

**TOWN OF MILLBURY
BOARD OF SELECTMEN MEETING MINUTES**

April 12, 2022

6 PM

Present: Mary Krumsiek, Katie McKenna, Scott Despres, Chris Naff, and David Delaney
Chief Brian Lewos, Dan Daly, Sean, Matthew McGrath, Nicole Oliveri, Andrea Warpula, Keith
Gasco, Michael Sunderland, Terry Burke Dotson, Fran Desimone, Steve Stearns, Rick Bedard,
Jen Nietupski and Greg Myers

Zoom: Amy Riordan, Michael, Emily Glaubitz- CMRPC, Chris Marden, Kerry Salwa, Brian
Turbitt

Regular Session 6 PM

Pledge of Allegiance

Citizen Speak

Kendra Faldetta, the Acting Senior Center Director, talked about how she started off as a program administrator and then in July she became the Acting Senior Center Director. She wanted to work under a Senior Center Director to able to learn and eventually become a Director herself. She announced that April 19, 2022 will be her last day working at the Millbury Senior Center. She wants the Town to know about what's happening at the Senior Center and their Board. She and the Senior Center employees have worked very hard to better the program but the previous Director hangs out in the train car outside which makes it very difficult to make changes. The COA Board doesn't approve of any ideas or changes that are proposed. She was subject to rumors about her personal and professional life. She wanted to thank her coworkers and Millbury for the opportunity, but because of the actions of the previous director and the Council on Aging Board, she is choosing to leave the negative environment. The people of the Town should know what is happening at the Senior Center and why she is choosing to leave. The Board of Selectman apologized to her and wished her good luck at her new job.

Terry Burke Dotson of 20 Salo Terrace stated that Fran DeSimone-Planning Board member- still doesn't have an iPad. She was told it will be addressed later this week.

Public Hearing

PH-1 Continued from March 22, 2022 6 PM.

In accordance with the provisions of Chapter 41, Section 81-G and 81-I, Chapter 82, and Chapter 84 of the Massachusetts General Laws, the Millbury Board of Selectmen will hold a public meeting on March 22, 2022 at 6:00 p.m., in the Municipal Office Building, 127 Elm Street, Millbury, MA on the Selectmen's intent to lay out an extension of Hilltop Drive as a public way. The extension of Hilltop Drive is situated south of the portion of Hilltop Drive that was accepted as a public way in March 2, 1957. Hilltop Drive is located in the northeasterly section of the Town of Millbury, MA as shown on the plan entitled "Road Acceptance Plan Prepared for Stephanie J. Adams, Mark R. Sadowski, Hilltop Drive, Millbury, Massachusetts", prepared by Jarvis Land Survey, Inc., dated July 1, 2018.

Motion to open the Public Hearing by Selectman Despres, seconded by Selectman Naff Motion carried unanimously.

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Selectman Despres stated that they weren't happy with the last site walk and changes should be made before they vote on it. Sean stated that Planning and DPW have talked to the Developer. Both felt the improvements were acceptable. Conor McCormack said an additional cover was installed and Keith was good with the work. Selectman Despres asked about the storm drain. The issue with the culvert was resolved and debris was cleaned up. Cracks were sealed, loam was regraded and all grass was stabilized. Engineering, DPW and Planning all signed off.

Motion to close the hearing Selectman Naff, 2nd by Selectman Delaney Motion carried unanimously.

Motion to lay out Hilltop Drive, situated south of a portion of Hilltop Drive that was accepted as a public way on March 2, 1957, with the condition that all disturbed areas are stabilized with loam and seed as soon as practicable and before the Board adopts an order of taking. Hilltop Drive is located in the northeasterly section of the Town of Millbury as shown on a plan entitled "Road Acceptance Plan Prepared for Stephanie J. Adams, Mark R. Sadowksi, Hilltop Drive, Millbury, Massachusetts", prepared by Jarvis Land Survey, Inc., dated July 1, 2018 by Selectman McKenna, 2nd by Selectman Naff. Motion carried on a 4-1 vote with Selectman Despres opposed.

PH-2

The Millbury Board of Selectmen will hold a Public Hearing on Tuesday April 12, 2022 at 6:00 p.m. at the Municipal Office Building, 127 Elm Street, Millbury, MA to act upon the application for an Alteration of Licensed Premises for Puffins Restaurant, Inc. License # 05063-RDS-0712 Located at 95 Main Street Millbury, MA 01527.

Motion to open the hearing by Selectman Despres, 2nd by Selectman McKenna Motion carried unanimously.

Town Clerk Davolio stated Puffins submitted an application to continue the alterations allowed during COVID until May, 2023. All required paperwork has been received. Selectman Despres asked if any complaints had been received. Ms. Davolio said none have been received.

Motion to close the hearing by Selectman Naff, 2nd by Selectman Despres. Motion carried unanimously.

Motion to approve the application submitted for an Alteration of Licensed Premises for Puffins Restaurant, Inc., License #05063-RDS-071 by Selectman Naff, seconded by Selectman Despres. On a roll-call vote the motion was approved 5-0 with all in favor.

TOWN OF MILLBURY BOARD OF SELECTMEN MEETING MINUTES

RE Shaw School Building Committee

See attached presentation

Jennifer Nietupski of 1 Victoria Terrace updated the BOS on the Shaw School Project. The school was completed in 1975 as a Junior High and later became a Middle school which requires the building to change. The project is on time and on budget. She introduced David Billings from Hill International to further elaborate on the project. David Billings is the Project Manager at Hill International. He thanked the Building Committee, Millbury Public School administration, the design team, construction team, and site managers.

The budget set was for \$60.9 million in November 2019, they waited till 2020 for construction, and their cost was 50.8 million. The next phase will start in July. They will start to move furniture and belongings from the old school to the new and the new field will be completed in December. David gave a rundown of the construction. They plan to start school in August this year. Libby described that the buildings structured like a community school so that classrooms are clustered towards the front. The area can be locked up so that the gym and cafeteria can be accessed afterwards. Libby showed pictures of the buildings interior and exterior. Johnathan, the on site field representative, gave a virtual tour of the building called Open Space. Selectman Despres asked if a walk through of the old building before demolition can be scheduled.

MBTA Communities-Kerri Salwa & Emily Glaubitz from CMRPC

See attached presentation

They presented the MBTA community guidelines. They gave a timeline of the process and stated that they will be presenting at the Town Meeting on 5/3 as well. The town will notify if they have space and if they don't, the Town will have to create an action plan by summer 2023. The projects goal is to create more permanent multi family housing. If the Town doesn't comply to this project then they lose certain funding. They also shared resources for people to access if they had any questions. Chairman Krumsiek asked that if they choose not to do this and lose the grants, how would that effect the Town. They replied that the Town will lose funding from the Town Housing Initiative program and certain grants, but aren't sure if the Housing Authority will lose funding. Selectman Naff said that we should put the presentation on the Town Website. Terry Burke Dotson of 20 Salo Terrace asked the presenters about what they meant by the figure they stated for the current housing, they replied it presents the current housing stock. Fran DeSimone stated that you could apply for those grants but you just won't be prioritized, Conor replied no you would be completely ineligible for the grant.

Address ARPA Funds-Keith Gasco-Millbury Police Association

Keith Gasco read a letter representing the hard work of the Millbury Police Department during the pandemic and that they should receive ARPA Funds. He mentioned that the Town has the resources to give to the police as they risked their health for people. He added that other towns have given their police departments funding from ARPA and it won't cost a lot either. Selectman Naff stated that ARPA Funds are under the Town Manager. Chairman Krumsiek stated that they need to sit down to have this

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conversation. Selectman Naff added that they would like to focus on the Route 146 project because it is an economic development. The Police Chief stated that he represents the Union. Sean stated that he isn't addressing the Union, he wants whatever the better investment would be. Selectman Delaney made a motion to allocate \$150,000 to the police department. The Board decided to discuss this topic first. Motion tabled to the next meeting.

Appoint Jenifer Thalhauser to the Butler Farm Re-Use Committee

Motion to appoint Jenifer Thalhauser to the Butler Farm re-Use Committee by Selectman Despres, seconded by Selectmen McKenna and carried on a 5-0 vote. The appointment will be effective Monday, April 18, 2022.

Vote on street name change: from JC Lane to Ilyas Lane

Motion to change the name of JC Lane to Ilyas Lane by Selectman Despres, seconded by Selectman McKenna and carried on a 5-0 vote.

Sign the Annual Town Warrant

The BOS signed the Warrant

Discussion re: Civil Service for the Police Department

Sean stated that the Town and the Union have resolved their issues.

FY 2023 Budget Update

Sean said that the updated budget document is in the Share point for the BOS to view. The Finance Committee approves of the Budget.

Management Update

High School Digital Sign. Asst. Superintendent Rick Bedard sent a letter thanking Town departments for their assistance in installing the sign. It is now functional.

Sean talked about how the budget is all set. Selectman Despres added that we need some changes because of some frustration within the Fin Comm. Sean said that the committee needed more time with the school. Sean stated that the final taking for the McCracken Rd project and the project will be advertised. Kendra will be the Senior Center Director at Northboro. Sean has a report for the investigation involving the Senior Center. The draining project at the Dog Park will start soon. He signed a contract for the Sewer Rehab, the work will start later this year. He got a contact tracing grant. Millbury Day will be at Polar Park on 5/21. Sean then stated that he emailed the Chair of Planning Board regarding the Ipad. The small business grant is now up for people to apply to \$250,000 of ARPA funds are being utilized.

Review & Approve Previous Minutes

Motion to approve the Minutes of March 19th, 2022 by Selectman Despres, 2nd by Selectman Delaney. Motion carried unanimously.

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Dates to Remember

- Earth Day-Town clean up. A dumpster has been donated for use with this project. 4/22
- Millbury Little League Parade 4/24
- Town Election MHS gym 4/26
- Annual Town meeting MHS auditorium 5/3
- Millbury Day-Wooster Red Sox 5/21
- Food Truck Festival 5/22

Roundtable Discussion and Citizens Feedback

Fran asked for the outcome of the Ipad situation and the BOS said he will receive a letter. Sean will make a decision as he runs the day to day operations. Terry added that he is a member of the Planning Board and needs an Ipad.

On a Good Note

Selectman Despres stated the Community Presentation for the Shaw school was very good and informative also the Fire Department presentation was very good

8:25 PM Adjourn Meeting

Motion to adjourn the meeting by Chairman Krumsiek, seconded by Selectman Delaney
Motion carried unanimously.

Respectfully submitted,

Amy Fleming, Secretary

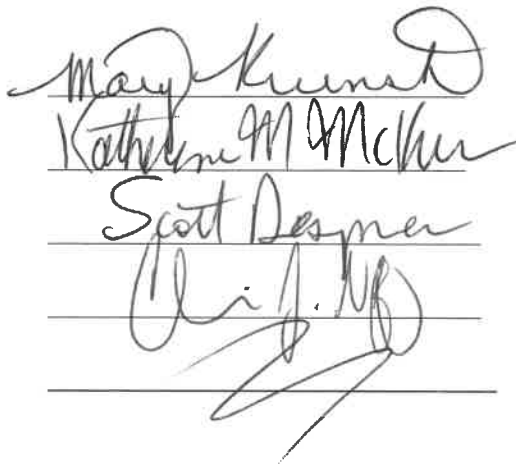
Mary Krumsiek

Katie McKenna

Scott Despres

Chris Naff

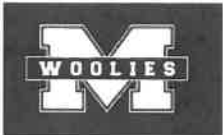
David Delaney





Raymond E. Shaw Elementary School Project

Millbury, MA | Millbury Public Schools | April 12, 2022



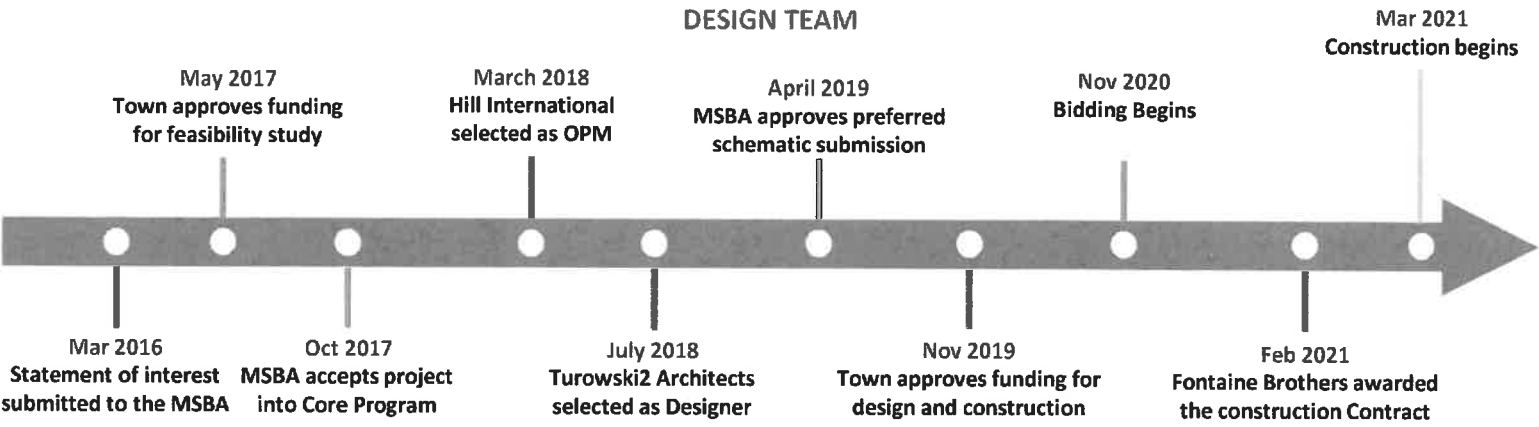
BOARD of SELECTMEN MEETING | AGENDA

- Project Timeline**
- Project Cost**
- Project Phasing and Schedule**
- Exterior & Interior Rendering Update**
- Construction Camera & Website**

TIMELINE | PROJECT MILESTONES



DESIGN TEAM



COMMUNITY MEETING | GENERAL CONTRACT AWARD & CONSTRUCTION COST

**Original Project Budget
\$60,922,761**

**Current Project Budget
\$59,083,918**

Bid Savings \$1,838,843



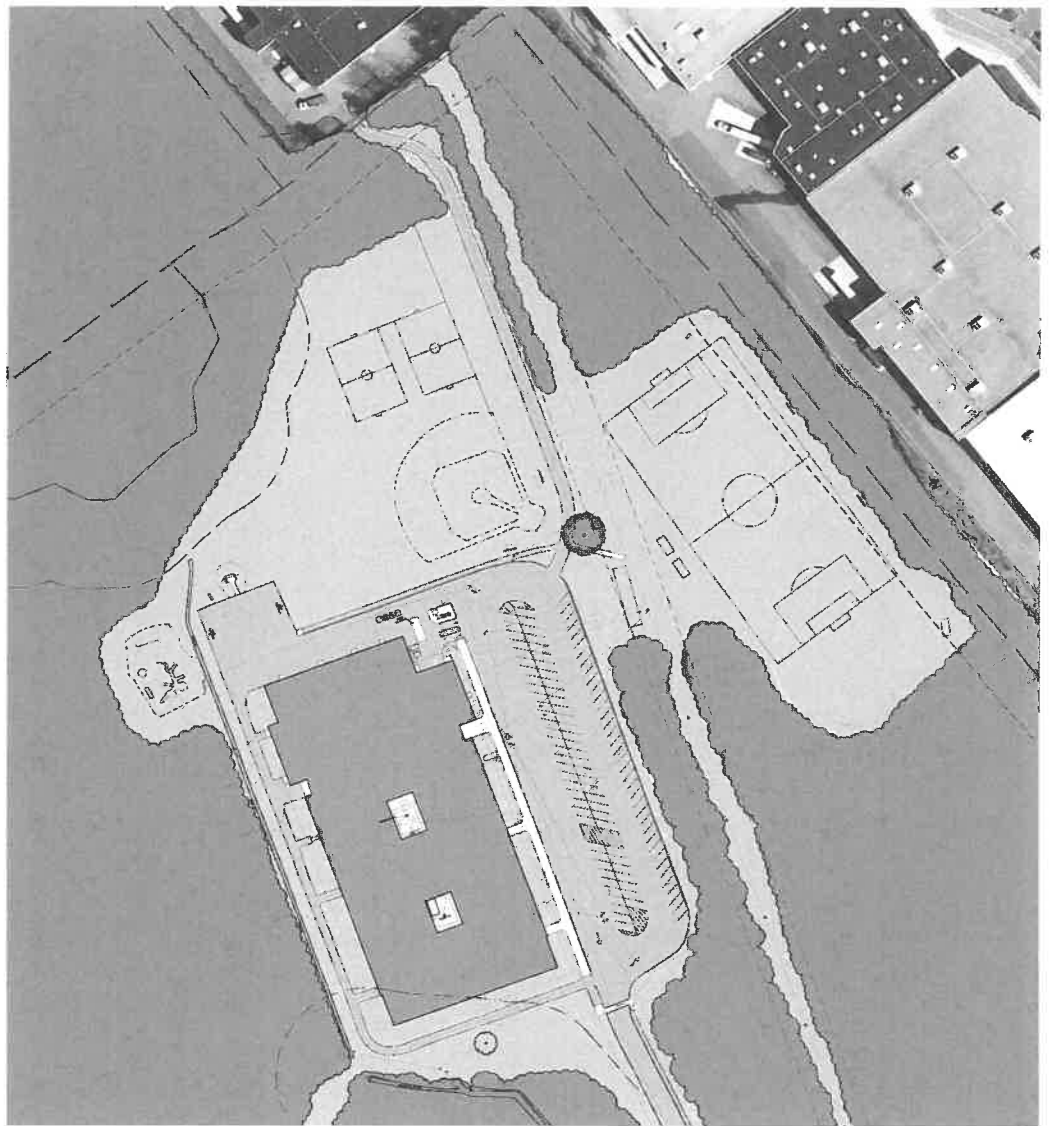
Current Construction Cost: \$47,593,226

Including all alternates PV, Maintenance Shed, Comfort Station & Sports Lighting

Phase 1 Construction is 63% complete as of March

**COMMUNITY
MEETING |**
CONSTRUCTION SCHEDULE
AND SITE PLAN

**EXISTING SHAW
SCHOOL SITE PLAN**

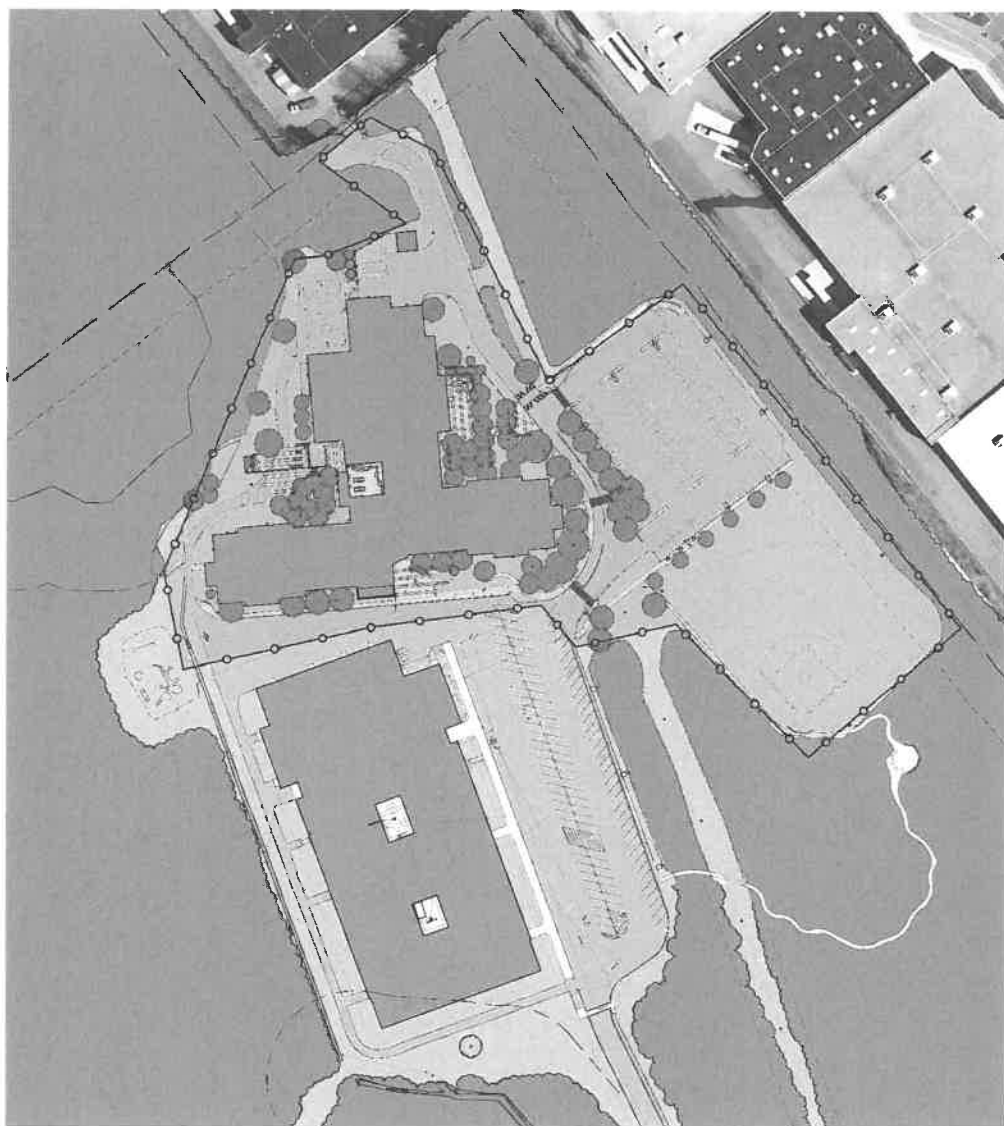


COMMUNITY MEETING |

CONSTRUCTION SCHEDULE
AND SITE PLAN

APRIL 2021 TO JULY 2022:
construction of
new school (16 months)

JULY 2022: teachers
move into new building



COMMUNITY MEETING |

CONSTRUCTION SCHEDULE AND SITE PLAN

JULY TO AUGUST 2022:
Abate and demolish
existing school, move
into new building

SEPTEMBER 2022:
new school open for
school year!

DECEMBER 2022
New fields open

JULY - AUGUST 2023
Entrance drive repaved

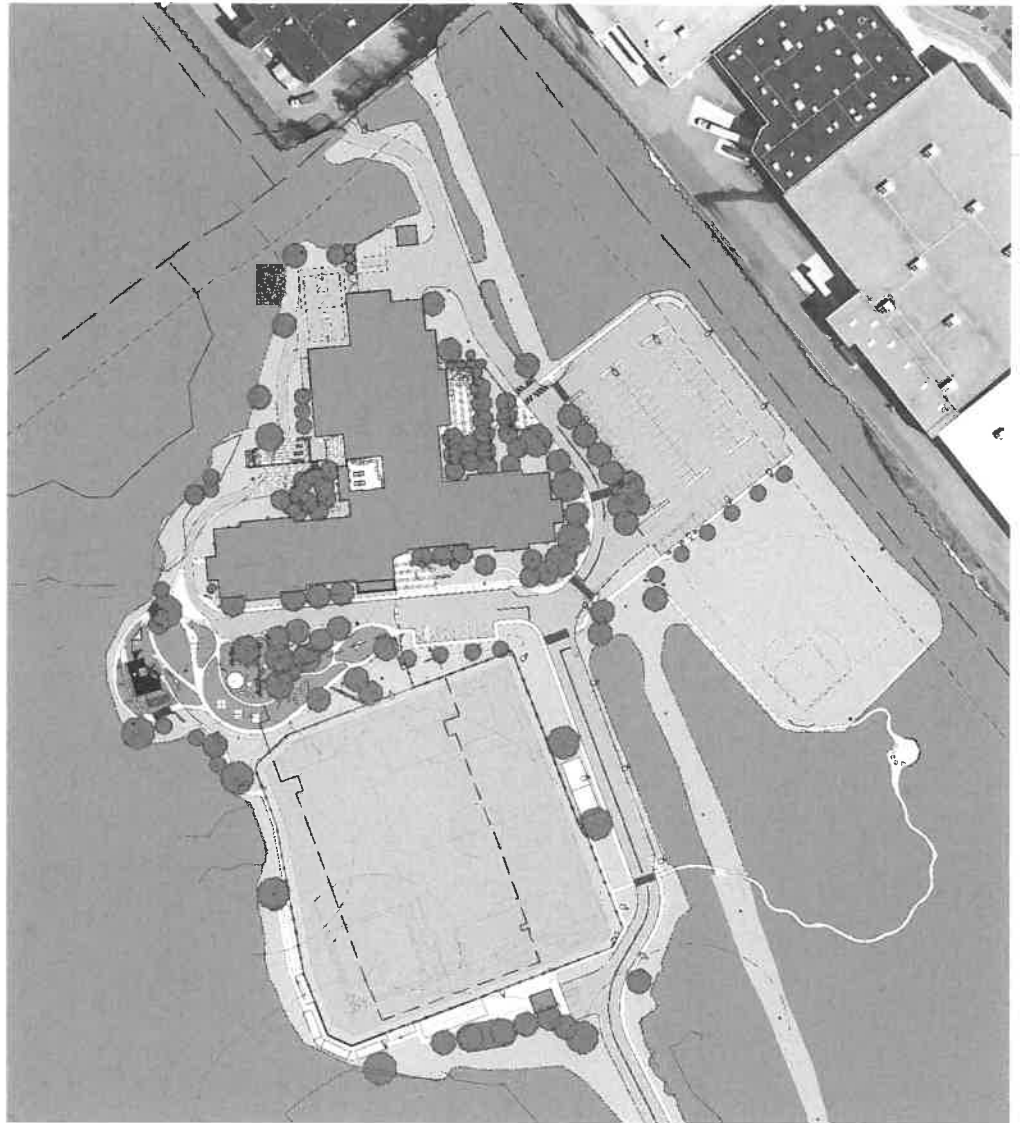


COMMUNITY MEETING |

**CONSTRUCTION SCHEDULE
AND SITE PLAN**

**SEPTEMBER TO
DECEMBER 2022:**
new athletic fields
& complete sitework

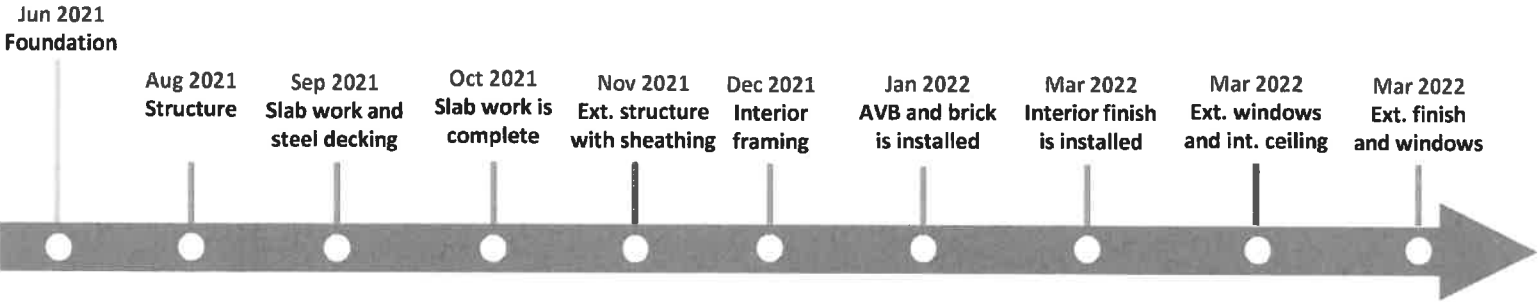
AUGUST 2023:
Mill and pave
entrance
driveway/road



TIMELINE | CONSTRUCTION / SITE PROGRESS



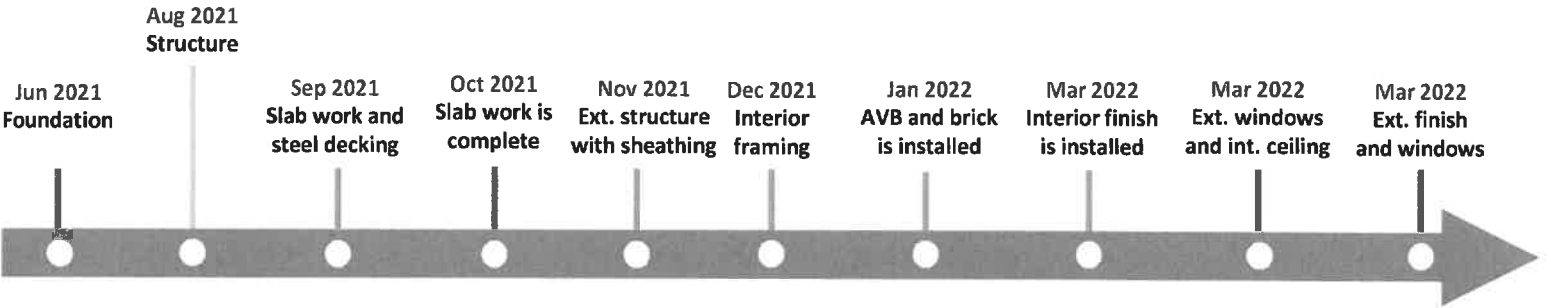
JUN 2021: FOUNDATIONS/FOOTINGS



TIMELINE | CONSTRUCTION / SITE PROGRESS



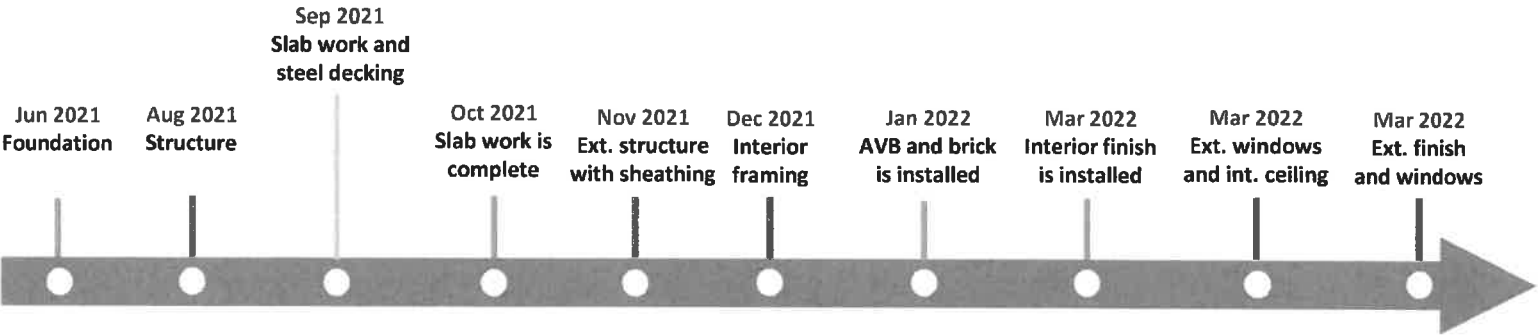
AUG 2021: STRUCTURAL FRAMEWORK



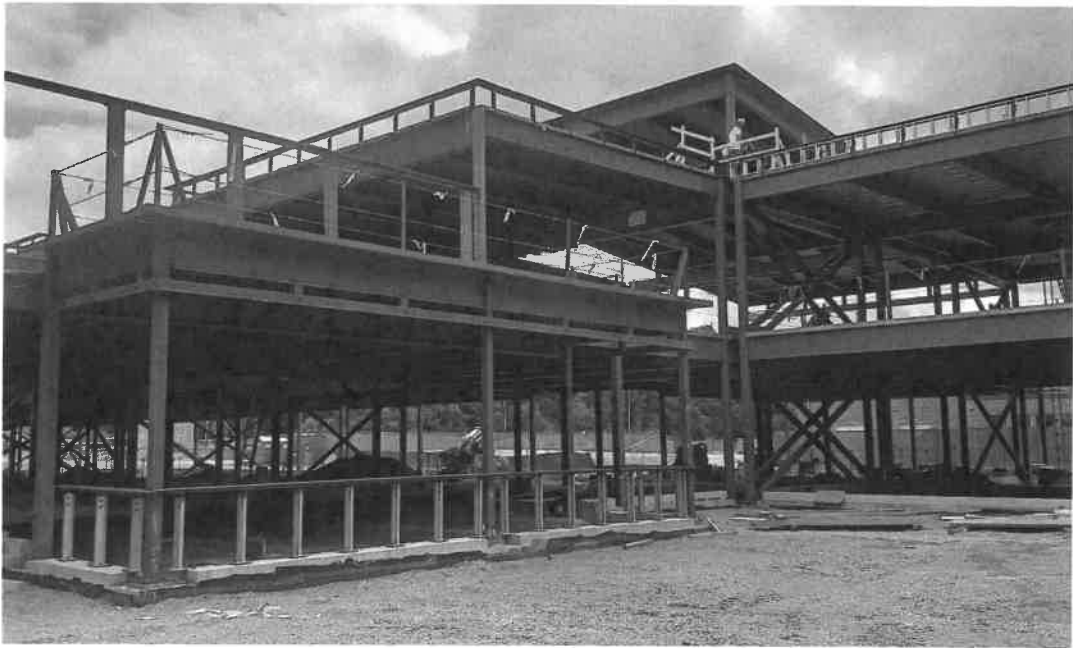
TIMELINE | CONSTRUCTION / SITE PROGRESS



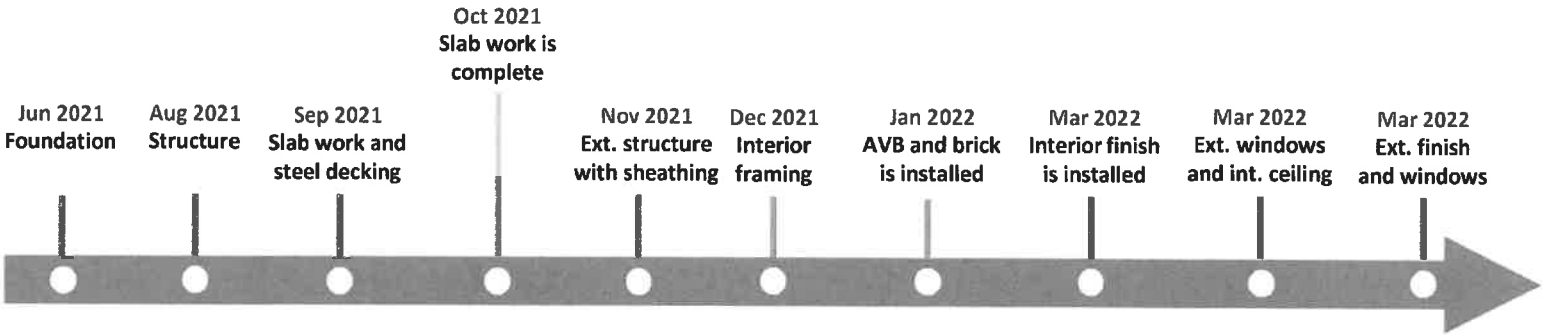
SEP 2021: SLAB WORK BEGINNING AND STEEL DECKING



TIMELINE | CONSTRUCTION / SITE PROGRESS



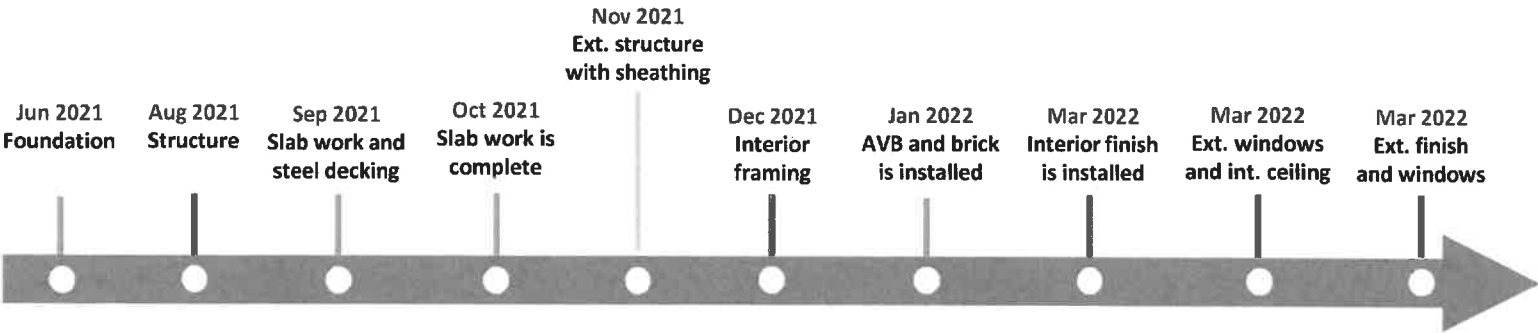
OCT 2021: SLAB WORK IS COMPLETE



TIMELINE | CONSTRUCTION / SITE PROGRESS



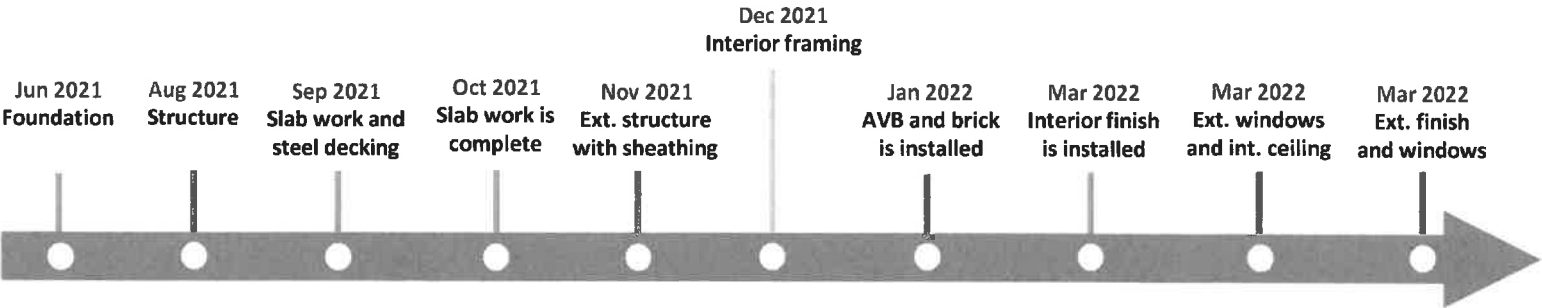
NOV 2021: EXTERIOR STRUCTURE WITH GYPSUM SHEATHING



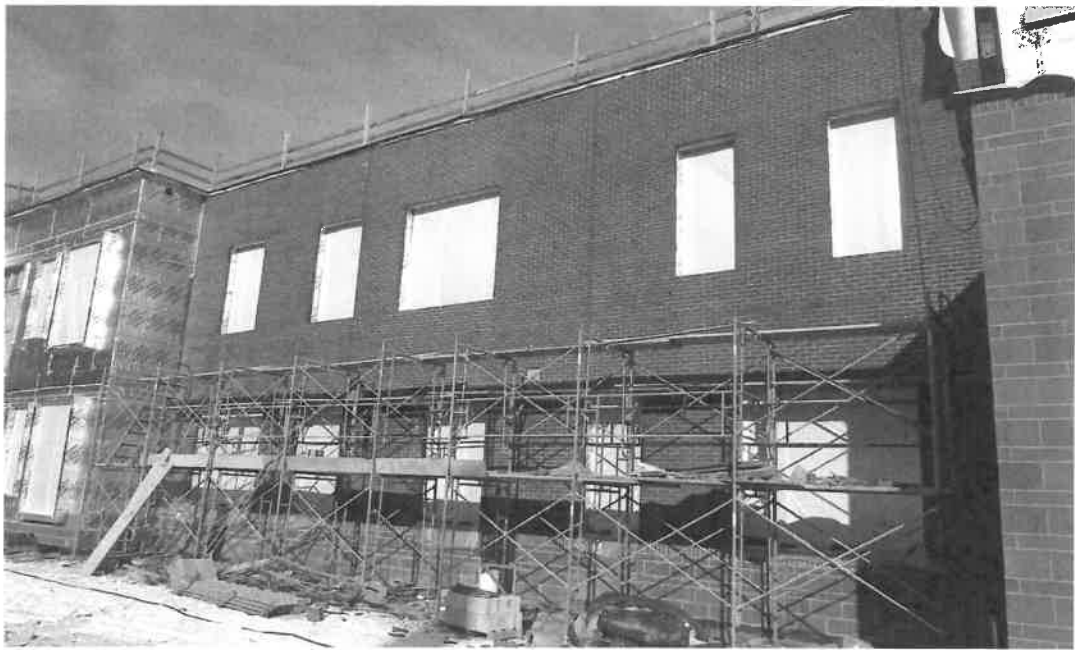
TIMELINE | CONSTRUCTION / SITE PROGRESS



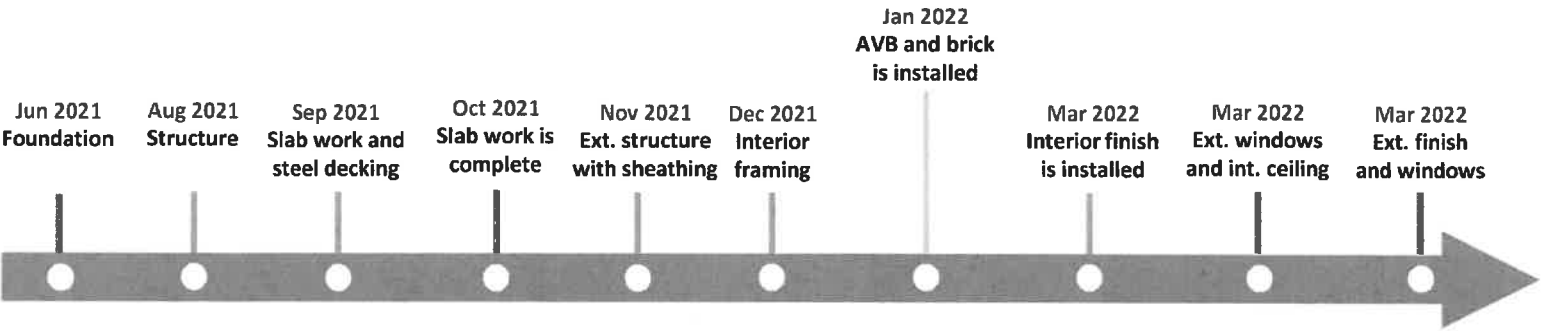
DEC 2021: INTERIOR FRAMING



TIMELINE | CONSTRUCTION / SITE PROGRESS



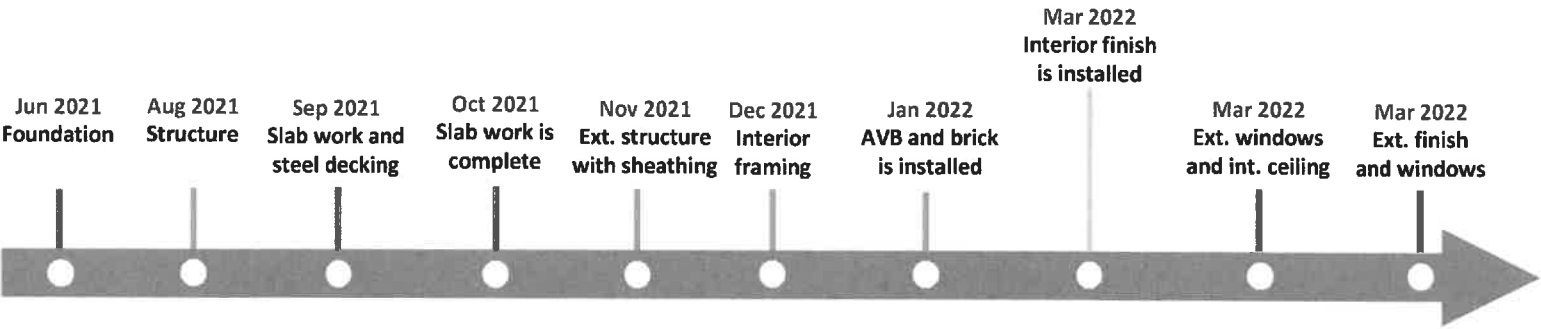
JAN 2021: AVB AND BRICK IS INSTALLED



TIMELINE | CONSTRUCTION / SITE PROGRESS



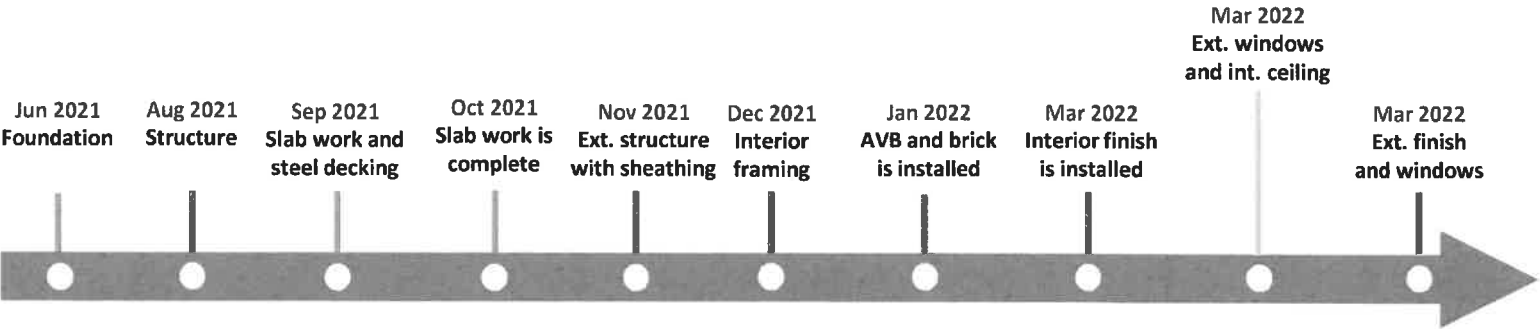
MAR 2022: INTERIOR FINISH IS INSTALLED AND PRIMED



TIMELINE | CONSTRUCTION / SITE PROGRESS



MAR 2022: EXTERIOR WINDOWS AND INTERIOR CEILING GRIDS

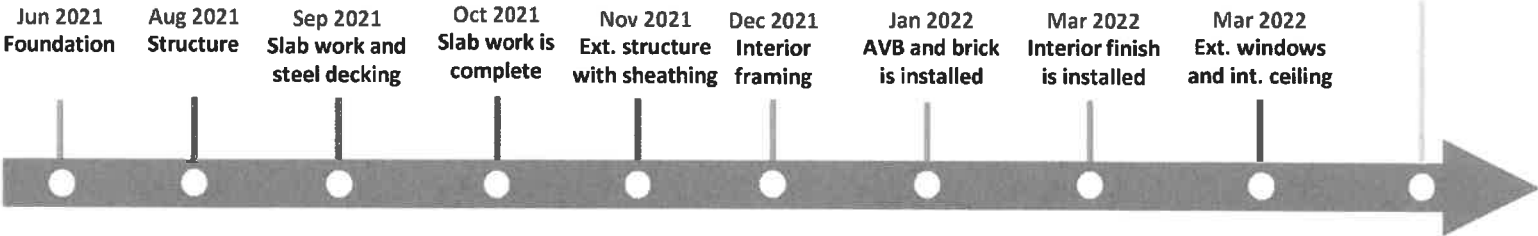


TIMELINE | CONSTRUCTION / SITE PROGRESS

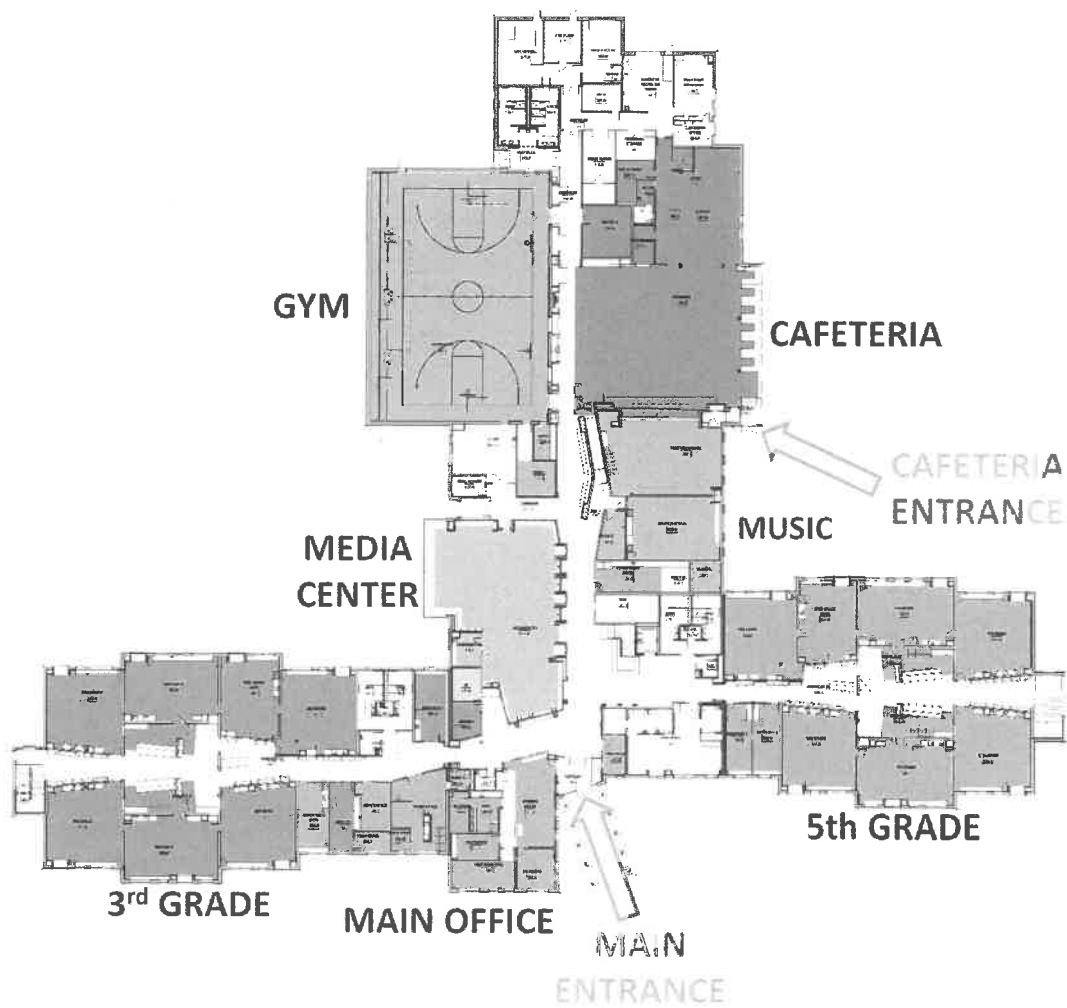


MAR 2022: EXTERIOR FINISH AND WINDOWS APPLIED

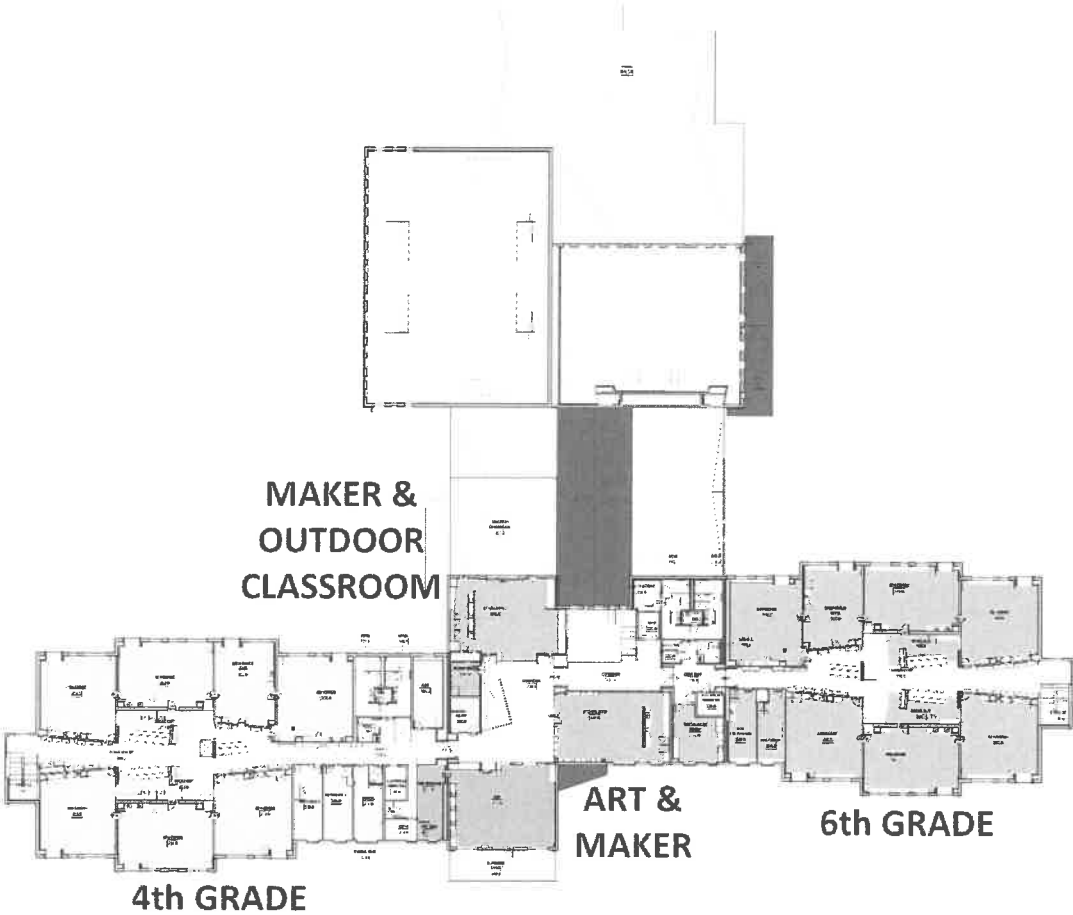
Mar 2022
Ext. finish
and windows



DESIGN UPDATES | FIRST FLOOR PLAN



DESIGN UPDATES | **SECOND FLOOR PLAN**



DESIGN UPDATES | EXTERIOR FRONT ENTRANCE & OUTDOOR CLASSROOM/GYM



RENDERED FRONT ENTRANCE



CONSTRUCTION FRONT ENTRANCE



RENDERED OUTDOOR CLASSROOM WEST/GYM



CONSTRUCTION OUTDOOR CLASSROOM WEST/GYM

DESIGN UPDATES | EXTERIOR CAFETERIA/OUTDOOR CLASSROOM & ENTRANCE LOBBY



RENDERED CAFETERIA/OUTDOOR CLASSROOM EAST



CONSTRUCTION CAFETERIA/OUTDOOR CLASSROOM EAST

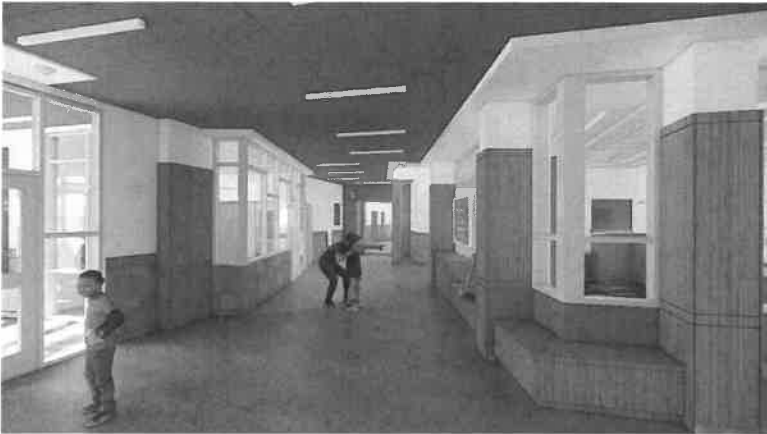


RENDERED INTERIOR ENTRANCE LOBBY



CONSTRUCTION INTERIOR ENTRANCE LOBBY

DESIGN UPDATES | INTERIOR ENTRANCE LOBBY & MAIN STAIR



RENDERED INTERIOR ENTRANCE LOBBY



CONSTRUCTION INTERIOR ENTRANCE LOBBY



RENDERED MAIN STAIR AT ENTRANCE LOBBY



CONSTRUCTION MAIN STAIR AT ENTRANCE LOBBY

DESIGN UPDATES | INTERIOR ART CLASSROOM & GYM



RENDERED INTERIOR ART CLASSROOM



CONSTRUCTION INTERIOR ART CLASSROOM



RENDERED INTERIOR GYM

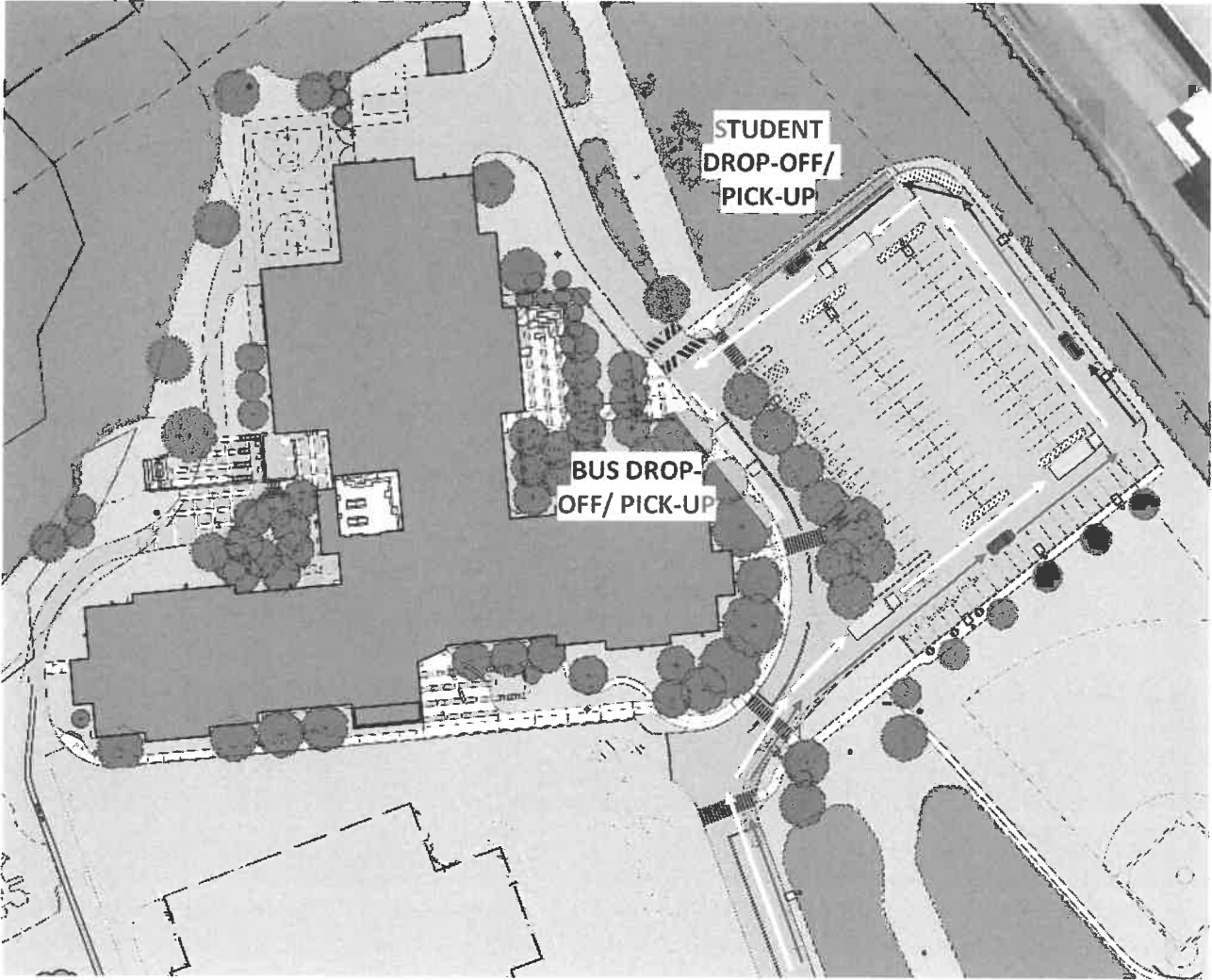


CONSTRUCTION INTERIOR GYM

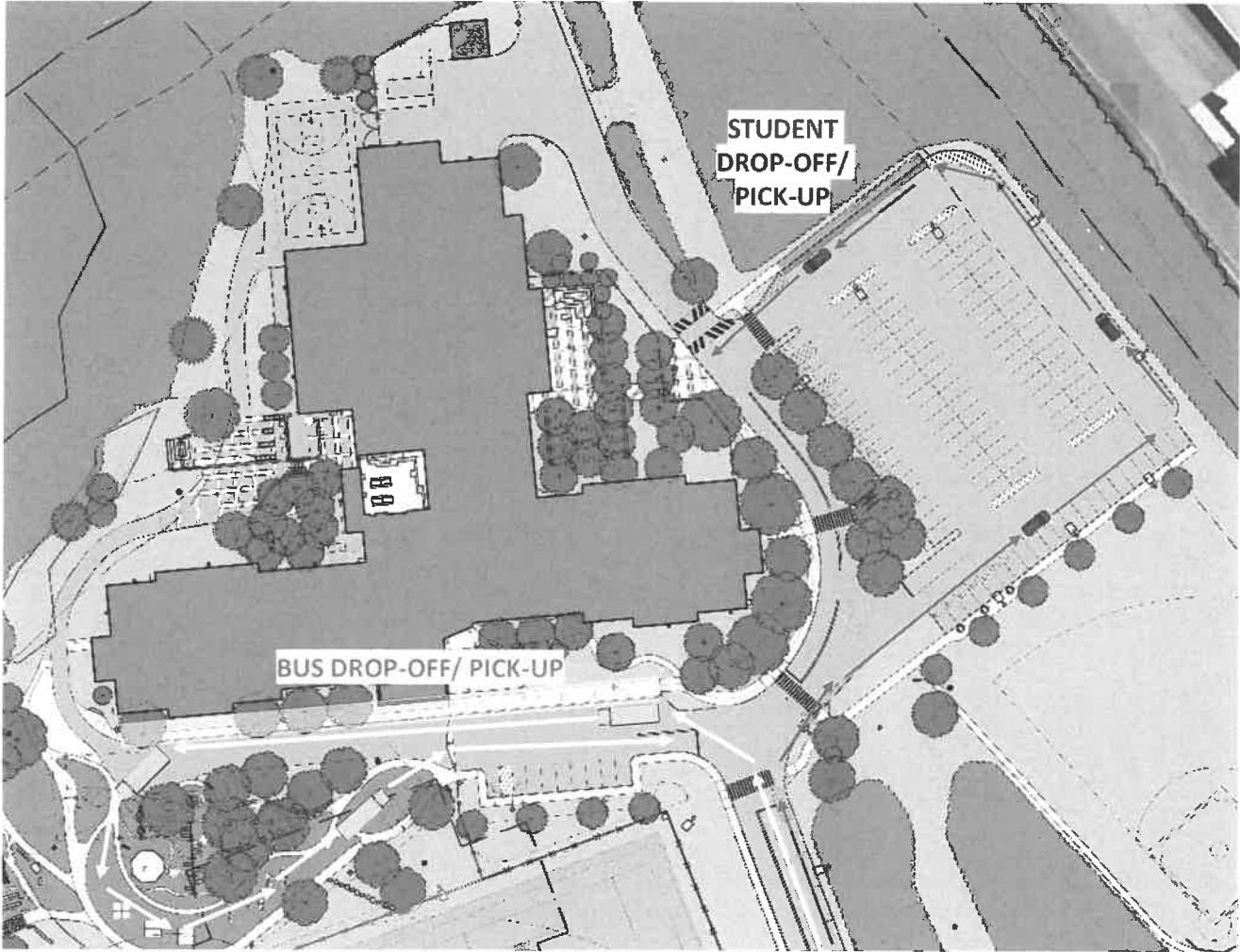
CONSTRUCTION UPDATES | CONSTRUCTION WALK THROUGH



SITE LOGISTICS | FIRST DAY OF SCHOOL



SITE LOGISTICS | LATE FALL



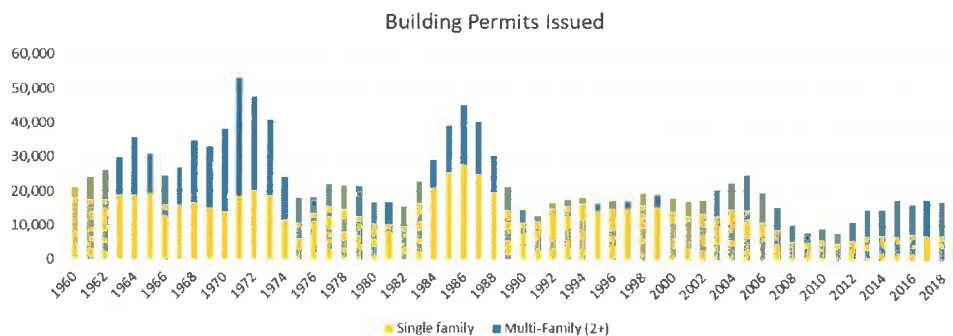


New Multifamily Zoning Requirement for MBTA Communities

Housing Production in Massachusetts



- Between 1960 and 1990, Massachusetts communities permitted almost 900,000 housing units. Since 1990, communities have permitted fewer than 470,000 new units.



- As highlighted in the *Future of Work* study, there is an estimated shortage of up to 200,000 housing units.
- Municipalities play a key role, through zoning and permitting, in determining whether or not housing is built. Cities and towns are therefore necessary partners if the Commonwealth is to solve our housing crisis.

The Housing Crisis



- Before COVID-19, Massachusetts faced a core challenge in creating adequate housing to support young families, workers, and an aging population. The pandemic has further highlighted these needs.
- Massachusetts has among the highest, and fastest growing, home prices and rents of any state in the nation.
- Rising costs have dramatically increased financial pressures on low- and middle-income families, forcing them to sacrifice other priorities in order to pay housing costs. High housing costs are a primary driver of homelessness.
- The lack of housing production is an impediment to community development.
- These high costs are a disadvantage as we compete economically against peer states. The risk of future job growth moving outside Massachusetts is rising due to the high costs of living.

Confronting the Housing Crisis



- **2018 Housing Bond Bill:**
 - In 2018, Governor Baker signed the largest housing bond bill in state history, authorizing more than \$1.8 billion to the future of affordable housing production and preservation.
 - Since 2015, Massachusetts has invested more than \$1.4 billion in the affordable housing ecosystem, resulting in the production and preservation of more than 22,000 housing units, including over 19,000 affordable units.
- **2021 Economic Development Bill:**
 - **Housing Choice Zoning Reforms:** These targeted changes to M.G.L.c. 40A reduce the threshold of votes needed to adopt certain zoning measures that promote housing production from 2/3 to simple majority.
 - *Guided by a basic principle: Where there is majority consensus in communities around increasing housing production, a minority of voters should not be able to block zoning reform.*
 - \$50M for **Transit Oriented Housing Development** to produce new, high-density, mixed-income affordable housing developments located near major transit nodes and help mitigate environmental/traffic concerns
 - \$50M for **Neighborhood Stabilization** to return blighted or vacant units back to productive use, including in communities disproportionately affected by COVID-19
 - \$10M for **Climate-Resilient Affordable Housing Production** of affordable, multi-family housing developments, with the goals of equipping homes to better respond to climate changes and reducing greenhouse gas emissions
- **ARPA Spending Package:**
 - *Homeownership:* \$115M for the **CommonWealth Builder Program** and \$65M for **First-Time Homebuyer Assistance**
 - *Affordable Housing:* \$115M for the **Affordable Rental Units** and \$150M for **Supportive Housing**
- **Eviction Diversion Initiative:**
 - The Baker-Polito Administration has transformed a \$20M homelessness prevention program to an over \$700M comprehensive, state and federally funded disaster relief initiative. From March 2020 through December 2021, DHCD distributed \$460.8M in assistance to 61,142 unique households.

Transit-Oriented Housing Development



- **Importance:** We must continue to leverage housing best practices to meet the state's housing needs and position Massachusetts well for the future.
- **Opportunity:** In late 2019, the Mass Housing Partnership (MHP) evaluated 261 station areas in Greater Boston and found the median housing density across all station areas is roughly 6.2 homes per acre. MHP concluded that a modest increase to just 10 homes per acre could yield approximately 253,000 additional housing units over time.
- **Benefits:** By allowing multifamily housing near transit, we can create new housing in walkable neighborhoods closer to transit. This is not just good housing policy, it is good climate and transportation policy, too. The result of transit-oriented development is:
 - More housing closer to the places that we go every day, such as local shops, jobs, schools, restaurants, parks, etc.
 - Better access to work, services, and other destinations by increasing mobility and utilization of public transit
 - Reduced reliance on single occupancy vehicles, which helps in our larger effort to confront the climate crisis

What We Are Discussing Today



- When the Governor signed the multi-family zoning requirement for MBTA communities into law last January, he made clear that the Administration will take a thoughtful approach in developing compliance criteria in accordance with the new law.
- To that end, the draft guidelines:
 - Are consistent with the underlying law
 - Focus on zoning—the local rules that govern where housing can be built
 - Recognize that a multi-family district that is reasonable in one city or town may not be reasonable in another city or town
 - Provide local control—municipalities have discretion where multi-family districts are located and the rules established in those districts
- This is a real opportunity to establish a new paradigm for encouraging multi-family housing production.

What We Are NOT Discussing Today



- The draft guidelines do not:
 - Include a production mandate or a requirement to build new units
 - There is no requirement to construct a particular number of units, or any units at all. This new law requires multi-family by right zoning, not housing production.
 - Have anything to do with “Chapter 40B” which allows developers to *bypass* local zoning in communities where there is not enough affordable housing
 - This is not that! Unlike 40B, these draft guidelines have nothing to do with the permitting of individual projects.
- Actual production will depend on several factors, including developer interest, infrastructure (e.g. water/sewer), market dynamics, etc. It will also take time—this is about creating capacity for the future.

Relevant Section from the Economic Development Bill:



Chapter 358 of the Acts of 2020

SECTION 18. Said chapter 40A is hereby further amended by inserting after section 3 the following section:-

Section 3A. (a)(1) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

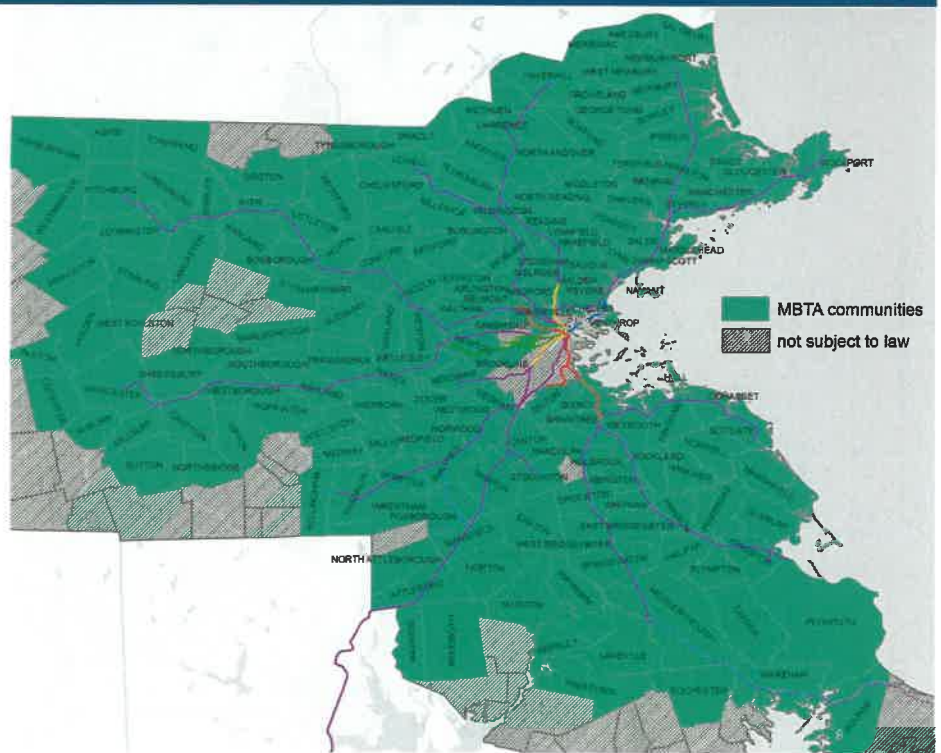
(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

(c) The department, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, shall promulgate guidelines to determine if an MBTA community is in compliance with this section.

What is an MBTA Community?



- “MBTA community” is defined by reference to G.L. c. 161A, sec. 1.
- There are 175 municipalities* subject to this new law:



**Note, Boston is not subject to the Zoning Act (c. 40A) including section 3A.*

Reasonable Size: Land Area & Unit Capacity



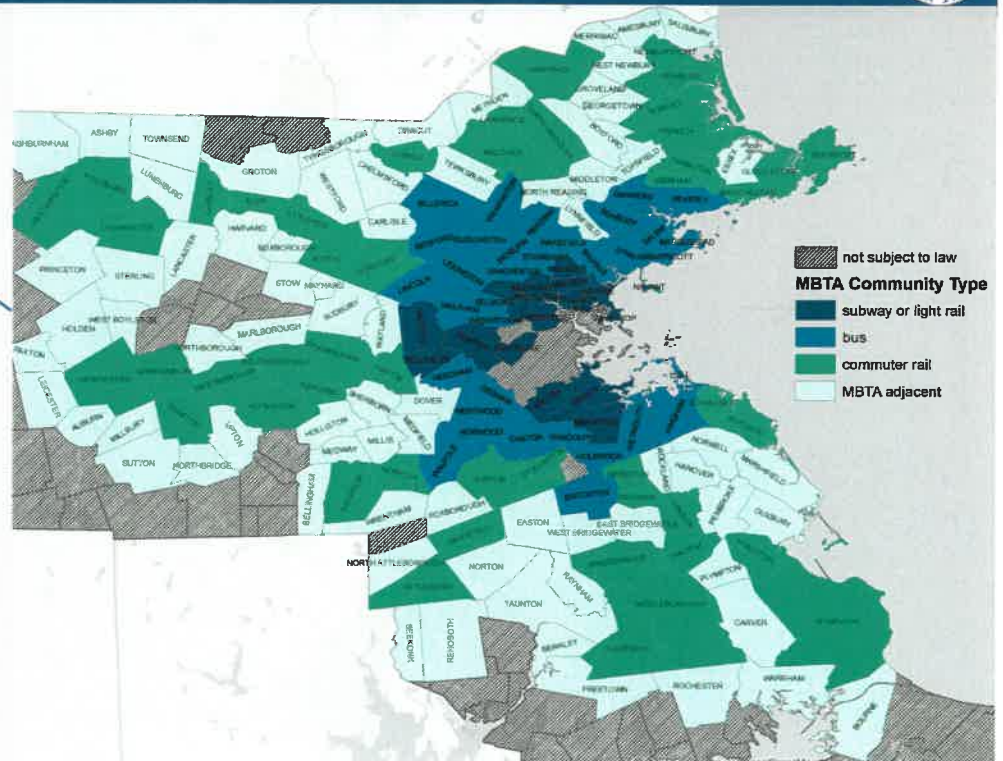
- DHCD issued preliminary guidance on January 29, 2021. The preliminary guidance provided that MBTA Communities will be deemed to be in compliance with this new section until more detailed compliance criteria are established. These draft guidelines propose those compliance criteria.
- The draft guidelines outline a two-part test to determine reasonable size:
 1. **Minimum Land Area:** multi-family districts must comprise at least 50 acres of land—or approximately 1/10 of the land area within 0.5 mile of a transit station -- with a **minimum gross density of 15 units per acre**, subject to any further limitations imposed by relevant aspects of the state environmental code.
 2. **Minimum Multi-Family Unit Capacity:** The multi-family unit capacity is a number of units based on a percentage of total housing units within the community. This represents the number of multi-family housing units that can be developed as of right within the multi-family district. That percentage varies by access to transit:

Service Type/Category	Minimum MF % of Total Housing Stock	# of communities
Subway or light rail communities	25%	17
MBTA bus communities	20%	35
Commuter rail communities	15%	48
"Adjacent" communities, no MBTA transit service	10%	75

MBTA Communities By Category of Service



All communities served by the MBTA need to zone to allow for multifamily housing by-right, with a greater obligation for communities with higher levels of transit service.



Closer Look at Minimum Unit Capacity



- In addition to the minimum land area test, the minimum unit capacity test means that each district must have **capacity** for a minimum number of multi-family units (existing or potential).
- For example, for a municipality with 10,000 housing units, the minimum capacity will vary based on the type of service:

Service Type/Category	Minimum MF % of Total Housing Stock	Minimum <i>capacity</i> for <i>multi-family housing</i>
Subway or light rail communities	25%	2,500
MBTA bus communities	20%	2,000
Commuter rail communities (a rail station in the community or within 0.5 mile)	15%	1,500
"Adjacent" communities, no MBTA transit service	10%	1,000

- Important to remember that this is about **capacity**—enabling production by expanding capacity through zoning. Actual unit production will depend on many factors.

Size and Density Requirements



Section 3A requires districts be of “reasonable size” **and** have a minimum gross density of 15 units per acre:

- **Unit capacity** is the minimum number of multi-family units the zoning allows as of right. Each community’s minimum unit capacity is a percentage of its existing housing stock.
- The **gross density requirement** is a simple formula: 15 units times the number of acres in the district. A district comprising 50 acres (i.e. the minimum land area) must allow as of right at least 750 units (15 x 50) to meet the gross density requirement.

Each multi-family zoning district must satisfy **both tests**. In some cases, the minimum number of units will be equal to the minimum unit capacity. In other cases, the minimum number of units allowed as of right will be determined by the gross density requirement.

- This explains why **750 units is a floor for all communities** under the draft guidelines.

Location of Districts



- The statute provides that “a district of reasonable size shall...be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.”
- **MBTA communities with some land area within 0.5 miles of a transit station:**
 - Require at least ½ of land area of the multi-family zoning district to be located within the prescribed distance, with exceptions only in unusual cases.
- **MBTA communities with no land area within 0.5 miles of a transit station:**
 - The multi-family district should be located in an area with reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes, or in an area that otherwise is consistent with the Commonwealth’s sustainable development principles (e.g., near an existing downtown, village center, or an area of concentrated development).

Examples of ~15 Units Per Acre:



Source: *The Urbanist* illustrating new mixed-housing-type subdivision at ~15 units per acre



Westwood, MA



Norfolk, MA



Sudbury, MA



Lexington, MA

Credit: Amy Dain

Importance of Technical Assistance



- The Baker-Polito Administration realizes that implementation is going to be complex and challenging, and that some municipalities – possibly many – are going to need help and support of different kinds.
- To that end, we are developing a suite of Technical Assistance to support municipalities, over time, with implementation.
- EOHED/DHCD/MHP are working to make the process of seeking and receiving technical assistance as streamlined as possible for municipalities.



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Technical Assistance (TA) - Continued



- **From the Massachusetts Housing Partnership (MHP), with consultant support:**
 - Online tools and a clearinghouse of info, available to municipalities at their own pace, to include:
 - Webinars and training modules, best practices, model ordinances and bylaws, and sample public outreach materials
 - Grant monies for third-party assistance to municipalities selected based on their readiness to participate and need for support, to include help with:
 - Drafting/amending bylaws and ordinances, conducting build-out analysis, drawing/mapping district boundaries, etc.
 - Information and links to all available technical assistance resources for MBTA communities to be posted on the [Housing Toolbox](#)
- **Additional TA opportunities and avenues will include:**
 - FY23 Community One Stop: MBTA Communities can apply for assistance through programs like the Housing Choice Grant Program, Community Planning Grants, and the Rural and Small Town Development Fund
 - FY23 EOEEA Land Use Planning Grant program will prioritize MBTA municipalities
 - Support from eight Regional Planning Agencies through prioritization of Commonwealth-provided District Local Technical Assistance (DLTA) funding to municipalities seeking to implement the new provisions and needing help to do so.
 - And potentially more...

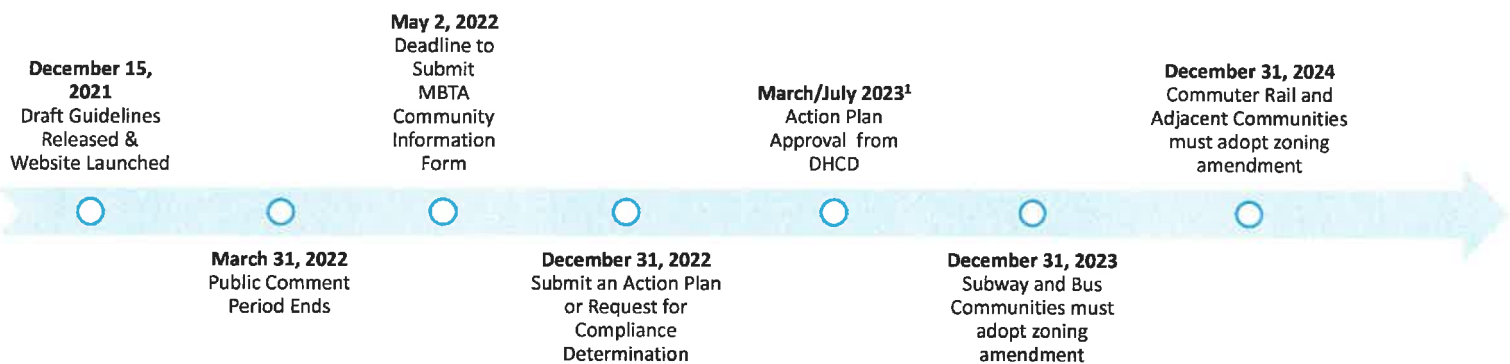


How to Comply in 2022

- Each MBTA community will be deemed to achieve interim compliance—and remain eligible for the 2022 One Stop—as long as it completes the “MBTA Community Information Form”. 
- This online form includes some straightforward requests:
 - Provide basic information about existing zoning via online form
 - Discuss the MBTA draft guidance at a meeting of the select board, city council or Town Council
- To be eligible for MassWorks & Housing Choice Community Grants via the 2022 One Stop Process, you must complete this form by May 2nd, 2022.



MBTA Communities Timeline, as outlined in Draft Guidelines



- The draft guidelines incorporate timing considerations for MBTA Communities through a phased-in approach.
- The intent is to allow communities time to determine the location of the district, the rules within the district, and other important aspects related to overall compliance.

1. As outlined in the draft guidelines, subway communities and bus service communities must obtain DHCD approval of an action plan by no later than March 31, 2023. Commuter rail communities and adjacent communities must obtain DHCD approval of a timeline and action plan by no later than July 1, 2023.

Timeline to Finalize Guidelines



- **Robust Stakeholder Engagement Process (December 15 – March 31):**
 - The Baker-Polito Administration will spend the next few months soliciting input and feedback from key stakeholders, particularly towns and cities.
 - This process is also designed to educate and inform relevant parties of the expectations, as set forth in the legislation and by the draft guidelines.
 - Public comment period will end on March 31, 2022.
- **Final Guidelines to be issued after Stakeholder Engagement Process:**
 - Once final guidelines are developed, communities will be expected to take affirmative steps towards the creation of a compliant multi-family district.
 - Deadline for having a compliant zoning district as proposed in the draft will be phased-in:
 - 2023 for subway and bus communities
 - 2024 for commuter rail and MBTA adjacent communities

Guidelines and Supplemental Information



- Please visit mass.gov/mbtacommunities for:
 - Draft Guidelines
 - How to Comply in 2022
 - Due by 5/2/22
 - Public Comment(s)
 - Access to Technical Assistance
 - Frequently Asked Questions (FAQ)—**NEW!**
 - Other important information