

WELCOME

## Section 3A Information Session

Staff are here to  
answer questions  
and hear your  
thoughts...



Please take a walk around and view the poster boards to learn about **SECTION 3A's as-of-right multi-family housing district requirement** and give us your thoughts.

# What is Section 3A?

Section 3A of the Zoning Act was enacted in 2021 and requires MBTA Communities to have as-of-right multi-family housing zoning districts in proximity to transit (1/2 mile).

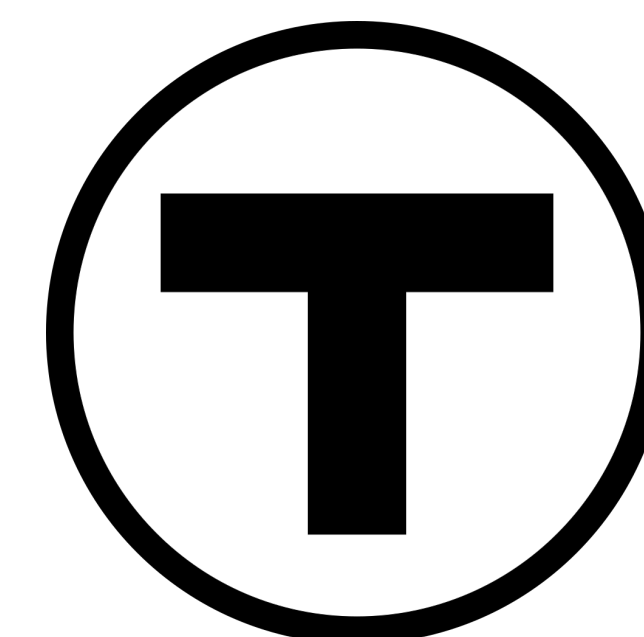
## Why?

The Massachusetts Executive Office of Housing and Livable Communities (HLC) states that the goal of the Section 3A requirement is to combat the State's housing crisis by allowing more housing near transit. HLC's website provides the following points:

- Massachusetts has among the highest, and fastest growing, home prices and rents of any state in the nation.
- Rising costs have dramatically increased financial pressures on low- and middle-income families, forcing them to sacrifice other priorities in order to pay housing costs. High housing costs are a primary driver of homelessness.
- These high costs are a disadvantage as we compete economically against peer states. The risk of future job growth moving outside Massachusetts is rising due to the high costs of living.

### Attorney General's Advisory Concerning Enforcement of the MBTA Communities Zoning Law

- MBTA Communities "shall have" a compliant zoning district – no opt out
- Civil enforcement action
- Liability under federal and state fair housing laws



**Fact:** Wilmington is one of the 177 MBTA Communities in Massachusetts, specifically a commuter rail community with two stations.

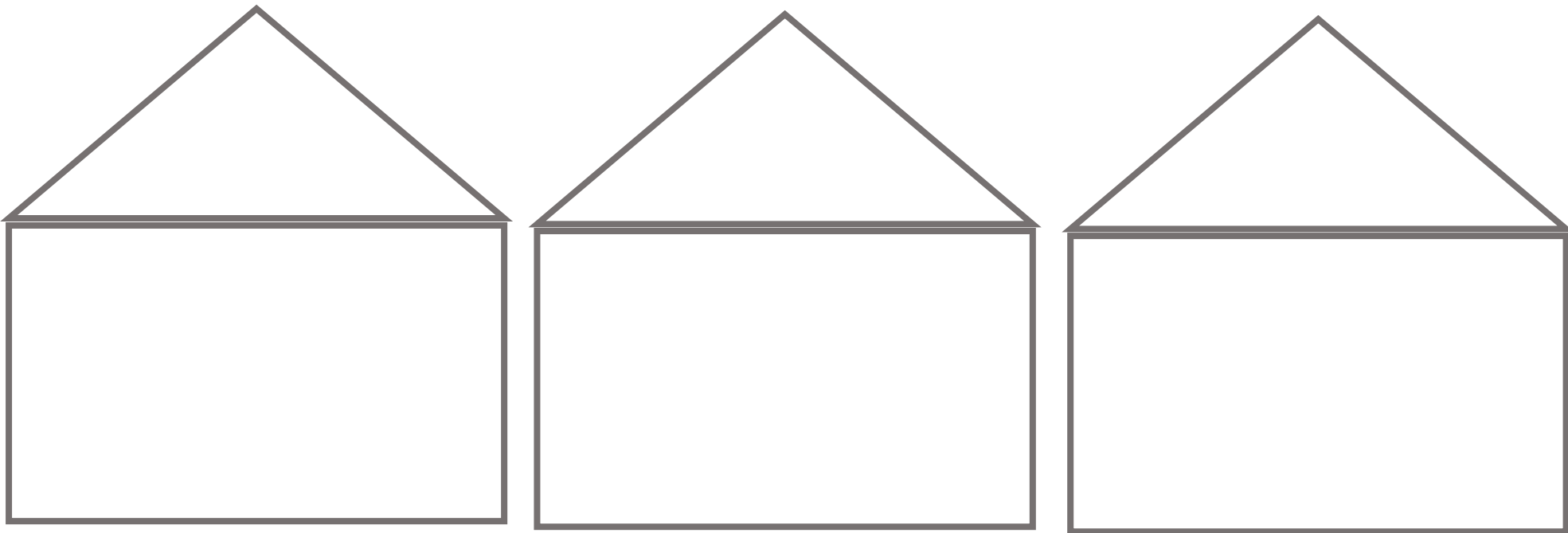


# Zoning

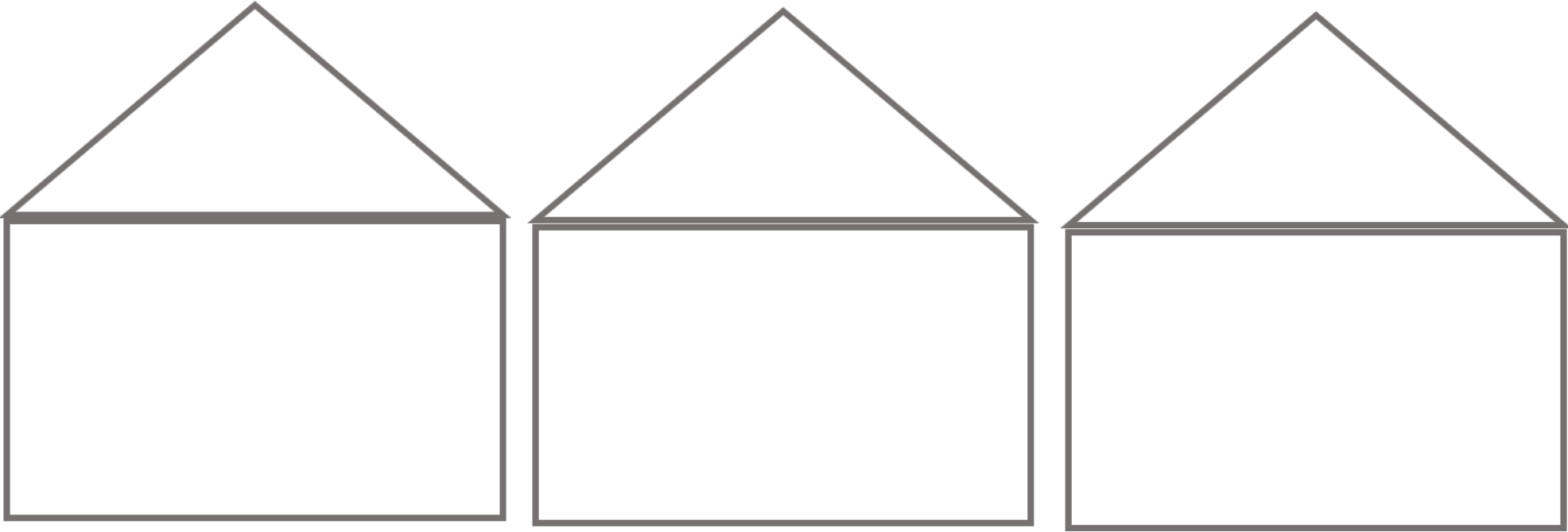
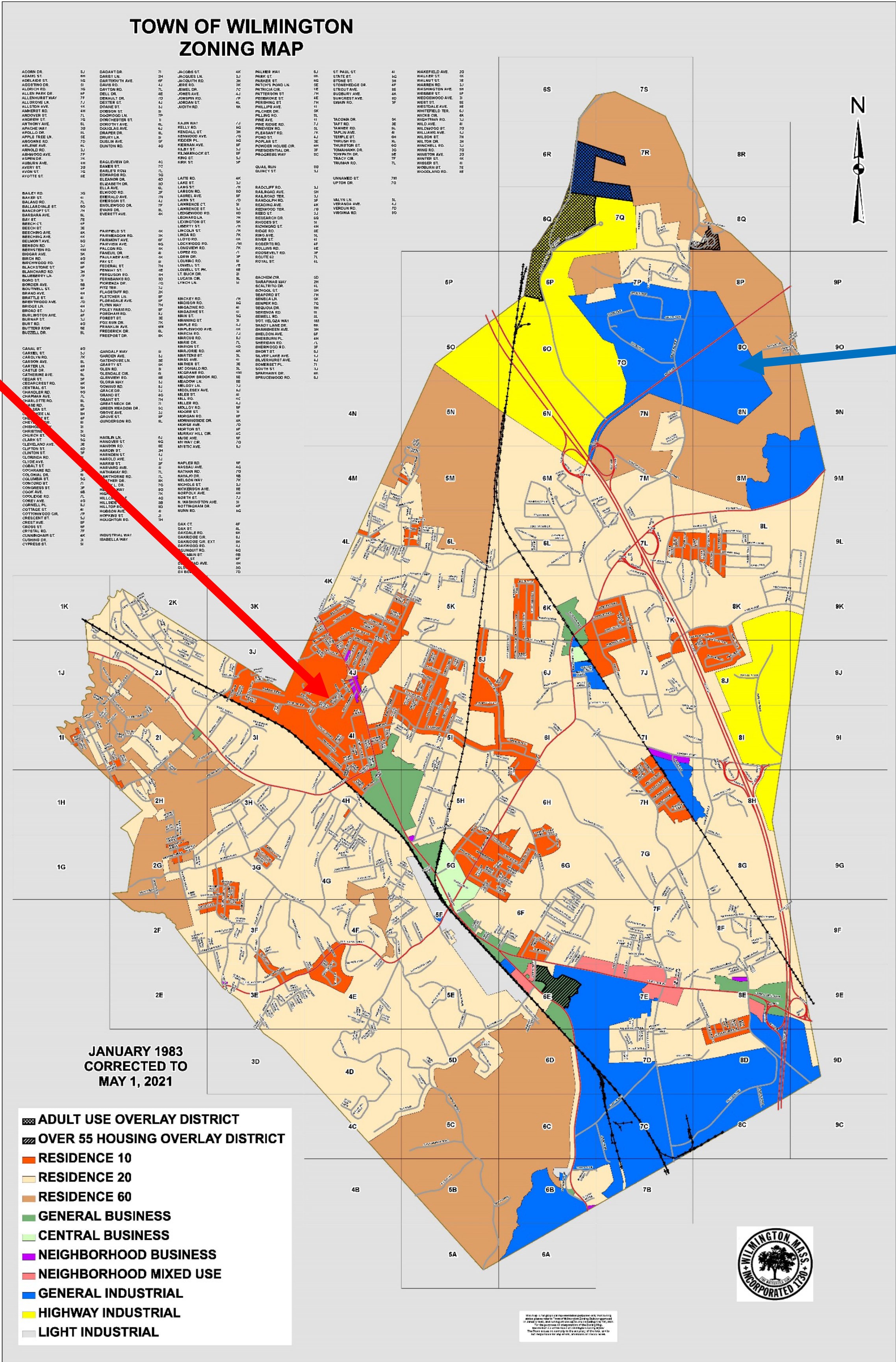
Zoning regulates which uses can occur in which areas (zoning districts) and how much development is allowed on a parcel. Zoning allows for future development on parcels.

Residence 10 District (Red)  
Single Family Homes Allowed  
Height Limit = 35' or 2 ½ stories  
Front Setback = 30'  
Side & Rear Setback = 15'

General Industrial (Blue)  
Industrial Uses Allowed  
Height Limit = 40' or 3 stories  
Front Setback = 50'  
Side & Rear Setback = 20'



**Fact:** Currently, multi-family housing use is not allowed as-of-right in Wilmington. The use requires a special permit through the Planning Board.



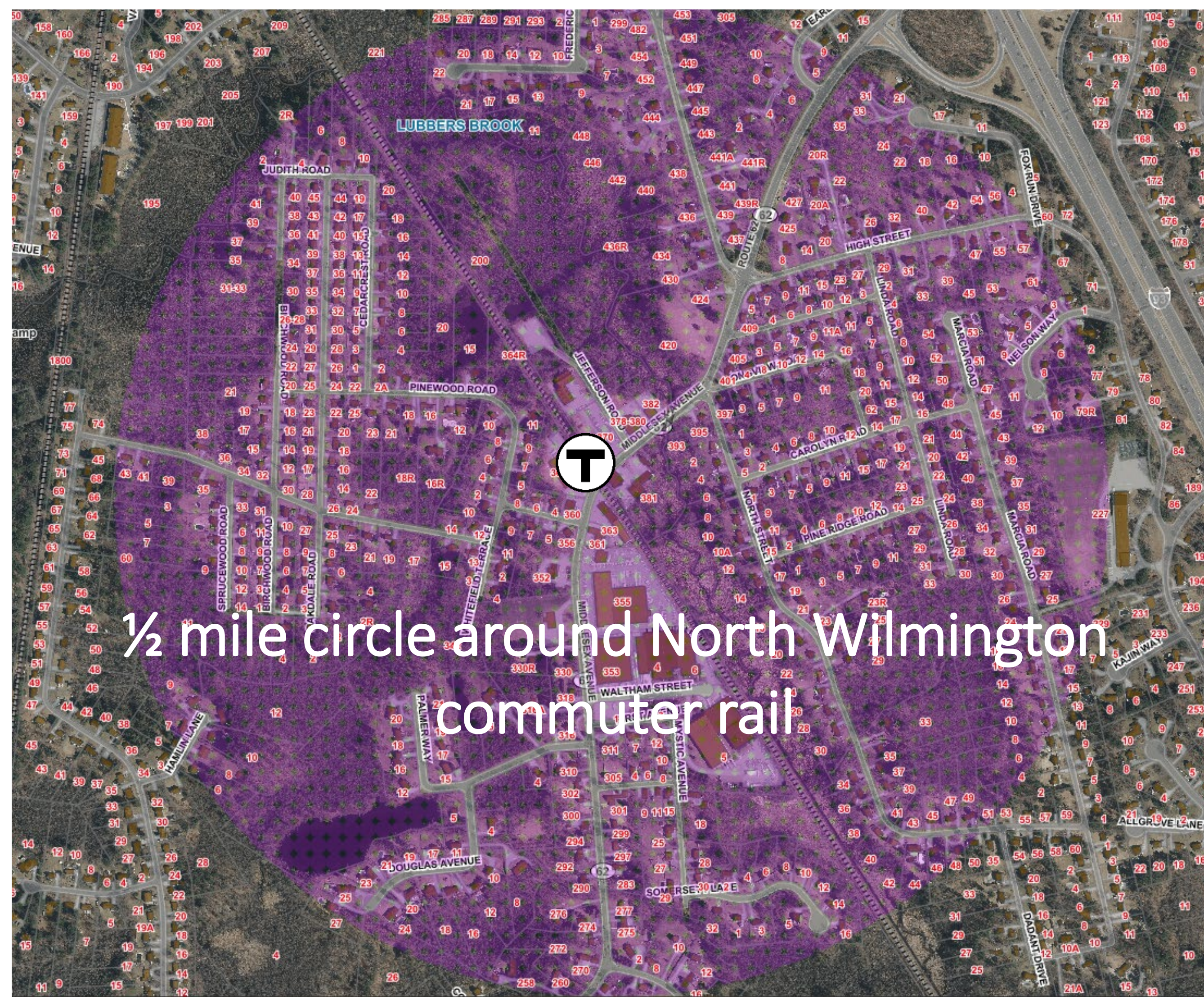
“As-of-right” or “by right” means development is allowed by zoning without the need for a special permit or other discretionary zoning approval.



# Wilmington's Requirements under Section 3A

Wilmington is required to have an as-of-right multi-family housing district in place by the end of 2024 with the following:

- Zoning District size of at least 50 acres with a minimum gross density of 15 units per acre.
- Zoning District with capacity for at least 1,248 units. 50% of unit capacity must be within ½ mile of MBTA station.

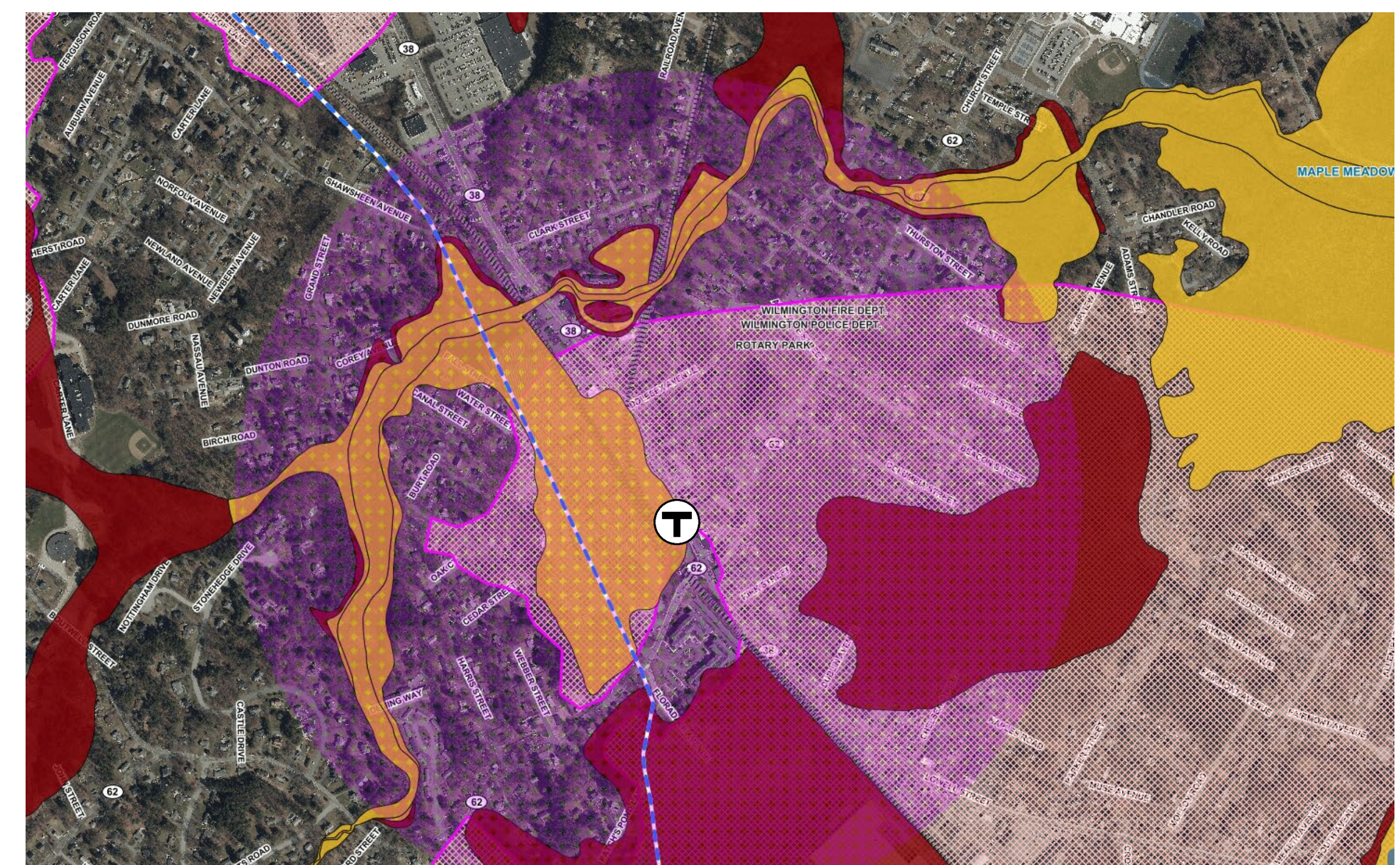


**Fact:** A 50-acre district encompasses more land area than the Market Basket Plaza and Savers Plaza (Wilmington Crossing) combined. See image to left showing a 50- acre area.



# Methodology for Selecting the Location(s) for the Zoning District

- At least half of the district and unit capacity needs to be sited **within a half (1/2) mile of a Commuter Rail Station**. This requirement ensures that the majority of the zoning will be considered transit oriented, providing commuting options and potentially requiring less parking.
- Focusing on existing commercial and multi-family areas, and **avoiding single-family residential areas** will help ensure that any new development won't be out of place.
- Another consideration for location is that to be compliant, multi-family use must be as-of-right, with no special permit required. The **Groundwater Protection District (GWPD)**, which is an overlay district in a substantial portion of the Town (shown as pink hatching on map), requires a special permit for impervious area over 15%, which would include most commercial or multi-family development. The GWPD is present within some of the ½ mile area surrounding the commuter rail stations and should be avoided when siting the new district.





# Possible District Locations

The locations shown provide opportunities where compliant zoning districts could be located. Please note that none of the locations shown would be large enough on their own to fulfil the requirements.

Quick Zooms

Find Properties

Owner:

Parcel ID:

Address:

Outfall Search:

Results Summary

Parcels for Identify

CAMA ID	Address	Owner	Book/Page
43/ / 4/ /	271 MAIN ST	PATTI C & MO	DOC16/5636
43/ / 4/ /	273 MAIN ST	WESS RETAIL	DOC4/280491
43/ / 4/ /	277 MAIN ST	AUBUCKON RI	DOC4/282497
43/ / 3/ /	279 MAIN ST	CRETE, LLC	18833/0073
43/ / 3/ /	281 MAIN ST	S & C REALTY	23899/0188
43/ / 3/ /	285 MAIN ST	STOBAN REGI	14766/ 287
43/ / 3/ /	287 MAIN ST	41 BOSTONIA	28916/ 133
42/ / 22/ /	299 MAIN ST	299 MAIN STP	30986/ 57
42/ / 22/ /	321 MAIN ST	SHS FAMILY L	14526/0234
42/ / 22/ /	323 MAIN ST	SIANNAS ATH	03907/0022
42/ / 22/ /	327 MAIN ST	ELIPOULOSI	04925/0132
42/ / 24/ /	335 MAIN ST	315 MAIN ST	20170/0065
42/ / 22/ /	375 MAIN ST	MASS BAY TR	
42/ / 22/ /	433 MAIN ST	PARTEL MANA	31258/ 98

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Main Street

Map

Main Street north of the commuter rail station within ½ mile of the station has existing commercial uses and is not within the GWPD or Floodplain District. The area includes from 327 Main Street (Sunrise Market) to 271 Main Street (Hyundai Dealership).

Quick Zooms

Find Properties

Owner:

Parcel ID:

Address:

Outfall Search:

Results Summary

Parcels for Identify

CAMA ID	Address	Owner	Book/Page
71/ / 3/ /	100 WEST ST	SF LAND DEVI	32754/ 215
71/ / 3/ /	104 WEST ST	SF LAND DEVI	32754/ 215
71/ / 4/ /	108 WEST ST	MILLER, JEFFR	04624/0252
71/ / 7/ /	114 WEST ST	BURLINGTON	27342/0137
71/ / 30/ /	128A WEST S	GRACE CHAPE	24544/0084
71/ / 8/ /	124 WEST ST	FIORENZA ALI	03325/0150
71/ / 8/ /	124A WEST S	COMMONWEA	04469/0017

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West Street

Map

West Street – A district could include an area on the east side of West Street, that borders I-93 including the parcels slated for multi-family development as the 100 West Street 40B development south to 128A West Street. This area is not within the GWPD. The area is not located within ½ mile of a commuter rail station, but half of the district is allowed to be outside the 1/2 mile.

Quick Zooms

Find Properties

Owner:

Parcel ID:

Address:

Outfall Search:

Results Summary

Parcels for Identify

CAMA ID	Address	Owner	Book/Page
89/ / 8/ /	200 JEFFERSON	ELIA MARGUE	06400/0034
89/ / 8/ /	JEFFERSON RI	ELIA MARGUE	30304/ 207
89/ / 10/ /	JEFFERSON RI	ELIA MARGUE	30294/ 203
89/ / 13/ /	382 MIDDLESEX	ELIA MARGUE	09791/0147
89/ / 13/ /	378-380 MIDDLE	ELIA MARGUE	09791/0147

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Jefferson Road

Map

Jefferson Road – The parcels slated for multi-family development as the Princeton Properties 40B development along Jefferson Avenue meet the criteria of proximity to the commuter rail, existing commercial/multi-family use, and avoid the GWPD.

Quick Zooms

Find Properties

Owner:

Parcel ID:

Address:

Outfall Search:

Results Summary

Parcels for Identify

CAMA ID	Address	Owner	Book/Page
48/ / 73/ /	175 LOWELL S	WILMINGTON	37155/ 255

Find

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175 Lowell

Map

175 Lowell Street, the warehouse under construction at the old Textron property, could be an area for the zoning district. A portion of the property is not within the GWPD. The area is not located within ½ mile of a commuter rail station, but half of the district is allowed to be outside the 1/2 mile.



# Possible Zoning Parameters

A new district will need to lay out the parameters for development, including setbacks, open space requirements, height, and parking requirements. How these zoning parameters are set will determine how many units the district can theoretically support (the unit capacity).

For instance, if the open space and parking requirement are set high, there will be less space on the parcel for the building, decreasing the unit capacity on the parcel and within the overall district.

**Height** – A limit of 3-stories and 35 feet is standard in commercial areas. Should this height limit remain, or should taller buildings be allowed to maximize the number of units on a parcel?

3 Stories/35 feet      4 Story/45 feet

**Open Space** – A requirement of 20% open space on a parcel is currently required in commercial areas. Should the 20% requirement remain or should less or more open space be required?

Less      20%      More

**Setbacks**– Required front, side and rear setbacks are currently 20 feet in commercial areas. Should these setbacks be reduced to maximize units on each parcel and reduce the size of the district?

20’  
Reduce to 15’  
Reduce to 10’

**Parking** – Parking requirements are currently 1.5 spaces per unit near transit and 2 spaces per unit elsewhere for multi-family use. Should the new district utilize the same requirement?



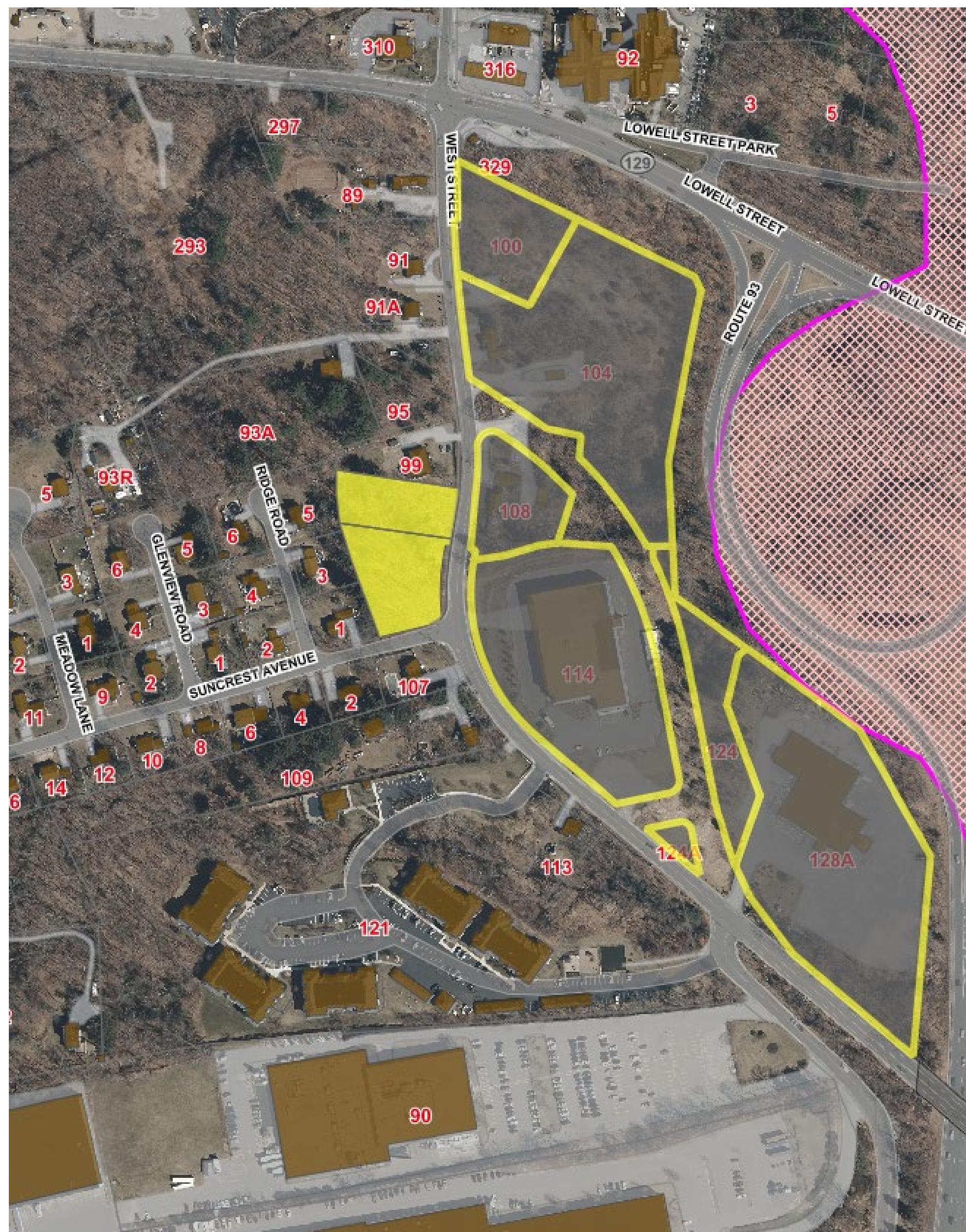
# Example of Compliant District

The combination of the locations shown with the zoning parameters indicated produce a compliant zoning district using HLC's compliance model spreadsheet.

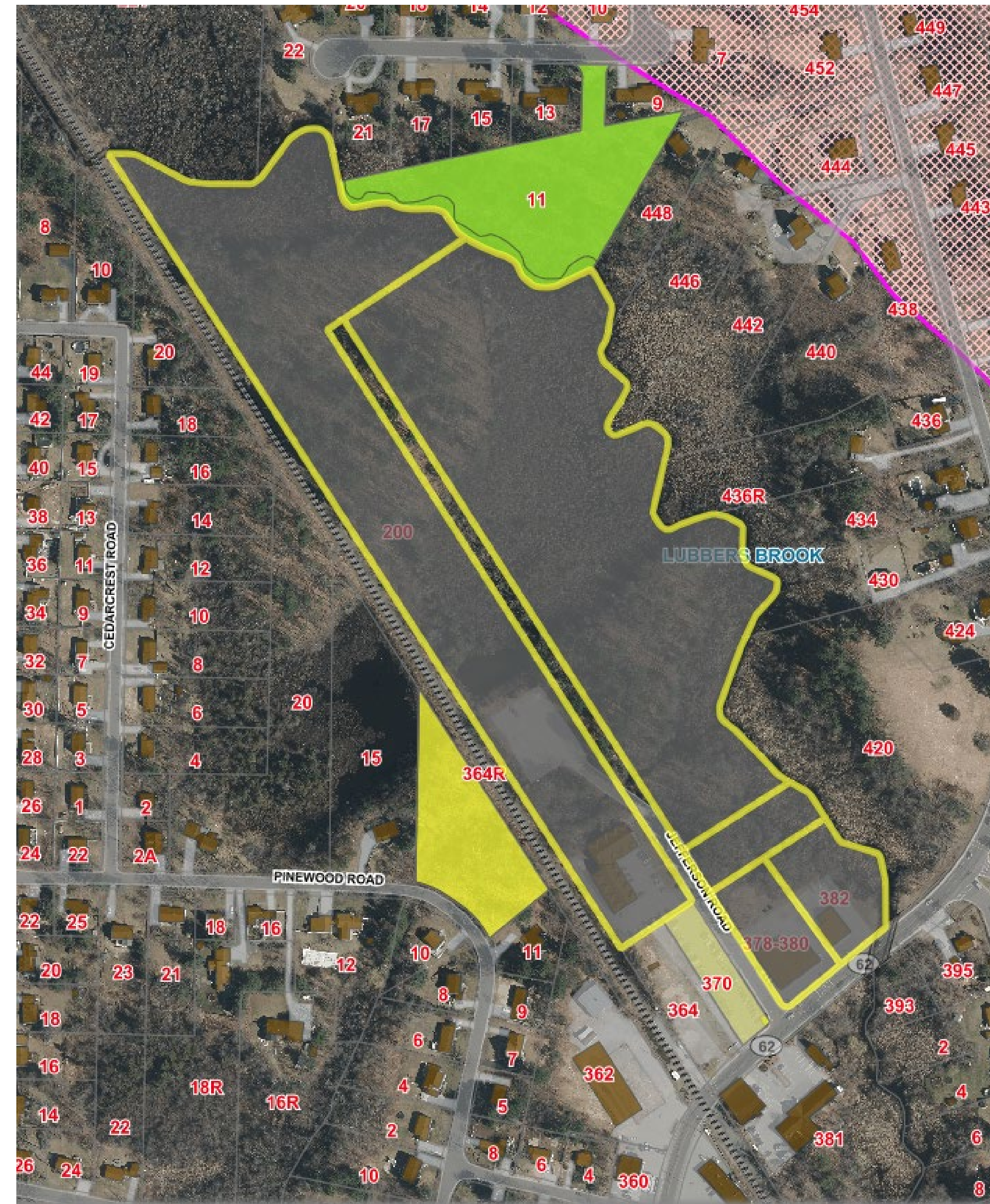
## Zoning Parameters

- Height = 3 Stories
- Open Space = 20%
- Parking = 2 spaces per unit, 1.5 spaces on Main St
- Setbacks: Front = 20', Side = 10', Rear = 15'

# West Street



# Jefferson Road



# Main Street





# Timeline for Compliance

A compliant zoning district must be in place by December 31, 2024. A timeline for the process is outlined below:

- July – August 2023: Public Outreach through social media, information sessions, and an online survey.
- September – October 2023: Meetings with Select Board and Planning Board.
- Fall 2023: Draft zoning district, test for compliance, legal review.
- February 2024: Submit zoning for 2024 Annual Town Meeting.
- Winter – Spring 2024: Public Outreach.
- May 2024: Town Meeting.

Following a successful Town Meeting Vote (Majority) the zoning district will be submitted to HLC to confirm compliance.

The deadline to submit for compliance is December 31, 2024.

Watch for an online community survey in August. Your input is vital to this effort.