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January 23, 2024

Alan Fryer, Chair  
DOVER ZONING BOARD OF APPEALS  
P.O. Box 250  
Dover, MA 02030

Re: Trout Brook Home Ownership 40B  
Revised Preliminary Architectural Peer Review

Dear Alan:

I am writing to supplement the comments that I made in my letter dated December 18, 2023. These new entries are all highlighted in green. These comments are in response to updated materials that I have received, as well as discussions from the December 21, 2023 and January 3, 2024 ZBA hearings.

I know that there is a hearing this Thursday evening, January 25, which I can attend if you would like. Please let me know if you have any questions about this annotated letter report.

1. ***Review the developer's application, plans and drawings, reports from other peer reviewers and Town officials, letters from neighboring residents, etc.*** For the proposed project I have reviewed the following materials:

Submittals from the Applicant, selective materials from 40B Application:

- Letter from MassHousing to Robert W. Recchia (PEL) dated April 14, 2023.
- Dover Homes Preliminary Site Plan set prepared by Legacy Engineering dated June 7, 2023 (5 sheets).
- Slide deck Presentation to the Town of Dover Zoning Board of Appeals dated August 3, 2023.
- Architectural drawing set prepared by CME Architects dated 8-02-2023 (7 sheets).
- Letter to the ZBA from Legacy Engineering dated November 15, 2023.
- Dover Homes Preliminary Site Plan set prepared by Legacy Engineering dated 11-15-2023 (4 sheets).
- Letter to the ZBA from Blatman, Bobrowski, Haverly & Silverstein, LLC dated September 20, 2023.
- Memo RE: Dover Homes Trout Brook & Edgewater Dr. prepared by CME Architects dated November 15, 2023.
- Architectural drawing set prepared by CME Architects dated 11-15-2023 (8 sheets).
- Dover Homes Preliminary Site Plan set prepared by Legacy Engineering dated 12-05-2023 (5 sheets).
- Architectural drawing set prepared by CME Architects dated 12-05-2023 (12 sheets).
- Land on Troutbrook Road, Chickering Drive, and Edgewater Drive Presentation to the Dover Zoning Board of Appeals dated December 21, 2023.
- Sketch produced and circulated by Tetra Tech on January 2, 2024 re: fill and compensatory areas.
- Dover Homes Preliminary Site Plan set prepared by Legacy Engineering dated 1-8-2024 (5 sheets).
- Architectural drawing set prepared by CME Architects dated 1-8-2024 (12 sheets).

Town, Peer Review, and other Reports:

- Letter to the ZBA from the Dover Planning Department dated September 11, 2023.
- Letter to the ZBA from Tetra Tech dated November 28, 2023.
- Letter to the ZBA from Tetra Tech dated January 18, 2024.

Communications from citizenry:

- Numerous emails and letters from Dover residents (approximately 27).

## (REFERENCE MATERIALS)

- Chapter 40B Handbook for Zoning Boards of Appeal published by MHP in cooperation with DHCD, MassHousing, and MassDevelopment dated March 2017.
- Local 40B Review and Decision Guidelines published by MHP and Edith Netter, November 2005
- Handbook: Approach to Chapter 40B Design Reviews, prepared by The Cecil Group, Inc. for DHCD, MassDevelopment, MassHousing, and MHP, January, 2011

2. *Participate in an initial meeting at the sites with the developer's design team and a representative of the Town*  
This reviewer did not attend the December 11 site visit with the ZBA and the Applicant.

3. *Conduct site visit and reconnaissance assessment of surrounding residential and nonresidential areas near the project sites*

This letter is based on an unaccompanied visit to the streets abutting the sites and review of nearby neighborhood that occurred on November 30, 2023.

## Comments on site reconnaissance:

- Three of the four sites are on Trout Brook Road along a roughly 650-foot-long stretch that runs south off of Claybrook Road. There are three existing homes that front on Trout Brook in that same area.
  - The two sites closest to Claybrook are adjacent. The more southern of the two sites utilizes a remote area to the north of the adjacent site for its septic field (this field is at the corner of Trout Brook and Claybrook).
  - Two of the three existing homes on Trout Brook have heavily wooded side setbacks. The third home, at the corner of Trout Brook and Claybrook Road has more open exposure to both of the abutting streets. The existing homes appear to be set back from the edge of the roadway pavement by about 80 feet.
  - Generally, the area within a mile in all directions is very sparsely populated, with predominantly a variety of sizes of single-family homes on wooded lots.
  - There are no pedestrian walkways or bike lanes on Trout Brook Road.
  - Claybrook Road, which has significantly more vehicular traffic, also has no pedestrian walkways or bike lanes in the area near Trout Brook.
  - The fourth site is on Edgewater Drive. It is located on the west side of the road, in-between 11 and 21 Edgewater.
  - Edgewater is of similar density to Trout Brook, with most of the homes sited with densely planted side setbacks.
  - Front setbacks from pavement on Edgewater vary from about 50 to 90 feet in the area of the subject site. The immediate abutter to the north is about 65 feet, the abutter to the south is about 90 feet back.
  - The road runs roughly parallel to the actual Trout Brook, which is a few hundred feet to the west of the subject site.
  - Similar to Trout Brook Road, Edgewater has no pedestrian walkways or bike lanes.
  - Walkable amenities at all four sites are largely limited to conservation areas (there are no nearby commercial zones).
4. *If necessary, consult with the Applicant's design team, as appropriate.* Only contact has been during ZBA hearings.
  5. *Provide an initial oral presentation to the ZBA. Said presentation typically includes comments and preliminary recommendations on the following* (Presentation is scheduled for the December 21, 2023 ZBA hearing, however, this reviewer attended the November 29, 2023 ZBA hearing, primarily to hear the presentation of the civil engineering peer reviewer):

- a. *Orientation of building in relation to parking areas, open space and on-site amenities.*

## Comments:

- All four of the single-family homes are served by a driveway that feeds a two-car garage. At two of the locations, the garage doors face the street (Trout Brook Lots 1A and 2A), and at the other two homes, the garage doors are approached from the side (Trout Brook Lot 4, and Edgewater Lot 45).
- The side approach driveways appear to be about 12 feet wide where they meet the street, the front approach drives are 24 feet wide. The side approach drives will allow cars to turn around before entering the roadway.
- Front setbacks from pavement to the face of proposed building on the Trout Brook sites appears to be about 40 to 45 for the two sites on the west side of the street (1A and 2A), about 48 feet for the east side lot (4).
- The Edgewater building appears to be set back from pavement about 32 feet.

- Given the amount of clearing that must take place on each site to accommodate septic systems and compensatory storage, all four sites have opportunities for usable open space outside of the building footprints and driveways. As no landscape plan is included in the drawings sets, it is not possible to assess what is proposed. *The Applicant has no issue with a provision in the comprehensive permit that would require the submission of landscape plans prior to the issuance of building permits.*
- All four buildings include a rear elevated deck off of the main living level, however none of the four deck structures indicate a stairway that would connect the deck to the adjacent grade. *The Applicant has stated that adding a stair from the deck to grade will be a choice for each owner to make.*
- All four sites include areas of bordering vegetated wetlands and are proposed to be built up to create viable septic areas.

***b. Function, use and adequacy of open space and landscaped areas.***

**Comments:** As noted above, a landscape plan has not been submitted that would allow a detailed assessment. *See note above.*

***c. Use and treatment of natural resources.***

**Comments:** All four sites will be significantly modified to accommodate the homes, including significant clearing of vegetation and filling. This aspect is reviewed in more detail in the Tetra Tech civil peer review letter dated November 28, 2023. A plan that accurately depicts areas that are scheduled to be clear cut would be helpful. For the trees that are intended to be preserved on the site, an accurate tree survey should be undertaken and a tree preservation plan developed. *The limits of work are now indicated on the civil plans, and the Applicant has stated that they have no issue with a condition on the comprehensive permit that requires prior to building permits, flagging trees to be removed and/or preserved.*

***d. Building design, setbacks, massing and scale in relationship to the surrounding context and topography.***

**Comments:** The scale and overall design of the four buildings is compatible with nearby homes. The massing is broken up with some complexity in the footprints, as well as front entry porches with columns, multiple gables and a shed dormer. Both shingle and clapboard patterns are proposed for siding. It is this reviewer's opinion that the two buildings with the garage entry facing away the street are more successful. While street-facing garages are not uncommon in Dover, most single-family homes in this area are set further back from the street which serves to mitigate the presence of the garage doors, as well as cars that may be parking in the driveways.

While the building design is a good fit, as noted above, the front setbacks of the buildings on all four sites is much less than typical. The combination of the smaller setback, along with building up the site for septic systems will make these buildings anomalous (other homes on built-up sites are further from the roadway). While the perspective views provided in the architectural drawings are useful, site plans that include the footprints of neighboring buildings, as well as site sections that extend to the street and connect with the building sections that have already been provided would help assess the impact of the buildings on the public realm. *Civil site plans now include footprints of adjacent homes for Lot 4 and 45. This has not been provided for Lots 1A and 2A, where the Applicant owns the two adjacent sites. No building-to-street sections are in the new exhibits, however, the perspectives from the street have been modified to include the edge of the street in front of the buildings (which helps to get a sense of the structures' impacts on the public realm.*

Without having the above documentation, along with landscape plans, it is difficult to assess the impact of the proposed side setbacks. It appears that the sites for two homes on the west side of Trout Brook Road will have to be cleared from near the corner with Claybrook, to the south about 50 feet from the lot line at 7 Trout Brook (about 370 to 380 feet). It appears that there may not an opportunity for significant landscape screening between the two new sites. There is some existing buffering in place to the north of 7 Trout Brook (the existing neighboring home), as well to the south of the new site (Lot 2A). It is possible that this could provide sufficient screening. *See note above re: landscape plans.*

The side setback on the north side of Lot 4 appears to be more problematic as far as options for landscape screening between the new home and the neighbor. The site will have to be cleared virtually to the lot line, and will have to be built up in elevation. *Current civil plan confirms that the limit of work will extend to the lot line on the side setback. There may be the potential for screening vegetation within the compensatory flood storage area, or within the sloped area that rises up to the level of the infiltration structures.* To the south where the site meets Chickering Drive, the site

will have to be cleared for regrading, as well as for a compensatory flood storage area. There is no nearby neighbor to the east on Chickering, but the appearance of the intersection of Trout Brook and Chickering will be very different from current conditions.

On Edgewater, the most challenging side setback may be to the home to the south. The site needs to be cleared to the lot line, and a retaining wall ranging in height from 4 to 6 feet must be built to contain the leeching field for the new home. There appear to be limited landscaping options on the subject site, and because the neighboring existing home is not indicated on the site plan, it is not possible to assess the effectiveness of existing landscape buffering. [See notes above re: importance of a landscape plan.](#)

*e. Viewsheds of the project visible from the public street, public areas and from the vantage point of nearby residential neighborhoods.*

**Comments:** See comments above. Additional documentation is required in order to accurately review viewsheds from the public realm, as well as from adjacent existing neighbors.

*f. Pedestrian and vehicular access and circulation; adequacy of accessibility provisions. Of particular interest are the implications of access and egress in terms of pedestrians, bicyclists and motorists. Adequacy of parking facilities.*

**Comments:** This is discussed above. While there are no pedestrian walkways or bike lanes, traffic in the area (with the exception of Claybrook Road) is not intimidating. The area nearby all of the four proposed homes is a very pleasant walking and biking area.

*g. Integration of building and site, including but not limited to preservation of existing tree cover, if any.*

**Comments:** The site grades are all significantly modified to allow the construction of the buildings. And, as noted above, extensive tree clearing is required. Landscape plans that include major trees that will be saved are critical documentation that would need to be provided to study strategies for tying the buildings into their settings. [See notes above.](#)

*h. Exterior materials.*

**Comments:** Building elevations have been annotated to indicate material selections. All of the proposed materials indicated are typical for this type of construction and setting. Renderings indicate that all buildings are the same color scheme, which may not be the best idea for the two adjacent structures on Trout Brook. [Renderings now indicate variations in the color of the buildings.](#)

*i. Energy efficiency.*

**Comments:** Drawings and specifications are not adequately developed at this point to assess efficiency. It appears from the site plans that each home will have its own ground-mounted heat-pump system, which is typically a very efficient means for heating and cooling. Dover is a Stretch Code community, but has not yet adopted the Specialized Code that ensures an even higher level of sustainability. [In addition to meeting Stretch Code, the buildings will be all electric.](#)

*j. Exterior lighting.*

**Comments:** There is not a lighting plan in the submitted materials, although the applicant has indicated that all site lighting will be building-mounted and dark sky compliant.

*k. Proposed landscape elements, planting materials, and planting design.*

**Comments:** See comments above. Landscaping, as is often the case, is one of the keys to integrating this development into the community.

*l. Feasibility of incorporating environmental and energy performance standards in the design, construction and operation of the buildings.*

**Comments:** There are a multitude of third party environmental and energy performance standards that buildings of this type could comply with (LEED, Energy Star, Passive House, Enterprise Green), that would not add significant construction dollars. We don't know if the homes are proposed to be allelectric. [Buildings will be all electric.](#)

- m. *Any other design-related considerations identified by me, ZBA, town staff, working group, or the citizenry of Dover.* No new comments.

Comments:

- All emails and letters from Dover citizens appear to be in opposition to the project, typically for perceived environmental reasons.
- Planning Board memo expressed some concerns related to the septic pipe for Lot 2A crossing in front of access to 1A, atypical side and front setbacks, proximity of septic tanks to lot lines, and imminent adoption of new FEMA Flood Plain maps that could impact designs.
- Included in a number of detailed comments (a total of 41), Tetra Tech letter recommends that the plans include the location of homes and drives on adjacent lots, as well as contours extended at least 15 feet into abutting properties. Adjacent homes are indicated in two of the sites, and contours have been extended at all sites on the civil plans.
- Site plans do not indicate paved pathways to access doorways to garages or basement spaces. These additional walkways will not be provided.
- Basement plan is missing in the affordable home on Lot 2A. There is a basement indicated on the building section, although the CME memo of November 15 does not include reference to any basement space. This should be clarified. The Applicant has stated that the affordable home will have an unfinished basement.
- While the building exteriors of all four structures is very similar, there are significant internal differences between the market rate homes and the affordable, including square feet of usable space on upper levels, finished basement space, and number of bathrooms.
- Side elevations of all four buildings could be improved by adding an additional window in the bedrooms. This has been added in the revised plans.
- Market rate building on Lot 45 appears to have a basement floor level close enough to exterior grade to allow the potential for a basement bedroom, which may not be calculated in the septic sizing. The Applicant has stated that there is not intention to have the bonus room be an additional bedroom, noting that the windows do not meet egress requirements and no window well is provided.
- Building section for Lot 45 building does not indicate the basement door on the rear of the structure. This has been corrected.
- As noted above, none of the rear decks include stairs to directly access the rear yard areas. See note above.
- Rear elevation of the building on Lot 4 appears to be missing the window into the "bonus room." A small window is now indicated on the elevation, but it does not appear to be consistent with the building section through that space.
- All building elevations only include material callouts on the front elevation. Applicant should confirm intentions on other elevations. All elevations now include material callouts.

- n. *Techniques to mitigate visual and other impacts.*

Comments: As noted in several places in this letter, additional documentation is required in order to develop/assess mitigation strategies. Most importantly, the applicant should provide:

- Landscape plans for all sites. See notes above.
- Plans that clearly delineate areas scheduled to be cleared, as well as trees to be saved. See notes above.
- Site building sections that extend through the buildings and reach to the roadways. At the Edgewater site, given the proposed construction of the retaining wall close to the lot line, this same type of drawing should be provided at the southern side setback. See notes above.
- All site plans should show structures on neighboring sites. See notes above.

6. *Participate in meeting(s) with municipal staff and the developer team ("working sessions"), to address to the ZBA's charge(s) to the developer.* No working session has been scheduled at this point.
7. *Provide a written report(s) and oral presentation(s) to the ZBA on Zoom related to the Applicant's submission(s) prior to the close of the public hearings that addresses, at a minimum, the aspects of the development identified in number 5 above. Said report(s) and oral presentation(s) shall also include recommendations relative to design-related conditions to be incorporated in a potential approval of the Comprehensive Permit, including but not limited to modifying specific aspects of the site and building design in order to improve the overall development*

*and its relationship to its surroundings and to mitigate potential negative impacts.* In all likelihood, this letter constitutes this reviewer's final written report.

In brief summary, this reviewer believes that while Dover Homes is a modest proposal (4 new homes scattered in a sparsely populated area), their construction and long-term physical presence will be very noticeable to the immediate abutters, and to a lesser degree, to other Dover residents. The importance of providing meaningful mitigation, primarily through effective landscape screening, cannot be overstated. I hope to be able to review what the developer is proposing. While many other concerns have been expressed, primarily related to environmental issues, these matters are outside of the expertise of this reviewer.

The level of information provided by the Applicant has improved over the course of the hearing process, both architectural and engineering. This reviewer's opinion remains much the same as expressed in the above paragraph: from an architectural perspective, this is a modest project for the Town of Dover. However, for the benefit of the future new home owners, as well as the existing neighbors, a meaningful commitment to landscape buffering will help to ensure that the proposed project is a welcome addition to the Town.

I look forward to the potential for further discussion of the project at this Thursday's ZBA hearing.

Sincerely,  
DAVIS SQUARE ARCHITECTS, INC

A handwritten signature in blue ink, appearing to read 'C. Boehmer', with a long horizontal flourish extending to the right.

Clifford Boehmer AIA  
Principal