



MANCHESTER-BY-THE-SEA

MBTA TASK FORCE • TOWN HALL
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MINUTES OF THE MBTA TASK FORCE

June 8, 2023 6:15 p.m. Hybrid and In-Person Room 5

MEMBERS PRESENT: Chris Olney, Chair, Ann Harrison, Sarah Mellish, Susan Philbrick, Mike Pratt, Richard Smith, Gar Morse, Sandy Bodmer-Turner, and Dennison Hall

MEMBERS NOT PRESENT:

STAFF PRESENT: Interim Town Planner, Betsy Ware. and Administrator, Gail Hunter

GUEST: KP Law, Jonathan Murry

- Introductions

Ms. Harrison stated that the Town's goal is to have something to put before voters at the 2024 ATM (Annual Town Meeting) and it will be a tight schedule.

- Appointment of Officers – Mr. Olney was elected Chair and Gar Morse was elected Vice Chair.
- Discussion of Meeting Schedules and Time Frame

The Committee briefly discussed scheduling agreeing the Task Force will meet monthly during the summer and twice a month starting in September 2023. Ms. Harrison suggested the second Thursday of the month and the Board agreed on the third Thursday of the month with the next meeting scheduled for July 20, 2023.

- Staff Support and Information Dissemination

Mr. Murray of KP Law provided the Task Force with an overview of the new Law and the requirements for Manchester-by-the-Sea. The MBTA Zoning Act is Chapter 40A, Section 3A of the State General Laws. The MBTA Zoning Act is a new Section to the State's Housing Choice Act.

What the Law requires of towns that are designated as MBTA communities is "the towns have to adopt at least one Zoning District of reasonable size in which multi-family housing is permitted as a right," that is the basic requirement. Mr. Murry stated "reasonable size" was defined differently for every town. For Manchester, the multi-

family housing district must be at least 37 acres, with at least 17 acres within a half mile of the Manchester train station.

In addition, Mr. Murray stated the district must have “a minimum gross density of 15 units per acre.” Murray said that multi-family housing was defined as three or more units in the same building.

Task Force members asked if all 37 acres needed to be contiguous. Mr. Murray explained that at least 50 percent of the district or 18.5 acres in Manchester’s case – had to be contiguous but the rest of the district could be spread out over any number of parcels, if each parcel was at least five acres. Mr. Murray added that the land in the district must be developable land. Indicating that any land that is wetlands, rivers, streams, ocean, or publicly owned land has already been excluded by the State. The 12 Summer Street apartment complex was used as an example of a parcel that already has a density greater than what the State is calling for.

Mr. Murray indicated that the Town could zone districts that are already dense and count those toward the requirement adding the Town does not need to take an empty field and add that the zoning district.

- Legal Issues/Implications of MBTA Zoning

Mr. Murray was asked if there was any way around the new zoning, he replied no. He stated that there is no waiver procedure in this law and there is no way to opt out or to get a waiver from the guidelines.

Mr. Murray stated if the Town chose not to enact the multi-family zoning district the Town would face loss of State housing funds and grants. Additionally, the State Attorney General has said that towns could face being taken to court over violations of the State housing laws.

- Adjourn

Ms. Mellish moved to adjourn the meeting; Mr. Morse seconded the motion. The motion passed unanimously.