

IPSWICH SELECT BOARD
Meeting of Monday, January 11, 2021

The Select Board participated in this meeting remotely utilizing Zoom in accordance with the Governor's March 12 Order suspending provisions of Open Meeting Law and to promote public health and social distancing.

Board Members present: Linda Alexson, Chair; Dr. Tammy Jones, Vice Chair; Kerry Mackin; Nishan Mootafian; William Whitmore

Also present: Anthony Marino, Town Manager; Eileen Page, Recording Secretary

With a quorum present, Ms. Alexson called the meeting to order at 7:00 PM.

Welcome/Announcements

While the Select Board is meeting to discuss issues surrounding water and the Essex Pastures project, Ms. Alexson asked that residents remember to direct their comments to the Zoning Board of Appeals (ZBA) to ensure their comments are part of the public record for ZBA's permitting process. The ZBA is the permit-granting authority for this project.

The Tri-Boards will meet on January 19 at 7 PM to discuss the FY22 budget.

The Board wished a happy birthday to Ms. Alexson's mother, Joy, who recently moved to Ipswich.

Citizen Queries

Gary Champion (3 Palomino Way) stated that Ipswich bylaws are enacted via submission as a warrant article and a vote of approval at Town Meeting. After an approval vote at Town Meeting, they are sent to the Massachusetts Attorney General to ensure that they comply with state law.

Jacki Kronenberg (6 Essex Road) noted that both the Fire and Police chiefs have expressed concern that their departments cannot support Essex Pastures, and asked how the ZBA could entertain any discussion on the development with that knowledge. Ms. Alexson responded that comments should be sent directly to the ZBA, and their next meeting is scheduled for January 21.

Paula Jones (40 Lakemans Lane) stated that a recent traffic study concluded that Essex Pastures would have minimal impact on surrounding roadways and intersections. Ms. Jones asked if in their letter to the ZBA that Board would: 1) ask how an additional 191 units and 354 parking spots would not impact traffic, 2) ask where school children will be picked up, noting that the School Committee will not allow students to wait for a bus on Route 133, and the bus companies will not enter private property, and 3) ask the ZBA to prohibit construction vehicles from using Lakemans Lane as a cut-through to the worksite during construction.

Presentation and Information Session on Essex Pastures Impact on Town Water

Ms. Alexson presented ground rules for the question and answer session following the information session: the Select Board will adjourn on schedule; residents may have three minutes to speak; concerns were not to be repeated if previously expressed, rather, residents should indicate their agreement with a previous speaker instead; residents must stay on the topic of water issues specifically related to Essex Pastures, and save other questions for a broader water forum scheduled for later this winter; and comments sent via Chat would not be acknowledged as public comments.

Ms. Mackin reported that the average Ipswich resident uses 46-48 gallons of water per day, but that it is possible for a healthy person to use less than that. This can be achieved through the implementation of efficient fixtures and appliances in households. Issues related to the Essex Pastures development include concerns raised by the Police and Fire Departments about insufficient department resources to service a development of this magnitude, insufficient water pressure in hydrants, and the impact on the natural water cycle, wetlands, and an increase in sewage production. As proposed, the development would utilize about 110 gallons of water per day, per bedroom. With 735 residents living in the development, 32,280 gallons per day would be used by the Ipswich average, or 47,777 gallons

per day by the State average of 65 gallons per day. Concerns about on-site irrigation include private wells depleting aquifers and affecting water quality in nearby streams, rivers and surface waters.

It was reported that upstream withdrawals from the Ipswich River already exceed the basin's safe yield, and there are an estimated 4 million gallons of water per day in unregulated withdrawals. Further, Ipswich has already exceeded authorized withdrawals in recent years, resulting in emergency declarations from MassDEP. The MassDEP stated that the Ipswich River Basin can safely drain 29.4 million gallons per day, and the Parker River Basin can safely drain 15 million gallons per day. Ms. Mackin presented her own calculations based on a normal rainfall year, which projects a safe winter yield of 13.24 million g/d, a safe spring yield of 31 million g/d, a safe summer yield of 6.52 million g/d, and a safe autumn yield of 6.47 million g/d. In extreme drought conditions, Ms. Mackin projects that only 2.5 million g/d could be safely withdrawn.

Jim Engel (Water Subcommittee) stated that testing is currently underway to assess the Brown's Well water quality, and the well is expected to be fully restored by 2029. He encourages residents to analyze their water bills and calculate what their g/d usage is per person.

Vicki Halmen (Water & Wastewater Director) reported that conservation efforts currently include education, smart meters, monthly billing, water self-audits, and targeted messaging. She also noted that since the implementation of a summer rate structure, there has been a slight decline in water usage.

Question and Answer Session

Representative Brad Hill stated that he was concerned as both a representative and citizen about the status of water management on the North Shore. He stated that he, Senator Bruce Tarr, and former Representative Ted Speliotis had previously discussed pursuing the regionalization of water regulations. He stated that discussions would be most proactive if they involved local watershed teams, local water department directors, and Planning Boards.

Jane Mosco (24 Meadowview Lane) stated that based on the presentation given by Ms. Mackin and Ms. Halmen, her calculations showed a 2-4% increase on restricted daily withdrawals. She encouraged the Board to ask themselves if that increased demand was acceptable on an already inadequate water supply.

Joyce Kippin (50 Lakemans Lane) stated that between 2010 and 2020, there have been eight water restrictions, eight water bans, and eight drought emergencies in Ipswich. She stated that an annual daily average of 1.01 million gallons is not particularly relevant to the debate, as an estimated 800,000 to 900,000 gallons are used per day in the winter, and daily increased anywhere from 1.4 million to 3 million gallons per day in the summertime.

Jim McCarthy (35 Fellows Road) asked if the numbers included in Mr. Engel's presentation reflected the ability to accommodate current proposed growth, including Essex Pastures. Mr. Engel responded that his numbers reflect all proposed growth, but also are dependent upon the full restoration of Brown's Well, normal annual rainfall, and strict water consumption. If all of these measures are met, Ipswich could see a surplus of water by 2040.

Wayne Castonguay (Clark Road; Ipswich River Watershed Association) stated that the Town should plan for growth based on restricted water volumes and summer usage. He also advised that the Town plan for a lower water allocation due to the current outstanding appeal with MassDEP, and that the Town consider shifting their withdrawals to the Muddy Run sub-basin.

Sheffield van Buren (242 Argilla Road) emphasized the importance of regionalizing water regulations, as Representative Hill and Ms. Mackin presented.

Chris Florio (44 Fellows Road) stated that a petition against the development of Essex Pastures has garnered 2,000 signatures, and a local group has formed and hired legal representation to oppose the project. He asked the Board to clarify whether or not the existing water system could support Essex Pastures as it is currently proposed. Ms. Mackin responded that Ipswich is already in excess of their regulated withdrawal limits.

Seth Perry (29 Linebrook Road) stated that residents are not able to water vegetable gardens, flower beds, or wash cars in the summer because of consistent water bans.

Judy Ashley (16 Meadowview Lane) asked if Mr. Engel or Ms. Mackin's data was more accurate. Mr. Engel responded that Ms. Mackin's numbers were based on a "do no damage to the ecosystem" stance, while his were averages taken from multiple reputable sources.

Kevin Gookin (30 Bayview Avenue) asked if there would be a transcript of the meeting made available. Mr. Marino responded that the meeting was being recorded and would be televised and posted online, and there would be an official set of minutes.

Helen Weatherall (44 Fellows Road) asked Mr. Engel if he acknowledged that the Town is causing damage to the environment due to excessive water withdrawal. Mr. Engel responded that he does, and noted that every breath and drink of water a person takes has an impact on the environment.

Keri Macrae (31 Heartbreak Road) ceded her time to Ms. Kippin.

Bill Wasserman (193 Argilla Road) asked Mr. Engel if there was any credible, legal basis on which the ZBA could deny permits to Essex Pastures based on the allocation of water. Mr. Engel responded that while he was not an attorney, he believed that the Town's defense of a full denial of permits would be difficult.

Gary Champion (3 Palomino Way) asked why figures were not being calculated on the state's estimate that the average person uses 65 gallons of water per day.

Ms. Kippin stated that from 2012-2016, the average yearly water use was 360 million gallons, but from 2016-2020 the average yearly use has been 374 million gallons. She warned that if this continues, Ipswich will run out of water and continue to have water bans and emergencies.

Chris Sandulli (157 County Road) noted that the withdrawal limits being discussed are only an annual average.

John Bruni (Essex Pastures LLC) stated that he has been a resident of Ipswich for 65 years, and been through many water shortages. He feels that the Town is trying to make an example of Essex Pastures, while also allowing two microbreweries to build. He stated that to make one gallon of beer, 8-10 gallons of water are needed. He noted that he has voluntarily implemented sub-metering in each unit to ensure there is no overuse of water, and used storm water management instead of irrigation on the advice of the Town. He also took issue with the *Stop Bruni Project* signs that have appeared on public property bearing his name.

Discuss/Vote Letter to ZBA Regarding Essex Pastures 40B

Ms. Mackin asked that the Select Board's letter to the ZBA include a suggestion that Essex Pastures be charged a WUMP fee. Mr. Marino clarified that that requirement could not be imposed on a 40B, but the ZBA could ask that the development voluntarily pay the fee.

Mr. Whitmore noted that the Select Board has never had a meeting with so much resident participation. He stated that overall, the Town is in favor of affordable housing, but Essex Pastures as proposed is too large.

Dr. Jones suggested that the Select Board be leaders in the region and begin the process of regionalizing water regulations. She supported sending a letter to the ZBA opposing Essex Pastures.

Mr. Mootafian stated that he is in favor of sending a strongly worded letter to the ZBA opposing the development, and asking them to act in the best interest of the town.

Ms. Alexson stated that she is personally opposed to the project based on the number of units being sought, as there is not enough water to support a development of that magnitude.

- *Vote: Mr. Mootafian moved to draft a strongly worded letter with all concerns related to the Essex Pastures project. Ms. Mackin seconded. The motion carried unanimously via roll call.*

Consent Agenda

- I. One Day Wine & Malt License Applications from TTOR for Guided Hikes and Local Craft Beer at Appleton Farms on Saturdays, 1/16 & 1/30, 2/6 & 2/20/21.

- *Vote: Mr. Mootafian moved to approve the Consent Agenda. Dr. Jones seconded. The motion carried unanimously via roll call.*

Old Business

None.

New Business

Mr. Mootafian announced that he will not be running for reelection to the Select Board in 2021.

- *Vote: Dr. Jones moved to adjourn. Mr. Mootafian seconded. The motion carried unanimously via roll call.*

The Select Board adjourned at 9:42 PM.

*Respectfully submitted by Eileen G. Page
01.25.2021*