Innes Associates Ltd
40R Merrimac Street, Suite 201 W
Newburyport, MA 01950

MEMORANDUM

To	Maria De La Fuente, Director of Land Use and Planning, Town of Medfield
From	Emily Keys Innes, AICP, LEED AP ND, President
Date	March 10, 2024 – Revised 3/11 post-meeting Revised 3/20 to incorporate comments
Project	23116 – Medfield: Zoning for MBTA Communities
Subject	Draft Zoning
Cc:	Jimmy Rocha, Spatial Analyst/Data Scientist, Innes Associates Eric Halvorsen, AICP, RKG Associates

This memorandum provides the draft zoning text for a multifamily district compliant with Section 3A. Outstanding issues have been identified using comments.

The base zoning is the sample Zoning form EOHLC, modified with some of the existing sections in the Town of Medfield's Bylaws. The format should be consistent with the existing Zoning Bylaws, barring minor inconsistencies which will be fixed in the final draft.

To amend the General Code of Medfield, Chapter 300: Zoning, as follows:

AMEND §300-2.1. Word usage, terms defined by adding the following text to the existing list of definitions, in the appropriate alphabetical order:

1. APPLICANT – A person, business, or organization that applies for a building permit, Site Plan Review, Special Permit, variance, or an appeal to the Building Commissioner's determination.
2. AS OF RIGHT – Development that may proceed under the Zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, other discretionary zoning approval, but may be subject to Site Plan Review, if applicable.
3. BUILDING COVERAGE – The maximum area of the lot that can be attributed to the footprint of the buildings (principal and accessory) on that lot. Building Coverage does not include surface parking.
4. OPEN SPACE – Contiguous undeveloped land within a parcel boundary.
5. PARKING, STRUCTURED – A structure in which vehicle parking is accommodated on multiple stories; a vehicle parking area that is underneath all or part of any story of a structure; or a vehicle parking area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.
6. PARKING, SURFACE – One or more parking spaces without a built structure above the space. A solar panel designed to be installed above a surface parking space does not count as a built structure for the purposes of this definition.

AMEND §300-3.1.B. by adding the following text:

Full Name	Abbreviation
MBTA Communities Multifamily Overlay District	**MCMOD**

Add a new Article 21: MBTA Communities Multi-family Overlay District, as follows:

§300-21.1. Purposes.

The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi- family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:

A. Encourage the production of a variety of housing sizes and types to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
B. Support a vibrant, walkable town center by encouraging an appropriate mix and intensity of uses to support an active public space that provides equal access to housing, jobs, gathering spaces, recreational opportunities, goods, and services.
C. Locate housing within walking distance of downtown to promote public health, reduce the number of vehicular miles traveled, support economic development, and meet community-based environmental goals, including reducing greenhouse gases and improving air quality.
D. Preserve open space in a community by locating new housing within or adjacent to existing developed areas and infrastructure.
E. Support public investment in public transit and pedestrian- and bike-friendly infrastructure.
F. Increase the municipal tax base through private investment in new residential developments.

§300-21.2. Establishment and Applicability.

This MCMOD is an overlay district having a land area of approximately 51.4 acres in size that is superimposed over the underlying zoning district (s) and is shown on the Zoning Map, Medfield Massachusetts, dated January 30, 2002, as amended

A. **Applicability of MCMOD.** An applicant may develop multi-family housing located within a MCMOD in accordance with the provisions of this Article 21.

B. **Underlying Zoning.** The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right in the MCMOD, which shall be governed by the terms of this Article 21.

C. **Sub-districts.** The MCMOD contains the following three sub-districts, all of which are shown on the MCMOD Boundary Map

(1) The Parc

(2) Downtown Core

(3) Maple and Pleasant Area

§300-21.3. Definitions.

AFFORDABLE HOUSING UNIT – A multi-family housing unit that is subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.

AFFORDABLE HOUSING – Housing that contains Affordable Units as defined by this Article 21.

AREA MEDIAN INCOME (AMI) – The median family income for the metropolitan statistical region that includes the Town] of Medfield as defined by the U.S. Department of Housing and Urban Development (HUD).

COMPLIANCE GUIDELINES – *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act,* written by the Massachusetts Executive Office of Housing and Livable Communities, dated August 10, 2022 and as revised on August 17, 2023, and as amended.

DEVELOPMENT STANDARDS – Provisions of §300-21.7. General Development Standards made applicable to projects within the MCMOD.

EOHLC – The Massachusetts Executive Office of Housing and Livable Communities.

LOT – An area of land with definite boundaries that is used or available for use as the site of a building or buildings.

MULTI-FAMILY HOUSING – A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.

OPEN SPACE, SHARED – Space within a Multi-Family Housing development that is available to all residents. Space may be used for active and passive recreation, as gathering areas, or for social activities.

RESIDENTIAL DWELLING UNIT – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking. and sanitation.

SECTION 3A – Section 3A of the Zoning Act, M.G.L. Ch. 40A.

SITE PLAN REVIEW AUTHORITY – The Medfield Planning Board is the Site Plan Review Authority.

SUB-DISTRICT – An area within the MCMOD that is geographically smaller than the MCMOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

SUBSIDIZED HOUSING INVENTORY (SHI) – A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate- income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

§300-21.4. Permitted Uses.

A. **Uses Permitted As of Right.** The following uses are permitted as of right within the MCMOD.

(1) Multi-family housing.

B. **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in **§300-21.4.A**.

(1) Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

§300-21.5. Dimensional Standards.

A. **Table of Area Regulations.** Notwithstanding anything to the contrary in this Zoning, the area regulations applicable in the MCMOD are as follows:

Standard	The PARC	Downtown Core	Maple and Pleasant St Area
Area (square feet)	40,000	10,000	30,000
Frontage (feet)	200	See §300-6.2R.	200
Yards (feet)			
Front	25	See §300-6.2S.	20
Side	25	See §300-6.2Q.	12
Rear	25	See §300-6.2Q.	30
Open Space %	35	10	65

B. **Table of Height and Bulk Regulations:** Notwithstanding anything to the contrary in this Zoning, the height and bulk regulations applicable in the MCMOD are as follows:

Standard	The PARC	Downtown Core	Maple and Pleasant St Area
Maximum Height (feet)	35	35	35
Permitted height (stories)	3	3	2.5
Maximum Floor Area Ratio, including Accessory Buildings	0.50	0.75	0.35
Maximum Lot Coverage (%)	65	90	35

C. **Multi-Building Lots.** In the MCMOD, lots may have more than one principal building.

D. **Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.

E. **Exceptions: Renewable Energy Installations.** The Site Plan Review Authority may waive the height and setbacks in Article 21.5. Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

§300-21.6. Off-Street Parking.

These parking requirements are applicable to development in the MCMOD.

A. **Number of parking spaces.** The following **minimum** numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	1.0 per unit

B. **Number of bicycle parking spaces.** The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	1.0 per unit

C. **Bicycle storage.** For a multi-family development of 25 units or more, covered bicycle parking spaces shall be integrated into the structure of the building(s) for no less than 25% of the required parking.

§300-21.7. General Development Standards.

A. Development standards in the MCMOD are applicable to all multi-family developments. These standards are components of the Site Plan Review process in §300-21.9. Site Plan Review. The provisions of §300-14.12(C) are replaced by the standards in this §300-21.7 in the MCMOD.

B. Existing Development Standards. The requirements of the following sections of the Town of Medfield Zoning Bylaw, unless superseded by this Article 21, shall be considered by the Planning Board as part of the Site Plan Review Process. In no case shall a separate Special Permit be required by any body of the Town for multi-family use under this Article 21.

(1) §300-8.2. General Parking and Loading Requirements.

(2) §300-8.3. Parking and Loading Space Standards.

(3) §300-8.4 Downtown Parking District is not applicable for projects within the Downtown Core Subdistrict.

(4) Article 10 Floodplain District for applicable parcels.

(5) Article 11 Watershed Protection District for applicable parcels.

(6) Article 12 Rules and Regulations Governing Earth Removal Uses for applicable parcels.

(7) Article 16 Aquifer Protection district for applicable parcels.

(8) §300-5.6 Historic Properties. This article does not apply to development projects within the MCMOD. The Planning Board may request an advisory review of a development project that includes a Historic Property as defined by §300-5.6 as part of its Site Plan Review process defined in §300-21.9.

C. **Design Guidelines.** The Planning Board may address the scale and proportions of buildings, the alignment, width, and grade of streets and sidewalks, the type and location of infrastructure, the location of building and garage entrances, off street parking, the protection of significant natural site features, the location and design of on-site open spaces, exterior signs, and buffering in relation to adjacent properties. Materials and finishes used for construction shall be consistent with materials present in the area.

(1) The residential buildings shall be sited and oriented in a complementary relationship to: each other, Shared Outdoor Space or Open Space, and the adjacent properties.

(2) The design of new infill buildings is encouraged to incorporate components that are similar to the existing rooflines, materials, and architectural details used by the existing residential buildings in the same subdistrict.

(3) Negative visual impacts of the development, such as dumpsters, parking spaces or structures, and mechanics, shall be screened from adjacent properties and nearby streets by landscaping or other site planning techniques.

(4) The Planning Board, in its discretion, may require additional screened buffer zones for the privacy of directly abutting properties to the side and rear. Screening may include use of existing trees and plants, new vegetation, fencing, or a combination of these options. Such screening may address changes in topography between properties or other site conditions that would otherwise exacerbate light glare or overspill, lack of privacy, noise, or similar negative impacts.

(5) In the Downtown Core and the Maple and Pleasant Street area, the façades of principal buildings shall be visible from the principal street.

a. Where appropriate to the architectural style of the building, the inclusions of porches, stoops, bay windows, and other similar appurtenances is strongly encouraged to reinforce an active visual and physical connection between the ground floor of the

building(s) and the street.

b. Such appurtenances may encroach into the front yard setback, but shall be no closer than 5 feet from the front lot line.

D. Site Design.

(1) **Connections.** Sidewalks shall provide a direct connection among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.

(2) **Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged.

(3) **Plantings.** Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, shall be prohibited. Street trees added or replaced by the development shall use the list of street trees from §310-5.2(A)(11).

(4) **Lighting.** Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide illumination necessary for safety and convenience while preventing glare and overspill onto adjoining properties and reducing the amount of skyglow.

(5) **Mechanicals.** Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.

(6) **Dumpsters.** Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.

(7) **Stormwater management.** Strategies that demonstrate compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Town of Medfield's MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal stormwater system, and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements.

(8) **Snow Storage.** Appropriate provisions shall be made for snow removal or on-site storage.

E. Buildings: General.

(1) **Orientation relative to principal street.** A primary building shall have its

principal façade and entrance facing the principal street with no other building between it and the lot line. There may be more than one primary building per lot. Parking shall not be allowed between the principal façade of the primary building and the front lot line. See also Section G.7. Buildings: Corner Lots.

(2) **Entries.** Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.

F. Buildings: Multiple buildings on a lot.

(1) Parking and circulation on the site shall be organized to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.

(2) A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.

(3) The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.

(4) The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.

G. **[delete]**

H. **[deleted]**

I. **Buildings: Corner Lots.** A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.

(1) Such entries shall be connected by a paved surface to the public sidewalk, if applicable.

(2) All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.

(3) Fire exits serving more than one story shall not be located on either of the street-facing façades.

J. **Buildings on Infill Lots.** If the adjacent buildings are set back at a distance that exceeds the minimum front yard requirements, infill buildings shall meet the requirements of **§300-21.5. Dimensional Standards**. Otherwise, infill buildings may match the setback line of either adjacent building, or an average of the setback of the two buildings to provide consistency along the street.

K. **Buildings: Principal Façade and Parking.** Parking shall be subordinate in design and location to the principal building façade.

L. **Surface parking.** Surface parking shall be located to the rear or side of the

principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.

M. **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.

N. **Parking structures.** Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings shall be subordinate in design and placement to the multi-family building(s) on the lot.

O. **Waivers.** Upon the request of the Applicant and subject to compliance with the Compliance Guidelines, the Site Plan Review Authority may waive any of the requirements of this **§300-21(7). General Development Standards**, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD.

§300-21.8. Affordability Requirements.

A. **Purpose**.

(1) Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;

(2) Provide for a full range of housing choices for households of all incomes, ages, and sizes;

(3) Increase the production of affordable housing units to meet existing and anticipated housing needs; and

(4) Work to overcome economic segregation allowing the Town of Medfield to be a community of opportunity in which low and moderate-income households have the opportunity to advance economically.

B. **Applicability.** This requirement is applicable to projects of ten (10) or more dwelling units involving the new construction, substantial rehabilitation, expansion, reconstruction, or residential conversion. No project may be divided or phased to avoid the requirements of this section. The existing §300.14-16 Inclusionary Zoning does not apply to development projects within the MCMOD.

C. Affordability requirements.

(1) **Subsidized Housing Inventory.** All Affordable Housing Units created must be eligible for listing on EOHLC's Subsidized Housing Inventory.

(2) **Provision of Affordable Housing**. In Applicable Projects, not fewer than ten percent (10%) of housing units constructed shall be Affordable Housing Units.

For purposes of calculating the number of units of Affordable Housing required within a development project, a fractional unit shall be rounded down to the next whole number. The Affordable Housing Units shall be eligible for inclusion in the SHI.

D. **Development Standards.** Affordable Units shall be:

(1) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;

(2) Dispersed throughout the development;

(3) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;

(4) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;

(5) Distributed proportionately among unit sizes; and

(6) Distributed proportionately across each phase of a phased development.

(7) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

E. Administration.

(1) The Zoning Enforcement Officer shall be responsible for administering and enforcing the requirements in this section.

§300-21.9. Site Plan Review.

A. **Applicability.** Site Plan Review is required for all MCMOD projects. An application for Site Plan Review shall be reviewed by the Site Plan Review Authority for consistency with the purpose and intent of §300-14.12 and §300-21.4.

B. **Submission Requirements.** As part of any application for Site Plan Review for a project within the MCMOD submitted under §300-21, the Applicant must submit all required documents listed for Site Plan Approval on the Medfield Planning Board Rules and Regulations, and pay all application fees specified therein.

C. **Site Plan Approval.** Site Plan approval for uses listed in §300-21.4. Permitted Uses shall be granted upon determination by the Site Plan Review Authority that the following conditions have been satisfied. The Site Plan Review Authority may impose reasonable conditions, at the expense of the applicant, to ensure that

these conditions have been satisfied.

(1) the Applicant has submitted the required fees and information as set forth in Municipality's requirements for a Building Permit and Site Plan Review; and

(2) the project as described in the application meets the development standards set forth in §300-21.7. General Development Standards.

D. **Timeline.** The timeline for the process shall be as stated in §300-14.12.B.

E. **Project Phasing.** An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of §300-21.8. Affordability Requirements.

§300-21.10. Severability.

If any provision of this Article 21 is found to be invalid by a court of competent jurisdiction, the remainder of Article 21 shall not be affected but shall remain in full force. The invalidity of any provision of this Article 21 shall not affect the validity of the remainder of the Town of Medfield's Zoning Bylaws.