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Subject: Questions for Contractor Innes/MBTA Zoning TF

Attn: MBTA TF and PB Members

Cc: Mr. Resnick and TA

(Ms. Hunter, please share with all PB and TF Members, thank you.)

(Ms. Marletta, please post, thank you.)

Good morning Chris,

Once again, thank you for your professional and intense efforts.

I am compelled to deep dive farther. One thing sticks out in your commentary.

"...one could argue that we were almost there. That is a density of 18 units per acre, more than the 15 units required. But of course, reality is more complicated. The downtown is not a grid of equal lots or buildings, so when we test the current situation using the state's compliance model, we fall short."

Given the historic nature of the downtown and its osmosis over hundreds of years, the State's 15 units per acre is a mathematical formula for the perfect cyber space world.

I point to the Statute:

"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."

I point to the EOHLC Guidelines:

"Reasonable size" is a relative rather than an absolute determination. Because of the diversity of MBTA communities, a multi-family zoning district that is "reasonable" in one city or town may not be reasonable in another city or town."

I point to the concerns that the Massachusetts Municipal Association has raised in response to the EOHLC Guidelines, which still hold weight: <https://www.mma.org/advocacy/citing-flaws-in-draft-compliance-guidelines-for-multifamily-district-zoning-in-mbta-communities-mma-and-mmla-ask-to-be-involved-in-revisions/>

"For example, when the minimum 15 units per acre required by Section 3A is combined with the 750-unit threshold mandated by the Guidelines, both the Town of Brookline and the City of Cambridge are being asked to dedicate less than 2% of their area to transit-oriented multi-family zoning. Compare that requirement to the Town of Nahant and the City of Chelsea who, respectively, are being asked for 7.8% and 4.2% of their land area to be zoned for as of right multi-family housing. The differences in community characteristics are ignored. Even more, no consideration is given to the percentage of non-age restricted multi-family housing stock that may already exist in an MBTA Community." (My underline)

TF please request that Innes respond:

1. Why did the State require as a standard calculation the 37 acres for MBTS in terms of land mass to be zoned with 15 units per acre when MBTS is only 9 sq miles (5760 acres) of mostly developed land mass and other communities relatively speaking are tremendously larger and percentage wise may have a lesser burden? How did the State arrive at this calculation?

2. Why is the historic footprint of the General District in the absence of "a grid of equal lots" and the D district roadways like Pine St and School St with limited ingress and egress not being considered as unique characteristics?

3. Why hasn't the density calculation (15 units per acre) taken into account the fact that the MBTS population has hovered at 5000 in modern times given the small land mass. The State has NOT provided a data point to 185 MBTA communities in terms of population control, for already dense areas. There is no calculation for MBTS in terms of population outcome and growth. Why hasn't the State provided this data point to MBTA Communities?

As a resident, I am requesting that INNES, our contractor, who played a role in designing the State math modeling, provide a detailed response and, if not informed, then INNES request the State EOHLC to explain.

Thank you All for your very hard work on this very complex matter. I know you desire the very best for the Community. However, we need to study all data points in this matter. It does not appear to be simply black or white.

Regards,

Lorraine

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