



Town of Dover

Board of Selectmen

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Dover, Massachusetts 02030

Michael Blanchard
Town Administrator

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February 2, 2026

Kat Miller
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108-3110

Via email: kmiller@masshousing.org

Re: Application for Project Eligibility Determination and Site Approval for 43 Strawberry Hill Street, Dover

Dear Ms. Miller:

The Town of Dover submits this comment letter pursuant to 760 CMR 56.04 (3) in response to LGM Interests, LLC's (the "Applicant") application for Project Eligibility Determination and Site Approval (the "Application") for a proposed development, pursuant to G.L. c. 40B, §§ 20-23 ("40B"), of 20 homeownership units, including 12 two-bedroom units, and 8 three-bedroom units (the "Project") at 43 Strawberry Hill, Dover (the "Site").

For the reasons stated herein, the Town of Dover firmly recommends that MassHousing deny project eligibility and reject the Application. Based on the information and plans the Applicant submitted, the Town has significant concerns about the Project's negative impacts on environmentally sensitive areas and the Site's inadequacy for the Project's water needs. These concerns and others, described below and in the attached exhibits, cannot be remedied through the local review process, and thus the Board recommends that MassHousing reject the Project at this current project eligibility stage.

I. Comments from Town Staff, Officials, and Residents

Under 760 CMR 56.04(4)(b)-(c), MassHousing is must determine "that the site of the proposed Project is generally appropriate for residential development" and "that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan... topography, [and] environmental resources" in order to find a project "eligible." The Project does not meet these criteria and MassHousing should not find it eligible.

A. Conservation Commission

The construction of the Project would raise significant ecological concerns due to the Site's unique characteristics and valuable wetland resources. (Unfortunately, the previous wetland delineation on this Site was completed in 2018 and fails to accurately reflect the current vast array of wetland resources.) These resource areas include: an intermittent stream and bank, bordering vegetated wetlands, and a pond. These resource areas must be formally

delineated and approved by the Commission under an Abbreviated Notice of Resource Area Delineation Application (ANRAD) pursuant to all applicable regulatory requirements.

The Commission is also concerned that development and disturbance on the Site will cause wildlife to flee and wildlife habitat destruction, biodiversity loss, water quality impacts, impacts on hydrological balance, erosion and sedimentation control, and climate change impacts.

Comments from the Town's other Boards reflect these same concerns with the nature of the Site. The Conservation Commission's extensive comments are attached at **Exhibit A**.

B. Board of Health

The Board of Health is primarily concerned with the wells and septic systems on the Site. The Application suggests that there will be as many as ten wells to supply drinking water to the residents of the Project which the Site may not be adequately able to support.

Additionally, the Board of Health is concerned with the property's ability to support the necessary septic system. It believes that under Massachusetts Title 5, the Site, which is located in a nitrogen sensitive area, is limited to 36 bedrooms.¹ Though the number of bedrooms included in the proposed townhouses is unclear, the Project proposes 48 bedrooms in the condominium units alone.

Finally, the Board notes that Application does not include sufficient information about the quantity and quality of drinking water at the Site in order to allow MassHousing to find the Project eligible. Instead, the Board of Health recommends that Applicant first provide answers to the following questions before MassHousing can consider its eligibility:

- (1) Is the water supply to the Site adequate? Although the Site contains significant surface and groundwater, there is currently insufficient information about the adequacy of any underlying aquifer.
- (2) What is the risk of contamination of the water supply by septic wastewater? Despite the proposed construction of two septic systems at the Site that meet DEP requirements, there would nonetheless be some risk of groundwater and well contamination given the groundwater level, relatively high housing density and consequent volume of septic flow, and the proximity of the Project's proposed septic systems to the Project's proposed wells. Water tests from private wells in other similar Dover neighborhoods usually show evidence of fecal contamination which requires on-site water treatment to make well water potable. Additionally, at a development similar to the Project in a nearby town with on-site septic fields and a public water supply drawing from on-site wells, the concentration of nitrates has risen by a factor of four over just a few years since the development was constructed.

¹ A 9 acre parcel x 440 GPD gives a flow of 3,960 GPD or 36 bedrooms (36x110 GPD). The Site would need to install nitrogen reduction technology in order to have more than 36 bedrooms.

The Board of Health's Comments are available at **Exhibit B**.

C. Open Space Committee

The Town's Open Space Committee ("OSC") is also concerned about the Project's impacts to the Site's groundwater. The OSC notes that the Site contains extensive wetlands, a pond, and a stream, all of which are critical water quality and quantity resources for Dover and the Charles River. Indeed, the OSC notes that the western corner of the Site, designated for a septic system, has recently been known to flood during high intensity rain events. Such flooding could result in unsanitary conditions for the wells downslope of this septic, as well as the Charles River.

Additionally, the Town's OSC is concerned about the Project's impact on Dover's rural and historic character, given that the Site, Strawberry Hill Street, is a Scenic Way, and is one of the oldest streets in Dover. A number of properties on the street date from the 18th and 19th century with their related open farmland still very visible. Residents of the Town are invested in the preservation of this areas' historic, rural character, and many have made private donations to protect at least one iconic field located in the area. The OSC is concerned that the development of the Project in this area will irreversibly impact the Town's historic rural character.

Third, the OSC believes that Project would negatively impact the quality of the Site's recreational open space, as the Project would be viewable from the Dover Conservation Land Trust's Blake Reservation that is open to the public. Additionally, the significant and steep grading that may be necessary to create the roadway for the Project may also impact enjoyment of the Blake trail. Where the Housing Appeals Committee, on appeal, is explicitly charged with reviewing the availability of Open Space, this is an important consideration in any 40B project. 760 CMR 56.07(3)(f).

The Open Space Committee's comments are available at **Exhibit C**.

D. Planning Board

Like the other boards, the Planning Board is concerned about Site's appropriateness for a project of this size given the sensitive environmental resource areas on the Site. Additionally, the Planning Board is concerned about the Application's accuracy. The Application materials submitted contain very obviously incorrect and contradictory statements. For example, Application Document 3.5, "Townhomes on Strawberry Hill" states that "[t]he site is serviced by existing infrastructure (Town Road, Town water) and located near other community amenities" and that "the property does not include wetlands" (though the application elsewhere notes that the Site *does* include wetlands). This level of inaccuracy gives the Planning Board, and the Town in general, pause regarding the rest of the Application's accuracy. Accordingly, where the Application is inaccurate and internally inconsistent, it is inappropriate for Project Eligibility at this time.

The Planning Board's comments are available at **Exhibit D**.

II. Conclusion

There is no doubt that more affordable housing opportunities are necessary in the Town of Dover. We, as a town, are not opposed to development of affordable housing. In fact, the Town has an approved Housing Production Plan on file with the Commonwealth. Additionally, the Town timely passed a zoning amendment compliant with the MBTA Communities Act.

Rather, the Town is opposed to this particular Project. The Site contains precious environmental resources and does not have the water and sewer infrastructure to support its proposed size. Because of this, the Project presents issues that cannot be resolved at the level of local review. Additionally, the sloppy nature of the Application materials calls into question their overall accuracy.

The Town of Dover respectfully requests that you deny the requested Project Eligibility Letter for this Project.

Sincerely,



Michael Blanchard, Town Administrator

cc: Dover Board of Selectmen
Dover Planning Board
Dover Conservation Commission
Dover Open Space Committee
Dover Town Counsel – Anderson & Kreiger LLP

Exhibit A



DOVER CONSERVATION COMMISSION

Michael Blanchard
Dover Town Administrator
5 Springdale Avenue
Dover, MA 02030

January 23, 2026

RE: Comments Regarding Proposed 40B Project at 43 Strawberry Hill Street

Dear Michael,

I'm writing on behalf of the Conservation Commission regarding concerns related to the proposed 40B Project located at 43 Strawberry Hill Street. I have reviewed the preliminary documents and site plans for this project provided by both MassHousing and the developer and attended the Dec. 9, 2025 Town site meeting and have identified several wetlands and environmental protection issues that the Commission believes warrant attention. While the Commission has not yet received an application for a permit for this project under the Mass. Wetlands Protection Act or the Dover Wetlands Protection Bylaw, we believe that addressing the concerns outlined below as soon as possible in the design and review process will help protect the following critical natural resources: wetlands, groundwater, drinking water supply, water quality, vegetation, and will help prevent adverse impacts including flooding, pollution, storm damage, erosion and sedimentation and destruction of vegetation, wildlife and wildlife habitat.

1. Need for New Delineation of Wetland Resource Areas

There are extensive wetland resource areas on this property including an intermittent stream and bank, bordering vegetated wetlands, a pond and that should be formally delineated and approved by the Commission under an Abbreviated Notice of Resource Area Delineation Application (ANRAD) pursuant to all applicable regulatory requirements before any review of the project by the ZBA in order to maximize the protection of the wetlands and natural resources. The previous wetland delineation on this property was completed in 2018 and is no longer valid.

2. All Structures and Land Disturbance Should be Located As Far as Possible From the Delineated Boundaries of all Wetland Resource Areas

The construction of multiple structures and land disturbance on this property raises a number of ecological and regulatory concerns due to the unique characteristics and ecological importance of the valuable wetland resources on the property. The wetland areas on the property are ecologically important for a variety of reasons and disturbance near them can have significant adverse impacts, which can be avoided by locating all new structures and land disturbances as far away from these fragile resources as possible. The Commission's specific site concerns associated with development and disturbance near the wetland areas include the following:

- * **Wildlife and Wildlife Habitat Destruction:** Wetlands are critical habitats for many species, including amphibians, insects, and plants. Some of these species may be rare, threatened, or endangered. Construction, development and disturbance in close proximity to these areas can lead to wildlife habitat destruction and a decline in these species.
- * **Biodiversity Loss:** Wetlands provide extensive biodiversity and development near them can lead to the loss of native plant and animal species diversity. This loss can have cascading adverse effects on the entire ecosystem.
- * **Water Quality:** Wetlands contribute to the overall health of the property's ecosystem by acting as natural filters, trapping sediments and pollutants from surface water before it reaches other bodies of water and groundwater. Development near wetlands can compromise water quality,

by reducing their capacity to filter and purify water. Construction activities and runoff can introduce pollutants and disrupt the natural water quality in wetlands. The potential migration of septic waste to nearby wetlands and surface water bodies is of particular concern on this property. In addition, the Commission has concerns about sufficient water supply quantity and quality to support this high-density development, especially during droughts.

- * **Hydrological Balance:** Wetlands play an important role in the local hydrological balance by storing water and reducing flooding. Buildings and land disturbance near wetlands can alter their natural hydrology resulting in adverse impacts to the surrounding environment.
- * **Erosion and Sedimentation Control:** Construction near wetlands can increase the risk of erosion and sedimentation in these sensitive ecosystems. Sediment runoff can clog wetlands and harm the organisms that rely on them.
- * **Climate Change Impact:** Wetlands store carbon and help mitigate the effects of climate change. Disrupting these resources can release stored carbon and reduce their capacity to sequester carbon, contributing to climate change.

3. Ensure Compliance with Mass. DEP's Stormwater Management Standards

The project's stormwater and drainage infrastructure and long-term management plan must meet the MA DEP's Stormwater Management Standards, and as a result the proposed project must maximize the project's green infrastructure elements and include low impact development best management practices that incorporate water conservation and natural resources protection efforts including:

- * Landscaping that consists of low-water-use and native plantings only and prohibits irrigation for plantings and lawn; and
- * Prohibit the use of pesticides, herbicides and inorganic fertilizers within 100 ft. of all wetlands.

4. Ensure Compliance with MA Sustainable Development Criteria Scorecard & Principles

Under the 40B Application Process, the property owner/applicant is required to adhere to these criteria and principles that include the following:

- * **Protect Land and Ecosystems:** including protection of critical habitats & wetlands
- * **Use Natural Resources Wisely:** including construction of buildings and infrastructure that conserve natural resources by reducing waste and pollution through efficient use of land, energy, water and materials; uses alternative technologies for water and/or wastewater treatment, uses low impact development (LID) or other innovative techniques.

The Commission requests that you include these comments and concerns in the Town of Dover's response to MassHousing on this project.

Very truly yours,

Janet Hartke Bowser

Conservation Commission Agent

Cc: Board of Selectmen
Planning Board
Board of Health
Housing Task Force
Zoning Board of Appeals

Exhibit B

Board of Health- 43 Strawberry Hill Comments on proposed 40B Project

12-24-25

Board of Health Member Steve Kruskall

I strongly question the viability and safety of placing on the proposed site as many as ten wells supplying drinking water to the residents. The reported summer problems of an abutter's single well adds even more to my concern.

1-21-26

Board of Health Director

Under MA Title 5, the property would be limited to 36 bedrooms since it is a nitrogen sensitive area by definition. A 9 acre parcel x 440 GPD gives us a flow of 3,960 GPD or 36 bedrooms (36x110 GPD). The property would need some type of approved nitrogen reduction technology in order to have more than 36.

I also have strong concerns about having a large number of wells on one parcel

1-21-26

Board Chair Kay Petersen

The proposal for a development at 43 Strawberry Hill St. includes plans for an on-site grouping of ten private wells and two septic fields on a property with relatively high groundwater. The Board recommends that more information about the quantity and quality of drinking water for the development and its abutters be collected. We have the following questions:

1. Is the water supply adequate?

There is abundant surface and groundwater in the area, but we recommend acquiring more information about the adequacy of any underlying aquifer in order to assess whether there will be sufficient water for the residents of the development.

We advise:

- engagement of a subsurface hydrogeologist to consult about water availability;
- that the Board of Health request information from homeowners in the neighborhood about their wells;
- that there be consideration of testing of the existing well on the property to assess how quickly it recharges after being emptied. This would of course require permission from the property owner.

2. What is the risk of contamination of the water supply by septic wastewater?

Despite construction of two septic systems that meet DEP requirements, there would nonetheless be some risk of groundwater and well contamination given the groundwater level, relatively high housing density and consequent volume of septic flow, and the proximity of the septic systems to the wells. We don't know the magnitude of that risk. We do know that water tests from private wells in the most densely-built Dover neighborhood in which small lots each have private well and septic, from the pre-Title 5 era, usually show elevated nitrate levels, (evidence of fecal contamination), and those properties require on-site water treatment to make their well water potable. And at a 40B development in a nearby town with on-site septic fields and a public water supply drawing from on-site wells, the concentration of nitrates has risen by a factor of four over just a few years since the development was constructed.

We advise:

- engaging a wastewater consultant with experience with co-existing on-site wells and septic systems
- additional benchmarking about higher density housing in peer communities that rely on private septic systems and wells;
- creation of a public water supply rather than a system of individual private wells at the site so that annual water testing results would identify evidence of contamination if/when it occurs and enable mitigation for the entire development if needed
- consideration of the installation of innovative/alternative septic systems even if not mandated by Title 5 to improve septic effluent quality and reduce the risk of well water contamination

Exhibit C

Dover Open Space Committee (OSC)
Preliminary Comments to Board of Selectmen on 43 Strawberry Hill Street Proposed 40B
(Tax Lot: 13-2 and 13-1-A)
January 6th, 2026

The Open Space Committee (OSC) provides the following comments to the Board of Selectmen (BOS) for its initial response to MassHousing on the proposed 40B at 43 Strawberry Hill Street (13-2 (8.91 acres) and 13-1-A (0.45 acres)).

As proposed, the 40B development of 43 Strawberry Hill Street will have a negative impact on Dover from a rural character, environmental and recreational perspective. Amey Moot, Chair, and Carol Lisbon had the opportunity to walk the property on December 9th, 2025 with the representative from MassHousing and representatives of other Town committees and boards. In addition to Amey and Carol's observations at the site walk, we are basing these comments on review of documents, maps and from personal familiarity with the property's history. The Open Space Committee members discussed this matter and voted in support of these preliminary comments at its meeting on January 6th, 2026. The rest of the OSC would like to be included in future site walk(s) and possibly amend or add further to the below.

The parcels provide scenic views that promote Dover's rural character:

- The character of Strawberry Hill Street would be significantly impaired by the two duplex townhouses planned on the narrow strip from Strawberry Hill Street into the bulk of the property (13-1-A and the road frontage of 13-2).
 - Strawberry Hill Street is a Scenic Way and one of the oldest streets in Dover.
 - A number of properties on the street date from the 18th and 19th century with their related open farmland still very visible.
 - Dover-wide, residents made private donations to protect the iconic field at the corner of Dedham and Strawberry Hill Streets to sustain the rural feel of the town
 - In 2019, very significant donations allowed the Dover Land Conservation Trust (DLCT) to acquire most of the Blake family's fields and backlands.
- Other townhouses may be visible from Strawberry Hill Street, depending on the townhouse height and the plantings and buildings on #25 and #35 Strawberry Hill Street.
 - Currently, #35 is unoccupied and not landscaped so significant underbrush shields Strawberry Hill Street from #43 but this is not likely to continue indefinitely.

The properties offer several environmental benefits, including to groundwater and habitat:

- There are extensive wetlands, a pond and a stream, all critical water quality and quantity resources for Dover and the Charles River.
 - The stream runs essentially directly to the Charles River, which is about 2400' downhill from the property.
 - The stream runs directly into the DLCT's Blake Reservation and the wetlands protected therein.
 - The area designated the septic system in the western corner has recently been known to flood during high rain events
 - This may result in unsanitary conditions to the 3 wells for these residences downhill and an unknown number of others.
 - This could result in impact flowing down into the Charles.
- The area proposed for western cluster of 4 duplexes contains both BioMap Core Habitat as well as BioMap Critical Natural Landscape (see following from MassMapper)

Dover Open Space Committee (OSC)
Preliminary Comments to Board of Selectmen on 43 Strawberry Hill Street Proposed 40B
(Tax Lot: 13-2 and 13-1-A)
January 6th, 2026

- These parcels are contiguous to a landscape-scale protected open space corridor of approximately 2300 acres¹ that runs from the Neponset watershed on the Dover-Walpole border to the Charles River just below. This important habitat is augmented by additional large parcels of lightly developed land, like this one, throughout this neighborhood. (see following Open Space Context from MassMapper)
 - Provides flora and fauna with sufficient and varied habitat to increase resilience to the stresses of climate change
 - Almost all is forested, sequestering ~185K metric tons of carbon²
 - 95% of this land is open to the public and contains extensive trail networks used by people from throughout Greater Boston, MetroWest and beyond.

This project impacts the recreational opportunities available to the public mainly by degrading their enjoyment of DLCT's Blake Reservation.

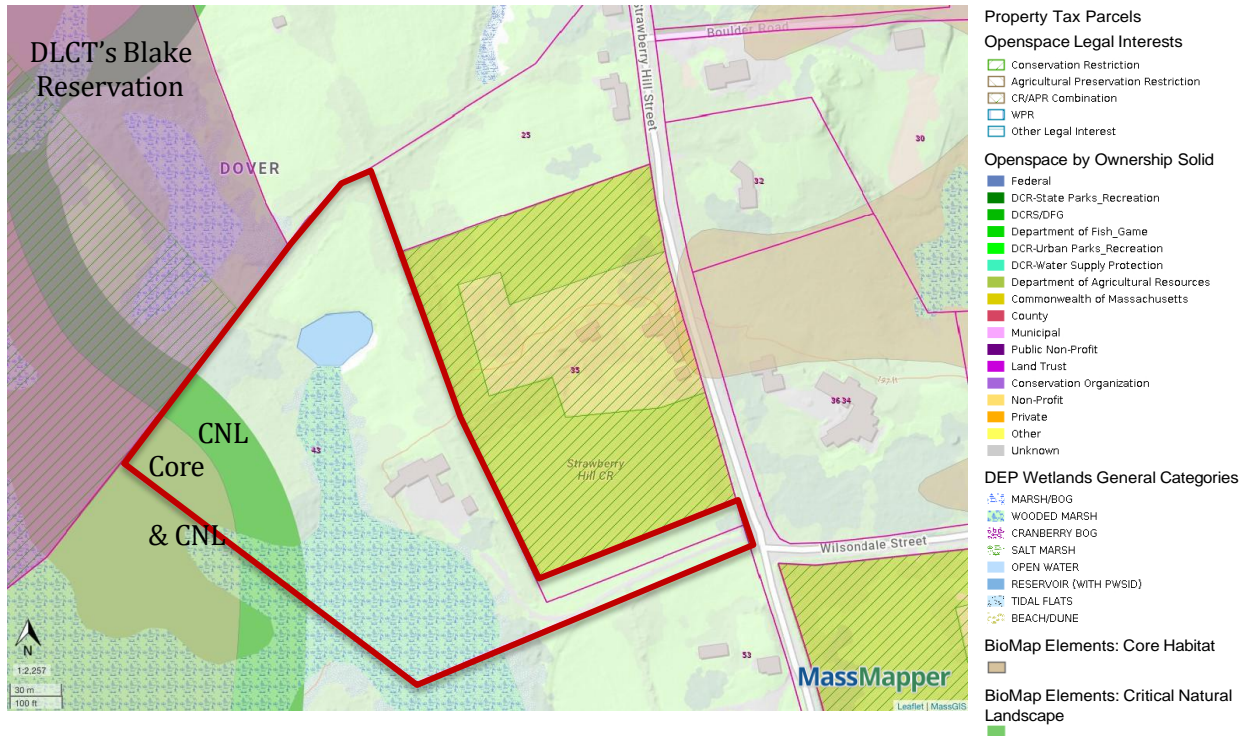
- Views of dense dwellings and being overlooked by dwellings reduces the peace of being in nature and the rural feel of DLCT's Blake Reservation (open to all).
 - Much of the north-western border of 13-2 runs along DLCT's Blake Reservation.
 - The development contemplates the roadway hugging that border as well as a cluster of duplexes overlooking Blake. The cluster at the current house is likely visible too.
- The Blake trail to the 'hidden jewel' field runs directly along the Blake side of the property's north-western border, demarcated by an ancient dry fieldstone wall.
 - Significant and steep grading to create the roadway may also impact the stone wall as well as the views and enjoyment of the trail.

¹ Protected or soon-to-be protected properties that form this corridor include The Trustees' Noanet Woodlands (621 acres) and Powisset Farm (157 acres), Hale (~1200 acres), DLCT's Blake (33 acres) and Cashman (14 acres), Town of Dover's Larrabee Estate (67 acres), Dedham Street field (7 acres) and Caryl Park (69 acres) as well as many private properties with Conservation Restrictions (~100 acres).

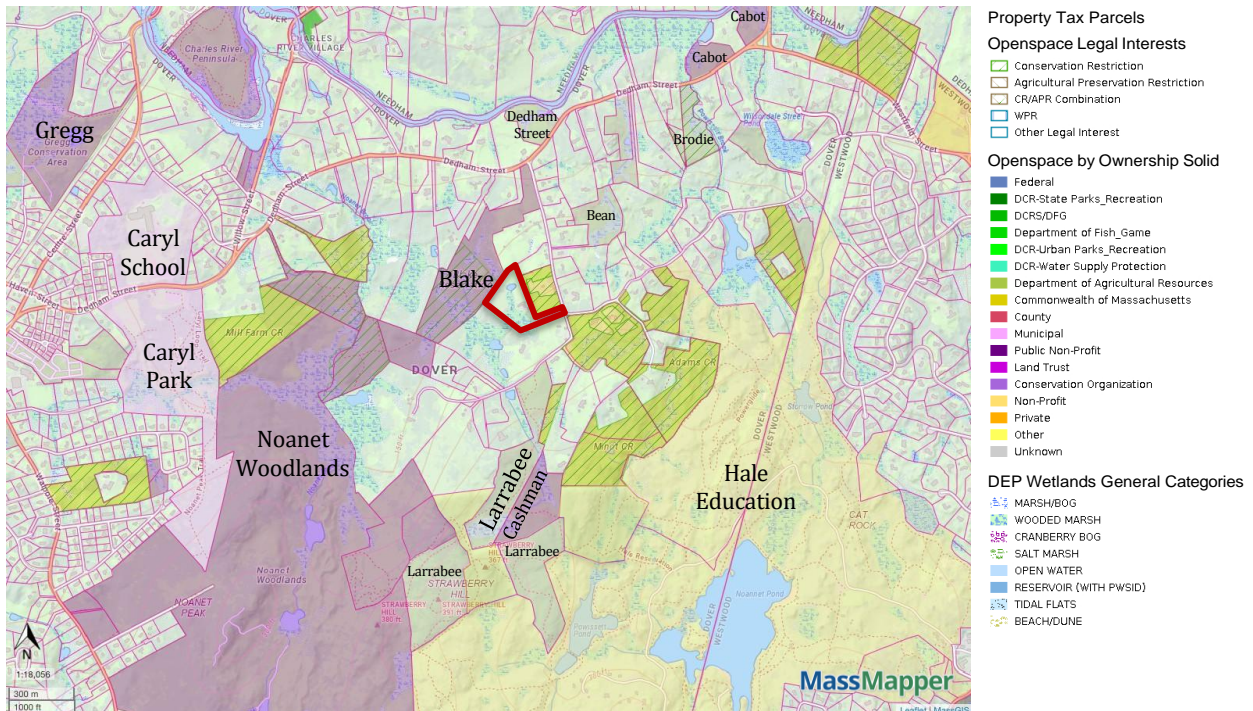
² Forest Carbon, Paul Cantazaro (UMass Amherst) & Anthony D'Amato (Univ. of VT) ©2019 University of Massachusetts Amherst - page 4 diagram: Oak-Pine Forests sequester 82 metric tons of carbon per acre

Dover Open Space Committee (OSC)
Preliminary Comments to Board of Selectmen on 43 Strawberry Hill Street Proposed 40B
 (Tax Lot: 13-2 and 13-1-A)
 January 6th, 2026

BioMap and Wetlands Resources



Overall Open Space Context



to Powisset Farm

Exhibit D



PLANNING BOARD - DOVER, MASSACHUSETTS

To: Michael Blanchard, Town Administrator

From: Melissa M. SantucciRozzi, Town Planner on behalf of the Planning Board

Date: January 28, 2026

Re: 43 Strawberry Hill – Comprehensive Permit
Site Eligibility Planning Board Comments

After Review of the Materials Submitted to Mass Housing for a 20 Unit Home-Ownership Development the Town Planner and the Planning Board have prepared the following comments to be forwarded to MassHousing.

1. In Comprehensive Permits applications, like all land use applications, the project information shall be factual and accurate so regulatory authorities can make informed decisions. After review of the materials submitting in support of the Housing Development, several of them reference apartments, including the lending commitment. The documents contain comments and supporting information that isn't factual or accurate. For example, they contain statements that "there are no wetlands on site" and that the site "is serviced by Town water". Those are items that have a direct relevance on a housing development on the site. The Planning Board feels it is important that this information be reviewed and revised accordingly and resubmitted.
2. The Market Rate and Affordable Units shall be one in the same as to composition. Square footage, bedrooms and bathroom count shall all be the same. The Application states the Market Rate units will have 2.5 Baths and the Affordable Units will have 1.5 Baths and further that market rate units will have a bonus basement area. The floor plans shall be revised so that all units are equitable and uniform.
3. The real estate comparables provided are 2-3 years old. Is this data sufficient to use in calculating projected unit prices for sales that if occurred would likely take place in 2027 or 2028?
4. A review of the Application materials didn't list any qualifications for the developer. Does the developer LGM Interest LLC or Laurence G. Maloomian have previous housing development experience? Has the developer successfully permitted and constructed a Comprehensive Permit in the past?



Existing Conditions DOVER GIS Map

5. General Comments on the Development Plan:

- a. The proposed unit layout and clustering as presented is aggressive given the environmental resources areas on site.
- b. The proposed unit layout and site grading as presented offers little to no yard space for the dwelling units.
- c. The slope, grade and width of the driveway is a concern. The site access raises questions on fire and life safety apparatus access and turnaround capabilities. The driveway grades vary by 30ft. from the high point at the entry off Strawberry Hill to the low point 1,200 ft. into the driveway.
- d. The undeveloped resource areas on this site should be put in a conservation easement or restriction to be held by a Dover land conservation entity to ensure it is properly preserved and protected.
- e. The driveway opening is located off centered from Wilsondale Street. A detailed site line analysis shall be conducted along the site's frontage to determine if adequate site lines exist for the driveway opening that will be reactivated with an increase in both peak hour and daily vehicle trips.
- f. Dover has a variety of residential zoning districts and districts with density similar to the density proposed in this comprehensive permit application. However, this particular area of Dover is zoned R2 with extensive areas in the open space overlay. This area of Dover is more rural in nature than most of its residential areas and neighborhoods.