



Northern Middlesex Council of Governments

July 13, 2023

Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office
Nicholas Moreno: EOEEA #16715
100 Cambridge Street, Suite 900
Boston, MA 02114-2509

A Multi-Disciplinary
Regional Planning
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Re: EOEEA MEPA #16715 Open Space Residential Development - Unkety Brook Way,
Dunstable, Environmental Notification Form

Dear Secretary Tepper:

The Northern Middlesex Council of Governments (NMCOG) regularly reviews proposals deemed to have regional impacts. The Council reviews proposed Projects for consistency with the *Regional Strategic Plan for Greater Lowell*, the regional policy plan for the Northern Middlesex region, the Commonwealth's Sustainable Development Principles, consistency with Complete Streets policies and design approaches, consistency with the requirement of the Global Warming Solutions Act (GWSA), as well as impacts on the environment.

Andrew N. Deslaurier
Chair

Jennifer M. Raitt
Executive Director

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NMCOG has a long-term interest in addressing regional needs to advance housing initiatives, economic development, and sustainable development that promotes compact growth. As a regional planning agency, NMCOG is committed to promoting sustainable development and environmental stewardship. The Project is an Open Space Residential Development (OSRD) known as Unkety Brook Way, located at 0 River Street Tax 2, Lot 4 in Dunstable, Massachusetts. The Project will create 11 new homes on 14 acres of land, including 1.28 acres of impervious area. One of the homes will be designated as affordable. There will be 22 parking spaces. The Project advances an important recommendation in the Regional Strategic Plan for Greater Lowell in creating more housing and protecting critical habits and open spaces by utilizing open space residential design.

The project exceeds the following review thresholds:

- Section 11.03 Review Threshold (2) State-listed Species under M.G.L 131A (Massachusetts Endangered Species Act), and
- Section 11.03 (b)(2) Greater than two acres of disturbance of designated priority habitat.

The project will require a Fisheries and Wildlife NHESP Conservation and Management Permit, CMP; 321 CMR 10.23.

The Project is situated entirely within the Petapawag Area of Critical Environmental Concern (ACEC), requiring additional review and standards for protection. The developer has already filed a Resource Management Plan, is committed to being fully compliant with Massachusetts Stormwater Regulations requirements and has entered into a unique agreement with Mass Wildlife to further protect the open spaces on this parcel. Protecting and preserving this ACEC, including the species living within, is crucial for maintaining water quality, wildlife habitat, and overall ecosystem health. We recommend a thorough evaluation of the project's potential impacts on these natural resources, and the inclusion of measures to minimize any adverse effects during the design and construction phases. The developer has provided multiple scenarios and iterations on the project design to minimize impact on the Blanding's Turtle, a threatened species, and its habitat. Roadways are the primary cause of concern for this threatened species. While traffic impact appears to be minimal due to low trip generation from the proposed use, it remains imperative that roadways and impervious surfaces are minimized on site to the greatest extent possible. The Turtle Protection Plan should emphasize the importance of reducing and mitigating impact from these surfaces, roadways, and their runoff.

Considering the increasing impacts of climate change, it is crucial that this development incorporate climate resilience strategies, including the integration of sustainable building practices, energy efficiency measures, and green infrastructure elements. By promoting climate resilience, the development can reduce long-term environmental risks and contribute to the overall resilience of the region. While it is encouraging to see new housing being created in Dunstable through their OSRD bylaw which creates less buildout on the parcel and protects critical and endangered species, particularly the creation of a deed-restricted affordable home, NMCOG would prefer to see a higher density of homes and an increase in affordability. Housing affordability and availability is a critical issue in the Northern Middlesex region and Dunstable remains one of our highest priced communities with limited to no rental housing and limited vacancies overall.

In conclusion, NMCOG has reviewed the ENF, and our key recommendations are to reduce the impervious areas, strengthen protection of threatened species and critical habitat, and investigate additional protections on site, including a conservation restriction. These recommendations are intended to help this Project reach its full potential and to minimize environmental impacts via appropriate measures.

NMCOG respectfully requests that the Secretary incorporate our comments as part of any final correspondence or certificates issued for this Project. Thank you for the opportunity to comment on this Project.

Sincerely,


Jennifer Raitt
Executive Director

cc: Jason Silva, Town Administrator