



Director of Planning & Building

BOARD UPDATE

June 4, 2024

Please note that while the MBTA Communities Zoning project is in full swing, I will not be able to provide analysis and commentary regarding DSPR applications. Regrettably, this project is taking a significant amount of bandwidth, along with Zoning Bylaw warrant articles in both the spring and fall, and I will continue to rely on the great work of Inspector of Buildings Ara Yagurtian until further notice. Thank you for your patience and consideration.

■ Long Range Planning

With partial monies dedicated to a new comprehensive/master plan, I encourage the Planning Board to begin getting vocal about what they would like to see for a plan process. I recommend that the program have a dedicated committee and that the committee have at least one, possibly two members of the Planning Board but also representatives of other boards and committees in Town that would be providing content including Conservation Commission, Select Board, DPW, Housing Trust, Recreation Department, Warrant Committee, Finance Department, and others. It could also have a few at-large citizens. While I do not have any issue with the Vision 21 Committee as a starting point, I'd recommend a re-naming and a populating with the appropriate additional members. It should also have a clearly articulated charge. Duxbury had the Planning Board and Select Board as co-appointing authorities and this worked well in getting departmental and committee buy-in and participation.

Other issues to consider include:

1. Where the additional funding will be coming from.
2. How to develop a scope.
3. What kind of consultant should be sought.

I recommend adding this as a short 10-minute agenda item for June 11 or 18.

■ MBTA Communities Update

This section will provide time sensitive or critical information for the Board to consider as the Board continues review and development of MBTA Communities Zoning work. Here are some

key questions that the Planning Board should consider definitively answering in their Tuesday meeting, after the Utile presentation. I will provide additional explanation below to clarify the importance of the questions.

New Information

1. I have developed the materials for the MMU submittal to the state. I have asked for feedback from Utile since they have already gone through this process and once I have feedback, I will submit them in three separate packets to the state, maybe as early as Thursday the 30th.
2. I am writing the bulk of the non-dimensional zoning text and have it about 85% complete now. I have asked Utile to review first because there may be elements that are not applicable to Belmont from the model I used. The hope is that I will get this feedback and the dimensions and graphics from Utile this week so I can finalize a first draft for members to review. When I send it out to members, I will also simultaneously send to Town Counsel to make sure we're moving forward sufficiently. Utile has committed to complete their element by the end of this week so you may see a first draft before the weekend.
3. I participated in a discussion with the Select Board Chair, Planning Board Chair, and Town Administrator regarding the timeline for possible pre-review and Town Meeting. The discussion also raised the issue of whether to go with one map version or consider two like the Towns of Needham and Brookline did. If we proceeded like Needham, rationalizing two maps as hedging our bets, the argument could be as follows:

Consider a two-tiered MBTA Communities plan acknowledging that a basic marginally compliant plan might be a good opportunity to get the broadest buy-in to ensure compliance and a second, more inclusive, housing producing plan, that gives Town Meeting the opportunity to opt for more units and development opportunities, should they so choose. This plan will ensure that Belmont gets “something minimally compliant” on the books in the event that Town Meeting is not open to more at this time. It also provides an opportunity for Town Meeting to take advantage of the window of action for the MBTA Communities deadline and use the lower bar of zoning approval for the program to offer more opportunities for actual housing development. The plan would involve continuing to refine the Planning Board map as the basic compliant one but also agree to allow the creation of a second map that would serve as the follow up vote at Town Meeting. These two maps could be developed simultaneously, using the same zoning criteria, but the current map would offer just enough parcels and units with a chosen buffer (0-10%). The second map would have additional development opportunities, respectful though of the concerns already expressed by the Planning Board and others like EDC.

The reasoning for considering a second map included concerns that housing advocates would mobilize to defeat a minimally compliant map that produced little new market rate housing development and few inclusionary units. Or they could possibly use amendments to change it, leading to confusion on Town Meeting floor. They might also consider pursuing their own housing heavy map that would equally concern other Town constituencies. The formal two-map pathway would be a centrist solution where both maps would be supported conceptually and the second map would have enough housing production to be a reasonable compromise between the minimalist map and something

bold that housing advocates might develop themselves. The map coming out of the Committee but modified slightly to address business concerns could be a good option.

Timeline/Calendar Questions and Comments

1. The public hearing notice sent to the newspaper contained an error so we will not be opening the public hearing on the 20th. We will correct the error and readvertise.
2. The calendar will now show the timeline with the Public Hearing opening either on July 16th and closing no later than October 1st.
3. The state EOHLC Pre-Compliance Review is not likely to be ready by June 13th so we'll need to target late June, early July is the absolute latest that we could reasonably submit. A number of communities like Wakefield, Newton, and Reading did not go this route but it is still a strongly encouraged step. These other communities were early adopters who frequently conferred with the state which replicated a pre-review process.

Map Issues

1. New Publicly Available Map – We should have a new map for public distribution later this week from Utile. I will send to you and post to website once I receive it.
2. Since you voted on your map, as soon as we are set with dimensional requirements, we can ask Utile to run the Compliance Model soon to see where we stand.

Affordable Units/Inclusionary Zoning

1. The Housing Trust recommended a version of an amendment to Section 6.10 (known as the Inclusionary Housing Bylaw). I have already forwarded this to you and would recommend accepting it as it is written, except for one provision. Please consider reversing the proposed change to Section 6.10.6 b. and keep the local preference at 70%. The Town Administrator's office advised against this change.
2. Economic Feasibility Analysis – MAPC can begin to develop this more fully once the Board approved a map and dimensions in principle. However, the timeline for EFA is more flexible according to our consultants.

Market and Impact Analysis

1. The Market Analysis is making good progress and we should start seeing initial data products relatively soon.
2. The Fiscal Impact Analysis (FIA) project has kicked off and interviews with Town officials took place on Thursday the 23rd. The consultants have submitted to staff a list of data requirements and I continue to follow up on this.

Public Outreach

1. A critical element—public participation—is an extremely important part of a successful MBTA Communities Zoning program, as evidenced by the over 40 communities that have passed it. The Planning Board should work with staff to approve a public outreach plan for 3A. This plan should be inclusive of messaging, media outlets and mechanism, types of materials, special meetings and forums/workshops, coffees, and the timing for all of this. I encourage discussion of this as soon as possible. This is getting late. I understand that the Board would like to have some more concrete information before presenting to the public but we could at least be holding initial sessions on informing the public what MBTA Communities Zoning is.
2. I have reached out to boards and commissions offering to visit each one interested in hearing a presentation from me on the topic and answer questions. This could add up to 10 or more night meetings just as an FYI.
3. I have formally cancelled the Open House event for now. Please advise if you want to schedule one in the future.
4. Members are encouraged to review the 3A Advisory Committee website for ideas to keep information current and relevant. I propose to convert the title of the site to reflect the Planning Board jurisdiction after Advisory Committee crossover.
5. I encourage members to visit the many sites dedicated to MBTA 3A to answer questions and get fully informed by the crossover moment. Here are some suggestions:
 - i. EOHLC - <https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>
 - ii. Mass Housing Partnership - <https://www.mhp.net/community/complete-neighborhoods-initiative>
 - iii. CHAPA - <https://www.chapa.org/>
 - iv. Commonwealth Beacon - <https://commonwealthbeacon.org/opinion/what-the-mbta-communities-law-means-for-your-town/>
 - v. MMA - <https://www.mma.org/mbta-rapid-transit-communities-adopt-zoning-changes-for-law-compliance/>
 - vi. MAPC - <https://www.mapc.org/resource-library/mbta-multifamily-zoning/>
 - vii. Housing Toolbox - <https://www.housingtoolbox.org/complete-neighborhoods-initiative/mbta-zoning-technical-assistance>
 - viii. Mass Assn of Realtors - <https://www.marealtor.com/mbta-communities/>
 - ix. Lincoln Institute of Land Policy - <https://www.lincolnst.edu/publications/working-papers/series-articles-about-mbta-communities-zoning-law>

