

## **Article 6 Zoning Bylaws Amendment: MBTA Communities Multi-family Overlay District and amend the Zoning Map (Citizens Petition)**

**RECOMMENDED that the Town vote No.**

*COMMENT: The above article was proposed and brought forward by ten (10) Citizens of the Town of Milton pursuant to M.G.L. Chapter 40A, § 3A or also known as the Massachusetts Bay Transportation Authority (MBTA) Communities Act (ACT). The purpose of this article is to amend Chapter 275 of the Town of Milton's General Bylaws by adding an MBTA Communities Multi-family Overlay District with the plan to bring the Town into compliance with the now standing designation of Milton as a "Rapid Transit Community". This proposed bylaw would allow for up to 2,461 housing units under the present designation. First, the Warrant Committee would like to recognize the ten (10) citizens of the Town who brought this matter forward, taking considerable time and effort into organization. The Warrant Committee would also like to acknowledge the two (2) citizens who appeared and presented the above article for our consideration and comment. In their presentation, the citizens offered thoughtful statements, analysis and opinion; we thank you for your time and concern for the Town.*

*It is important to note that the above article was constructed in its entirety by the Planning Board over the course of last year. This "Rapid Transit" or 25% Plan essentially includes all elements of the "Adjacent Community" 10 % Plan set forth in Article 5, adding three subdistricts to achieve the 2,500-plus number, as required as a MBTA Rapid Transit Community.*

*(For purposes of brevity, the applicable procedural history of the MBTA Communities Act, statutes and synopsis of the law as illustrated in the previous comment apply to Article 6)*

*Article 6, in addition to Article 5:*

- Also proposes a zoning bylaw amendment to establish a MCMOD but covers approximately 131 acres—significantly larger than Article 5.*
- Includes ten subdistricts: all six from Article 5 plus Mattapan Station, Randolph Ave East, Milton Station/Central Ave Station, East Milton Square, and Fairmount Station. Represents a 25% housing plan, exceeding the minimum state requirement.*
- Offers broader geographic distribution of housing capacity, including more zoning areas.*
- Similar design standards, affordability requirements (15% affordable units), and site plan review processes as Article 5.*
- Reflects a more aggressive approach to compliance with the MBTA Communities Act and aims to increase housing diversity and supply.*

*Below is a detailed side-by-side comparison table of Article 5 and Article 6, including a column that highlights the key differences:*

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<i>Feature</i>	<i>Article 5 (Planning Board)</i>	<i>Article 6 (Citizen's Petition)</i>	<i>Key Differences</i>
<i>Acreage</i>	<i>~71 acres</i>	<i>~131 acres</i>	<i>Article 6 covers significantly more area than Article 5</i>
<i>Number of Subdistricts</i>	<i>Granite Ave North, Paper Mill, Blue Hill Ave Station, Blue Hills Pkwy, Eliot St, 711 Randolph Ave</i>	<i>All from Article 5 plus Mattapan Station, Randolph Ave East, Milton/Central Ave, East Milton Square, Fairmount Station</i>	<i>Article 6 includes four additional subdistricts</i>
<i>Housing Unit Capacity</i>	<i>10% plan (minimum required by state- "adjacent community")</i>	<i>25% plan (minimum required by state- "rapid transit")</i>	<i>Article 6 proposes a more aggressive housing plan</i>
<i>Affordability Requirements</i>	<i>15% of units affordable to households earning ≤80% AMI (10% if 15% deemed infeasible)</i>	<i>Same as Article 5</i>	<i>No difference</i>
<i>Zoning Characteristics</i>	<i>More conservative density and geographic scope; focused on compliance with 10%</i>	<i>Broader distribution, more aggressive housing targets, more transit-oriented subdistricts</i>	<i>Article 6 is more expansive and ambitious in its zoning approach</i>

*The Warrant Committee does not support this Article at the present time. The Warrant Committee, as indicated in Article 5, requests that this Body consider a no vote on this Article. The Warrant Committee further suggests that the Planning Board further study and refine this 25% Plan so that at a future date, this plan will be ready to be implemented, if necessary.*

*The Warrant Committee's recommendation on this Article is based on the financial uncertainty of implementation of this bylaw. Simply put, the Town should continue its efforts to litigate the Town's MBTA's designation as a "Rapid Transit Community" to either an "Adjacent" or "Commuter Rail" community. There are 16 Citizens of the Town pursuing this path, and the Warrant Committee believes that the Town should support them and engage the services offered for legal assistance to litigate the matter to its finality. If the Town did not take up litigation or the Citizens are not successful, the Warrant Committee has full confidence that this Article is a strong base to construct a "Rapid Transit" compliant plan. If successful in a Court of law opposing our designation, we would achieve a situation where the Town can implement a 10% plan and if desired in the future, expand that number. This may certainly be the case if the MBTA makes efforts to make the outmoded Mattapan Trolley a modern rail line. As indicated in our Article 5 comment, there are continuing concerns about the current financial state of the Town on the heels of the override this past spring. Many members of the Warrant Committee believe that a significant increase in the population of the Town will cause the need to increase property taxes at a significantly higher rate for continued level services in our schools, police, fire, DPW, traffic, water-sewer, and environmental services. Further compounding this "Rapid Transit" designation are the passage*

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*of the new Accessory Dwelling Unit (ADU) bylaw, a total of seven (7) new M.G.L. 40B projects that have approved, some now being built; potential thirty (30) year debt exclusion for a new school; recent \$9.5 million dollar override; current tax exemption litigation concerning some of the largest taxpayers in the Town; and the future plans for the Governor Stoughton Property.*

*The Warrant Committee respectfully requests a NO vote on this article. We ask for support for the Planning Boards 10% Plan in Article 5 which offers a slower, more deliberate approach to our new law, while allowing the Town to maintain its somewhat rural character, and affordability.*