

Commentary: Some MBTA zoning facts

My View | Shawn Henry | Apr 10, 2024

Gloucester held its first public forum on the MBTA Communities Act, also known as 3A, on March 25, and it was clear that the city has far more work to do to help educate the public about the law and to counter the prevalent mis- and disinformation being spread.

One letter to the editor is too short to address all of the misunderstandings and misrepresentations of the law, but it's important to touch on a few.

The capacity requirement for Gloucester's is 2,270 units of housing in the district as if nothing currently exists on the ground, it's not a requirement to zone for 2,270 NEW units. In the 1/2-mile radius surrounding the downtown MBTA station, there are currently 4,093 units of housing — ranging from 791 single-family homes to 173 units in apartment buildings of eight or more units — and only 1.36 acres of undeveloped residential land. The potential for new units is a small fraction of the capacity given the existing dense development on the ground.

The new zoning poses no threat of overburdening our water and sewer systems, police and fire, schools, or roadways, or increase our taxes. A study by the Boston Indicators Research Center of similar transit-oriented rezoning efforts found that only 5-10% of affected properties are redeveloped in 5 to 10 years, meaning Gloucester might see an additional 80-160 units of new housing IF the 5-10% of existing single-family homes in the area were redeveloped to three-families. That's roughly a 4% increase in units in ten years.

The law does not violate Home Rule, nor does it rob the city of control of our own zoning. While the law provides a few parameters to guide our response, the zoning that we create to meet those basic parameters is entirely up to the city. That said, the state has always retained the authority to review and approve all local zoning to ensure that it's compliant with state law and the constitution. 3A does not change that.

The law says “shall,” which any decent lawyer will tell you that means that adherence isn’t optional; creating the necessary zoning to comply with the law is mandatory.

The law is a mandate to zone. There is NO REQUIREMENT TO BUILD.

From Plan 2001 to the Reimagining Railroad Avenue study in 2013, Gloucester has repeatedly said that we should rezone parts of our downtown to encourage redevelopment with mixed-use and multi-family projects to ensure that our downtown is vibrant, supportive of local business, welcoming to families, and pedestrian friendly. Rather than “forcing” our city to do something it doesn’t want to do, the MBTA Communities Act finally provides us the impetus to do the very thing that our community has been asking us to do for the past 25 years.

The city must increase efforts to better educate and engage the public about the facts of the law, the modest zoning changes that would bring Gloucester into compliance, and the realistic effects of these changes on our beloved city and her residents. To date, the discussion has been driven only by those committed to sowing misunderstanding, confusion, anger, and fear. It’s up to those who are responsible for answering the law — the administration, the planning board, and the City Council — to counter that now.

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https://www.gloucestertimes.com/opinion/commentary-some-mbta-zoning-facts/article_29c36b7a-f362-11ee-9a60-23ac0c9b77ec.html