

Minutes – Meeting 5 of the Kingston MBTA Zoning Implementation Task Force

Approved 02/26/2024

Members:

Tyler Bouchard (Selectmen)
David Gavigan (Planning Board)
Buz Artiano (Conservation Commission)
Bud Loring (Water Commission)
Bill Watson (Sewer Commission)

Meeting date: January 22, 2024 at 5:00 PM Room 101 at the Town House, 26 Evergreen Street, Kingston, Massachusetts. There being technical issues, Zoom could not be hosted (server down).

Members present: David Gavigan, Buz Artiano, Bud Loring (absent: Tyler Bouchard, Bill Watson)

Others in attendance: Valerie Massard, Town Planner; Robb D'Ambruoso, attorney, representing Second Horizon Capital (new owners of Kingston Collection, f/k/a Independence Mall); Christa McGaha, Urban Planner, of VHB consulting firm [funded by Mass Housing Partnership (MHP) Technical Assistance (TA) Grant to Kingston to assist with MBTA Zoning implementation].

The meeting was called to order at 5:15 PM by David Gavigan, Vice Chair.

The first item on the agenda was a PowerPoint Presentation on MBTA Zoning and the preliminary first run at an MBTA Overlay District in the vicinity of the mall, presented by VHB.

Discussion: Members asked questions and had discussion, questions responded to by VHB and Ms. Massard:

- The zoning is for fall town meeting, with 51% simple majority allowed if the Selectmen choose to set that limit through the MBTA Zoning and related statutes, rather than the 70% for other types of zoning changes;
- About a dozen towns/cities adopted MBTA zoning in 2023 with residents in Milton objecting and a second vote is being called there; Kingston is a Commuter Rail Community and must adopt in 2024 as other similar communities must also do – there has been a learning curve and some adaptations have been made by HLC (Housing Choice and Livable Communities) so far, we expect more as this next group of communities go through the process at 2023 spring town meeting;
- Fall Town Meeting must adopt or face penalties, lose grant eligibility or more from the State;
- The density must be by right resulting in a net density of 15 units/acre based on the state's compliance model, bedroom count may not be limited – the density and units do not have to be constructed to comply with the legislation, just the zoning in place; Buz Artiano expressed his belief that the next requirement will be that the state will require the units to be built; Ms. Massard discussed the limitations of infrastructure on the South Shore with existing development proposals in obtaining adequate water infrastructure – which may pose a very expensive problem for the state to solve if they were to make that move in the future, mentioning current pressures in Weymouth for the former military base and possible extension of a pipe from the MWRA and the limited capacity of towns without WWTPs or WWTP capacity;
- This first draft of an overlay district is larger than it needs to be – the mall representatives were asked to consider a reduction from their pad, which at this early stage seems feasible given

preliminary meetings and their reflection on where housing might be located with other retail redevelopment and secondary uses being considered;

- 3-D renderings are desirable; 4-stories likely max height based on meeting with Second Horizon's architect earlier today;
- Zoning overlays do not impact the underlying zoning or uses; there is a Zone II Overlay and an apparent MUROD overlay in the same area (zoning map history is being researched by staff);

Next steps were discussed, then summarized by Town Planner Valerie Massard:

- Second Horizon Capital and VHB will share modeling data for 3-D renderings; Second Horizon Capital will engage with some of their resources, in addition to VHB, to help with public outreach – town staff will coordinate a meeting of the two and the town to get these started;
- Town staff will distribute the zoning at Hingham Shipyard, Hanover Mall, Mashpee Commons to allow the MBTA Task Force members to go to these nearby locations to get a good experiential sense of what the setbacks look like on paper and feel like in person as we will need to explore this in testing the model and writing the zoning over the next 2-3 months to be final end of June;
- Meeting with the businesses will be one-on-one with Town staff to overview the zoning concepts and MBTA requirements with feedback to the group at the next meeting.

Bud Loring moved the minutes for the November 20th meeting as presented, and Buz Artiano seconded. The minutes were approved as presented: 3-0

The group decided to meet again on **February 26th at 5 PM.**

Bud Loring moved to adjourn, and vote was taken: 3-0

The meeting adjourned at 6:01 PM.

Respectfully submitted by Valerie Massard, Town Planner

Materials:

Draft minutes from November meeting

Powerpoint slides from VHB