

March 31, 2022

Michael Kennealy, Secretary  
Executive Office of Housing & Economic Development  
100 Cambridge Street, Suite 300  
Boston, MA 02114

Dear Secretary Kennealy:

Thank you for the opportunity to provide feedback on the proposed guidelines for the new multi-family zoning requirements for MBTA communities.

As you know, the Economic Development bill passed in 2021 made historic and long overdue changes to our state zoning code. Thank you for your consistent partnership over the course of the years that it took to make these critical provisions law. The changes prescribed by the so-called “Housing Choices” legislation filed by Governor Baker, in addition to this additional MBTA multi-family zoning requirement added by the Legislature, will dramatically enhance our ability to develop new and much-needed housing across the state.

We applaud these guidelines for their long-term focus and commitment to transit-oriented development. Higher density housing production centered around public transportation nodes is not just smart housing policy, but is also good transportation and climate policy. This is exactly the type of growth we should prioritize as we continue to address the housing shortages affecting many of our communities throughout the Commonwealth.

While we strongly support the underlying principles of the new statute and these proposed guidelines, we appreciate the opportunity to offer a nuanced perspective on how these classifications will affect particular communities in my district. We are proud to represent the town of Nahant, which is the smallest municipality in our state. Nahant has been classified as a bus community, due to its sole MBTA bus stop.

Under the guidelines as currently written, bus communities must zone for a multifamily district with a minimum capacity of 750 units. The practical result of this requirement in Nahant would mean that at least 7.5% of the town’s land area and 45% of the town’s total housing stock would need to be zoned for multi-family. This is an onerous requirement. Nahant has 650 acres total land. A minimum 50-acre multi-family zone could not possibly be described as “reasonable size” in this particular community.

Unlike other modes of transportation across the state that see consistent and steady ridership, this bus stop is infrequently utilized by residents of Nahant and surrounding towns. In this specific municipality, a change in zoning would not align with the underlying intent of these zoning changes, which is to develop more accessible housing stock near active nodes of transit.

As the elected officials from Nahant, we respectfully request that a closer look be given to the classification of smaller municipalities affected by these proposed guidelines so that future housing production can live up to the goals of this legislation in a way that makes sense for all communities that are impacted. This could be achieved by eliminating the 50 acre minimum and 750 unit requirement or considering a percentage-based approach for smaller communities to reach compliance. We do not want to see Nahant be disqualified from future funding opportunities due to their inability to sustainably grow under these guidelines.

Thank you for taking the unique challenges of communities like Nahant under advisement as you work towards a final draft of these guidelines. We look forward to continued conversations about best implementation strategies for all of our MBTA-service communities.

Sincerely,



**Brendan P. Crighton**  
State Senator  
Third Essex District



**Peter L. Capano**  
State Representative  
Eleventh Essex District