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By Millbury Planning Department at 10:57 am, Dec 21, 2023

Kenneth Perro, Chairman
Board of Appeals
127 Elm Street
Millbury, MA 01527

December 19, 2023

Mr. Perro,

Thank you for the opportunity to comment on the 40b comprehensive permit for 17 Rice Road, Millbury currently under your review. As you may be aware, this project area is located in the Blackstone watershed, which is an important water resource for the region. The building site contains a pond that is part of the Blackstone watershed. I am concerned that the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and its 100' buffer may be ignored.

The Blackstone River is the lifeblood of the area and supports significant ecological resources. Thus, protecting its water quality is critical. It is therefore my position that any new development project does not increase water use or negatively impact water quality in any amount and ideally, such projects will contribute to improving current conditions. The project should be designed to minimize water use to the fullest extent possible, especially non-essential uses such as outdoor water use which does not recharge the groundwater.

Please consider the following recommendations to ensure that the water use by the proposed development does not further stress the local and regional water supply:

- The project at a minimum should offset 100% of its projected use through both requiring the minimization of its use within the project (e.g. ultra-efficient fixtures) and requiring the developer to offset the rest by working with town officials to address water use in other areas of town.
- The project should minimize its production of stormwater through site design (e.g. minimization of impervious areas) and infiltrate 100% of its stormwater runoff on site so it can recharge the groundwater. Runoff volumes and rates from the site should equal pre-development conditions.
- The project should be conditioned and the developer required to plan for compliance with the Town of Millbury requirements for water conservation, including but not limited to a Water Use Mitigation Program (WUMP).
- Landscapes should be planted with drought-tolerant native species which do not require irrigation (beyond the establishment phase). Automatic irrigation systems should be prohibited as these systems are guaranteed to leak over time and even in normal operations will add stress to the limited Millbury water supply.
- The amount of lawn should be minimized and where required, planted with drought tolerant turf grasses such as fescues and preserve as much of the existing trees surrounding the pond. In order to minimize the impacts of the development on water quality and minimize any potential impact to wetlands and local waterbodies.
- The project should adequately treat 100% of its runoff on-site.

- Landscapes should be managed organically without the use of synthetic fertilizers or pesticides.
- Impervious surfaces should be minimized and use of salt and chemical deicers should be minimized/prohibited in favor of sand and environmentally safe deicers.
 - In addition to filing an annual Operation and Maintenance report, the developer should be required to establish a dedicated fund or escrow account, the years and amount specified by the Zoning Board of Appeals, which will be used to ensure the adequate long-term operation and maintenance of stormwater management practices.
 - A third party, other than the property owners, should be contracted to maintain the stormwater and wastewater systems in perpetuity.

While some of these measures exceed minimum regulatory requirements, they are readily achievable using modern Low Impact Development Standards and should be required as a general practice. I ask that you reach out to the Blackstone River Watershed Association <http://www.thebrwa.org/> for additional advice on greenscaping to achieve these recommended landscaping and water-quality protecting measures.

Thank you for your consideration.

Respectfully,
Donna Nagelschmidt
9 Rice Road
Millbury, MA 01527