

MBTA Communities Compliance

Mass Housing Partnership Technical Assistance
Town of Milton

Planning Board Meeting Update
September 7, 2023

Agenda

Planning Board Meeting

September 7, 2023

1. Background & Context

- a. Reminder: Town Obligations Under State Law
- b. Milton's Compliance Timeline

2. Summary of Feedback

- a. Key Takeaways & Next Steps
- b. Review of Option 1 (presented at 8/24 Planning Board Meeting)

3. Summary of Revised Subdistricts Considered

- a. Districts Eliminated
- b. Districts Added/Expanded
- c. Transit Area Triplex Minimum Parcel Size Threshold Tests

3. Pathways to Compliance

- a. Option 1a: All Priority Preferred Parameters
- b. Option 1b: All Priority Preferred Parameters + Reduction in Density for Mattapan & Milton Station
- c. Option 1c: All Priority Preferred Parameters + Reduction in Density Mattapan/Milton Stations & Granite Ave
- d. Compliance Comparison
- e. Existing Unit vs. Modeled Unit Comparison

4. Next Steps

Background & Context

Reminder: Town Obligations Under State Law
Milton's Compliance Timeline

Reminder: Town Obligations Under State Law

Attorney General's Advisory and Loss of Funds

“Compliance with the MBTA Communities Zoning Law is not only mandatory, it is an essential tool for the Commonwealth to address its housing crisis along with our climate and transportation goals,” said AG Campbell.

Failure to comply with the Housing Choice Law may result in:

- Civil enforcement action or liability under Federal and State fair housing laws, as well as State antidiscrimination law
- Loss of funds from the following programs:
 - Housing Choice Initiative
 - Local Capital Project Fund
 - MassWorks Infrastructure Program
 - 13 discretionary grant programs which will consider Section 3A compliance when making grant award recommendations

Discretionary grant programs impacted:

- Community Planning Grants, EOHLG
- Massachusetts Downtown Initiative, EOED
- Urban Agenda, EOED
- Rural and Small Town Development Fund, EOED
- Brownfields Redevelopment Fund, MassDevelopment
- Site Readiness Program, MassDevelopment
- Underutilized Properties Program, MassDevelopment
- Collaborative Workspace Program, MassDevelopment
- Real Estate Services Technical Assistance, MassDevelopment
- Commonwealth Places Programs, MassDevelopment
- Land Use Planning Grants, EOEEA
- Local Acquisitions for Natural Diversity (LAND) Grants, EOEEA
- Municipal Vulnerability Preparedness (MVP) Planning and Project Grants, EOEEA

What is the MBTA Communities Act?

High-Level Overview

- Also known as “Section 3A” (Mass. General Laws c.40A §3A)
- Requires communities with MBTA rail access (or adjacent to MBTA rail access) to have at least one zoning district which permits **multi-family** development **as of right**
 - **3+ units**
 - **“development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval”**
- **No required ground floor commercial***
- **No restrictions on**
 - **Age**
 - **Number or size of bedrooms**
 - **Number of occupants**

* Up to 25% of unit capacity can come from a mixed-use subdistrict ([with limitations](#))

Definition of “Multi-Family”

**Compliance Guidelines for Multi-family Zoning
Districts Under Section 3A of the Zoning Act:**

“Multi-family housing” means a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

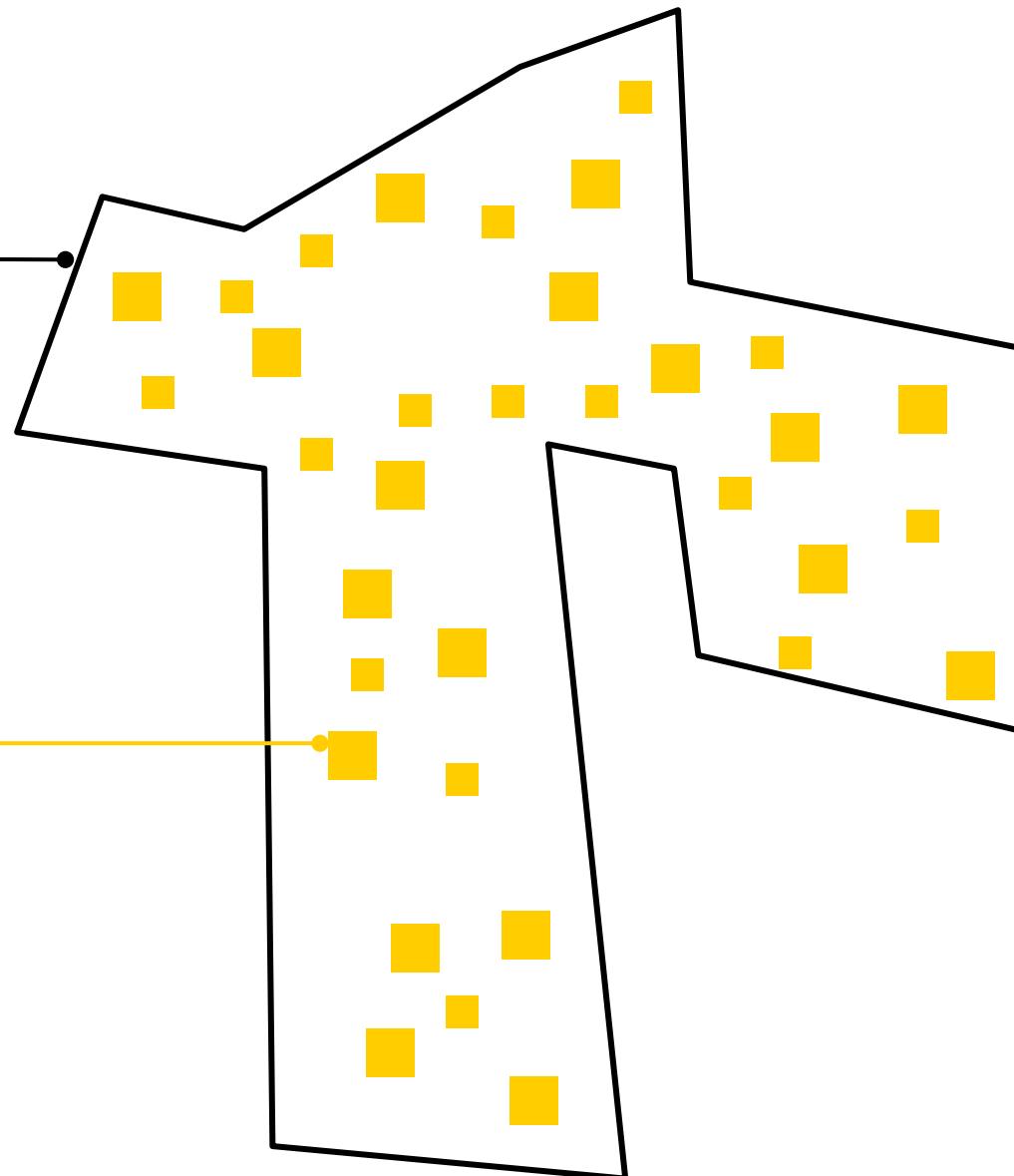
What does this mean for Milton?

District Size & Location

≥ 50 acres (can be split across multiple subdistricts)

At least 50% of district area must be:

- *in one contiguous area*
- *within ½ mile of rapid transit stations*



District Density & Unit Capacity

≥ 2,461 units of zoned multifamily capacity

NOTE: this is a theoretical zoned capacity using the State calculation method. This is not a requirement to build a certain number of units, and has no relationship to existing units.

≥ 15 units per acre (average across all subdistricts)

At least 50% of modeled unit capacity must be:

- *within ½ mile of rapid transit stations*

For more information on Section 3A requirements, including key definitions, see:

- <https://www.mass.gov/doc/compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download>
- <https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>
- <https://www.mass.gov/doc/advisory-concerning-enforcement-of-the-mbta-communities-zoning-law/download>

New Mixed Use Provision Basics

The State released [updated guidance on August 17, 2023](#) allowing, among other things, the inclusion of a new “mixed use” provision.

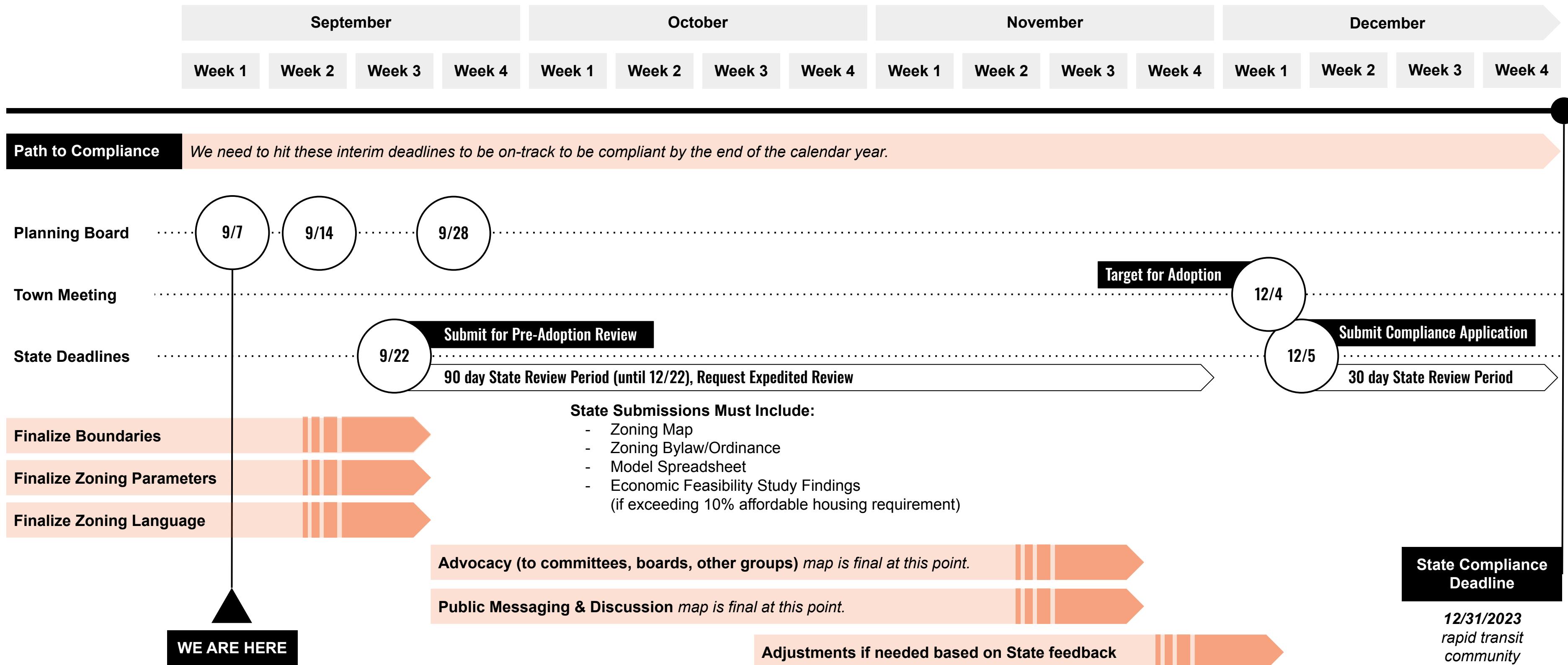
“In response to feedback from municipal leaders in several MBTA communities, EOHLC is revising the Guidelines to offer MBTA communities a path to receive some credit for mixed-use development zoning districts.... [This revision:] Allow an MBTA community to “offset” the minimum multi-family unit capacity requirement in certain multi-family zoning district(s) by up to 25%, based on the unit capacity of a mixed-use zoning district that meets key requirements of Section 3A and the Guidelines, but for requiring a ground floor non-residential component. Such ‘offset’ – only available where existing village-style or downtown development is essential to preserve pedestrian access to amenities – still requires a municipality to demonstrate the same total amount of unit capacity.”

Summary of what this means for Milton:

- Up to 25% of Milton’s minimum multi-family unit capacity requirement can come from a mixed-use zoning district that requires a ground floor non-residential component
- Milton still needs to demonstrate the same total amount of unit capacity

NOTE: we are still familiarizing ourselves with the nuances of how this factors into all the compliance parameters for Milton. We will provide updates and clarifications as we get further clarity.

Milton's Compliance Timeline



Summary of Feedback

Townwide Summary

Individual Subdistricts Aerial Zoom-Ins

Summary of Feedback from 8/24 Planning Board Meeting

Key Takeaways & Next Steps

1. Preference was for Option 1, which included the following subdistricts:
 - a. Granite Ave
 - b. Mattapan Station
 - c. Milton Station
 - d. East Milton Square
 - e. Transit Area Triplex
2. Desire was to retain Milton Station as a mixed-use subdistrict, per recent State guidance.
3. Within Option 1, the Board wanted to see options that showed the impact of the following changes:
 - a. Decrease **East Milton Square** building height from **4 stories > 2.5 stories**
 - b. Decrease **Transit Area Triplex** building height from **3 stories > 2.5 stories**
 - c. Increase **Transit Area Triplex** minimum lot size from **5,500sf > 7,500sf**
 - d. Expand **Transit Area Triplex** and include a **Blue Hill Ave Corridor** subdistrict with different parameters
 - e. Add maximum lot coverage to all subdistricts (to preserve open space)

Lot Coverage

Definition & Model Options

- **Min. Open Space***: Includes all unbuilt area (including setbacks)
- **Max. Building Coverage**: Building footprint only
- **Max. Building Coverage + Parking**: Building footprint + surface parking area → 50% for all subdistricts
- **Max. Lot Coverage**: All of the above + any additional ground-plane impervious area

Relevant Current Milton Lot Coverage Parameters

- Residence C / Milton Village / Central Ave PUD:
 - 30% building coverage (not including parking, excluding wetlands)
 - 50% building + parking coverage

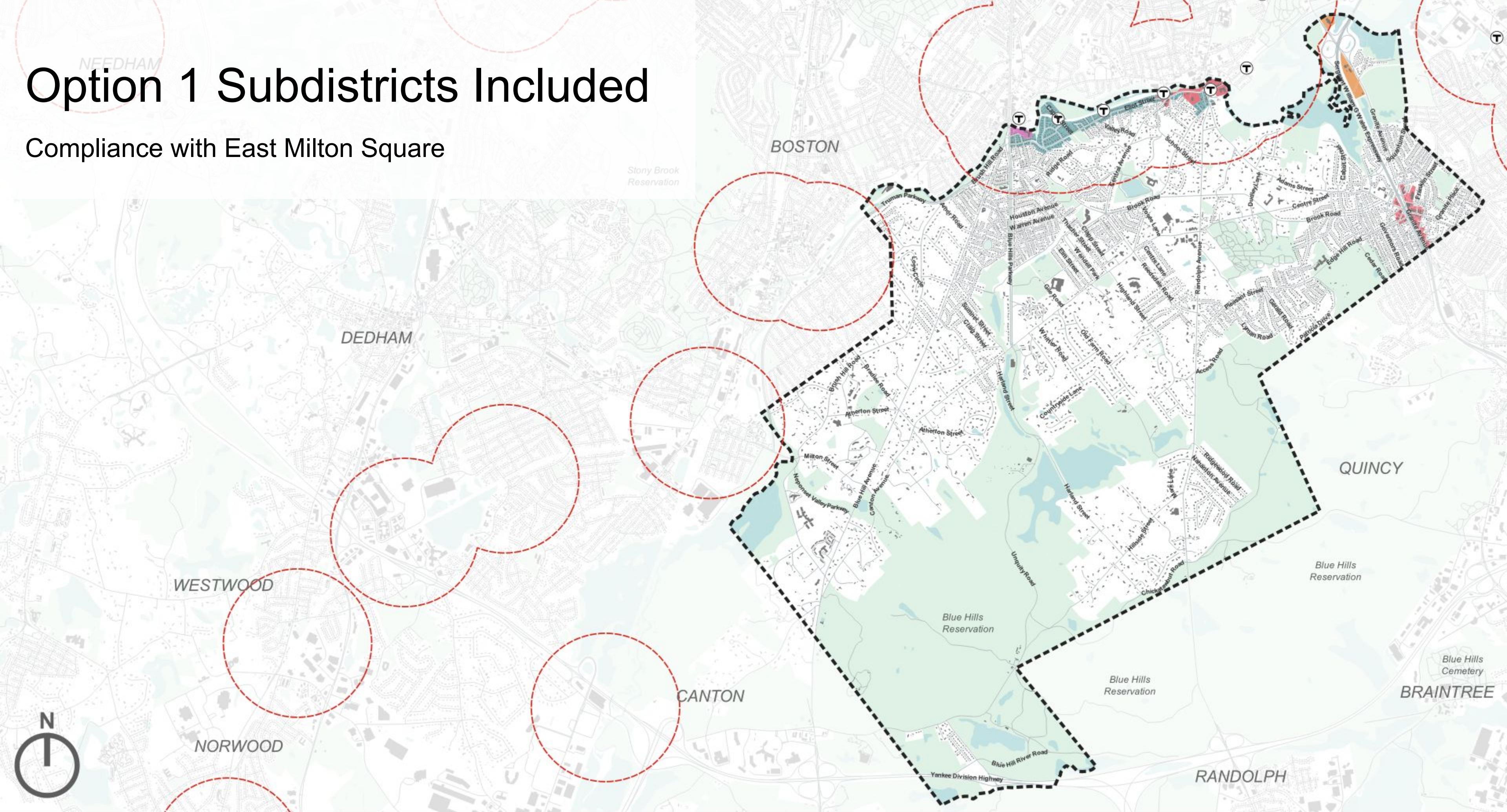
****By default, the model assumes a 20% minimum open space before calculating unit capacity. This is intended to account for the area taken up by setbacks. The actual area encompassed by the proposed setbacks almost always requires more than 20% of the parcel to be calculated as open space***

Option 1

Compliance with East Milton Square - Presented on 8/24 to Planning Board

Option 1 Subdistricts Included

Compliance with East Milton Square



Option 1 Compliance Model Summary

NOTE: Red text indicates a parameter we are fine-tuning to reach a more ideal balance of density and design outcomes while retaining overall compliance.

Compliance with East Milton Square

Subdistrict	Model Inputs					Model Outputs						
	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Unit Capacity	Acreage	Modeled Density	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict	
Granite Ave	40	n/a	n/a	1	5	545	13.7	44	23%	contributing		
Mattapan Station	40	n/a	n/a	1	3.5	169	4.9	40.8	100%	contributing		
Milton Station*	40	n/a	n/a	1	3.5	543	18.9	31.8	100%	contributing	contributing	
East Milton Square	30	n/a	n/a	1	4	423	22.8	18.6	0%			
Transit Area Triplex	n/a	3	5,500 sf	1	3	669	74.3	9	100%	contributing		
TOTAL						2,508	134.5 acres	19.2 units/acre	76%	64%	17%	
COMPLIANCE TARGET						2,461	50 acres	15 units/acre	50%	50%	25% (max)	

* In this option, we are assuming the **Milton Station Subdistrict** will make use of the new mixed-use provision as described in [the most recent guidance from the State, issued on 8/17/2023](#).

Option 1 Compliance Model Summary

NOTE: Red text indicates a parameter we are fine-tuning to reach a more ideal balance of density and design outcomes while retaining overall compliance.

Compliance with East Milton Square, adding maximum building & parking coverage percentage

Subdistrict	Model Inputs						Model Outputs						
	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Max. % Bldg + Parking Coverage	Unit Capacity	Acreage	Modeled Density	% Land in Contiguous Subdistricts	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict
Granite Ave	40	n/a	n/a	1	5	50%	545	13.7	44	23%	contributing		
Mattapan Station	40	n/a	n/a	1	3.5	50%				100%	contributing		
Milton Station*	40	n/a	n/a	1	3.5	50%							
East Milton Square	30	n/a	n/a	1	4 > 2.5	50%							
Transit Area Triplex	n/a	3	5,500 sf > 7,500 sf	1	3 > 2.5	50%	668	134.5 acres	19.2 units/acre	73%	76%	64%	17%
TOTAL							2,508						
COMPLIANCE TARGET							2,461	50 acres	15 units/acre	50%	50%	50%	25% (max)

* In this option, we are assuming the **Milton Station Subdistrict** will make use of the new mixed-use provision as described in [the most recent guidance from the State, issued on 8/17/2023](#).

Summary of Revised Subdistricts Studied

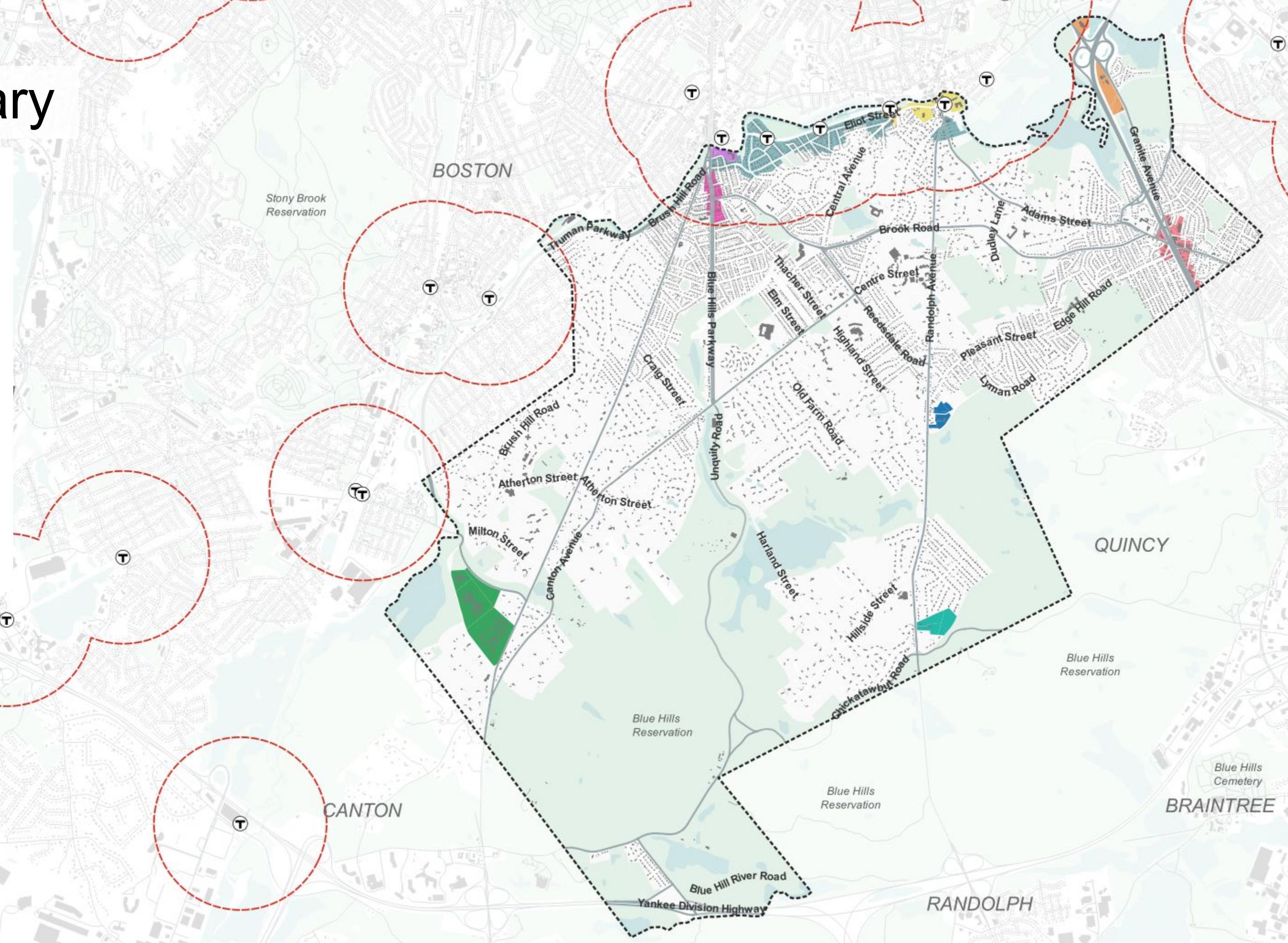
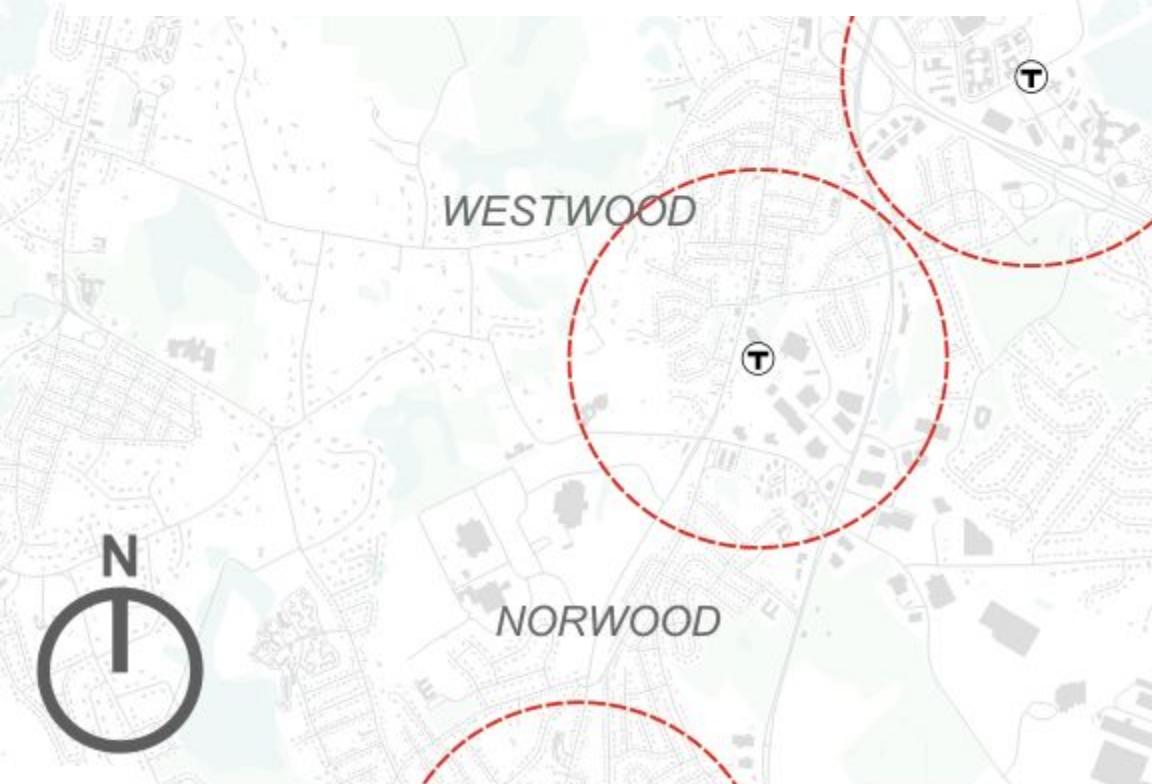
Townwide Summary

Individual Subdistricts Aerial Zoom-Ins

Townwide Summary

Milton Subdistricts Considered

- Granite Ave
- East Milton Square
- Milton Station
- Mattapan Station
- Revised Transit Area Triplex
- Blue Hills Parkway Corridor
- Randolph Ave & Access Rd
- Randolph Ave South
- Brush Hill Rd

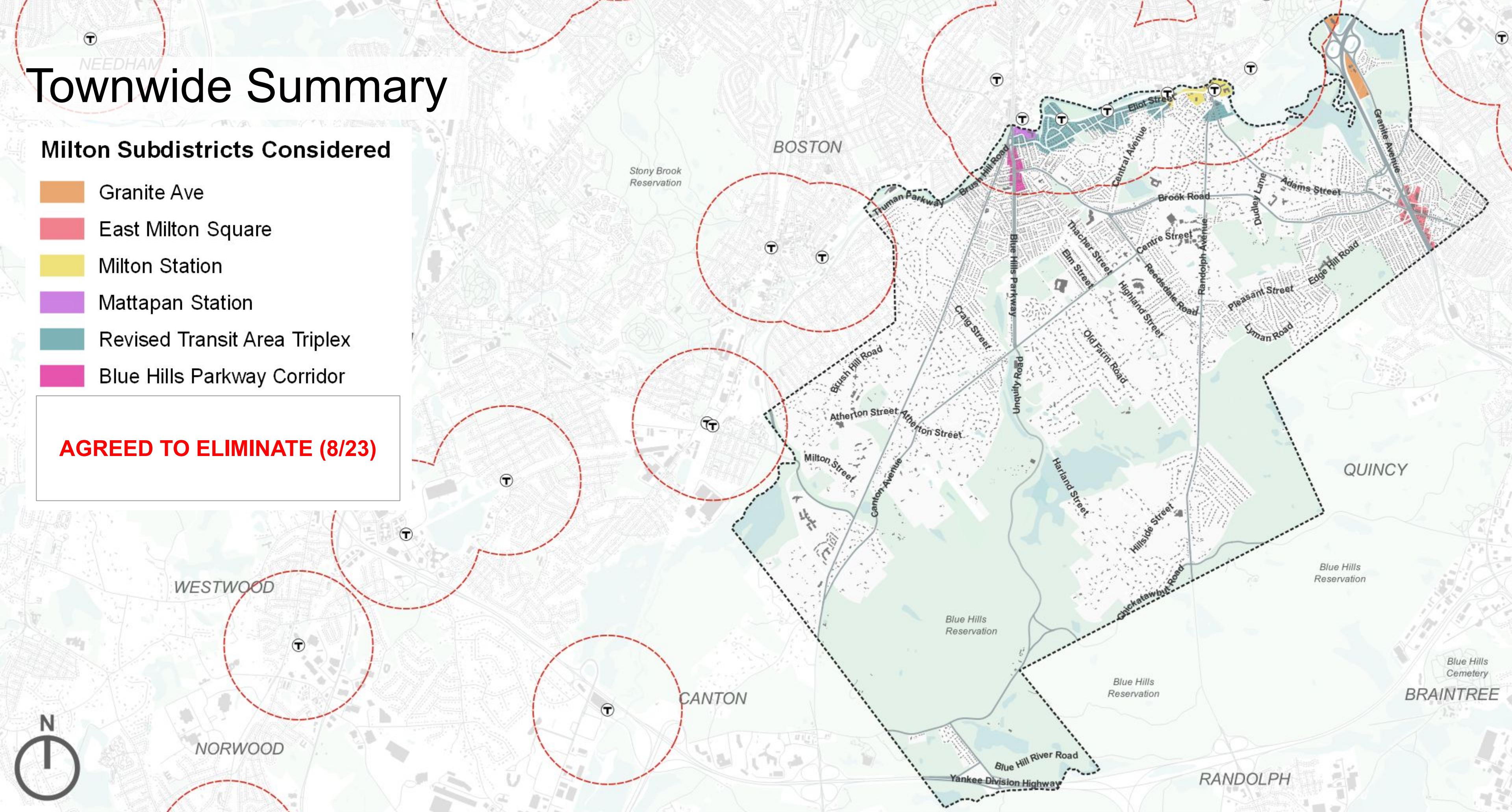


Townwide Summary

Milton Subdistricts Considered

- Granite Ave
- East Milton Square
- Milton Station
- Mattapan Station
- Revised Transit Area Triplex
- Blue Hills Parkway Corridor

AGREED TO ELIMINATE (8/23)



East Milton Square



Granite Ave



Milton Station



Mattapan Station

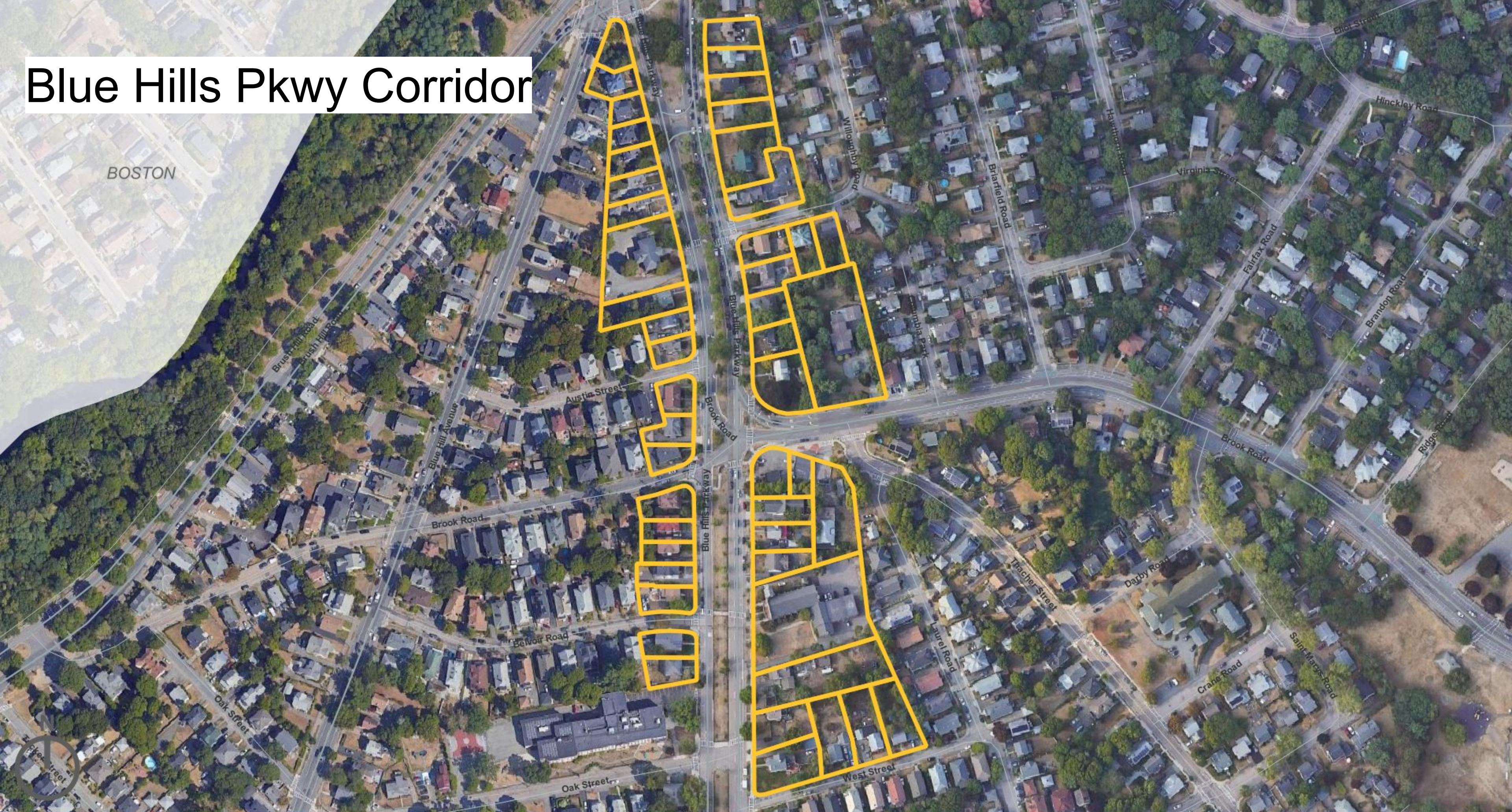


Expanded Transit Area Triplex

Mattapan Trolley 1,000ft Catchment Area less National Register Historic Properties



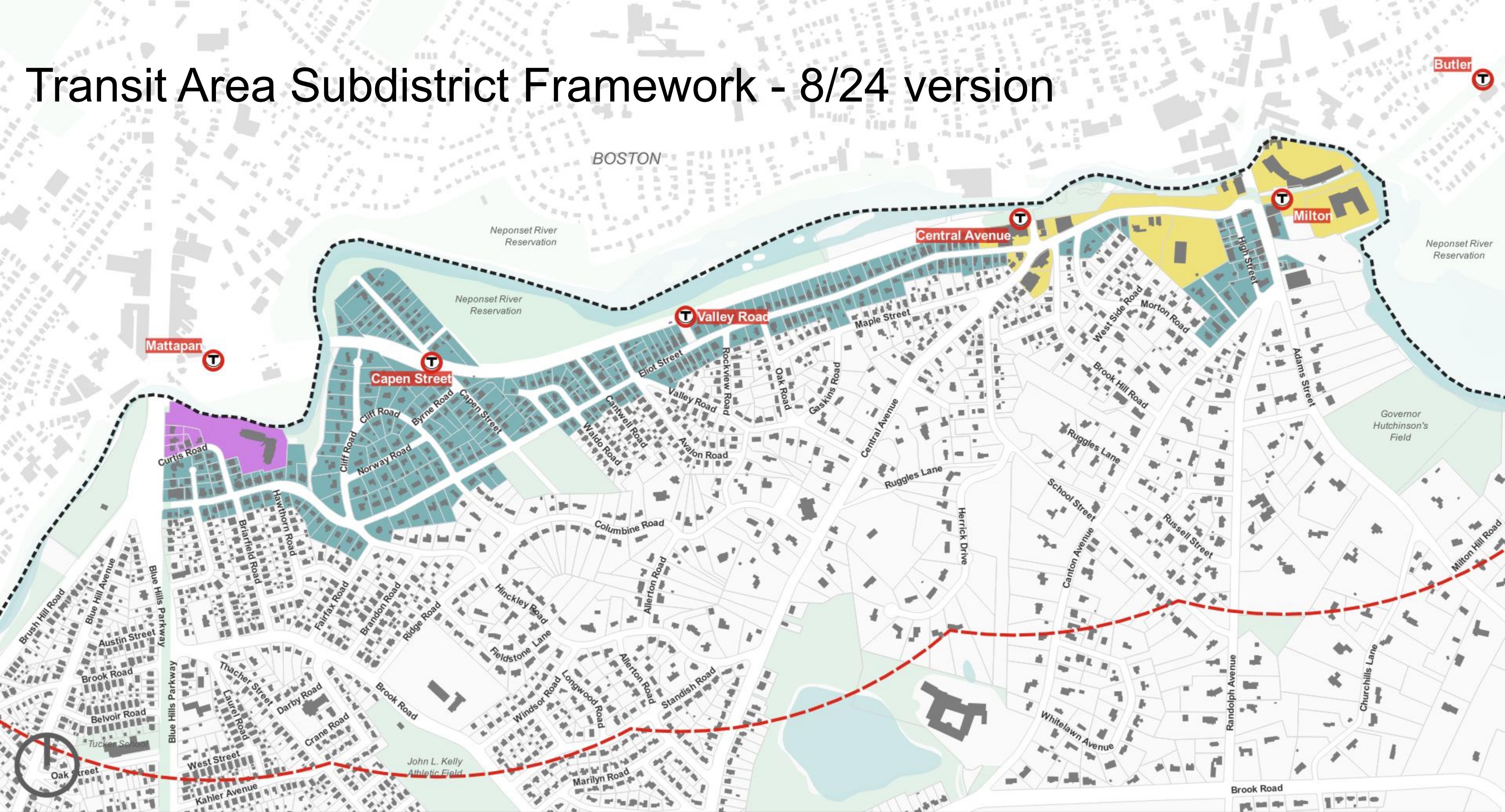
Blue Hills Pkwy Corridor



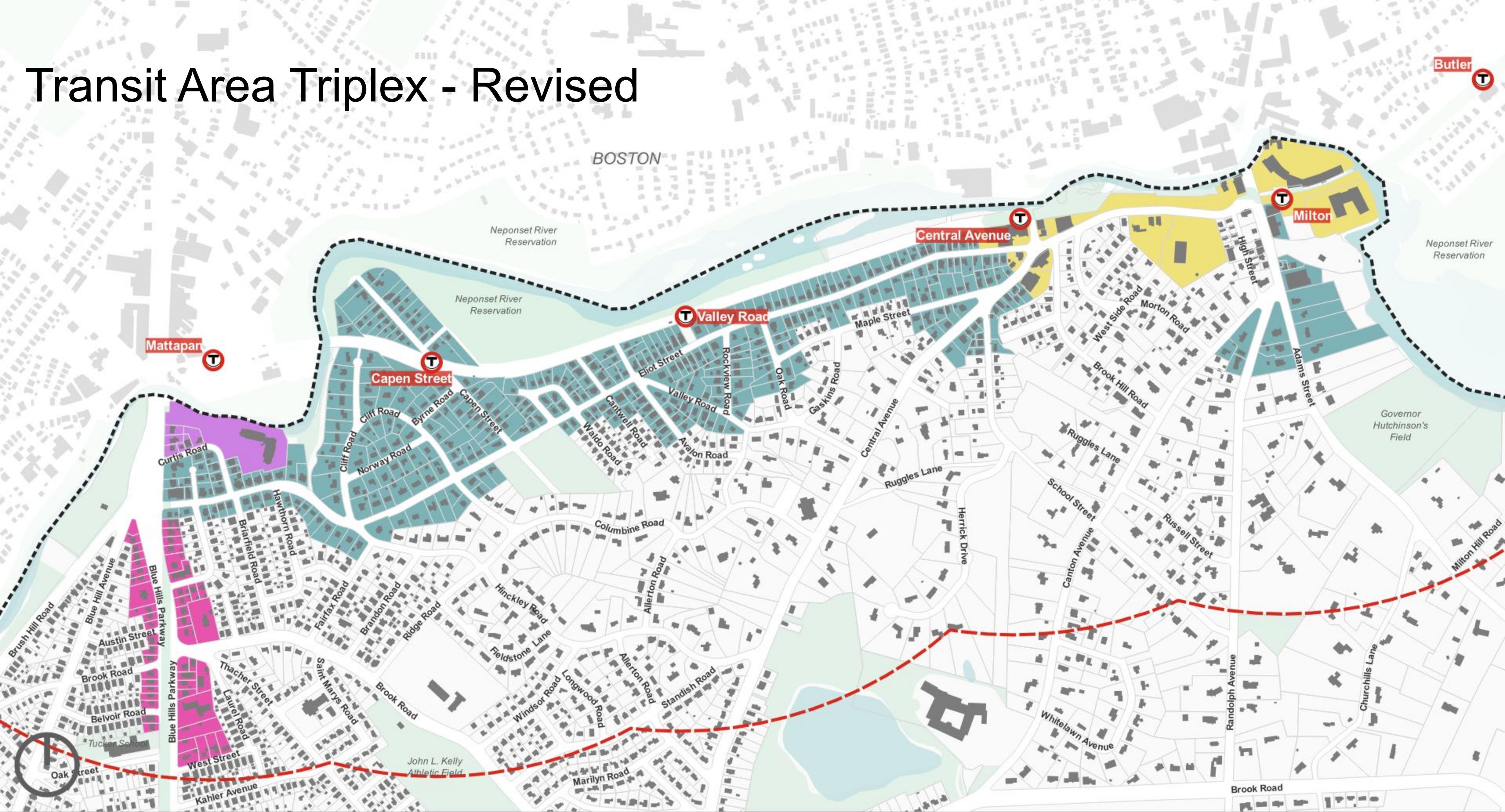
Revised Transit Area Triplex

Minimum Parcel Size Threshold Testing

Transit Area Subdistrict Framework - 8/24 version



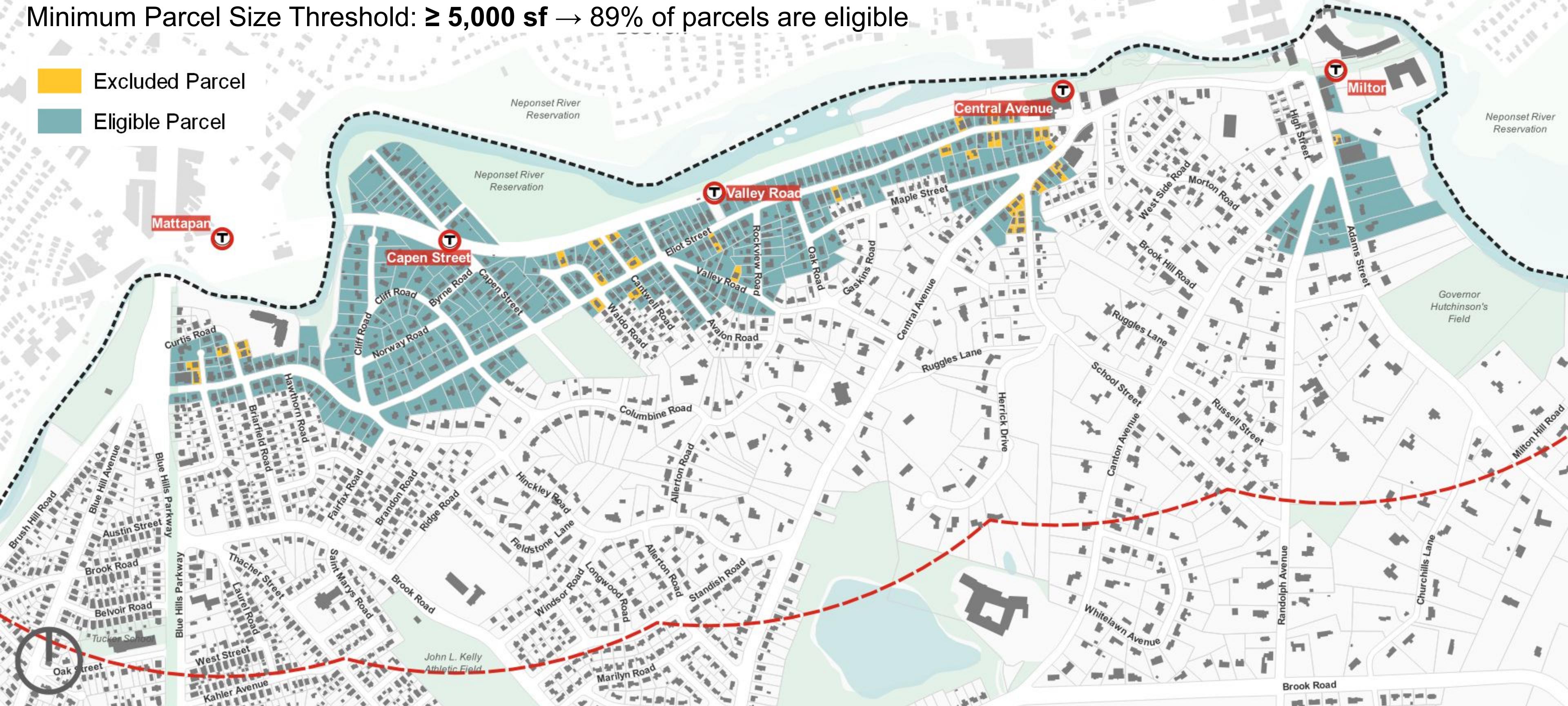
Transit Area Triplex - Revised



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 5,000 \text{ sf}$ \rightarrow 89% of parcels are eligible

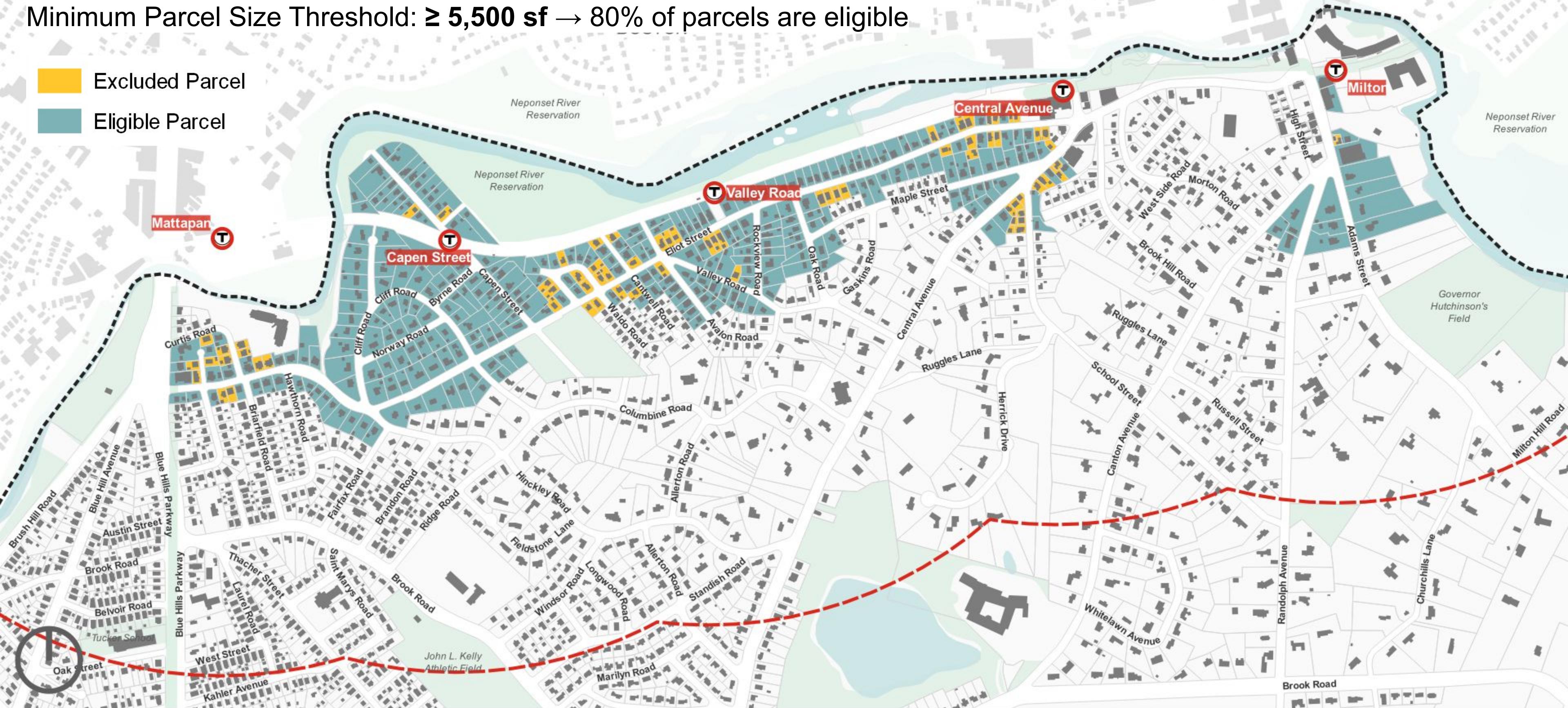
- Excluded Parcel
- Eligible Parcel



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 5,500 \text{ sf}$ \rightarrow 80% of parcels are eligible

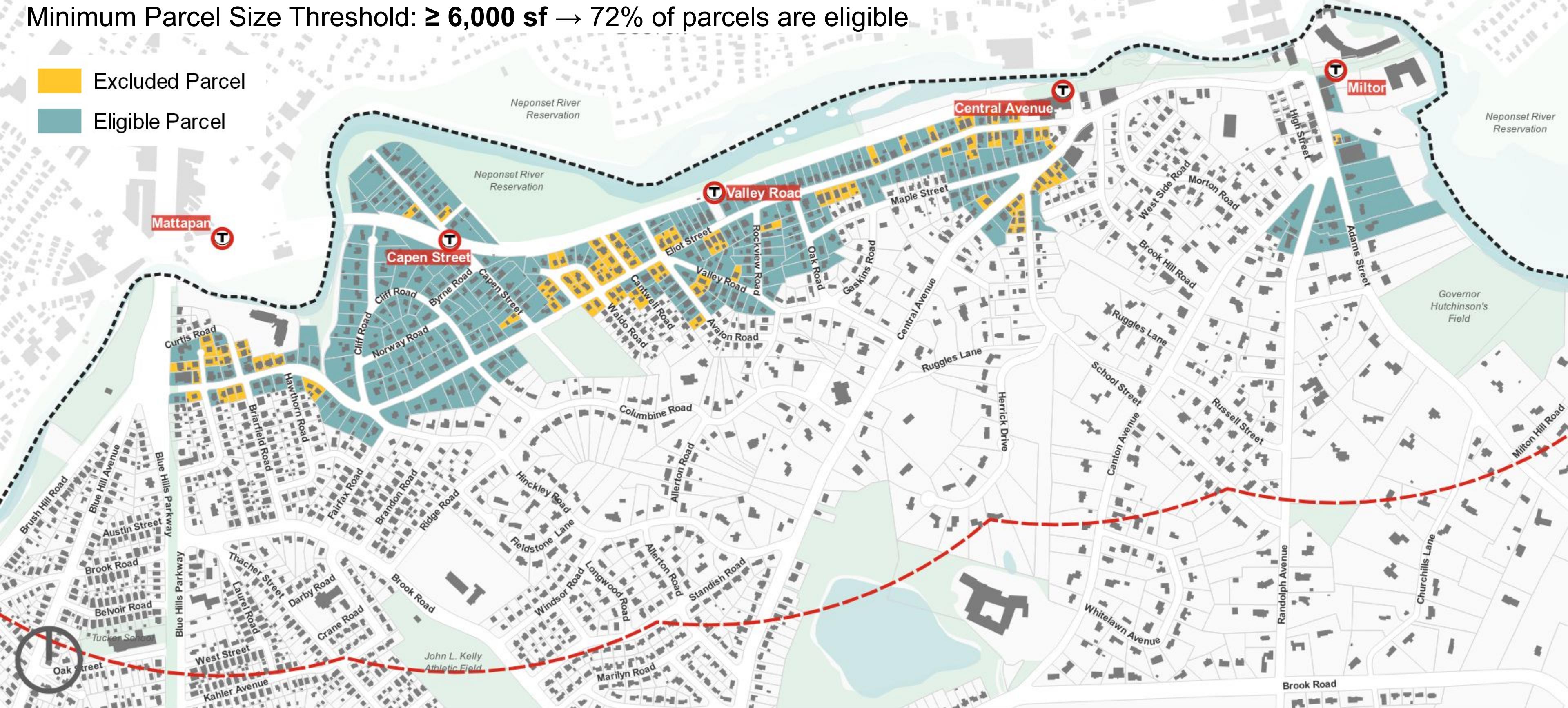
- Excluded Parcel
- Eligible Parcel



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 6,000$ sf \rightarrow 72% of parcels are eligible

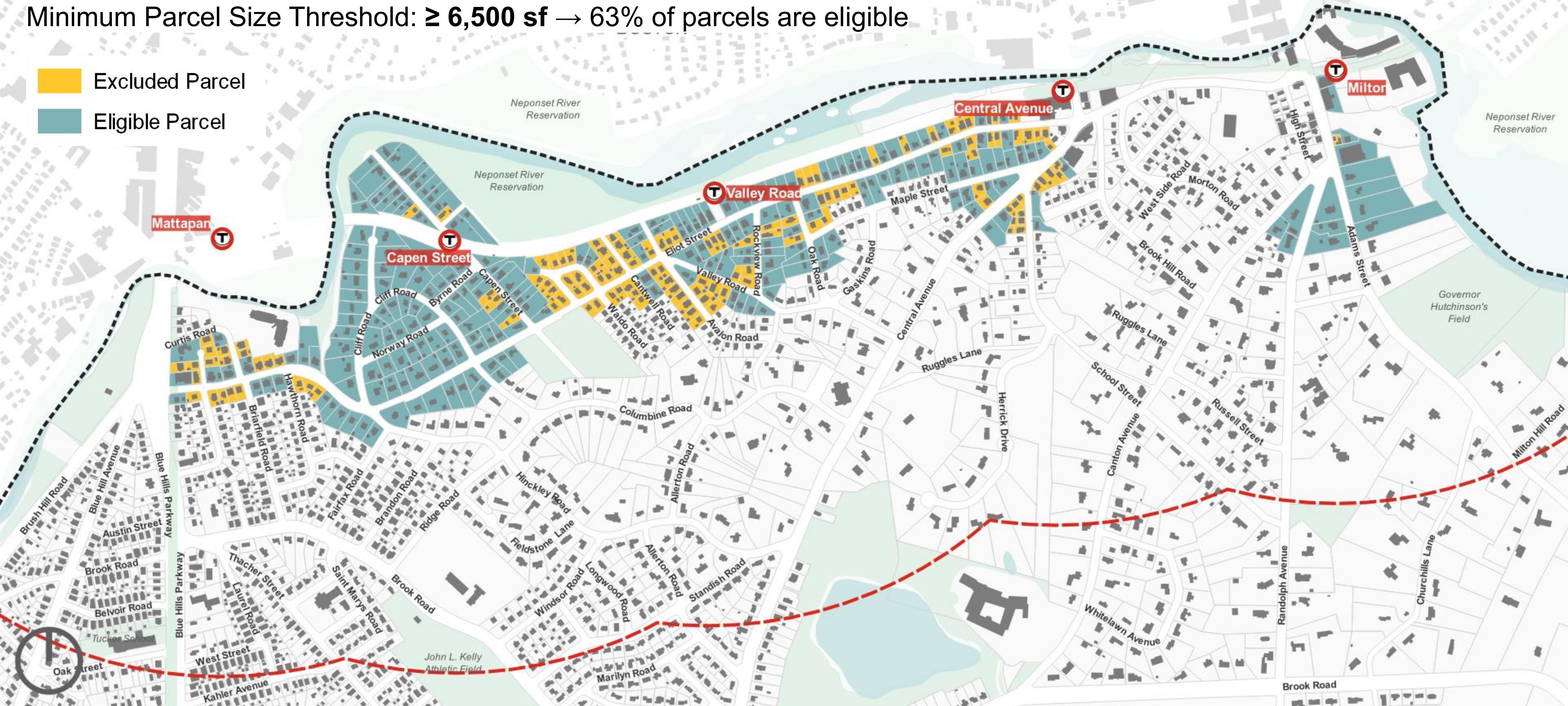
- Excluded Parcel
- Eligible Parcel



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 6,500 \text{ sf}$ \rightarrow 63% of parcels are eligible

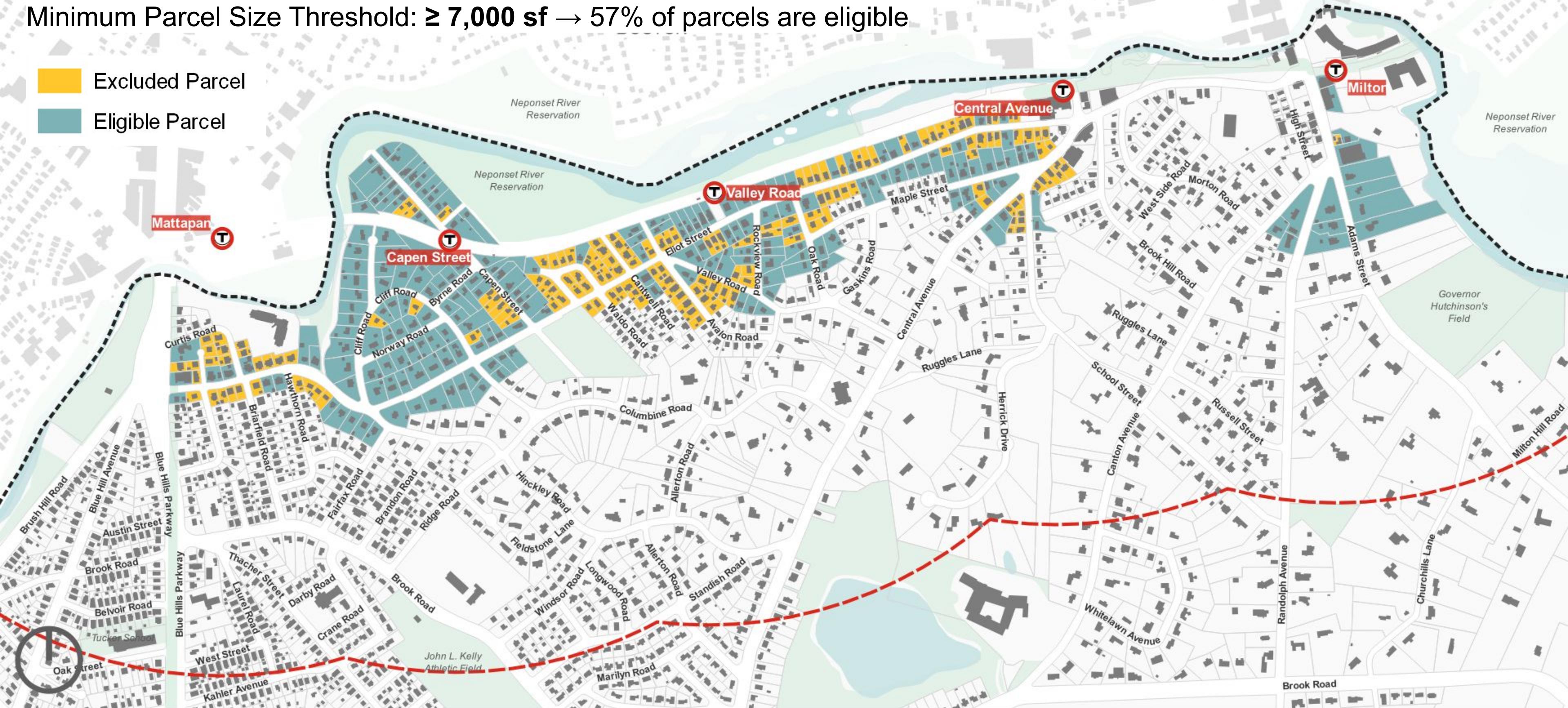
- Excluded Parcel
- Eligible Parcel



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 7,000$ sf \rightarrow 57% of parcels are eligible

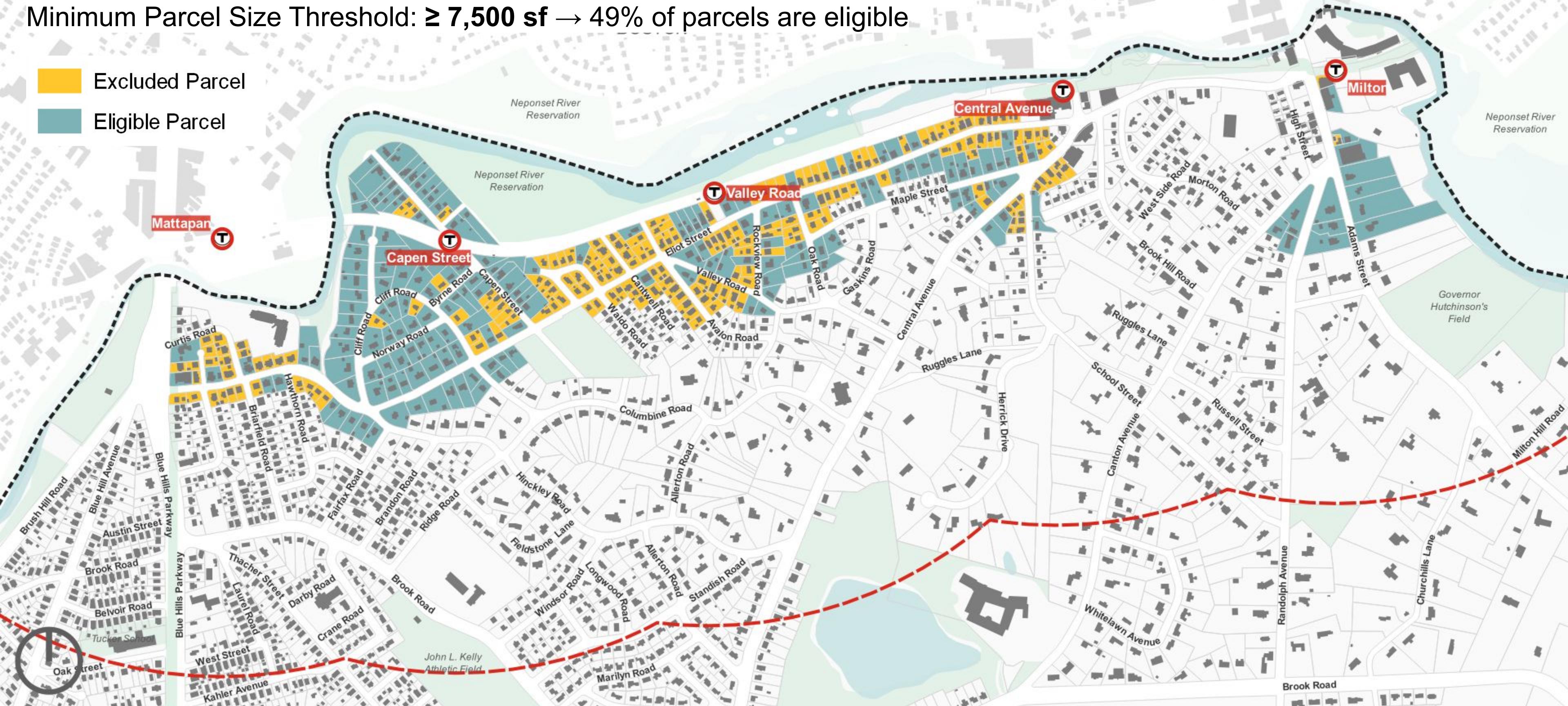
- Excluded Parcel
- Eligible Parcel



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 7,500 \text{ sf}$ \rightarrow 49% of parcels are eligible

- Excluded Parcel
- Eligible Parcel



Pathways to Compliance

Option 1a: All Priority Preferred Parameters

Option 1b: All Priority Preferred Parameters + Reduction in Density for Mattapan & Milton Station

Option 1c: All Priority Preferred Parameters + Reduction in Density Mattapan/Milton Stations & Granite Ave
Compliance Comparison

Existing Unit vs. Modeled Unit Comparison

Option 1a Compliance Model Summary

All Priority Preferred Parameters

NOTE: Red text indicates a parameter we added or altered in this option

* Modeled Density shown with gross acreage rather than density denominator at this stage.

Subdistrict	Model Inputs						Model Outputs						
	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Max. % Bldg + Parking Coverage	Unit Capacity	Acreage	Modeled Density	% Land in Contiguous Subdistricts	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict
Granite Ave	40	n/a	n/a	1	5	50%	623	13.7	50.2		23%	contributing (partially)	
Mattapan Station	40	n/a	n/a	1	3.5	50%	197	4.9	47.6	contributing	100%	contributing	
Milton Station*	40	n/a	n/a	1	3.5	50%	599	18.8	35.1	contributing	100%	contributing	contributing
East Milton Square	30	n/a	n/a	1	2.5	50%	420	22.8	18.4		0%		
Revised Transit Area Triplex	n/a	3	7,500 sf	1	2.5	50%	525	91	5.8	contributing	100%	contributing	
Blue Hills Pkwy Corridor	30	n/a	n/a	1	2.5	50%	277	14.8	18.7	contributing	100%	contributing	
TOTAL							2,641	166 acres	16.4* units/acre	78%	80%	67%	23%
COMPLIANCE TARGET							2,461	50 acres	15 units/acre	50%	50%	50%	25% (max)

Option 1b Compliance Model Summary

All Priority Preferred Parameters + Reduction in Density for Mattapan & Milton Station

NOTE: Red text indicates a parameter we added or altered in this option

* Modeled Density shown with gross acreage rather than density denominator at this stage.

Subdistrict	Model Inputs						Model Outputs						
	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Max. % Bldg + Parking Coverage	Unit Capacity	Acreage	Modeled Density	% Land in Contiguous Subdistricts	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict
Granite Ave	40	n/a	n/a	1	5	50%	623	13.7	50.2		23%	contributing (partially)	
Mattapan Station	35	n/a	n/a	1	3.5	50%	169	4.9	40.8	contributing	100%	contributing	
Milton Station*	35	n/a	n/a	1	3.5	50%	543	18.8	31.8	contributing	100%	contributing	contributing
East Milton Square	30	n/a	n/a	1	2.5	50%	420	22.8	18.4		0%		
Revised Transit Area Triplex	n/a	3	7,500 sf	1	2.5	50%	525	91	5.8	contributing	100%	contributing	
Blue Hills Pkwy Corridor	30	n/a	n/a	1	2.5	50%	277	14.8	18.7	contributing	100%	contributing	
TOTAL							2,557	166 acres	15.4* units/acre	78%	80%	65%	21%
COMPLIANCE TARGET							2,461	50 acres	15 units/acre	50%	50%	50%	25% (max)

Option 1c Compliance Model Summary

All Priority Preferred Parameters + Reduction in Density Mattapan/Milton Stations & Granite Ave

NOTE: Red text indicates a parameter we added or altered in this option

* Modeled Density shown with gross acreage rather than density denominator at this stage.

Subdistrict	Model Inputs						Model Outputs						
	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Max. % Bldg + Parking Coverage	Unit Capacity	Acreage	Modeled Density	% Land in Contiguous Subdistricts	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict
Granite Ave	36	n/a	n/a	1	5	50%	561	13.7	45.2		23%	contributing (partially)	
Mattapan Station	35	n/a	n/a	1	3.5	50%	169	4.9	40.8	contributing	100%	contributing	
Milton Station*	35	n/a	n/a	1	3.5	50%	543	18.8	31.8	contributing	100%	contributing	contributing
East Milton Square	30	n/a	n/a	1	2.5	50%	420	22.8	18.4		0%		
Revised Transit Area Triplex	n/a	3	7,500 sf	1	2.5	50%	525	91	5.8	contributing	100%	contributing	
Blue Hills Pkwy Corridor	30	n/a	n/a	1	2.5	50%	277	14.8	18.7	contributing	100%	contributing	
TOTAL							2,495	166 acres	15* units/acre	78%	80%	66%	22%
COMPLIANCE TARGET							2,461	50 acres	15 units/acre	50%	50%	50%	25% (max)

Compliance Model Output Comparison

Option	Model Outputs						
	Unit Capacity	Acreage	Modeled Density	% Land in Contiguous Subdistricts	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict
Option 1 (8/23 PB Mtg original version)	2,508	134.5 acres	19.2 units/acre	73%	76%	64%	17%
Option 1a	2,641	166 acres	16.4* units/acre	78%	80%	67%	23%
Option 1b	2,557	166 acres	15.4* units/acre	78%	80%	65%	21%
Option 1c	2,495	166 acres	15* units/acre	78%	80%	66%	22%
COMPLIANCE TARGET	2,461	50 acres	15 units/acre	50%	50%	50%	25% (max)

* In this option, we are assuming the **Milton Station Subdistrict** will make use of the new mixed-use provision as described in [the most recent guidance from the State, issued on 8/17/2023](#).

Existing/Modeled Unit Comparison - Option 1

NOTE: Red text indicates a parameter that is shown at its maximum, but has variation within the different options presented.

Maximum Modeled Unit Capacity

Subdistrict	Model Inputs						Model Output vs. Existing Comparison				
	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Max. % Bldg + Parking Coverage	Modeled Unit Capacity	Existing Unit Estimate*	Modeled Unit/Acre	Existing Unit/Acre Estimate*	Estimated Increase in Units
Granite Ave	40	n/a	n/a	1	5	50%	623	-	54	-**	+623
Mattapan Station	40	n/a	n/a	1	3.5	50%	197	145	47.6	29.6	+52
Milton Station	40	n/a	n/a	1	3.5	50%	599	206	35.1	11.0	+393
East Milton Square	30	n/a	n/a	1	4	50%	423	26	18.4	1.1**	+397
Revised Transit Area Triplex	n/a	3	5,500 sf	1	3	50%	864	424	9.5	4.7	+440
Blue Hills Pkwy Corridor	30	n/a	n/a	1	3	50%	280	54	18.9	3.6**	+226

+2131 Total

* Estimated based on [MHP Residency tool](#)

** Low density is due to large nonresidential area

Existing/Modeled Unit Comparison - Option 1c

NOTE: Red text indicates a parameter that is shown at its minimum, but has variation within the different options presented.

Minimum Modeled Unit Capacity

Subdistrict	Model Inputs						Model Output vs. Existing Comparison				
	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Max. % Bldg + Parking Coverage	Modeled Unit Capacity	Existing Unit Estimate*	Modeled Unit/Acre	Existing Unit/Acre Estimate*	Estimated Increase in Units
Granite Ave	36	n/a	n/a	1	5	50%	561	-	45.2	-**	+561
Mattapan Station	35	n/a	n/a	1	3.5	50%	169	145	40.8	29.6	+24
Milton Station	35	n/a	n/a	1	3.5	50%	543	206	31.8	11.0	+337
East Milton Square	30	n/a	n/a	1	2.5	50%	420	26	18.4	1.1**	+394
Revised Transit Area Triplex	n/a	3	7,500 sf	1	2.5	50%	525	424	5.8	4.7	+101
Blue Hills Pkwy Corridor	30	n/a	n/a	1	2.5	50%	277	54	18.7	3.6**	+223

+1640 Total

* Estimated based on [MHP Residency tool](#)

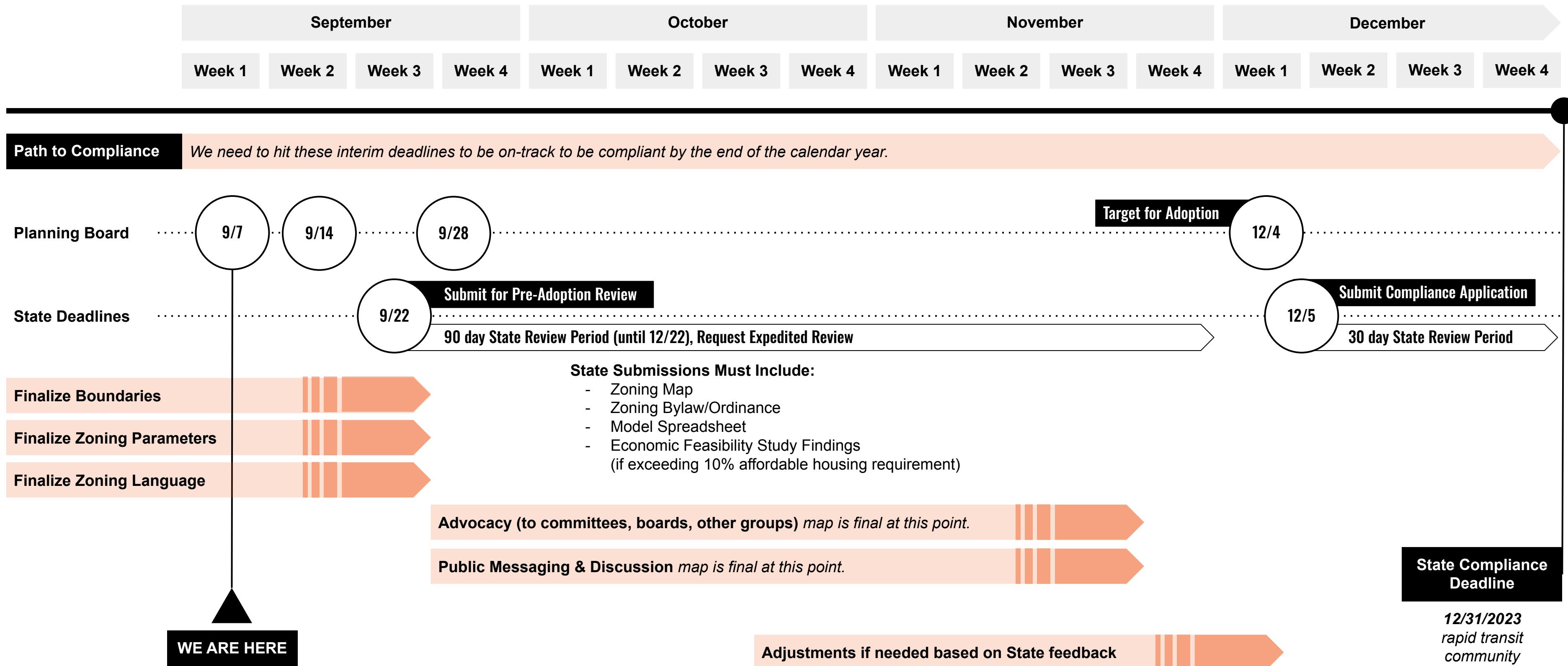
** Low density is due to large nonresidential area

Next Steps

Next Steps

- 1. Select Preferred Option, Confirm any Last Boundary Changes**
- 2. Fine-Tune Zoning Parameters for Preferred Option**
 - a. Setbacks
 - b. Building & Parking Coverage
 - c. Building Height
- 3. Conduct Key Buildout Visualizations**
 - a. Transit Area Triplex
 - b. One other
- 4. Finalize Zoning Parameters at 9/14 Planning Board Meeting**
- 5. Finalize Zoning Language**
- 3. Submit to State for Pre-Adoption Review by 9/22**

Reminder: Milton's Compliance Timeline



Thank You!

