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February 5, 2010

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

PROJECT NAME:	Hingham Shipyard Redevelopment
PROJECT MUNICIPALITY:	Hingham
PROJECT WATERSHED:	South Coastal
EEA NUMBER:	11735
PROJECT PROPONENT:	Atlantic Development
DATE NOTICED IN MONITOR:	January 6, 2010

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

Project Description and MEPA History

The project was the subject of previous review under MEPA as an Expanded Environmental Notification Form (ENF) in 1998 and a Single Environmental Impact Report (EIR) in 2003, which was found to be adequate in a Certificate issued on June 30, 2003. As originally proposed and reviewed under MEPA, the project entailed the redevelopment of an existing 130-acre shipyard into a mixed use facility consisting of approximately 480 residential units; 121,826 square feet (sf) of retail space; 39,099 sf of office space; restaurants with 1,078 seats; 16,800 sf of daycare space; a 4,252 sf bank; 18,000 sf of space for boat sales; 2,507 parking spaces; and associated infrastructure. The project also involved relocation of an auto dealership; development of a 4,000 sf museum; and 1,700 new parking spaces for water transit facilities. The proponent obtained required permits for the project, including State Highway Access Permit(s) from the Massachusetts Highway Department (MassHighway), and the project was constructed and occupied.

The project was also the subject of a previous Notice of Project Change (NPC), which was reviewed in 2007 and did not require the submission of an additional EIR. As described in that NPC, the changes consisted of an increase in retail square footage, additional restaurant seats, a decrease in the size of the daycare center and office space, elimination of a portion of the marine service facilities, and addition of a 1,000-seat cinema, and a 10,000 sf health club. These changes resulted in a slight decrease in the overall floor area of the structures and impervious areas, and increases in the number of parking spaces (from 2,507 to 2,667) and traffic generation by 1,941 vehicle trips per day (from 15,828 to 17,769 trips per day). There were no changes in the overall amount of land alteration or wetlands impacts.

MEPA Jurisdiction

The project was subject to review under MEPA in the form of a mandatory EIR because it required a State Highway Access Permit from MassHighway for access to Route 3A and exceeded the MEPA review threshold at 301 CMR 11.03(6)(a)(6) for generation of 3,000 or more new vehicle trips on roadways providing access to a single location. The project also required a Chapter 91 License and Sewer Connection Permit from the Massachusetts Department of Environmental Protection (MassDEP) and a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA). Due to the broad subject matter of the Chapter 91 License and because a portion of the project site was the subject of a land transfer from the Commonwealth, MEPA jurisdiction extended to all aspects of the project with the potential to cause Damage to the Environment, as defined in the MEPA regulations.

Project Change Description

The proposed project change involves razing the existing Weber Dodge automotive dealership and constructing a 13,000-sf pharmacy with drive-through window service and a 3,800-sf bank with drive-through window service. The project change is expected to result in a net increase of 778 vehicle trips on an average weekday. The site of the proposed project change is located on the northeast corner of Lincoln Street (Route 3A, a state highway) and HMS Essington Drive, a private way. Site access will be provided by two driveways on HMS Essington Drive. Because the site abuts Route 3A, which will provide indirect access, the project change will require a Vehicular Access Permit from the Highway Division of the Massachusetts Department of Transportation (MassDOT).

Review of the NPC

As a result of the project change, the proposed pharmacy and bank are now expected to generate a combined 778 vehicle trips per day more than the car dealership had been permitted for. In its comments, the MassDOT states that, based on the traffic study included in the NPC, it believes that this additional traffic can be accommodated by the roadway infrastructure already in

place or under construction, with the exception of left turns from Lincoln Street into HMS Essington Drive during the Saturday midday peak hour. Under the Build Condition, the operation of this movement is expected to degrade from Level-of-Service (LOS) D to an unacceptable LOS E. As a result, the proponent should identify and evaluate options to improve this condition and propose and commit to implementing appropriate mitigation measures during the permitting process, including but not limited to Transportation Demand Management (TDM) and accommodation of alternative travel modes, such as bicycling and walking.

Because the project entails demolition of the existing automobile dealership, the proponent should note MassDEP's detailed comments regarding compliance with Solid Waste and Air Quality Control regulations.

Conclusion

I am satisfied that the NPC has adequately described the general nature of the proposed project and proposed measures to avoid and minimize, or mitigate environmental impacts. Based on a review of the information provided in the NPC and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant further MEPA review. Outstanding issues may be addressed during the permitting processes.

February 5, 2010
Date

Alivia McDermott, Assistant Secretary, for
Ian A. Bowles

Comments received:

01/26/10 Department of Environmental Protection Southeast Regional Office
02/02/10 Massachusetts Department of Transportation

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