



IPSWICH RIVER
WATERSHED
ASSOCIATION
The Voice of the River

May 2, 2019

Gregory Watson
Manager of Comprehensive Permit Programs
Mass Housing
One Beacon Street
Boston, MA 02108

Re: Perkins Landing LLC, 57 Perkins Row, Topsfield, MA - Modification of Project Eligibility Application to Massachusetts Housing Authority and the Town of Topsfield

Dear Mr. Watson,

Thank you for accepting these comments on the proposed Perkins Landing LLC development at 57 Perkins Row, Topsfield, MA, Modification of Project Eligibility Application, submitted to Massachusetts Housing Authority and the Town of Topsfield on April 17, 2019.

It is our firm opinion that the correct riverfront area delineation will preclude the development as proposed. Therefore, Mass Housing should ask that this issue be resolved early on in the process.

Along with our comments made in our letter to Mass Housing, dated October 4, 2018, we strongly affirm the following specific comments.

Riverfront Area

We disagree with the Riverfront Area depicted on the plans and request that you ask the Massachusetts Department of Environmental Protection and/or a third party consultant to confirm that line in its appropriate location (understanding that the local wetlands by-law does not apply so it will be governed by the state Wetlands Protection Act). Due to a restriction just downstream of the site, the seasonally mean high water line of the river extends nearly to the upland portion of the property roughly in the vicinity of the bordering wetlands line depicted on the plans. In addition to on-the-ground features which govern its location under the law, one can readily see the approximate line on any map of the area (GIS, Google, USGS, etc.) showing open water extending to this line. As such, the 200-foot riverfront area extends well into the lot, and would prohibit the proposed dense development in this area of the lot.

Please incorporate these comments into the public record on this matter, and please contact me if you have any questions about these comments. Thank you for your consideration.

Sincerely,

Wayne Castonguay
Executive Director

Cc: Kellie Hebert, Topsfield Town Administrator
Mark Lyons, Chair, Topsfield Selectboard
Martha Morrison, Chair, Topsfield Planning Board
Cheryl Jolley, Chair, Topsfield Conservation Commission



May 17, 2019

Gregory Watson, Manager of Comprehensive Permit Programs
MassHousing
One Beacon Street
Boston, MA 02108

Re: **Perkins Landing LLC, 57 Perkins Row, Topsfield, MA 01983, Modification of Initial Application for Project Eligibility Letter**

Dear Mr. Watson:

On behalf of Mass Audubon, I submit the following comments on the proposed modified application, dated April 17, 2019, by Perkins Landing LLC for a project at 57 Perkins Row, Topsfield. As noted in comments submitted last October (attached), Mass Audubon's Ipswich River Wildlife Sanctuary abuts this site. Mass Audubon recognizes the need for affordable housing, and also the critical importance of appropriate siting and design of development projects of all types. It is essential that all wetland resources regulated under the Massachusetts Wetlands Protection Act (WPA), including the Riverfront Area, be properly delineated before any conceptual design for this project is advanced for ZBA review.

The project site includes wetlands and Riverfront Area associated with this important and sensitive river system. The revised application fails to address crucial wetlands and water resources issues associated with this project, including Riverfront Area delineation, stormwater management, water supply, and wastewater treatment. It defers most of those issues to the ZBA review, and avoids questions about the Riverfront Area entirely. The revised application does not respond to the comments already submitted previously by Mass Audubon and others on that important topic. The only change made to the plan to address comments submitted was the elimination of three units along the road frontage, to "allow for an undisturbed scenic entrance." While neighborhood concerns are certainly relevant, the wetland and water resources issues associated with the site are of paramount concern, and fundamentally affect the capacity of the property to support development.

The Riverfront Area line depicted on the project plan has not been reviewed or approved by the Topsfield Conservation Commission or the Massachusetts Department of Environmental Protection. There are specific regulatory standards under the state WPA Regulations applicable to Riverfront Area (310 CMR 10.58), strictly limiting the amounts and types of alterations allowed within this zone. It would not be in anyone's best interest to advance a project for detailed review when such an essential element of site constraints has not been officially delineated. Not only are natural resources potentially at risk - failure to first identify the full extent of protected resources

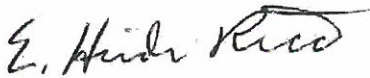
may result in needless expense on design and review, returning the project to the drawing table later when delineation is completed, as it ultimately must be.

The unofficial Riverfront Area line depicted on the plan does not appear to be correct. The lower limit of Riverfront Area is defined in the WPA Regulations as the mean annual high water line. It appears that the mean high water line extends along the toe of the sloped area on the site, approximately in the vicinity of the bordering vegetated wetlands line. If indeed the 200 foot Riverfront Area extends from there, that would place a considerable portion of the area proposed for development within this resource area, likely exceeding the amount of alteration allowed under the Regulations.

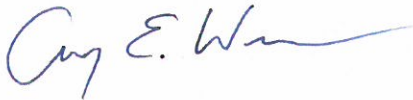
The delineation of the Riverfront Area on this site is a fundamental part of preliminary site assessment and must be completed before any conceptual design for the property can be properly reviewed.

Thank you for considering these comments.

Sincerely,



E. Heidi Ricci
Assistant Director of Advocacy



Amy Weidensaul
Sanctuary Director
Ipswich River Wildlife Sanctuary

Cc: Topsfield Zoning Board of Appeals
 Topsfield Planning Board
 Topsfield Conservation Commission