



Vineyard Conservation Society

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August 30, 2021

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The Honorable John Cronin, Senate Chair

The Honorable Lori Ehrlich, House Chair

Joint Committee on Municipalities and Regional Government

State House

Boston, MA 02133

RE: Support for An Act Relative to the Preservation of Wetlands and Water Resources in Chapter 40B Applications (H.2198)

Directors:

Jeff Agnoli

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Dear Chair Cronin and Chair Ehrlich:

The Vineyard Conservation Society writes to offer support for An Act Relative to the Preservation of Wetlands and Water Resources in Chapter 40B Applications (H.2198) and respectfully urges the Joint Committee on Municipalities and Regional Government to report this bill out with a favorable recommendation.

Jesse Ausubel

Science Advisor

The Vineyard Conservation Society (VCS) is a non-profit land conservation and environmental advocacy organization that has been working for more than fifty years to protect the land, water, and unique character of Martha's Vineyard.

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Chapter 40B law was enacted to address the shortage of affordable housing in the Commonwealth by allowing developers to waive certain aspects of municipal zoning bylaws through the Comprehensive Permitting Process. Incentivizing the inclusion of affordable housing in developments is important, but we need to develop affordable housing *and* protect our wetland ecosystems. These two necessary priorities of a healthy community should not be placed in competition with one and other.

There is no doubt that affordable housing is a critical need in our state. We see this on Martha's Vineyard where sky rocketing real estate values have created a market with few affordable options. Regardless, housing must not be developed at the expense of our stressed natural resources, must not compromise the protection of our ground water and public health and must not expose residents of those affordable housing developments, placed in dynamic wetland areas, to increased vulnerability from future flooding and ground water contamination, among other impacts.

Affordable housing should not be allowed in locations where conventional development is not permitted for good reasons.

Furthermore, as we face the immediate challenge of climate change, protection of wetlands becomes poignantly important and has a direct impact on the overall health and safety of our society. Wetlands, in particular, provide a host of ecosystem services to our communities. They buffer land use and infrastructure against sea level rise and severe storms. They provide water storage and groundwater recharge capacity to help mitigate cycles of drought. They provide flood storage and filter at least some pollutants from runoff before they reach our waters. They provide migration pathways and refuge for some species and they sequester significant amount of carbon dioxide.

On the Vineyard we see wetland and estuarine ecosystem health and function buckling under development and land use pressure. With increased frequency of toxic algal blooms we have a newly developed monitoring program providing residents with updates on cyanobacteria detection in a variety of pond locations. This was an unthinkable reality a few years ago. It is an emerging public health issue as well as an economic one, as access to and recreation on the Island's bodies of water is a major draw to our tourism based economy. It will take a high degree of local political cohesion to plan future development and mitigate this problem. As one example, it is worrying that as the law stands now, local efforts to protect these ecosystems could be sidestepped with mandatory 40B waivers.

Municipal authorities should be provided the opportunity to call on their knowledge of local environmental conditions and review proposed developments to assess ecosystem impacts and the wisdom of placing residents in potentially vulnerable locations. Awarding or denying waivers should be based on the ability to perform this careful consideration of overall wellbeing for the community.

H.2198 provides important language to Chapter 40B that recognizes the necessity of enabling a municipality to safeguard its vital water resources from potentially detrimental development practices. We respectfully urge the Joint Committee on Municipalities and Regional Government to move swiftly in recommending this bill be adopted into law.

Thank you for this opportunity to provide comments.

Sincerely,

Samantha Look

Advocacy & Education

