



May 23, 2021

Robert Moriarty
Chairman
Topsfield Zoning Board of Appeals
8 West Common Street
Topsfield, MA

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

Dear Mr. Moriarty,

Thank you for accepting these comments on the proposed Perkins Landing LLC development at 57 Perkins Row, Topsfield, MA, which is currently being reviewed by the Topsfield Zoning Board of Appeals.

It remains our firm opinion that riverfront area delineation that the plans are based upon is demonstrably inaccurate. Correct delineation of the riverfront area will preclude the development as proposed. Therefore, the Zoning Board of Appeals should stay further review of the project until a correct delineation has been done since it is fundamental to what development can be done on the property. We encourage the Zoning Board of Appeals to work with the appropriate entities to resolve this issue before investing your time and resources in reviewing the current proposal.

Along with our comments made in prior letters to Mass Housing, dated October 4, 2018, and April 17, 2019, we strongly affirm the following specific comments and urge the ZBA to obtain the services of an independent wetlands consultant (paid for by the applicant) to review the proponents proposed Riverfront Area. As you are aware, although 40B projects are exempt from most local regulation, the Massachusetts Rivers Protection Act, which is administered by the Topsfield Conservation Commission must be fully complied with.

Riverfront Area

We have gathered information indicating the Riverfront Area depicted on the plans is inaccurate. We request that you obtain independent verification to confirm the location of the Riverfront Area who can also review our data. The seasonal Mean Annual High Water Line (MAHWL) of the river extends nearly to the upland portion of the property and is roughly concurrent with the Bordering Vegetated Wetlands line depicted on the plans. In addition, a rudimentary review of publicly available maps also clearly demonstrates the approximate line showing open water for much of the year extending to this line. As such, the 200-foot Riverfront Area extends well into the lot, and would preclude 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: Kevin Harutunian, Topsfield Town Administrator
Lynne Bermudez, Chair, Topsfield Select Board
Martha Morrison, Chair, Topsfield Planning Board
Dodds Shamroth, Chair, Topsfield Conservation Commission