

MBTA 3A Requirement and Proposed Compliance

NAHANT PLANNING BOARD

1. State Requirement

- a. **MBTA communities (such as Nahant because of its proximity to the Lynn Station) must have at least one zoning district by December 31, 2025 that meets the required size designated by the State.**
 - i. **Failure to comply results in loss of eligibility for certain funding and civil penalty that could be significant.**
 - ii. **Nahant cannot avoid this obligation by foregoing this funding or asking that bus service be stopped.**
- b. **The State determined Nahant needs to zone for 85 multi-family housing unit (5% of total housing units) on almost 6 acres (excluding roads, floodplains, government-owned land, etc.) or 15 units on each acre.**
- c. **Current multi-family units do not help Nahant meet this zoning requirement.**
- d. **Becoming adversarial with the State is a bad option given future funding needs in event requires additional help with risks to community – rising sea levels, anticipated infrastructure repair, and other costs demands.**

2. Planning Board Process

- a. **Retained a consultant, Nels Nelson- Community Scale, on a limited basis with limited costs (paid by DOHLC) to assist with compliance (Nels is experienced in drafting zoning by-laws and recommended by DOHLC)**
- b. **After Nels briefed the Planning Board (“PB”) on options for proceeding, the PB found Nels to be neutral in approach and highly competent. The PB reviewed various potential sites with certain key objectives in mind:**
 - i. **Multi-family feasibility**
 - ii. **Development costs**
 - iii. **Impact on culture and recreational opportunities in Nahant**
 - iv. **Fair consideration of all potential sites, regardless of area and demographics**
- c. **The State identified acreage it viewed as available for multifamily zoning on the map set out at Appendix 1.**
- d. **The 7 sites selected for evaluation by the PB are set out in Appendix 2.**
 - i. **Bass Point**
 - ii. **Nahant Country Club land**
 - iii. **Nahant Road to Ocean (Winter to Summer Streets)**
 - iv. **Range Road/Bayside**
 - v. **Willow/Cliff/Vernon Road Area**
 - vi. **Nahant Road Corridor from the Bank to Short Beach**
 - vii. **Nahant Road business district (Spring, Kennedy Court area)**

3. The PB's Determination

- a. The PB members rated each site on the 12 criteria identified in the top line of Appendix 3. Votes were taken on these criteria for each site and then totaled. However, the PB doubled the scores for 3 selection criteria:**
 - i. Feasibility for development of new units (cost of land, economics for new multifamily units)**
 - ii. Aesthetics and Compatibility with Neighborhoods**
 - iii. Impact on Open Space and Recreation**

4. An example of the PB's initial ratings for these 7 sites is set out in Appendix 3. The highest rated sites providing the best opportunity for multi-family development were:

- i. Bass Point – 45.5**
- ii. Nahant Road Corridor from the Bank to Short Beach – 45.5**
- iii. Range Road/Bayside – 40**

The lower rated sites were:

- iv. Nahant Country Club – 32**
 - v. Willow/Cliff/Vernon Road Area - 36**
 - vi. Nahant Road to Ocean (Winter to Summer Streets)**
- On the feasibility criteria – Bass Point and the Nahant Rd Corridor both scored a 10 with the next highest Range Rd/Bayside at a 7.**
 - On the aesthetics and compatibility criteria – Bass Point and the Nahant Country Club scored a 10 with the Nahant Rd Corridor to Short Beach scoring an 8.**

The PB also considered the Nahant Rd and Spring Rd business district but did not formally rate it because of flood risk and disruption to the few businesses offering value to Nahant residents (with new, more expensive leases likely eliminating valued business for Nahant residents)

5. An additional factor on which the PB placed considerable weight was limiting disruption to the community. Applying this factor as well as the other factors noted above, the PB believes that Bass Point was the most advantageous site in which to create an overlay district for multi-family housing in one area only. The rationale included:

- a. The site already contains multi-family units so compatibility was exceedingly high, and impact on aesthetics would be minimal.**
- b. The site had high feasibility for new units because of a prime location that could support new development and where land values (or need to acquire properties to allow for development) were favorable.**
- c. Adverse impacts on the culture and open space/recreational opportunities were minimized.**
- d. The multi-family designation could reduce the number of units on site from 128-85.**

- e. There would be little additional traffic or accessibility issues. However, should Castle Road be narrowed in the future (as proposed) but those issues would exist without the zoning overlay district change.

6. What Is the Impact of Multi-Family Overlay District Being Added in the Nahant Zoning By-Laws

- a. The Multi-Family Overlay District (“MOD”) is a zoning district superimposed over an underlying R-2 zoning district. It would allow multi-family development as of right to the current or future owner of the Site (proposed to be Bass Point) but requires 15 units per acre or 85 total units on the Site. At the same time, all current R-2 Nahant Zoning By-Laws would govern any such development, including height restrictions.
- b. Bass Point is currently zoned single family residential but the owner was permitted to create multi-family units per a Special Permit. Under the proposed article, the current or future owner would build multi-family units as a matter of right.
 - i. The owner could still build single family units or repair and rehab the existing 128 units even with the overlay district.
- c. If the owner sought to rebuild the complex, it could only build 85 housing units and 10% of the housing units constructed would need to be “affordable” housing units (see explanation immediately below). To build 128 units (the number of units currently on the site), 25% would have to be affordable.
 - i. Affordable units are those set at a price so that a person or household at meets the median income of Nahant residents could afford it. These units are not low-income housing units.
- d. The PB determined to include the affordability requirements would get Nahant 90% of the way to meeting requirements under Section 40b. If, in fact, the 128 units were rebuilt (with 25% of those in these units inhabited by those who are in the median economic demographics of Nahant), Nahant would be very close to safe harbor from a large scale development where Nahant would have no say as to size, height, location etc.
 - i. While achieving safe harbor from a large-scale development is very challenging for Nahant, the PB believes that its good faith effort to move significantly towards compliance will show Nahant is seeking to help the State achieve its overall increase in housing and affordability goals. It also helps the community with its problem of insufficient lower cost units while benefiting Nahant in its effort to obtain future State resources by working collaboratively with the State on its housing goals.

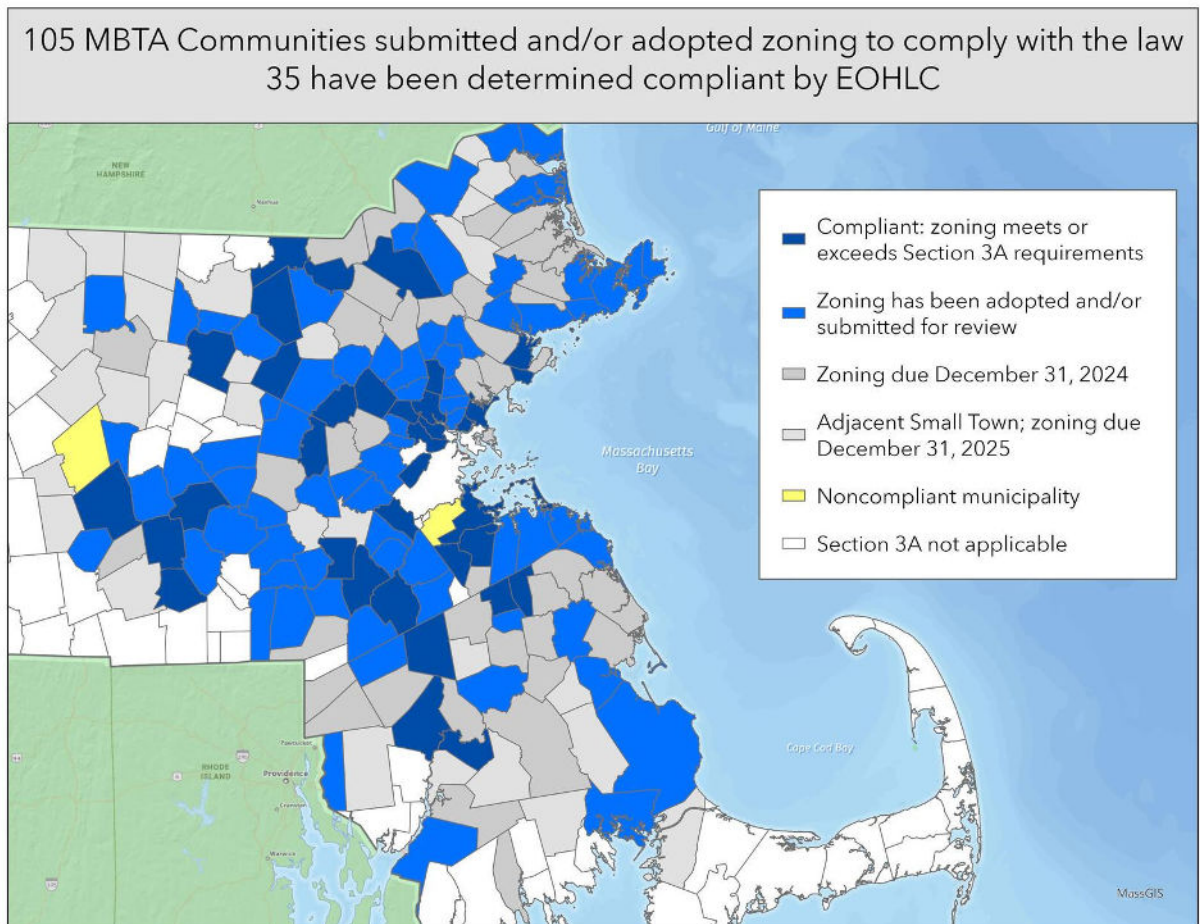
Appendix 1

MBTA COMMUNITIES MAP

The intention of the MBTA Communities law is to increase opportunities for new housing, which will lower costs for us all, and we commend cities and towns who are planning for the future needs of their residents.

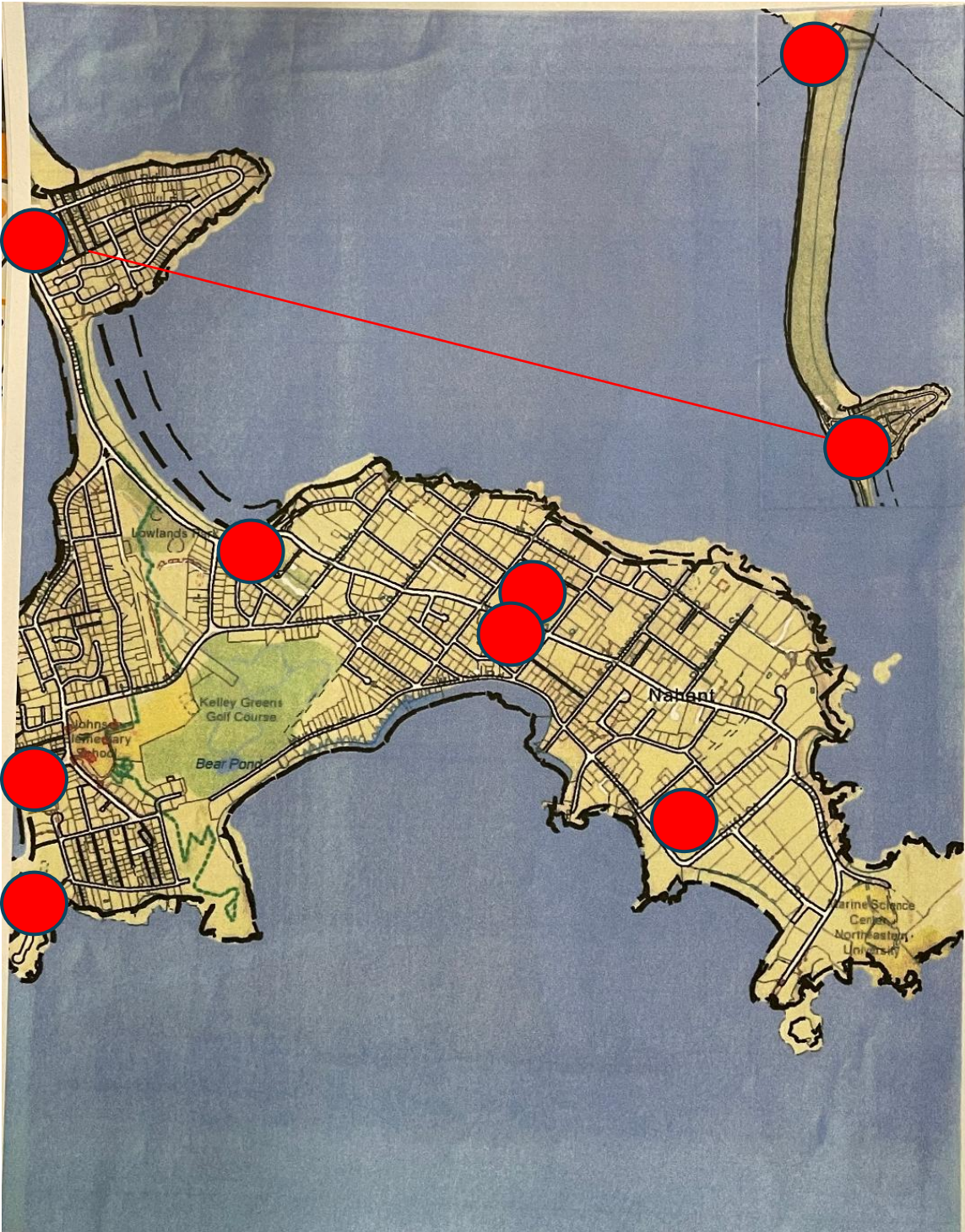
The law requires 177 communities to zone for multifamily housing. It does not require development. Compliant communities are now eligible to apply for the new [MBTA Communities Catalyst Fund](#), which provides financial support to communities for housing and infrastructure projects.

Map dated 11/24/2024



As of 9/15/25, Marblehead is now a Noncompliant Community and may not be able to receive relief by 12/31 25 unless another SPTM can be held timely.

SEVEN (7) SITES SELECTED BY PLANNING BOARD FOR EVALUATION



Appendix 3

PLANNING BOARD SITE SELCTION RATINGS TABLE

Sites	Area	Acreage	Feasibility New Units*	Net New Units for Area	Aesthetics, Compatibility *	Impact Open Sp/Rec*	Impact Traffic	Impact Infrastr	Transit Accessibility	Flood Risk, Climate	Equity	Town Acceptance	Total	Notes
Bass Point	A/ To houses; B/ Not Include Existing Apts; C/ Including Adjacent Houses		10.0	-	10.0	10.0	4.0	3.0	1.5	2.0	0.0	5.0	45.5	Good site; do not want to lose housing unit since existing apt more than 15 per acre, but leave to developer discretion? Parts of property may be in floodplain buffer (exclude?). One owner is plus if don't include adjacent housing. Don't want to lose
Nahant Country Club			2.0	-	10.0	2.0	4.0	3.0	5.0	5.0	0.0	1.0	32.0	Difficult to acquire as Nahant Pres Trust owns for purpose of maintaining in current usage; 12 apt in existing building and don't want to lose less expensive housing; valued open space and recreational area.
Nahant Rd - Winter/Summer Streets			3.0	-	6.0	10.0	4.0	3.0	5.0	5.0	0.0	1.0	37.0	Expensive area to acquire housing with among highest number of owners makes it less feasible.
Range Rd/Bayside	A/ Alt; B/ Exclude Knights; C/ Exclude Knights and House		7.0	-	7.0	10.0	4.0	3.0	4.0	3.0	0.0	2.0	40.0	Knight of Columbus valued event community center - perhaps allow mixed use in new development with event center included; acquiring housing difficult because of number of owners but are numerous multifamilies that might be replaced.
Cliff/Vernon Willow Roads	Area Along Cliff Extending East		6.0	-	4.0	10.0	3.0	3.0	2.0	5.0	0.0	3.0	36.0	Not a natural area for multi-family; acquiring land is expensive due to high end homes.
Nahant Rd - Bank to Short Beach	Exclude New House and		10.0	-	8.0	10.0	1.5	3.0	5.0	5.0	0.0	3.0	45.5	Good area for multifamily, There are 20 homes along this strip of land.
Notes on Criteria				Same all Site					Looked at if 1/4-1/2 mile from bus stop		Same all Site			

Appendix 4

MASSACHUSETTS HOUSING PARTNERSHIP – COMPLIANCE MODEL FOR EOHLC



Nahant-3A
MBTA_Compliance_Mc