



October 4, 2018

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

Re: Perkins Landing LLC, 57 Perkins Row, Topsfield, MA

Dear Mr. Watson,

Thank you for accepting these comments on the proposed Perkins Landing LLC development at 57 Perkins Row, Topsfield, MA, which was submitted to the Mass Housing Comprehensive Permit Program on September 12, 2018. It is our understanding that in order for the project to receive Site Approval, Mass Housing must "determine that the site of the project is generally appropriate for residential development and that the conceptual project design is generally appropriate for the site."

It is our firm opinion that the development plan as shown in the September 12th application is NOT appropriate for this site. As you are aware from the maps and site plans, the 8-acre site proposed for the Perkins Landing project abuts the Ipswich River, an important resource and a public water supply for 14 communities, with both high resource value riverbank and other associated wetlands. Current zoning in Topsfield would allow one single family residence on this property, which is its existing condition. Current abutting properties are single family homes. Twenty-eight (28) single unit 3-bedroom condominiums, with associated infrastructure and 2-car garages located near and within wetland areas and buffer zones, are not suitable for this site, and would have a direct, negative impact on the Ipswich River and its sensitive resources.

Before offering specific comments on the project, I would like to provide some background relative to the environmental sensitivity of the site, located within the flow-impaired Ipswich River basin.

The Ipswich River is the most flow-depleted river in Massachusetts due to excessive water withdrawals (ground and surface) and other impacts to the natural water balance in the watershed (wastewater and drinking water exports, impervious surfaces, etc.). In addition, the Ipswich River is the lifeblood of the North Shore, providing drinking water to 330,000 people every day, and supports significant ecological resources. Thus, protecting its water quality is critical. It is therefore the position of the Ipswich River Watershed Association that every new development or redevelopment project in the watershed does not increase water use or negatively impact water quality *in any amount* and ideally, such projects will contribute to improving current conditions.

As shown on the Existing Conditions plan submitted with the Mass Housing application, the southern boundary of the project site has approximately 700+ feet of frontage on the Ipswich River and associated wetlands. The plan also shows a delineated wetland closer to Perkins Row along the west side of the proposed driveway. The site plan as proposed shows many of the 28 structures located in the riverfront area or within or in very close proximity to the bordering vegetated wetland areas.

As you may be aware, there is an effort underway to restore the cold water fishery of the Ipswich River, as well as river herring, to the abutting tributaries and the spawning areas upstream. In *extremely environmentally sensitive locations* such as this Perkins Row section of the river, preserving adequate flows and good water quality is critically important to the success of the initiative.

With this backdrop, we have reviewed the application and associated documents. If this project moves ahead, we would like to note now that it is particularly important to limit discharges of nitrogen, pharmaceuticals, personal care products, household chemicals, lawn care chemicals, hydrocarbons, salt (deicers) and other contaminants to surface and/or groundwater – all of which would be produced by the proposed development.

We offer 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.) which shows 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.

Water Quantity

The project should be conditioned to minimize water use to the extent possible, especially non-essential uses such as outdoor water use which does not recharge the groundwater. This is particularly important now that the State's newly promulgated water withdrawal regulations prohibit any increase in municipal withdrawals from the highly stressed Ipswich Basin. As such, Topsfield will be required to live within its *current* permitted volume in perpetuity *such that any new water demand in the town will need to come from existing allocations*. Therefore, it is inappropriate to allow a new development such as this to negatively impact the town's future without offsetting its new water demand. We offer the following specific recommendations to ensure that water use by the proposed development does not further stress the local and regional water supply:

- The project at a minimum should offset 100% of its projected water use through *both* minimization of its use within the project (e.g. ultra-efficient fixtures) *and* the developer should be required to offset the rest by working with town officials to address water use in other areas of town (e.g. pay a fee for leak detection, upgrade of fixtures in municipal buildings, support a public rebate program, etc.).
- The project should minimize its production of stormwater through site design (e.g. minimization of impervious areas) and infiltrate 100% of its stormwater runoff on site.
- Landscapes should be planted with drought-tolerant native species which do not require irrigation (beyond the establishment phase). Automatic irrigation systems should not be allowed as these systems are guaranteed to leak and otherwise malfunction over time and even in normal use will use a lot of water.
- The amount of lawn should be minimized and where required, planted with drought tolerant turf grasses such as fescues. Runoff volumes and rates from the site should equal pre-development conditions.

Water Quality

The most effective tool to minimize impacts of the subdivision on water quality and other wetlands (including wildlife habitat) is to *reduce the proximity of development to wetlands and to minimize the amount of development in the wetlands buffer zone*. Many local wetland protection bylaws in the Ipswich River Watershed have significant no disturbance and additional no build zones within wetland buffer zones to protect wetlands and water resources based on the assumption

that development in close proximity to wetlands *will* negatively impact the resource values protected by the buffer zone. We offer the specific recommendations:

- The project should adequately treat 100% of its runoff on-site.
- Landscapes should be managed organically without the use of synthetic fertilizers or pesticides.
- Non-pervious surfaces should be minimized and use of salt and chemical deicers should be minimized/prohibited in favor of sand and environmentally safe deicers.
- Development within the wetlands buffer zone should be minimized.
- Any shared or individual wastewater system should be the most advanced possible and be designed to remove nutrients and treat pharmaceuticals and hazardous household waste to the greatest extent possible.
- A third party should be contracted with to maintain the stormwater and wastewater treatment systems in perpetuity. (It is a virtual guarantee that these systems will fail in the future if managed by the owners).

While some of these measures exceed minimum regulatory requirements, they are readily achievable using modern Low Impact Development Standards and should be required as a general practice in environmentally sensitive areas such as this. The Ipswich River Watershed Association can advise the developer and/or community on the implementation of these measures at low cost and stand ready to assist you in any way to achieve these protections.

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,

A handwritten signature in black ink, appearing to read "Wayne Castonguay", with a stylized, cursive script.

Wayne Castonguay
Executive Director

Cc: Martha Morrison, Chair
Topsfield Planning Board
Topsfield Town Offices
461 Boston St, Unit E-6
Topsfield, MA 01983