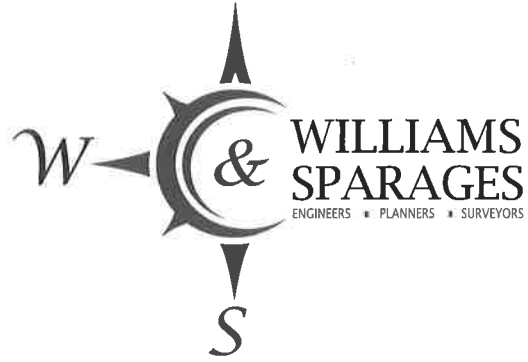


Project No. NREA-0022A

January 10, 2019

Gregory P. Watson, AICP
Manager of Planning and Programs
MassHousing
1 Beacon Street
Boston, MA 02108



Subject: 20 Elm Street – Mixed Income Development – MGL Chapter 40B
NY Ventures, LLC, Applicant

Dear Mr. Watson,

It has come to our attention that several residents of North Reading and the surrounding communities near the 20 Elm Street property are concerned about the proximity of the project to the Ipswich River and what adverse impacts the project may have on the wetland resources associated with the river. As you know, even though this project is being permitted under MGL Chapter 40B, it is still subject to any/all applicable state and federal regulations – including all state and federal wetlands and other environmental protections. The state and federal regulations that affect the proposed project have protections in place that safeguard against adverse impacts to wetland resources like the Ipswich River. We have prepared this letter to outline the various permits and regulatory requirements that the project will need to comply with as we work our way through the permitting process.

Order of Conditions from the North Reading Conservation Commission – The applicant will be required to file a Notice of Intent (NOI) with the North Reading Conservation Commission under the requirements of 310 CMR 10.00 (the Wetlands Protection Act Regulations). This permit application is required when an applicant proposes work within 100-feet of a bordering vegetative wetland and/or within 200-feet of a perennial stream (like the Ipswich River). Since the project is a new development, we will be required to comply with the Department of Environmental Protection's (DEP's) Stormwater Management Regulations. Projects that comply with these regulations are presumed to protect the interests identified in the Wetlands Protection Act Regulations (310 CMR 10.01(2)). These interests include, protection of public and private water supply, protection of groundwater supply, flood control, storm damage prevention, prevention of pollution, protection of land containing shellfish, protection of fisheries, and protection of wildlife habitat.

The proposed mixed-income development will be designed in accordance with DEP's Stormwater Management Regulations and will comply with each of the ten (10) Stormwater Management Standards. Therefore, the project will be designed to protect the interests of

the Wetlands Protection Act Regulations. Compliance with DEP's Stormwater Management Regulations will be summarized in the Stormwater Report that will be prepared by our office. This document will be reviewed by Town officials and most likely peer reviewed by another professional civil engineer during the permitting process.

DEP Groundwater Discharge Permit - Since the unit/ bedroom count of the project requires the wastewater disposal system to be designed with a capacity of greater than 10,000 gallons of wastewater per day, the applicant is required to file for a groundwater discharge permit through the Department of Environmental Protection (DEP) Wastewater Management Program. This permitting process involves the preparation of a detailed hydrogeologic report that evaluates the subject property for suitability for the proposed subsurface wastewater discharge. This permit program is in place to ensure that groundwaters of the Commonwealth are protected for their actual and potential use as a source of potable water, that surface waters are protected for their existing and designated uses, and that the Massachusetts Surface Drinking Water Quality Standards are attained and maintained. After the hydrogeologic report is reviewed and approved by DEP, the proposed wastewater treatment facility design will be reviewed using the same standards.

The proposed wastewater treatment facility that will serve the mixed-income development at 20 Elm Street will be designed to comply with DEP's Groundwater Discharge Permit Program. After the wastewater treatment facility is constructed it will be required to be maintained by a state licensed wastewater treatment plant operator for the life of the system. The responsibilities of the operator will include testing samples of the wastewater produced by the development on a regular basis as well as periodic monitoring of groundwater in various locations on the subject property. DEP will also require periodic inspection reports and permit renewals for the facility. All of these responsibilities will be outlined in the groundwater discharge permit issued by DEP.

Construction Period Pollution Prevention Plan - As part of the preparation of the Stormwater Report for the proposed development, our office will prepare a Construction Period Pollution Prevention Plan that will outline the protections that will be put in place during the construction phase of the project. This is one of the requirements in DEP's Stormwater Management Regulations. In addition, since our project will disturb more than 1 acre of land, we will be required to file for a federal EPA Construction General Permit for stormwater discharges associated with construction activities. This federal permit is required by the National Pollution Elimination Discharge System (NPDES) stormwater program. The permit requires the preparation of Stormwater Pollution Prevention Plan (SWPPP), which requires periodic inspection reports during the construction phase of the project.

The proposed mixed-income development at 20 Elm Street will have a detailed SWPPP as part of this federal stormwater program. Similar to DEP's Stormwater Management Standards, the goal of EPA's program is to protect waters of the United States from discharges associated with construction period stormwater discharges.

In summary, the project will be designed to comply with various state and federal programs that are designed to protect the Ipswich River and the wetland resources associated with the river. The project will undergo a thorough regulatory review through the Town of North Reading, and various agencies of the Commonwealth of Massachusetts. Please feel free to contact me directly if you have any questions, comments, or concerns.

Very truly yours,



Chris Sparages, P.E.
Principal

cc: NY Ventures LLC
Attorney Theodore C. Regnante
LDS Consulting Group