

MBTA Communities Update

Joint Meeting – Newbury Select Board & Planning Board

December 6th 2023



Agenda

1. Background on MBTA Communities/3A Legislation Requirements
 1. Clarification Questions
2. Factors to Consider When Identifying Districts
 1. Zoning best practices
 2. Newbury's housing needs & how 3A can address the needs
 3. Questions
3. Newbury's Potential Options for Compliance
 1. Maps
 2. Potential dimensional requirements
 3. Questions and feedback
4. Additional Bylaw Components
 1. Affordability
 2. Design Guidelines
5. Next Steps

Background on MBTA Communities



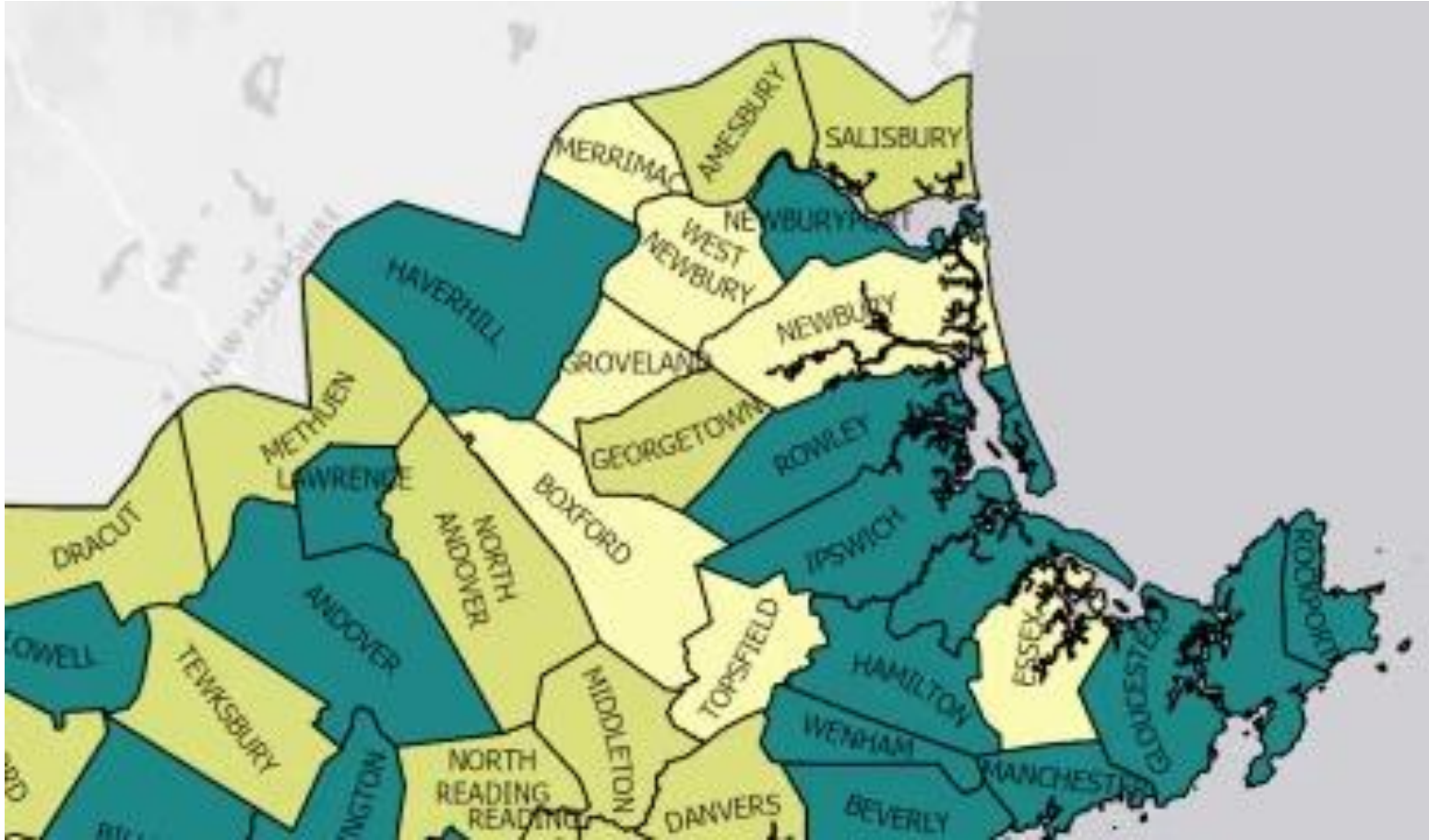
History of MBTA Communities Legislation

- The MBTA Communities Law was passed by the MA Legislature in 2021
 - The law applies to all cities & towns that have MBTA transit stops or are bordering communities with transit stops
 - The goal of the legislation is to address Massachusetts' housing shortage
 - Requires communities to change zoning regulations to allow *multi-family housing* by right in one or more zoning districts
 - Law requires the creation of a zoning district - **it is not a production mandate**

The Legislation





- Section 3A – MBTA communities must **zone** for multi-family housing
 - Zoning requirements to comply with the statute:
 - Multi-family housing is permitted as of right
 - No age restrictions and suitable for families with children (cannot restrict unit size)
 - Minimum gross density of 15 units per acre
 - Within 0.5 miles of a commuter rail station, subway station, ferry terminal, or bus station*
 - *This requirement does not specifically apply to Newbury, which is an Adjacent Small Town

Merrimack Valley Region



MBTA Communities

Community Category

-  Rapid Transit
-  Commuter Rail
-  Adjacent Community
-  Adjacent Small Town

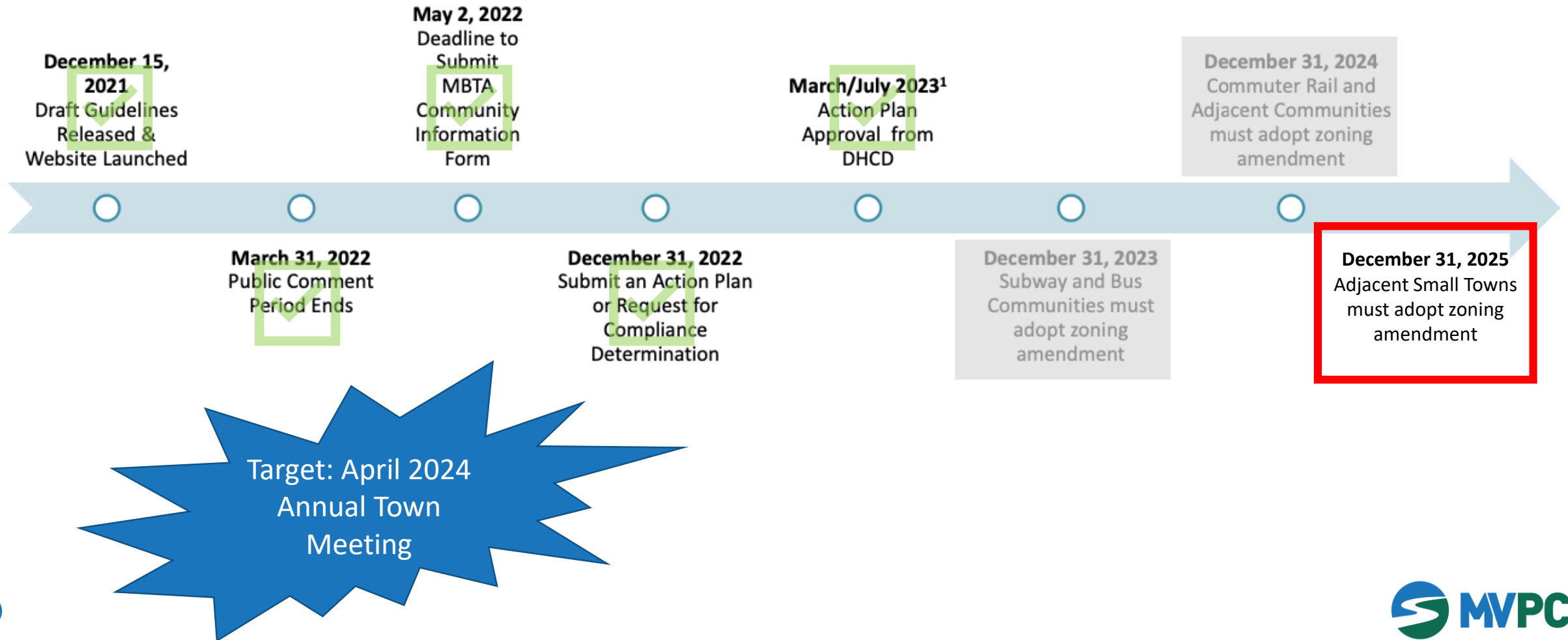
Newbury's Requirements

MBTA Adjacent Small Towns, Including Newbury:

- Zoning must allow for up to 15 units per acre
- Zoning district must have a capacity for multifamily units equal to 5% of the community's entire housing stock
- Zoning district may be located anywhere in town, but is encouraged to have reasonable access to a transit station

Newbury is required to zone for 154 Units

Timeline for Implementation



Why Do We Need to Comply?

- Communities that do not comply with housing choice legislation will be ineligible or less competitive for over 12 state grant programs, including:
 - Housing Choice Community Grants
 - MassWorks Infrastructure Grants
 - Local Capital Projects Funds
- **“Determinations of compliance also may inform funding decisions by EOHED, DHCD, the MBTA and other state agencies which consider local housing policies when evaluating applications for discretionary grant programs, or making discretionary funding decisions.”**
- Non-compliant communities have lost some of their housing authority funding
- Attorney General recently released guidance stating ***the law is not optional***

Questions?



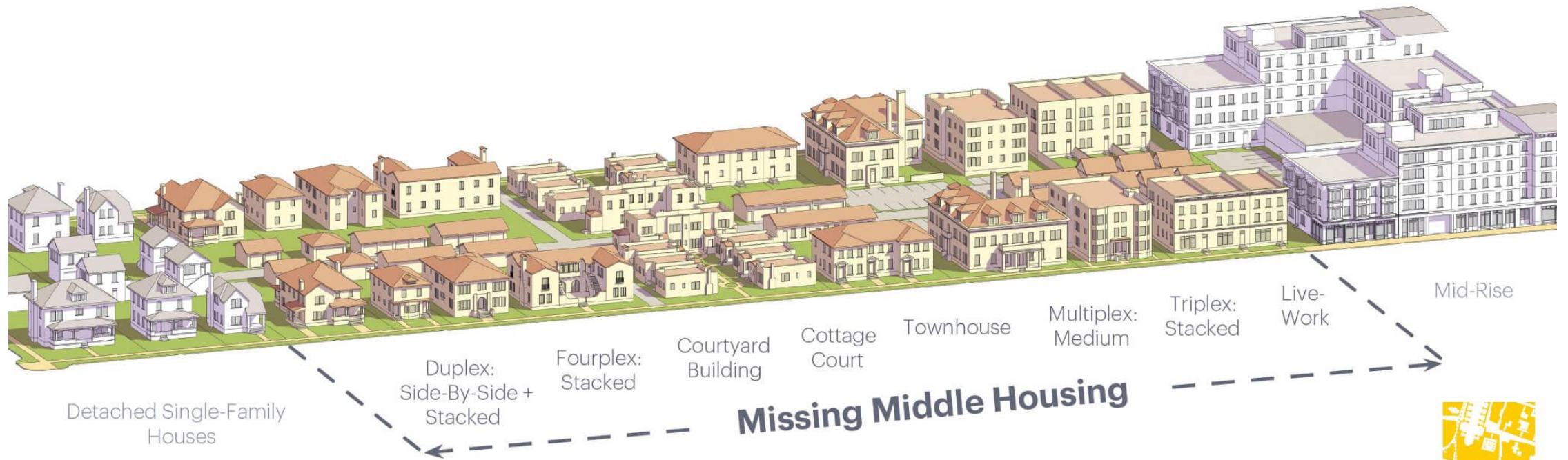
Factors to Consider

Zoning best practices & Newbury's housing needs

Factors In Considering Potential District Locations

- Location proximate to transit access, i.e. Newburyport Commuter Rail
- Walkability & pedestrian access improvements
- Opportunity to improve gateways into Town
- Access to Town amenities & Public Services
- Real potential of future development
- Addressing Newbury's housing needs

Missing Middle Housing

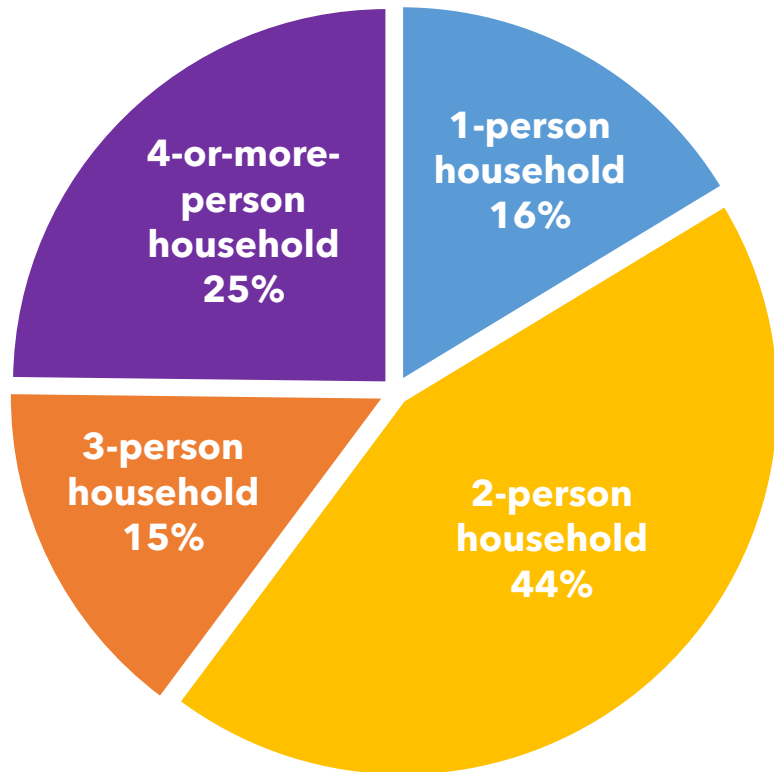


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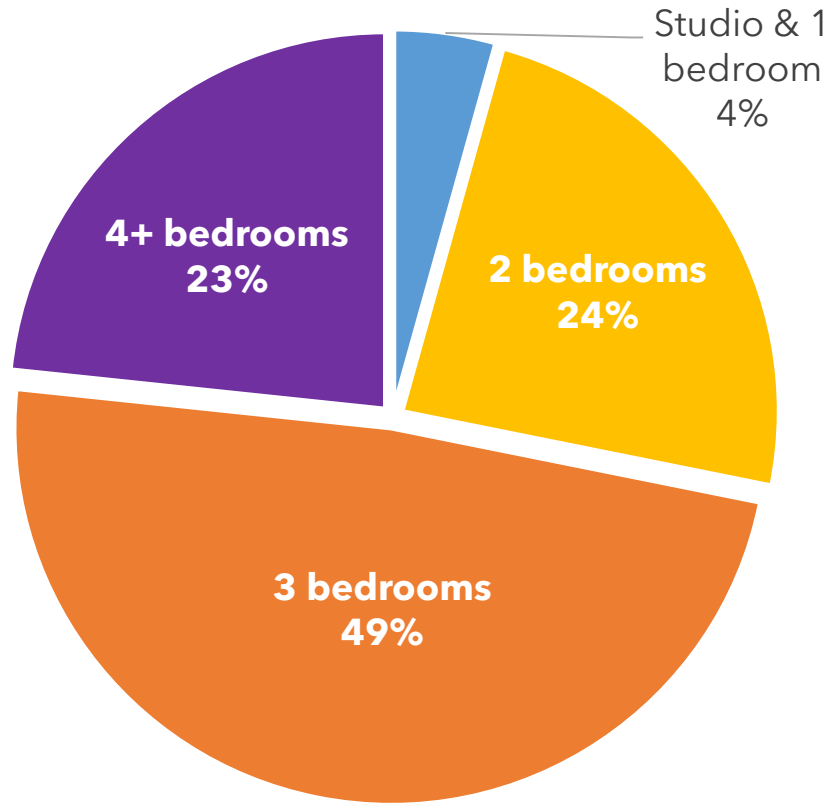


“Missing Middle” in Newbury

Housing Breakdown by Occupancy



Bedrooms per Housing Unit



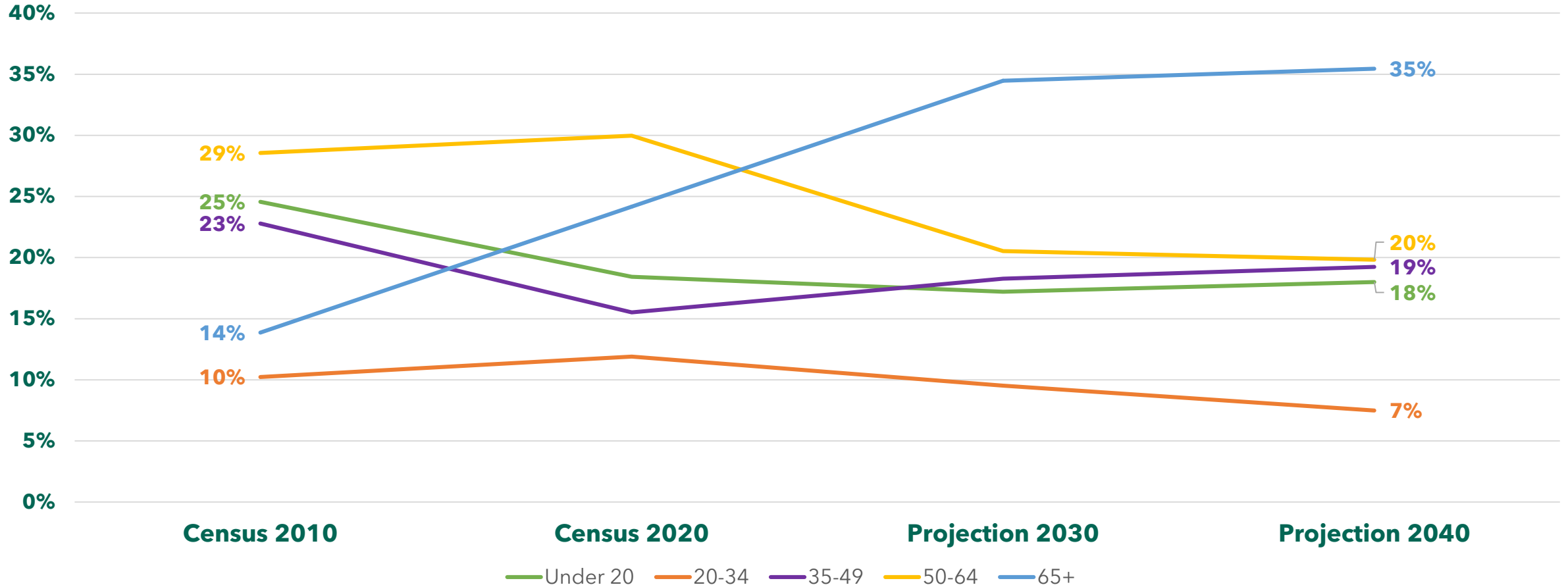
1 or 2 person households make up **60%** of Newbury’s homes, while 1- or 2-bedroom homes make up **28%** of Newbury’s housing stock

3 or more person households make up **40%** of Newbury’s homes, while 3 or more-bedroom homes make up **72%** of Newbury’s housing stock

Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Tables S2501 & B25041

Newbury's Demographic Trends

Age Distribution since 2010 & Projections to 2040



Source: UMass Donahue Institute Projections

Options for Compliance



Potential District Options for Compliance

Five (5) proposed sub-districts will allow for possibility of different design parameters and dimensional requirements in different parts of Town.

These sub-districts will be included in the MBTA Communities Multi-Family Overlay District (MCMOD)

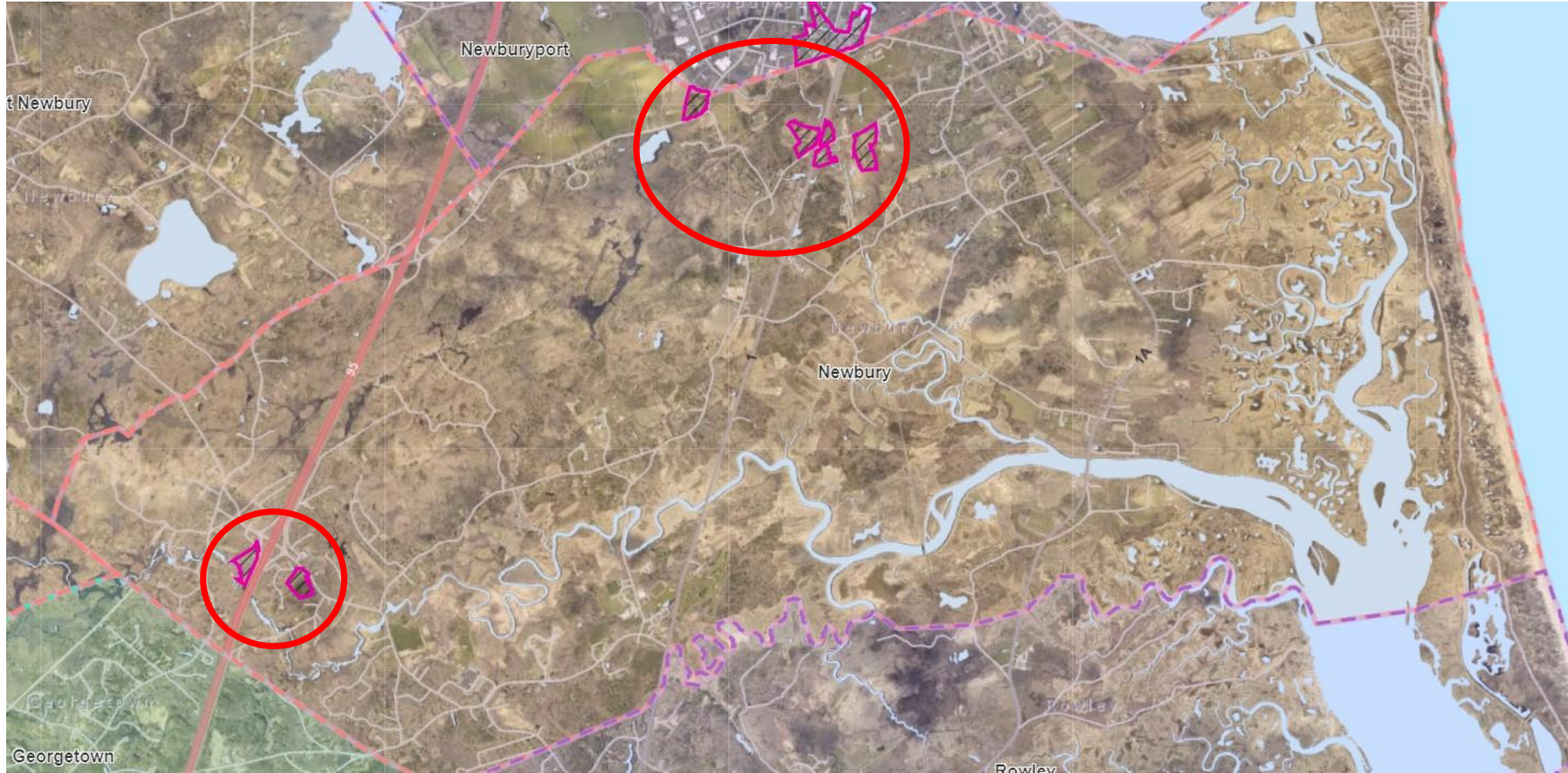
Newbury North – Subdistrict A, B and C

- Subdistrict A - Near Newburyport Border on Route 1
- Subdistrict B - Hanover Street
- Subdistrict C - Scotland Road
- Newbury South – Subdistrict A & B
 - Subdistrict A - Kent Way
 - Subdistrict B - Central Street

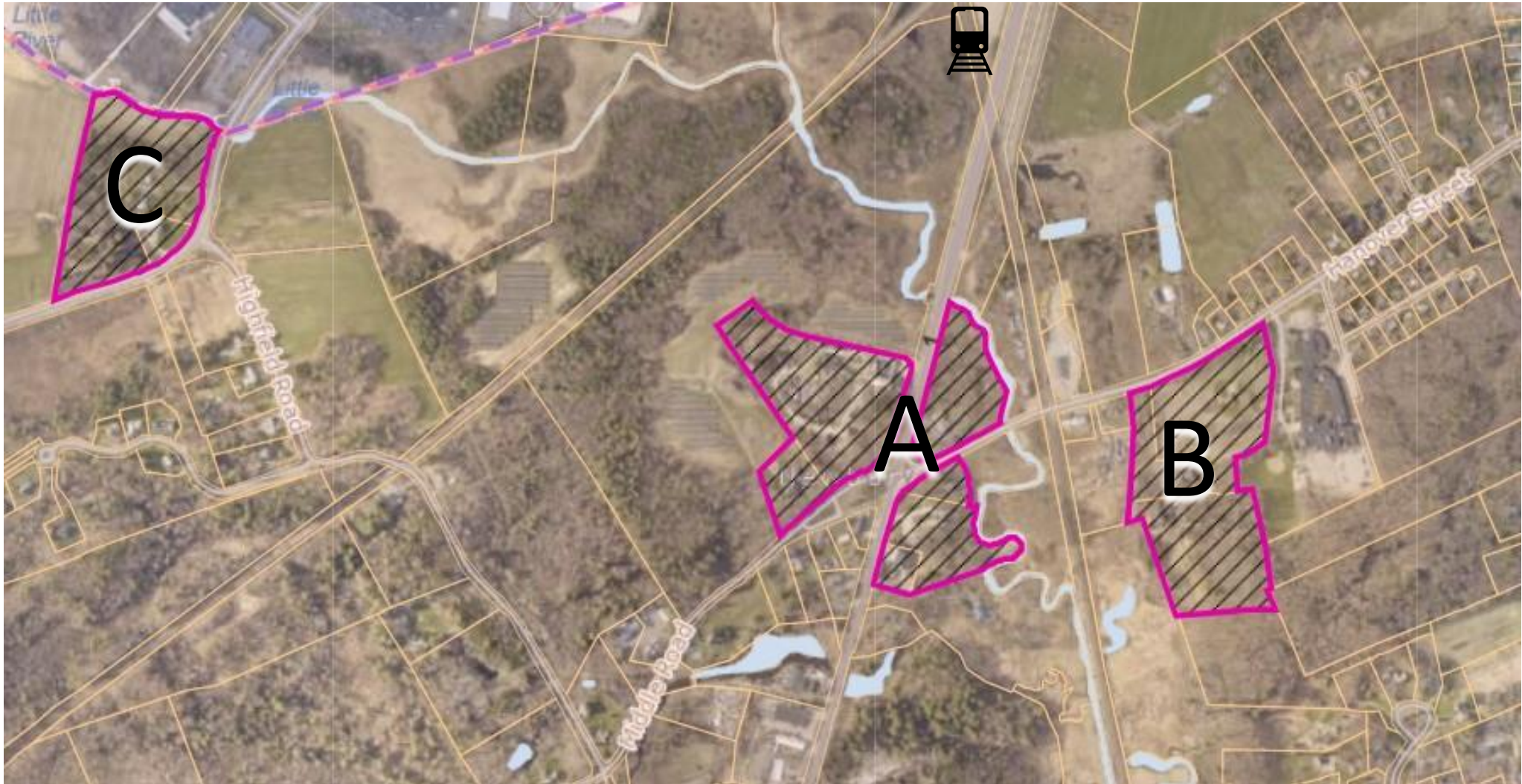
Dimensional Requirements

- For all districts, we are considering the following potential dimensional requirements in the bylaw:
 - Minimum Lot Size: 40,000 sqft
 - Max Building Height: 3 Stories
 - Setbacks: 50ft front yard, 25ft side and back yards
 - Max lot coverage: 50%
 - Minimum open space required: 40%
 - Parking: average of 1.5 spaces per unit

Potential Overlay Districts



Newbury North – Subdistricts A, B, and C



Newbury North – Subdistrict A



- 22-acre district near Newburyport border on Route 1
 - Close to Newburyport commuter rail station
 - Access to Clipper City Rail Trail for bike and pedestrian use by train station
 - Along major road (Rt. 1) for efficient access and transportation options
 - Smaller parcels may allow for “gentle” density
 - Potential for pedestrian connections to Newbury Elementary
 - Opportunity to improve gateway into town

Newbury North – Subdistrict B



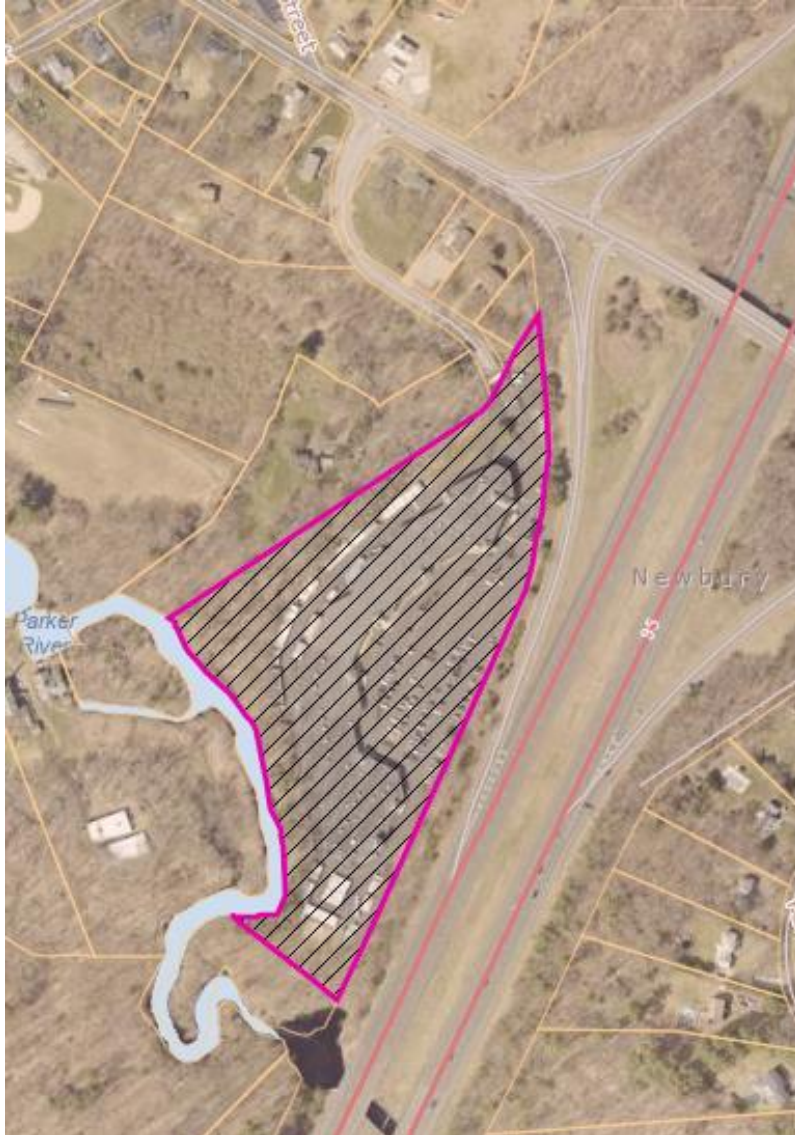
- 17-acre district on Hanover Street
 - Walkable to Newbury Elementary School and Upper Green
 - Near Newburyport commuter rail station
 - Near major road (Rt. 1) for efficient access and transportation options
 - Smaller parcels may allow for “gentle” density
 - Near other neighborhoods with family housing

Newbury North – Subdistrict C



- 12-Acre district
 - Relatively close to Newburyport Commuter Rail Station
 - Possible connection to Newburyport water supply system
 - Potential future access to Border to Boston Trail, with direct connection to Clipper City Trail and access to Commuter Rail Station via Trail

Newbury South – Subdistrict A



- 10-acre district
- Walkable to Byfield Center & Pearson Plaza
 - Retail
 - Post Office
 - Library
 - Byfield Community Arts Center
- Easy access to I-95
- Byfield Water District connection

Newbury South – Subdistrict C



- 10-acre district
- Potential for walking connections to Byfield Center & Pearson Plaza
 - Retail
 - Post Office
 - Library
 - Byfield Community Arts Center
- Easy access to I-95
- Byfield Water District connection

Questions and feedback on the proposed districts



Additional Bylaw Components: Affordability & Design Guidelines

Requiring Affordability

- We can require up to 10% of units in future developments are affordable for households making up to 80% of the area median income
- We will need to determine a threshold for when affordability requirements kick in: currently proposing 10% of units for developments of 10 units or over
 - Must balance desire for affordable units with feasibility of developers incorporating these units in their projects

Design Guidelines – Sample Elements

- Buildings should have pitched roofs instead of flat roofs
- Larger buildings should have varying rooflines
- If multiple buildings, there should be a variety of building types
- Buildings should have variation in their façade – not one long uniform wall
- Built or landscaped buffers between multifamily developments and abutting parcels
- Pedestrian connections from the development to surrounding neighborhoods
- Smaller scale buildings on road frontage, taller at back of lot

Design Guidelines: What Could Multifamily Look Like?



Georgetown – new construction downtown



Natick, MA



North Andover – Part new construction, part conversion into 6 ownership units

Next Steps

- Public Forum on December 11th at the Newbury Town Library
- MVPC Staff & Town staff will incorporate Board and public feedback to refine parameters
 - Confirm District Areas
 - Review & finalize dimensional standards for each subdistrict
 - Complete EOHLC's Compliance Model spreadsheet
 - Finalize draft zoning bylaw and design guidelines for review with Planning Board
- Finalize proposed zoning amendment for April 2024 Annual Town Meeting