaces.

In the Secretary's Consideration of Environmental Consequences for a Project Change it is acknowledged that the proposed project modifications are significant in that the expansion of the Project exceeds 10% over estimates previously proposed and exceeds 25% of the level specified in certain review thresholds. As a result of these changes, the Proponent is filing the accompanying Report in the form of an Expanded Notice of Project Change. Chapter 9 - *Mitigation Summary and Proposed Draft Section 61 Findings* identifies the mitigation measures proposed to mitigate impacts to the environment.