



By-Right Multifamily Housing Zoning Requirements for MBTA Communities

Planning Board Public Hearing
March 11, 2024

Agenda

- Summary of Section 3A MBTA Communities Multi-family Zoning Requirements
- Impacts of Noncompliance
- Local Process
 - Public Outreach
 - Proposed Overlay District within Ferry Transit Area (Articles GGG and LLL)
 - Proposed Sgt. William B Terry Drive and Beal Street Sub-district (Article LLL)
 - Proposed French Street Sub-district (Article GGG)
 - Potential Responses to Neighborhood Concerns related to French Street Subdistrict
 - Review of Board Working Group Recommendations
- Board questions and public comment
- Discussion of Next Steps
- Schedule for Continued Public Hearings

State Imposed Multifamily Zoning Requirement

2021 State Law Requires Zoning Capacity, Not Production

Section 3A of M.G.L. c. 40A (the Zoning Act) now requires that an MBTA community **shall** have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute, including:

- Minimum gross density of 15 units per acre;
- Not more than ½ miles from a commuter rail station, subway station, ferry terminal, or bus station, if applicable;
- No age restrictions; and
- Suitable for families with children.

2022 DHCD/EOHLC 3A Guidelines Include More State Requirements for MBTA Communities

Community	Community category	2020 Housing Units	Minimum multi-family unit capacity*	Minimum land area**	Developable station area***	% of district to be located in station area
Hingham	Commuter Rail	9,930	1,490	50	757	75%

Impact of Noncompliance

Statute: Housing Choice, MassWorks, HousingWorks, and Local Capital Projects Fund (Housing Authority)

Discretionary:

Community Planning Grants

Massachusetts Downtown Initiative

Urban Agenda

Rural & Small Town Development Fund

Brownfields Redevelopment Fund

Site Readiness Program

Underutilized Properties Program

Collaborative Workspace Program

Real Estate Services Technical Assistance

Commonwealth Places Programs

Land Use Planning Grants

Local Acquisitions for Natural Diversity

(LAND) Grants, and

Municipal Vulnerability Preparedness (MVP)

Determinations of compliance also may inform other funding decisions by EOED, EOHLC, the MBTA and other state agencies which consider local housing policies when evaluating applications for discretionary grant programs or making other discretionary funding decisions.

Attorney General Advisory on Civil Enforcement Action

MBTA Communities Local Process

**2022-2023: 3 Joint Select Board/Planning Board Public Meetings
2 Additional Planning Board Public Meetings**

Fall 2023: 3 Public Meetings – Planning Board reviewed draft zoning during the fall

**Winter 2024: Article GGG - 5 Public Hearings
Article LLL - 1 Public Hearing**

- Staff discussions with representatives of the Democratic Town Committee, World Affairs Group, Town Hall Coffee at the Senior Center, and owners of parcels that may be rezoned
- MHP 3A/TA technical services grant – Bohler Engineering completed draft compliance model
- Housing Choice Grant – RKG engaged to complete Economic Feasibility Analysis to increase affordable zoning

Inclusionary Zoning

Economic Feasibility Analysis

Construction Costs

- Soft costs – design and preparation
- Hard costs – materials and construction
- Land costs – physical location

Operation Costs

- Financing costs – debt and equity to pay for the project
- Marketing, management, repairs, property taxes

Operational Revenues

- Rental rates and sale prices
- Parking revenue

Assumed 15% of Units Made Affordable for Households at 80% Area Median Income is Economic with a Return on Cost of between 6% - 7%.

Income Eligibility

1-person	\$82,950	
2-person	\$94,800	
3-person	\$106,650	
4-person	\$118,450	

Housing Costs

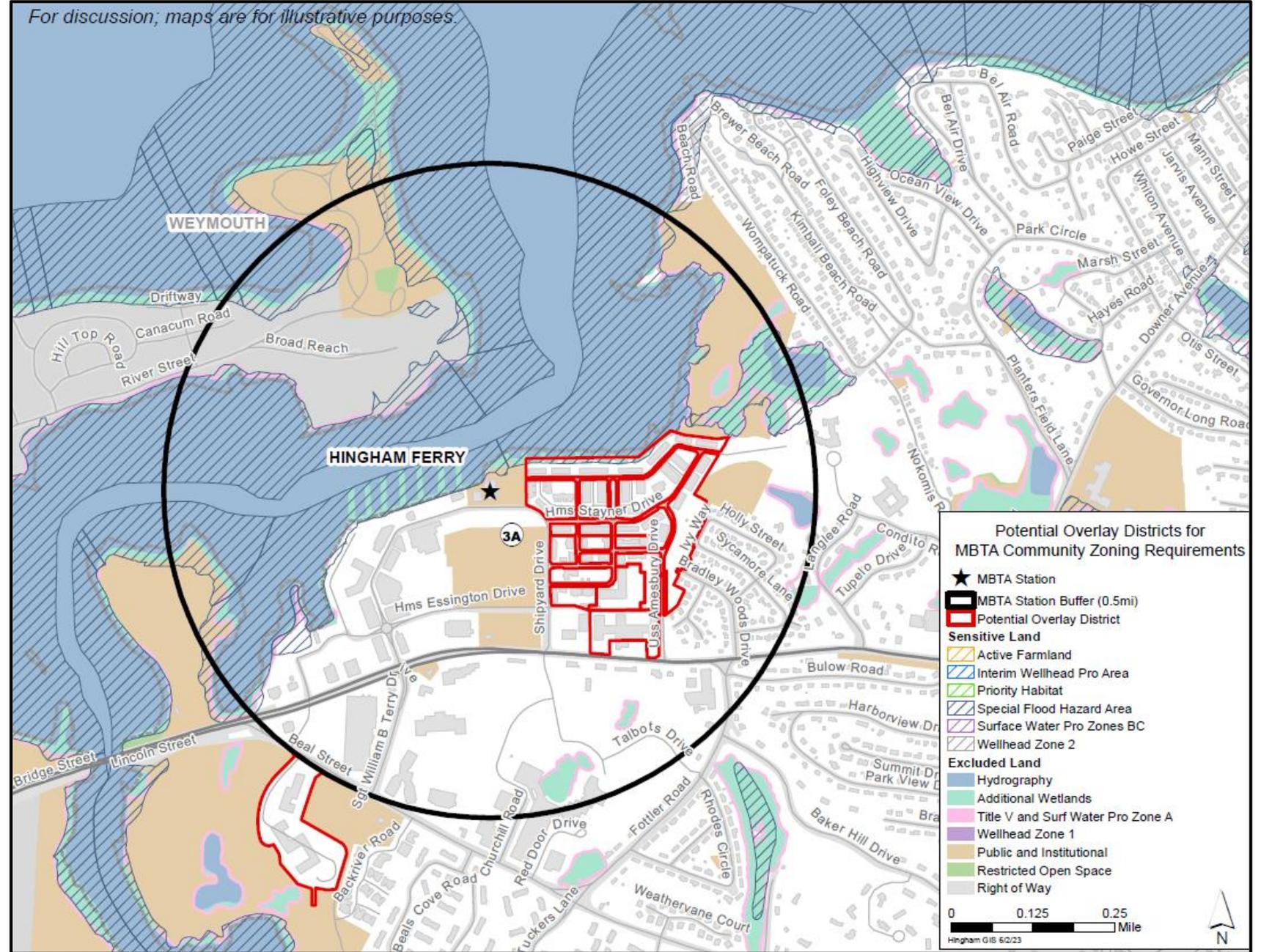
Ownership	\$316,000	
Rental	\$3,141	

Existing Multifamily Housing

Adams Court	25% affordable	
Avalon	25% affordable	
Back River	11% affordable	
Derby Brook	25% affordable	
Damon Farm	25% affordable	
Whiting Lane	25% affordable	

For discussion; maps are for illustrative purposes.

Proposed Sub-districts, Articles GGG and LLL



Proposed Sub-district, Article LLL



Article LLL

Parcels: 1 Sgt William B. Terry Way
225 Beal Street

Size: 7.5 Acres

Density: 15 Units/Acres

Unit Capacity: 112 Units

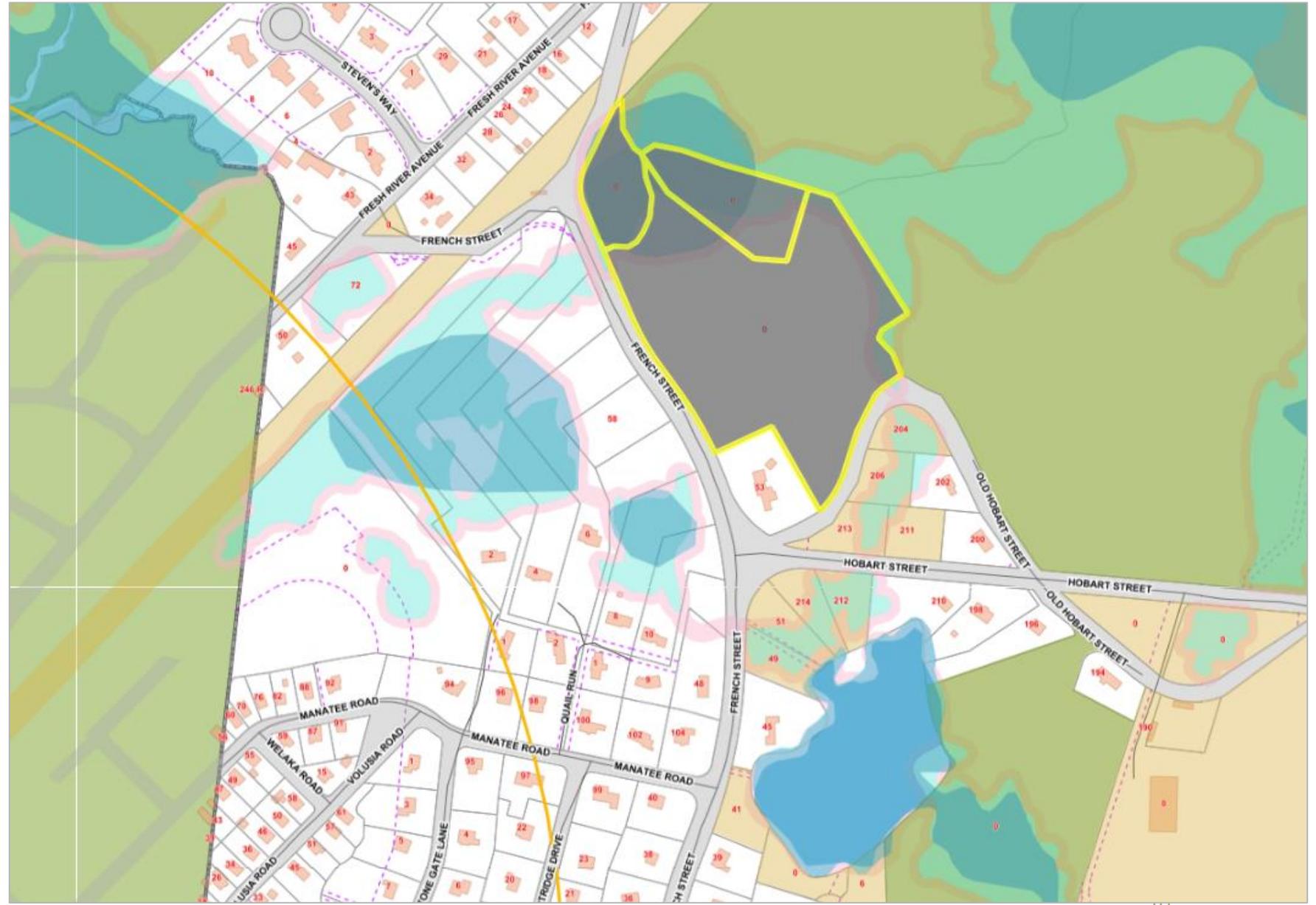
District Size: 53.5 Acres

Capacity: 1,502 Units



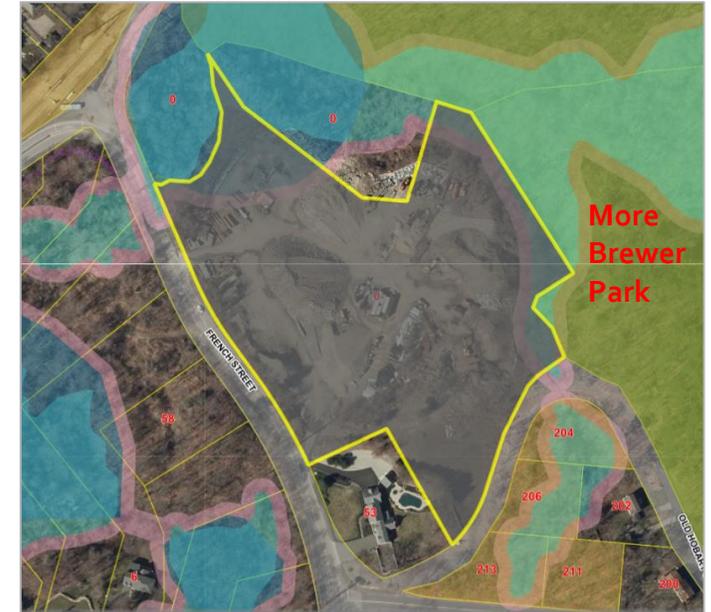
Minimum Lot Size		Maximum Height		Floor Area Ratio	Maximum Density Units/Acre	Minimum Yard Dimensions		
Area	Frontage	Feet	Stories			Front	Side	Rear
Sub-district 1 (Avalon II and Hewitts Landing)								
3 acres	150'	45'	4	0.95	40	40'	25'	25'
Sub-district 2 (Avalon I Multifamily)								
2.5 acres	200' 20'	35'	3	0.85	25	20'	20'	20'
Sub-district 3 (The Cove)								
5 acres	200'	35'	2.5	0.85	18	50'	50' 20'	50' 20'
Sub-district 4 (Avalon I Townhomes, 1 Sgt William Terry Drive and 225 Beal Street)								
2 acres	200'	35'	2.5	0.85	15	20'	20'	20'

Proposed French Street Sub-districts



Recommendations for Article GGG

- Segregate French Street in Separate Sub-district
- Eliminate Fort Hill Parcels from the Overlay (6.98 developable)
- Decrease Density from 18 to 8 units per acre (69 maximum)
- Reduce the Permitted Forms of Multifamily to Two-Families, Three-Families, and Multi-Unit Dwellings
- Limit Multi-Units to Interior of Parcel



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3 acres	150'	45'	4	0.95	42	40'	25'	25'
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2.5 acres	200'-20'	35'	3	0.85	25	20'	20'	20'
Sub-district 3 (The Cove)								
5 acres	200'	35'	2.5	0.85	18	50'	50'-20'	50'-20'
Sub-district 4 (Avalon I Townhomes)								
2 acres	200'	35'	2.5	0.85	15	20'	20'	20'
Sub-district 5 (French Street)								
5 acres	200'	35'	2.5	0.35	8	50'	20'	20'

Comparable Multifamilies

Comparable Development, 15 Units/Acre

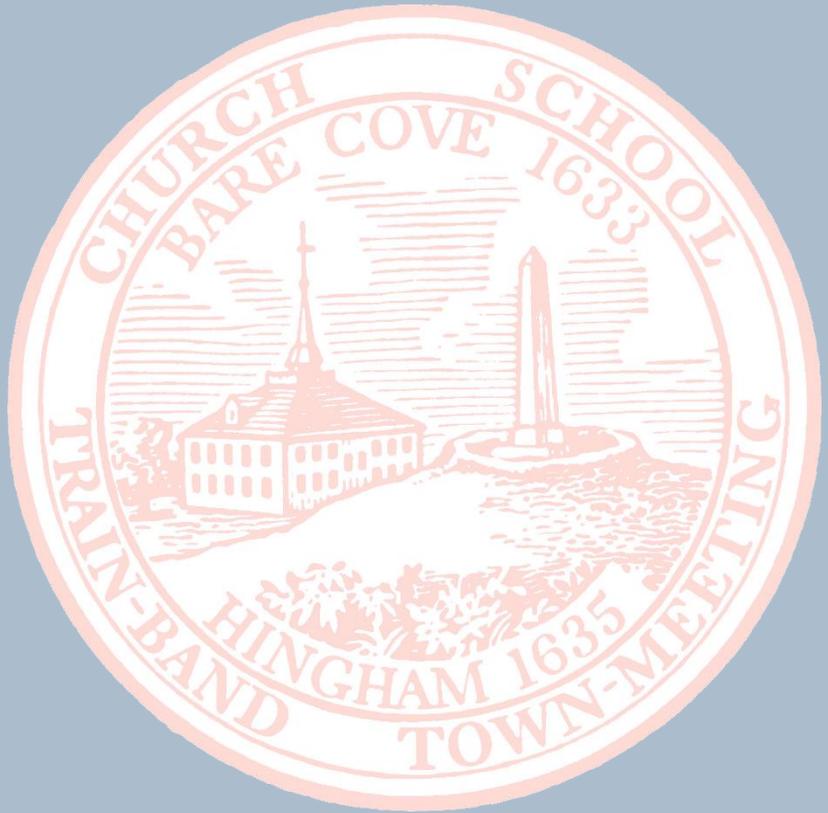
Avalon Townhomes	18 Units/Acre
Penniman Hill	17.5 Units/Acre
Bridges	12 Units/Acre



Comparable Development, 8 Units/Acre

Back River	6.4 Units/Acre
Hewitts Landing	7.3 Units/Acre
Beals Cove Village	7.12
Adams Court	7 Units/Acre





Questions and Discussion

Thank you for your participation!