

# MBTA Communities Update

Newbury Planning Board

October 18<sup>th</sup>, 2023



# Agenda

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1. Background on MBTA Communities/3A Legislation
2. Quick look: Newbury housing & demographic data
3. Details on the regulations
  1. Pause for questions on the regulations
4. Overview of Newbury's options for compliance
  1. Feedback and questions on the district options

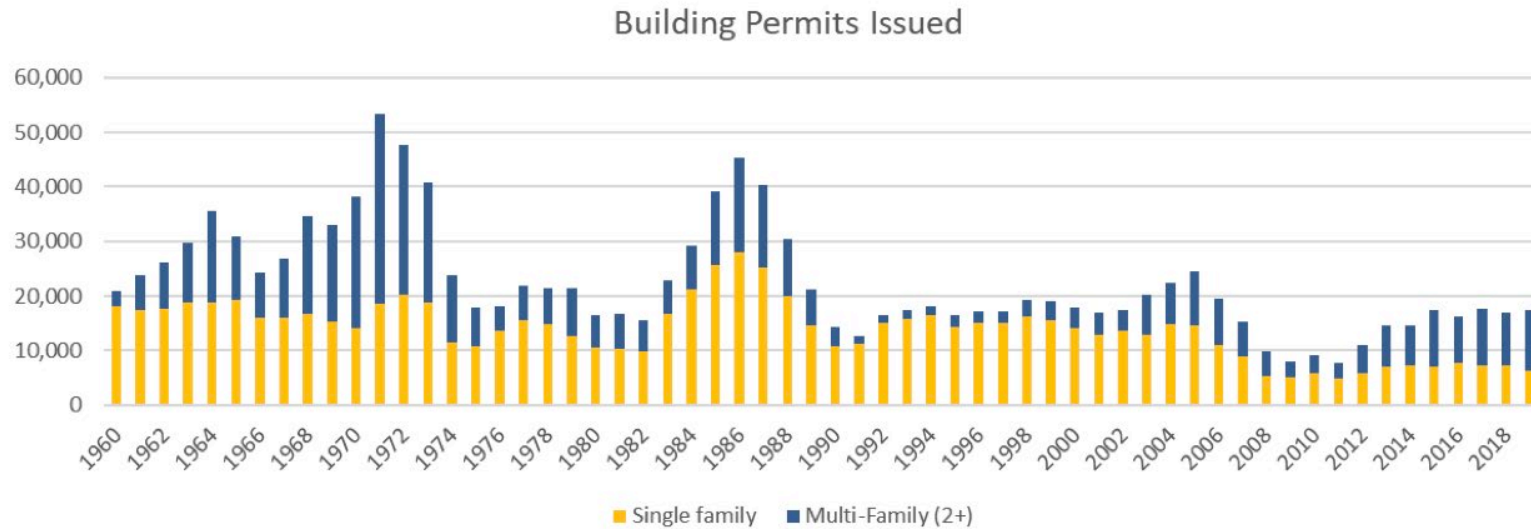
# History of MBTA Communities Legislation

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- 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*
  - Law requires the creation of a zoning district - **it is not a production mandate**

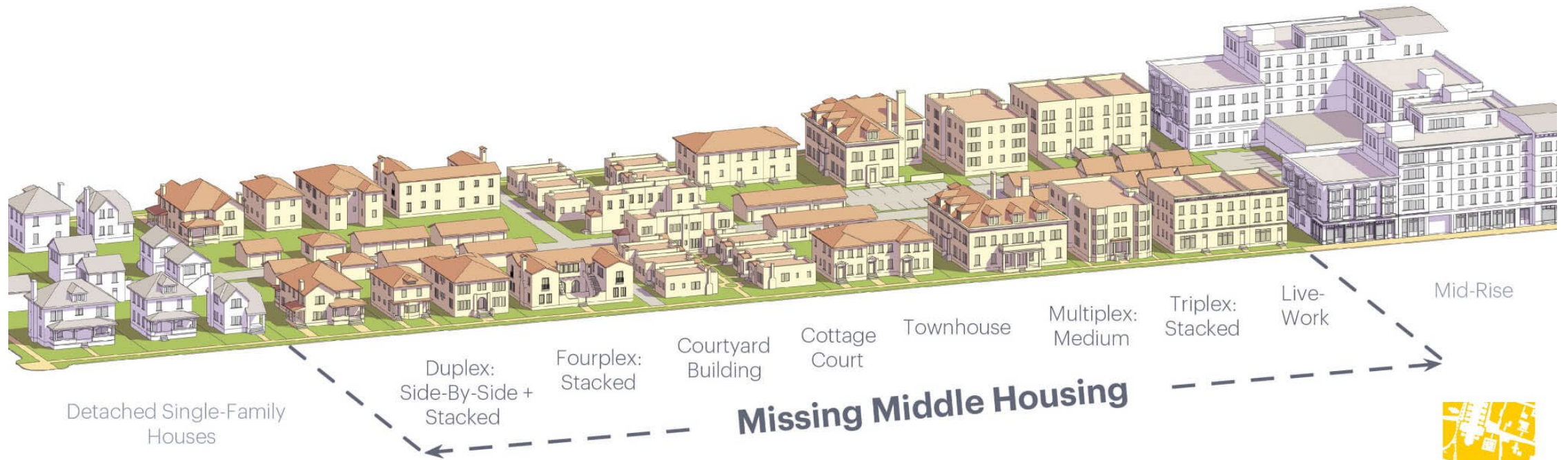
# Why are the new regulations happening?

- Between 1960 and 1990, Massachusetts communities permitted almost 900,000 housing units. Since 1990, communities have permitted fewer than 470,000 new units.
- There is an estimated shortage of 200,000 housing units in the state



Bullets and graphic on this slide from MA EOHEd MBTA Communities Webinar presentation

# Missing Middle Housing

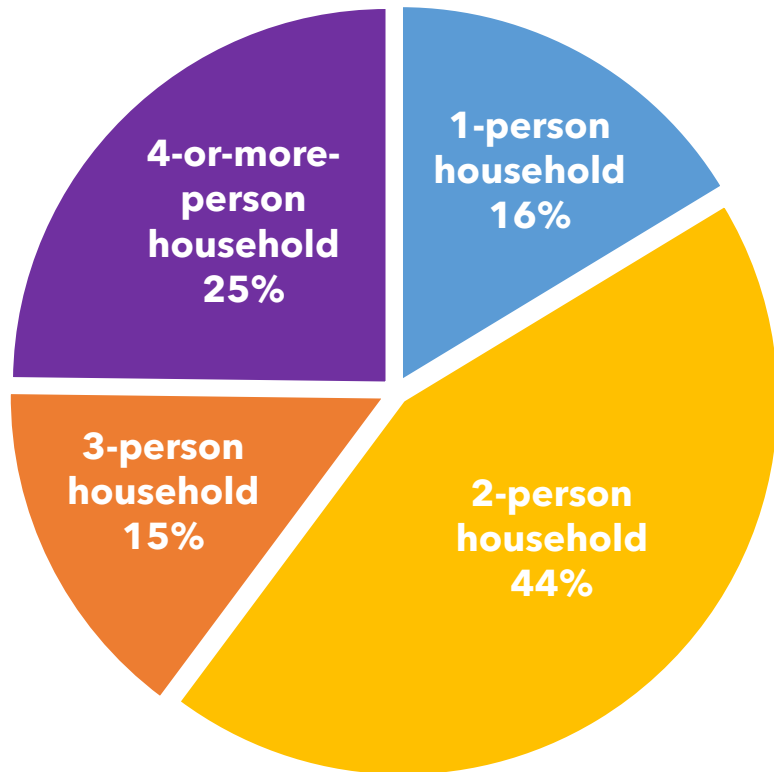


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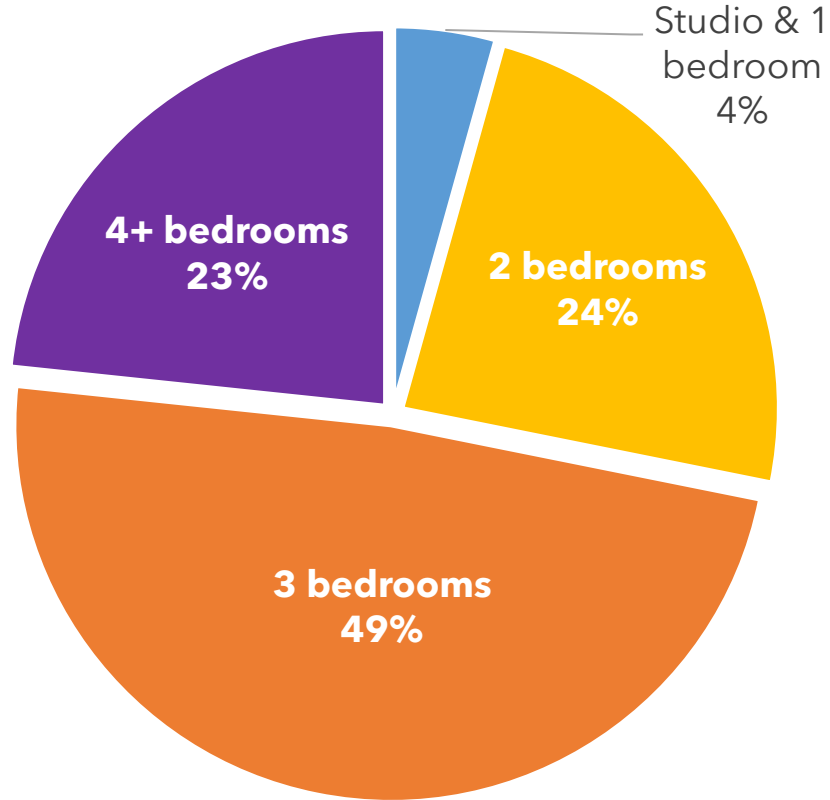


# “Missing Middle” in Newbury

## Housing Breakdown by Occupancy



## Bedrooms per Housing Unit



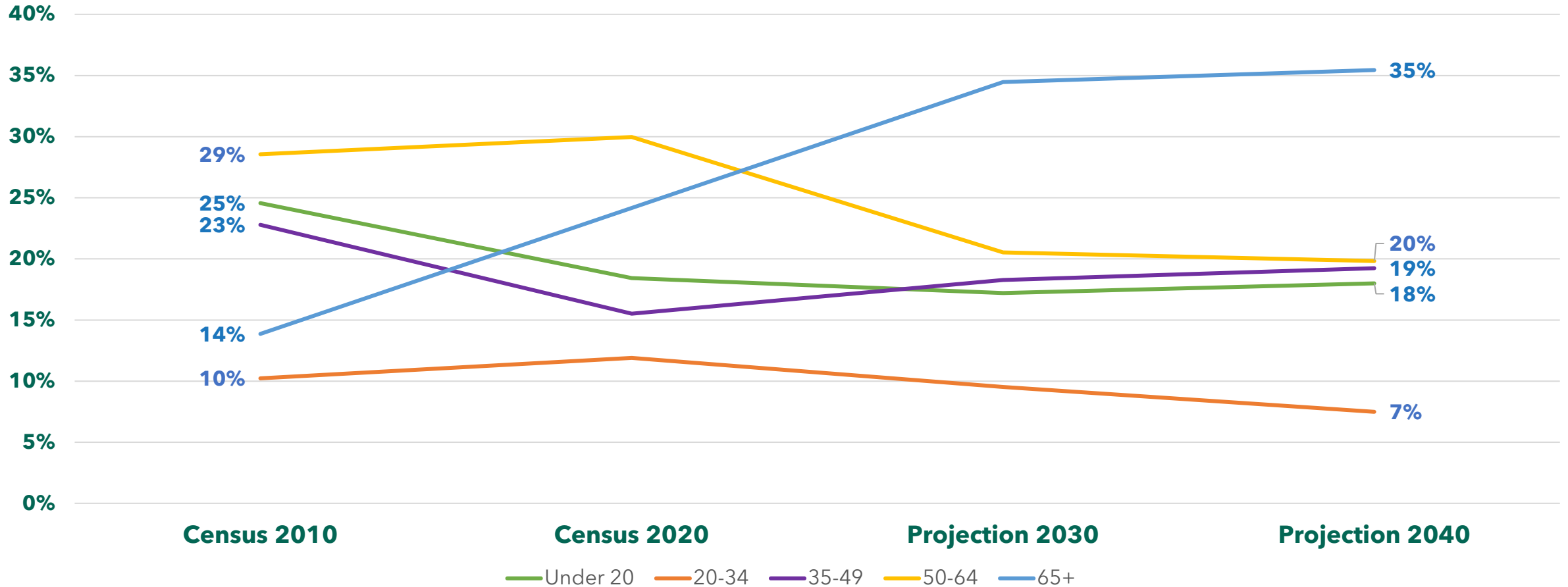
1 or 2 person households make up **60%** of Newbury’s homes, while 1- or 2-bedroom homes make up **28%** of Newbury’s housing stock

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 Projections %



Source: UMass Donahue Institute Projections

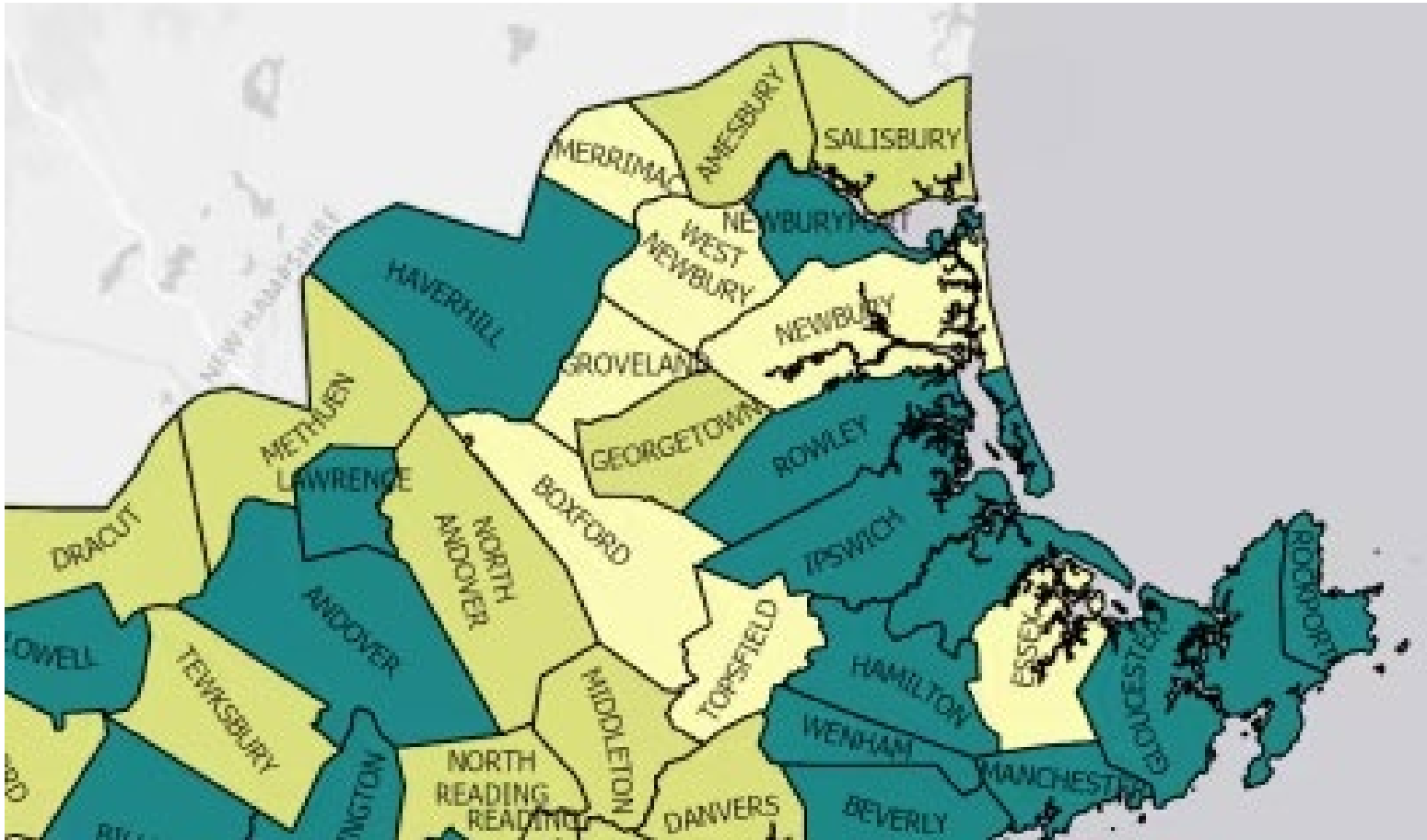
# The Legislation

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- 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 Adjacent Small Towns







# Merrimack Valley Region



## MBTA Communities

### Community Category

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

# Merrimack Valley MBTA Communities

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## **MBTA Adjacent Small Towns, Including Newbury:**

- Have within its boundaries less than 100 acres of developable station area AND has a population density of less than 500 persons/ sq. mile or a population of not more than 7,000 year-round residents
- 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**

# What does this look like in each Merrimack Valley community?

Community	Comm. Type	2020 Housing Units	Min. # Of Units in District	% District in Station Area	Community	MBTA Comm. Type	2020 Housing Units	Min. # Of Units in District	% District in Station Area
Amesbury	AC	7889	789	0%	Merrimac	AST	2,761	138	0%
Andover	CR	13,541	2,031	50%	Newbury	AST	3,072	154	0%
Boxford	AST	2,818	141	0%	Newburyport	CR	8,165	1,292	20%
Georgetown	AC	3,159	750	0%	N. Andover	AC	11,914	1,191	0%
Groveland	AST	2,596	130	0%	Rowley	CR	2,405	601	20%
Haverhill	CR	27,927	4,189	50%	Salisbury	AC	5,305	750	0%
Lawrence	CR	30,008	4,501	40%	W. Newbury	AST	1,740	87	0%
Methuen	AC	20,194	2,019	0%	TOTAL	-	143,494	18,763	

AC = Adjacent Community | AST = Adjacent Small Town | CR = Commuter Rail

# What Could Multifamily Look Like?



Georgetown – new construction downtown

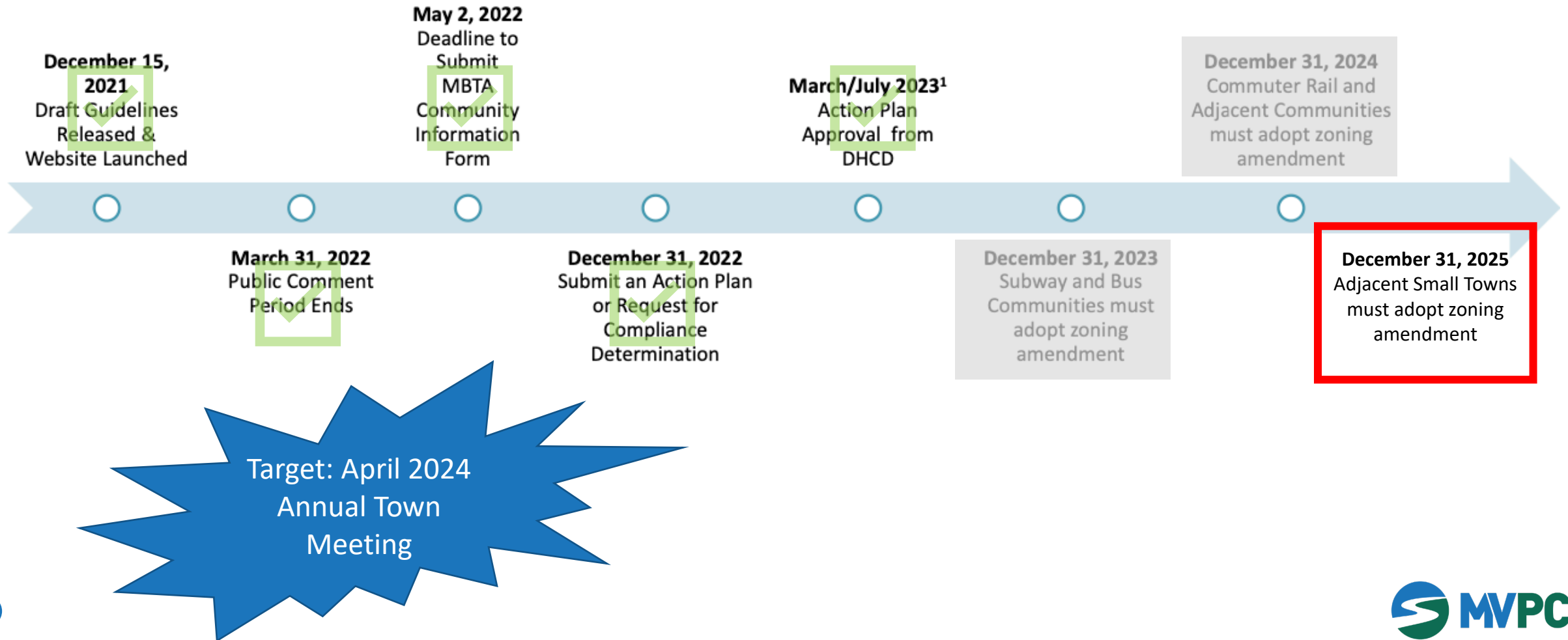


Natick, MA



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

# Timeline for Implementation



# Why Do We Need to Comply?

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- 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***

# Modeling for Compliance

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The State has provided a model (in Microsoft Excel) that can be used to test dimensional criteria for potential districts, such as:

- Minimum lot size
- Maximum units per lot
- Building height
- Floor area ratio (FAR)
- Lot coverage
- Setbacks
- Parking ratios

The model is “plug and play” – it will be used to ensure that the chosen district complies with requirements, such as 154 unit capacity requirement and 15 units per acre density requirement.

# Factors In Considering Potential District Locations

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- Acreage (developable land)
- Location proximate to transit access
- Walkability/pedestrian access
- Access to commercial centers



# Potential District Options for Compliance

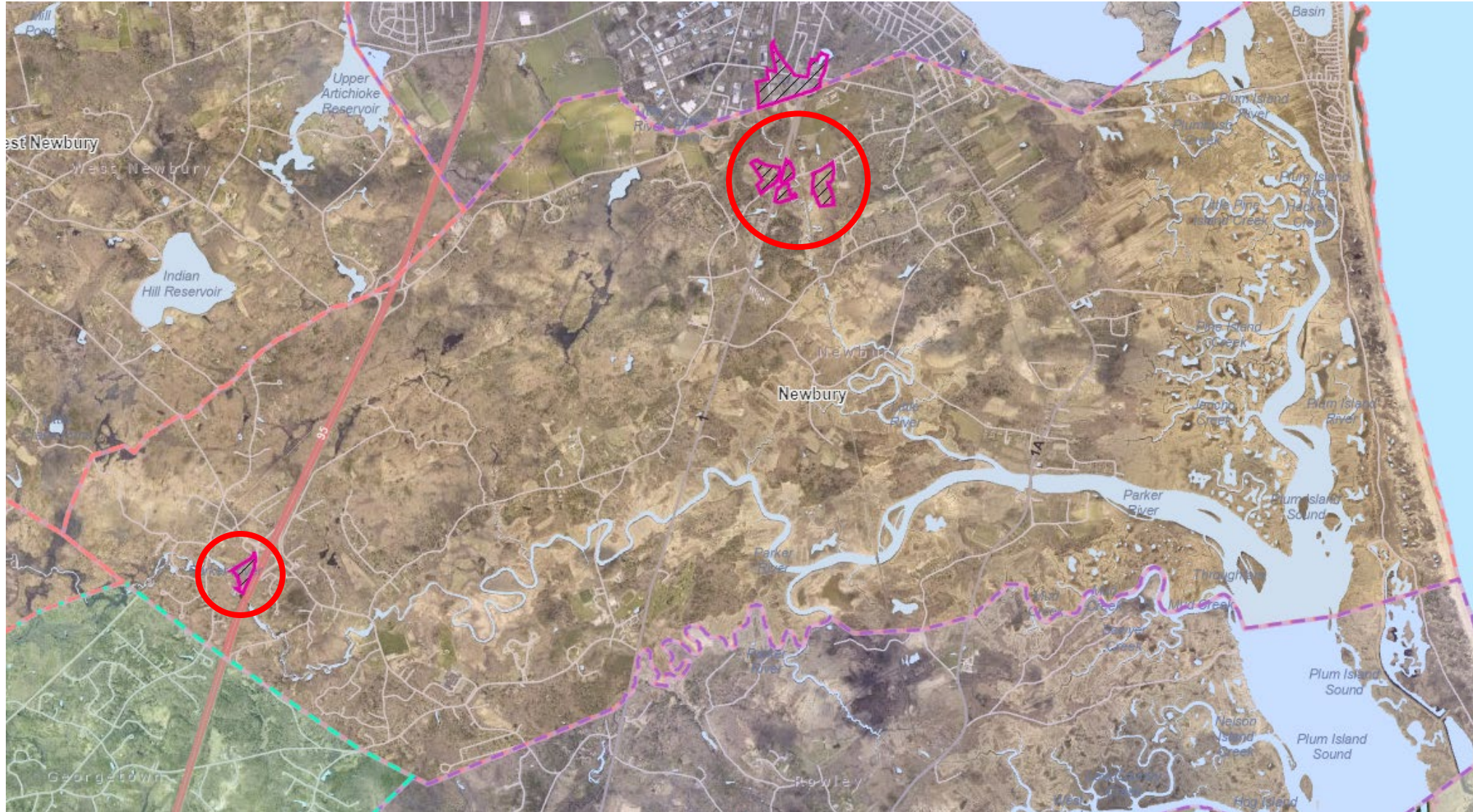
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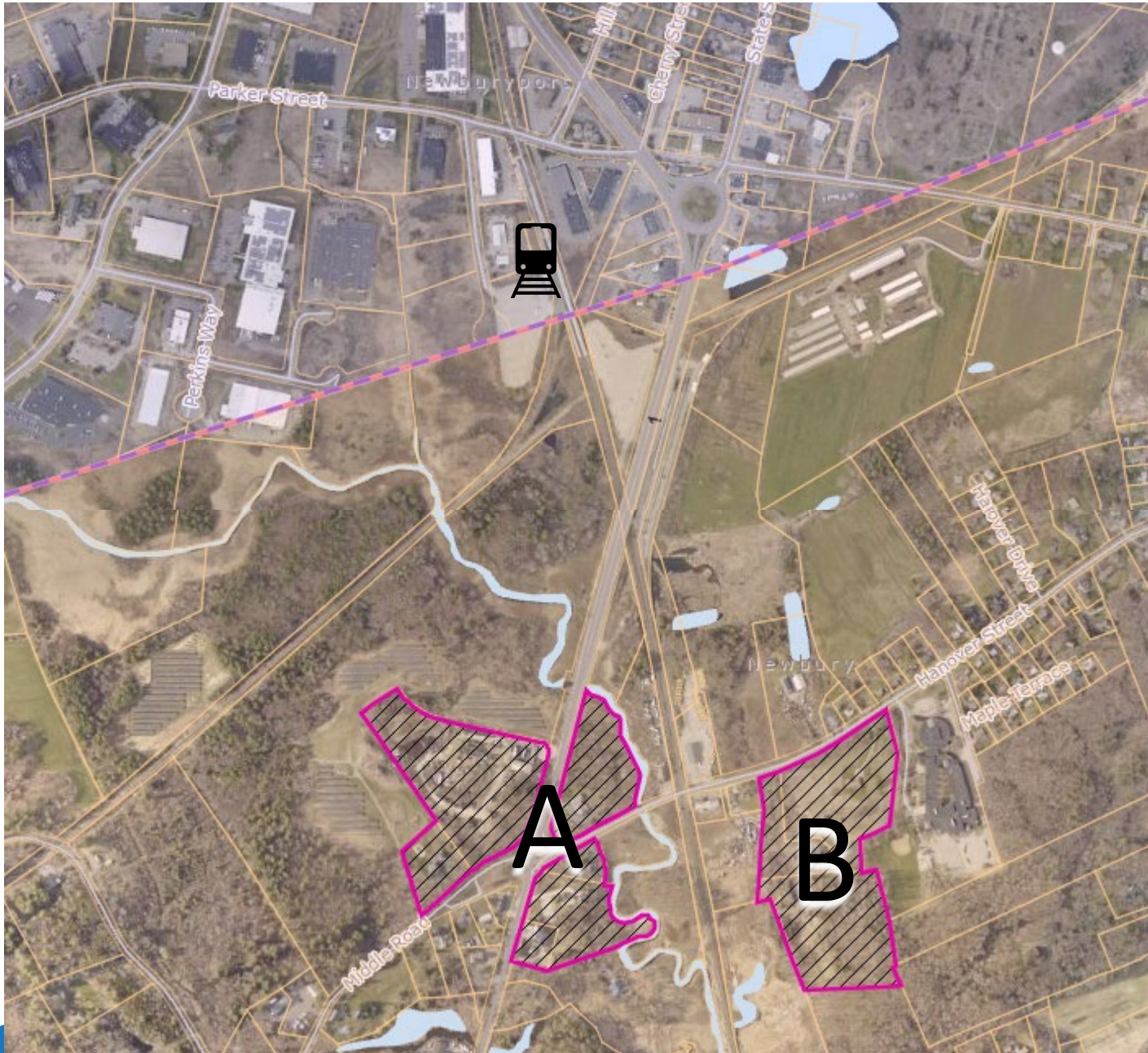
These districts are proposed as overlay districts

## Newbury North – Subdistrict A & B

- Near Newburyport Border on Route 1 and Hanover Street
- Newbury South
  - Kent Way
- 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

# Newbury North – Subdistrict A

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- 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 for efficient access and transportation options
  - Smaller parcels may create gentle density
  - Potential for pedestrian connections to Newbury Elementary
  - Opportunity to improve gateway into town

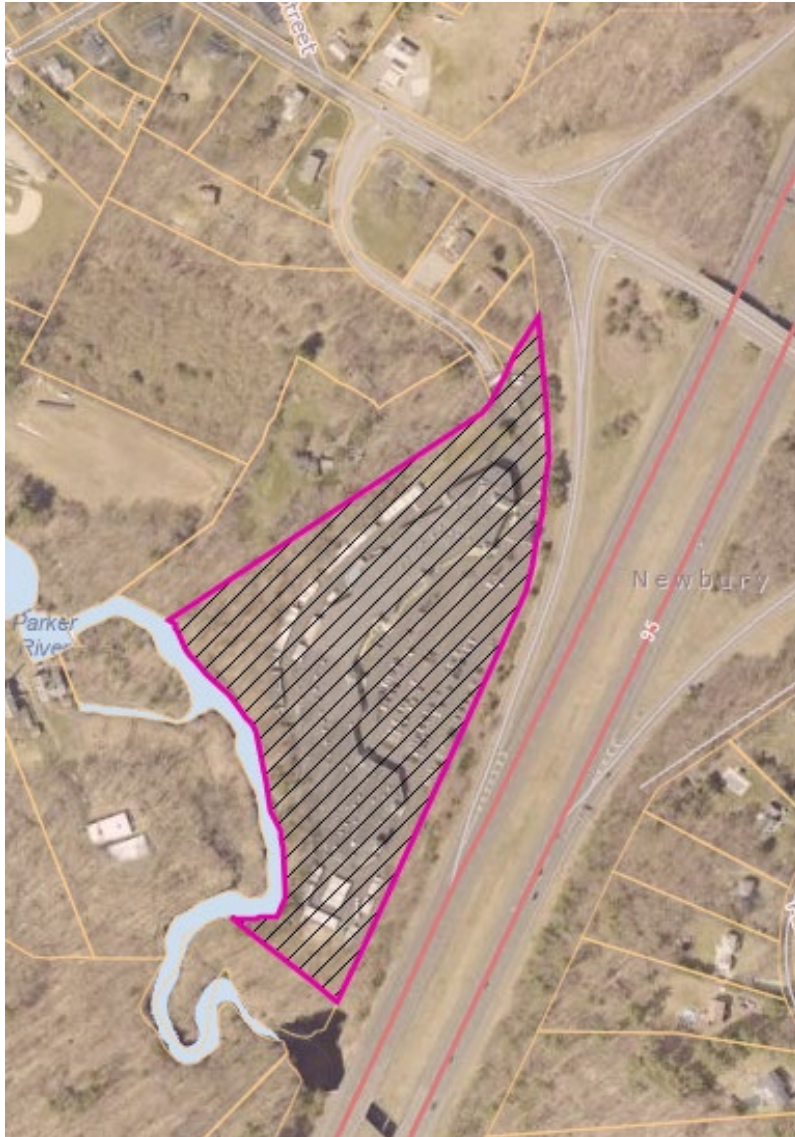
# Newbury North – Subdistrict B



- 17-Acre district
- Walkable to Newbury Elementary School and Upper Green
- Near Newburyport commuter rail station
- Smaller parcels may allow for gentle density

# Newbury South

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- 10-acre district
- Walkable to Byfield Center
  - Retail
  - Post Office
  - Library
  - Byfield Community Arts Center
- Easy access to I-95

# Next Steps

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- MVPC Staff & Town staff will continue to meet and refine parameters
  - Confirm District Areas
  - Develop dimensional standards
  - Complete EOHLC's Compliance Model spreadsheet
  - Draft zoning bylaw
- With your feedback, we will refine the districts and zoning bylaw details, returning to the Planning Board later in the fall with a draft bylaw

# Questions & Discussion

