

# NEWBURY FACT SHEET

## SECTION 3A "MBTA COMMUNITIES"

### MULTI-FAMILY OVERLAY DISTRICT

#### ANNUAL TOWN MEETING ARTICLE #14

### WHAT IS SECTION 3A?

Section 3A (MBTA Communities) is a new MA law requiring communities with an MBTA transit stop or bordering communities with an MBTA transit stop to adopt a **zoning** bylaw that allows multi-family housing by-right in at least one district of reasonable size.

This is **NOT** a construction mandate.

### WHY IS IT IMPORTANT?

- Massachusetts has among the highest, and fastest growing, home prices and rents of any state in the nation.
- There is an estimated shortage of 200,000 housing units in MA – this law would allow for construction of new housing to help close this gap and stabilize costs.

### WHAT IS REQUIRED FOR NEWBURY?

- Newbury must approve a district that allows for multi-family residential development "by-right" (without any special permits or waivers) before December 2025.
- Newbury is classified as an Adjacent Small Town, which requires an average density of 15 dwelling units per acre and enough land to theoretically accommodate 154 units.

### HOW CAN I FIND OUT MORE INFORMATION?



Ask questions and share comments at information sessions on April 13, 16, and 24.



Scan the QR code to learn more about Newbury's MBTA Communities requirements



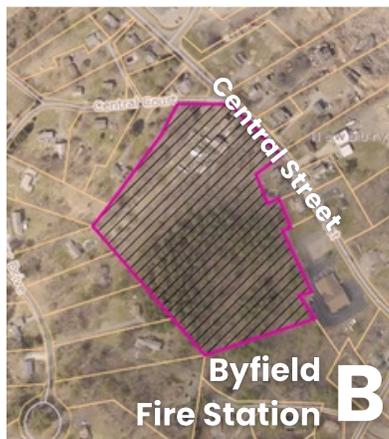
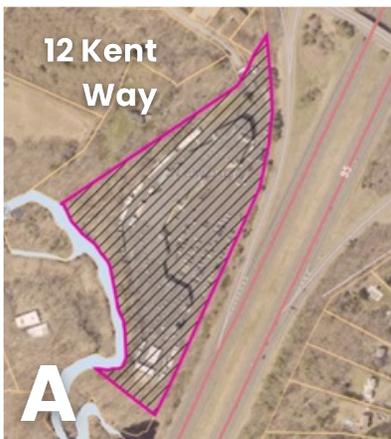
Attend the Newbury Annual Town Meeting to vote on Article #14.

# Proposed Districts

## NEWBURY NORTH



## NEWBURY SOUTH



## MBTA COMMUNITIES FREQUENTLY ASKED QUESTIONS

### Does Newbury need to build more housing to comply?

No. The state regulations only require the Town create a zoning district that could accommodate the unit capacity and density required. This is not a building mandate.

### Do each of the districts have the same regulations?

There are more restrictive requirements for the North B & South B districts:

- Max height of 2.5 stories
- Increased open space
- Increased setback requirements

### Why are there four proposed districts?

- Residents in Town are experiencing several housing challenges, including an aging population that may want to downsize.
- With more options for where development could go, the Town increases the chances of diversifying its housing stock and creating types of smaller housing units.

### What happens if Town Meeting decides to not adopt zoning?

- The Town would risk losing access to several state grant programs.
- The Attorney General has pursued legal action against non-compliant communities.

### Will the MBTA districts eliminate or replace existing zoning?

No. The proposed districts would be created as an “overlay” on top of the existing zoning. An overlay zone expands the types of potential development allowed in an area without replacing the existing zoning or allowed uses that are already in place.

### What about the marshland and wetland in town?

All the pertinent protections to environmentally sensitive areas—including the Wetlands Protection Act and Title 5 Septic Systems regulations—still apply to any development.