TOWN OF TOPSFIELD

SELECT BOARD

8 West Common Street, Topsfield, Massachusetts 01983
Telephone 978-887-1500; Fax 978-887-1502

March 25, 2022

Mr. Michael Kennealy, Secretary
Executive Office of Housing & Economic Development
100 Cambridge Street, Suite 300
Boston, Massachusetts 02114

The Honorable Joan Lovely
Massachusetts State House
24 Beacon Street, Room 413-D
Boston, Ma 02133

Representative Jamie Belsito
Massachusetts State House
24 Beacon Street, Room B-1
Boston, MA 02133

RE: MBTA Multi-Family Zoning Requirements for MBTA Communities

Dear Secretary Kennealy:

The Topsfield Select Board and Topsfield Planning Board offer these comments on the proposed Multi-Family Zoning Requirements for MBTA Communities. Both boards are of the opinion that the draft requirements are problematic for a Town like Topsfield that has significant constraints discussed below but has nevertheless taken steps to address housing opportunities.

We appreciate the intent to address the shortage of housing in Massachusetts – a shortage that we recognize contributes to the high cost of housing in the State. We understand the need to increase the supply of market rate and affordable housing in Massachusetts and in Topsfield. It is worth noting at the outset that the legislation and its regulations make no mention of affordable or moderate rate housing. We also support the planning principle to place high density housing within walking distance to a commuter rail station. However, a minimum of a 50-acre zoned area coupled with the minimum multi-family unit capacity requirement for 750 housing units with a density of 15 units per acre in a town that has no MBTA service is excessive.

We have serious concerns with the impacts of applying the same standards across all 175 MBTA towns which include adjacent communities. These communities differ considerably, and some

are severely constrained as to the type of development they can support. In Topsfield, the available parcels for development are marginal at best with poor soils, steep slopes, and significant wetland buffer zones. Topsfield relies on Town and private wells for drinking water and all properties require septic systems as there is no municipal sewer system. The new Multi-Family regulations are not appropriate for Topsfield for the following reasons:

- As an adjacent MBTA community, Topsfield has no commuter rail stop, no subway service, no ferry service, and no bus service. It is not within one half mile of a MBTA stop. As a result, Topsfield does not meet the traditional definition for high density Transit Oriented Development – which the State has previously identified as a focus area for high density development.

- We are concerned about the number of units required for our small town. As a town adjacent to an MBTA community, we would be expected to increase our housing stock by the greater of 750 units or ten percent (10%) of our current housing stock. The greater amount for Topsfield would be 750 units since ten percent of our current stock of 2200 units would be 220 units. An additional 750 units would represent a 32% increase in our housing stock. This would have an enormous financial and operational impact on Topsfield, such as the following;

    - Dramatic increase in traffic:
        - Topsfield has two significant roads that pass through the community; Rt.1 and Rt. 97. The increased traffic from 750 units would further clog these already congested roads, affecting local users as well as the commuters that traverse these two routes to pass through the town.
        - Because Topsfield and certain neighboring communities have no MBTA service, the volume of traffic on the roads would increase rather than decrease.
        - The increased traffic would burden the environment with additional vehicular emissions.
        - Based on a traffic analysis, Routes 1 and 97 would exceed their existing capacities during commuting hours (see attached).

    - Environmental degradation:
        - The guidelines encourage "sprawl," thus contradicting the State's very first Sustainability Principle, in particular "encourage… reuse of existing sites…. rather than new construction in undeveloped areas." These proposed buildings would have a major carbon footprint.
        - Satisfying the requirement will threaten precious and disappearing open space, agricultural lands, and recreational areas, eliminating critical carbon sinks.
        - Disturbance of such areas is completely contrary to the need to plan for climate change. Building in sensitive areas will increase the potential for flooding and will complicate stormwater management necessary for protecting drinking water supplies. Mitigation of these hazards is impossible. Additionally, Topsfield operates under an MS4 permit, compliance with which would be problematic.

- Municipal Water
  - DEP allows Topsfield's municipal water system to withdraw up to 157 million gallons of water per year from the Ipswich River Watershed – an already strained resource. Under strong conservation measures the town currently pumps 148 million gallon of water per year. An additional 750 units would use an estimated 41 million additional gallons per year which would cause the town to exceed by 27% its authorized withdrawal.
  - The Ipswich River is the eighth most threatened river in the entire United States. The Town's DEP withdrawal permit is designed to protect that resource.

- Septic Systems
  - Topsfield is served completely by onsite septic systems. The requirement of this level of density is virtually impossible in all areas of the town.
  - Attempting to evaluate and certify the ability of soils on private properties in a proposed zone to support the proposed 15-unit density, as required by the regulations, would be a daunting and expensive task.

- Financial Impacts
  - The town does not have capacity to take on new debt at this time.
  - The new growth from a development of this scale would not cover our annual increase to operational costs.
  - Failure to comply would make Topsfield ineligible for the very funds it needs to promote housing development.

- Public Safety
  - We would see an increase need for staffing with at least four new police officers and six new firefighters to meet national staffing standards.

- Education
  - We currently have two elementary schools and a regional middle and high school. All would either need significant additions and/or new schools would be required to meet the standard space needs for schools.
  - Staffing levels would increase significantly

We offer the following solutions and recommendations in hopes of improving the regulations:

- Eliminate the 50 contiguous acre minimum.
- Consider clarifying the effects of the legislation which specify 15 units per acre but then to acknowledge the, "… limitations imposed by section 40 of chapter 131 and title 5…". For example, does this suggest Topsfield's minimum units per acre might be less due to soil conditions for septic systems?
- Give waivers for communities that lack adequate water or wastewater infrastructure.
- Strongly recommend the use of the 10% of existing housing stock as the minimum number of units.
- Provide more time, beyond FY24, for communities to properly assess final guidelines and consideration on how to comply.

- Consider the effects of the pandemic on how people work, commute and communicate and its concomitant effects on housing and communities.

We would also like to note that in recent years Topsfield has made significant progress to address these needs locally. The affordable housing in Topsfield is over 7.3%, with two housing projects in the pipeline that, if successful, will bring our affordable stock to over 10%. In 2019 MAPC performed a Downtown Revitalization Study, which outlined steps forward to make downtown Topsfield more desirable, including housing recommendations, which we have been moving forward with. Recently, Topsfield was awarded a grant for a Master Plan and a Request for Proposals (RFP) for a consultant to support the effort will be released before the end of the month. The Master Plan will have a comprehensive look at many key factors, with an emphasis on housing. Each of these local steps have been forward thinking and in line with a goal of adding housing in Topsfield, which will be manageable for the community.

We are concerned about the regulations as proposed. However, with reasonable accommodations and flexibility we believe we can participate in the program to increase the State's housing stock while respecting our community's unique characteristics. We want to be part of the solution and hope you will recognize our concerns and embrace our suggestions in the spirit in which they are intended.

Sincerely,

For the Select Board
Lynne Bermudez
Chair, Select Board

For the Planning Board
Martha Morrison
Chair, Planning Board

Attachment A

Letter to Executive Office of Housing & Economic Development

MBTA Multi-Family Zoning - Topsfield

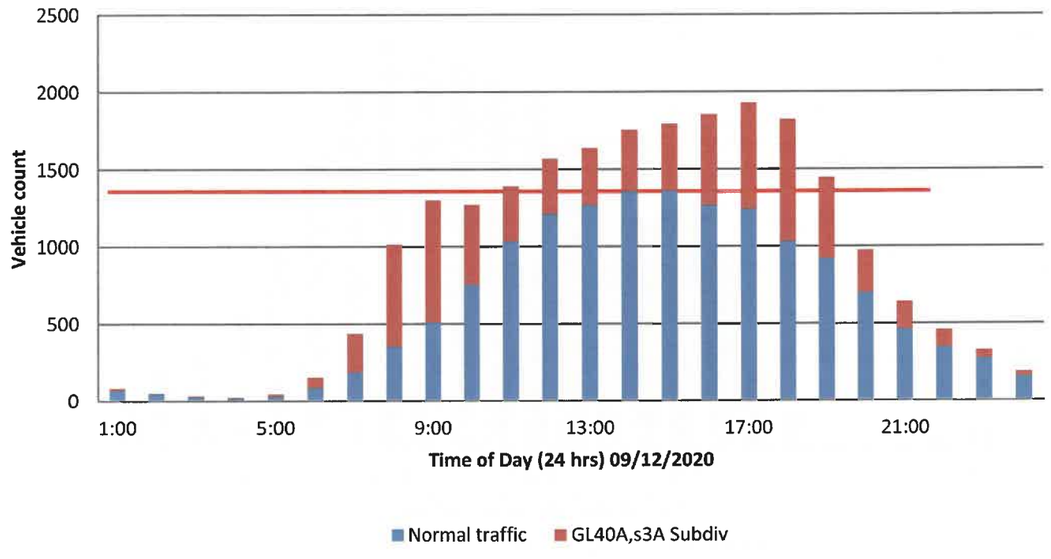
Traffic Analysis

March 2022

Traffic Analysis of Traffic Impact of a MGL Ch 40B, s3A Housing Development on Topsfields Public Roads

The basic assumptions of a GLc 40A,s3A subdivision development involves 750 dwelling units located on at least 50 acres of undeveloped land (more as streets and parking areas will be required). The traffic impact evaluation analyses two housing options:
(1) each unit is a detached dwelling unit with a two-car garage and alternatively
(2) a condominium complex that may provide on-street parking for residents..
The pertinent numbers associated with traffic generation have been obtained from Mike Spac's website entitled; http://mikeontraffic.com/numbers-that-every-traffic-engineer-should-know/ and the spectra of travel details from NHTS/ORNL statistical data. The details of the highway capacities are derived from Spac (op cit) and Nathan Dougherty: *Traffic Capacity of Highways"* https://docs.purdue.edu/cig
Pursuant to option-1 Mike Spac's numbers per household project 10 trips/diem one of which is during peak hours, and pursuant to option-2 7trips//diem 0.7 of which are during peak hours These are distributed with the aid of the statistics found in the ORNL article.
The primary statistical assumption rests on the fact that subdivision residents will be forced to commute to work as there is limited industrial or business activity within Topsfield. This leads to a " twice-a-day "commuting traffic event through the town that has already become painfully evident from the traffic generated by the Cummings Center in Beverly noted on the graphs as"*normal traffic"*.
The roads/streets that were analyzed have been limited to: Route-1 (Boston Street), and Route 97 (High St/Valley Rd, and Haverhill Rd). These are the *only* ways on which a proposed subdivision can exit/enter Topsfield as all other roads such as Wenham Rd, Perkins Row, Asbury Street. etc are really paved colonial era paths that are not capable of dealing with any additional subdivision traffic.

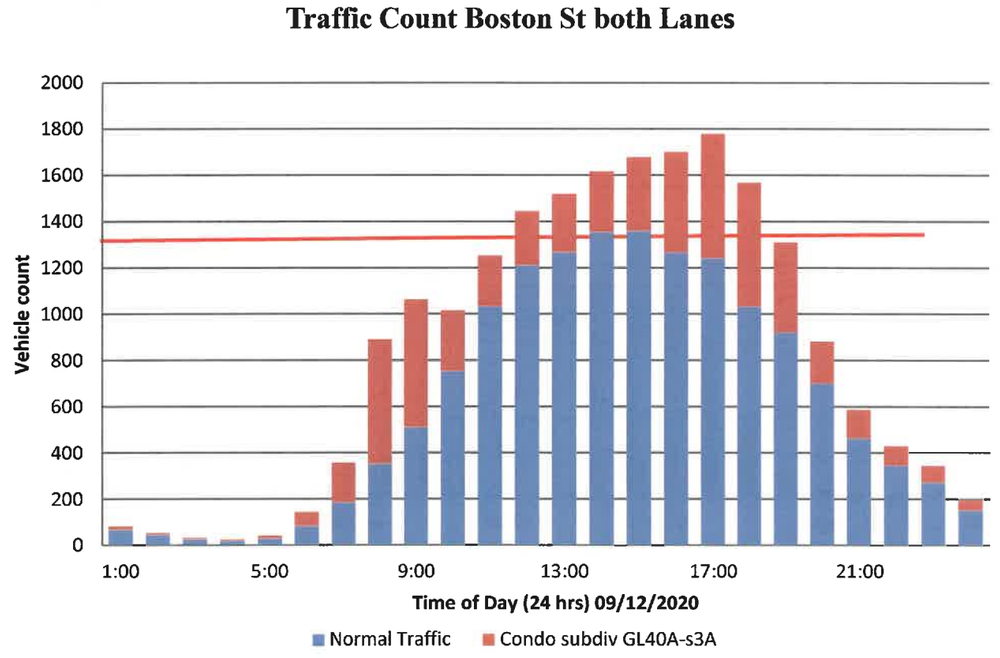
Traffic Count Boston St both lanes



Traffic capacity: 1300 vehicles/hr N. Dougherty: Traffic Capacity of Highways https://docs.lib.purdue.edu/cgi

Traffic count by Topsfield PD

Projected traffic count based on Mike Spak: http://mikeontraffic.com/numbers-every-traffic-engineer-should know/



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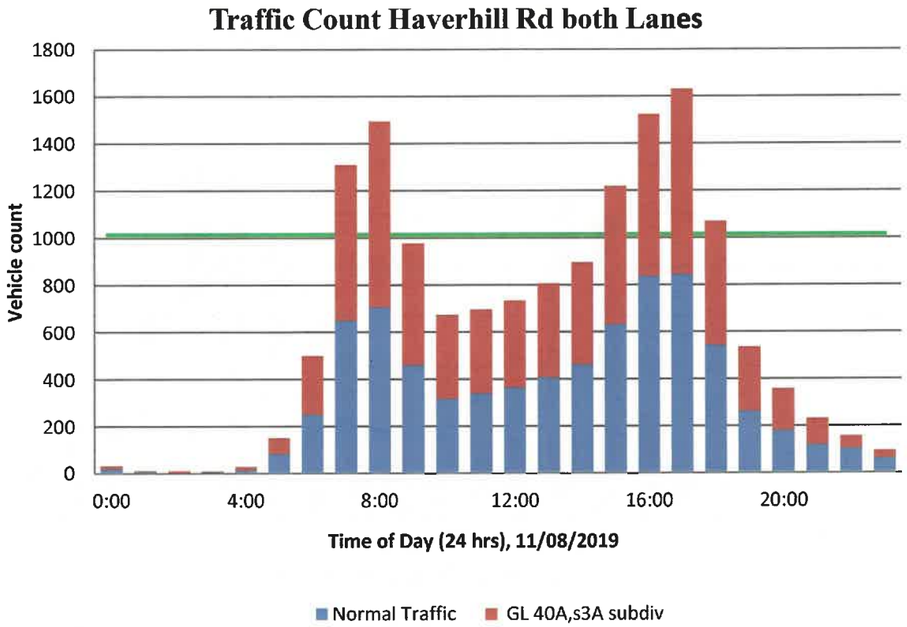
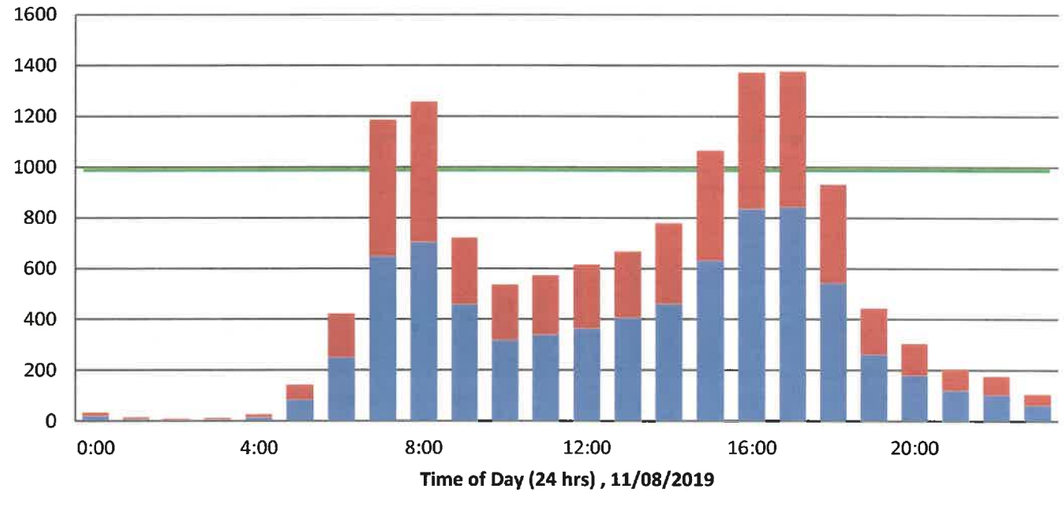


Traffic capacity: 1,000 vehicles/hr N. Dougherty: Traffic Capacity of Highways https://docs.lib.purdue.edu/cgi

Traffic count by Topsfield PD

Projected traffic count based on Mike Spak: http://mikeontraffic.com/numbers-every-traffic-engineer-should know/

Traffic Count Haverhill Road both Lanes



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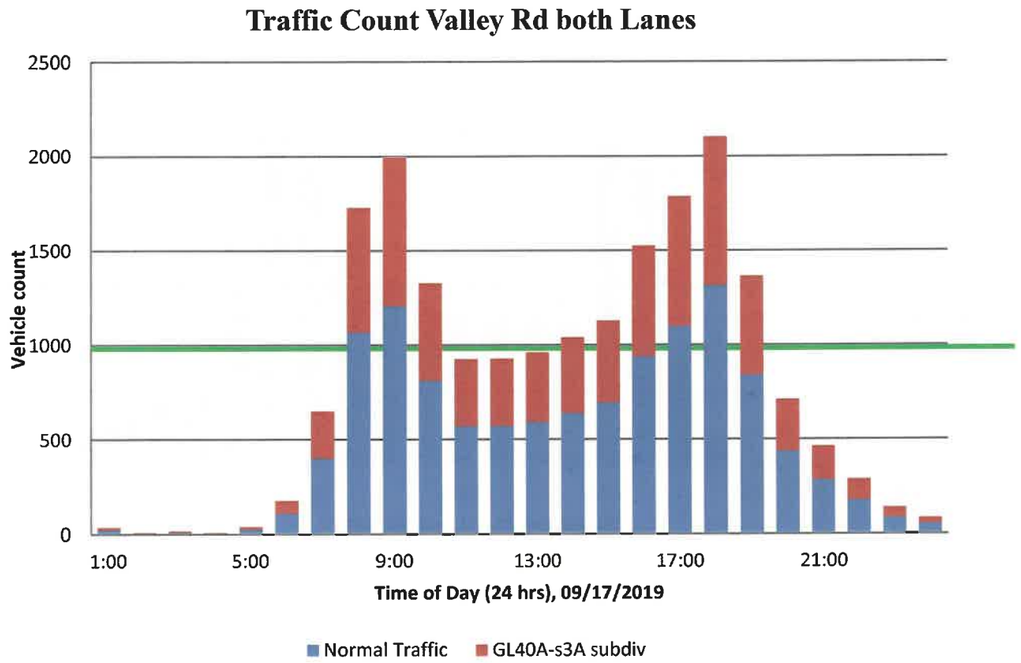

Traffic capacity: 1,000 vehicles/hr N. Dougherty: Traffic Capacity of Highways https://docs.lib.purdue.edu/cgi

Traffic count by Topsfield PD

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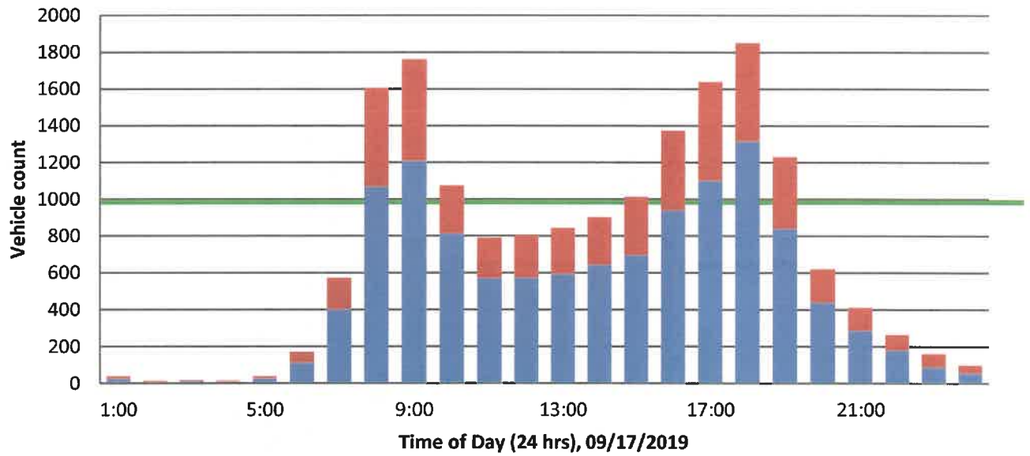
Traffic Count Valley Rd both Lanes



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