

ARTICLE VIII

IPSWICH RIVER PROTECTION DISTRICT

The land located in the District as hereinafter described and defined is deemed to be an area which requires preservation and protection for the health, safety and welfare of the Town of Topsfield. The area is important to the public good for purposes of flood control, the preservation of clean air and water supplies, and the preservation of scenic and natural wildlife habitat areas.
(Art. 23, 5/5/81)

8.01 Ipswich River Protection District Description.

The Ipswich River Protection District shall be comprised of that land situated in an area bounded on each side by a line parallel to and distant two hundred (200) feet from the bank of the Ipswich River, as the same may be located from time to time. In areas where the bank is not a clearly-defined feature the boundary line shall be the water's edge measured at a time when flow over Willowdale Dam approximates one hundred million (100,000,000) gallons per day.
(Art. 23, 5/5/81; Art. 46, 5/6/87)

8.02 Permitted Uses.

Except as hereinafter provided in this Article, the following uses only are permitted in the Ipswich River Protection District.

- A. Farming, including forestry, nursery and truck gardening and the pasturing of livestock, but not the erection of permanent structures for use in connection with the above.
- B. Conservation of water, plants, and wildlife, including the raising and management of wildlife.
- C. Taking of water for irrigation, farming or agriculture.
- D. Recreation, including play areas, nature study, golf, boating, fishing, and hunting, where legally permitted, in the underlying district.
- E. Land within the Ipswich River Protection District owned in common with adjacent land not in the District may be counted as part of a lot when determining the area, width, yards or coverage of such lot. No part of any sewage disposal system shall be permitted in the Ipswich River Protection District.
- F. The removal or deposit of earth products, as part of a flood control or other conservation program.
- G. Shelters in connection with wildlife conservation and management or agriculture.

(Art. 23, 5/5/81)

8.03 Buildings or Structures.

No building or structure for human habitation, or for any occupation, except as expressly permitted by other provisions in the Article shall hereafter be erected, altered, enlarged or moved in this District.

(Art. 23, 5/5/81)

8.04 Special Permits.

If it is proven to the satisfaction of the Permit Granting Authority that any land in the Ipswich River Protection District is suitable for uses permitted in the underlying district as described in this By-Law, and that such use will not increase the danger to the health or safety of the residents of Topsfield and is not contrary to the purposes of this District, the Permit Granting Authority may grant a special permit for such use of said land. (Art. 23, 5/5/81)

8.05 Invalidity, Severability.

The Ipswich River Protection District shall be deemed to be an overlay district and the land within the District shall be subject to all provisions relating to the underlying district as said districts are defined and described in Article II hereof, except insofar as said provisions are inconsistent with the purposes of this District. The provisions of this Article VIII are severable and shall survive the invalidity of any portion or portions of this Article.
(Art. 23, 5/5/81)