



Town of Duxbury Massachusetts Planning Department

TO: Planning Board
FROM: Christopher J. Ryan, AICP, Planning Director
DATE: August 24, 2022
RE: Preliminary Analysis for MBTA Communities Compliance

As you know, Duxbury is designated as an “Adjacent Community” within the MBTA member community. As such, and as per the final Guidelines released earlier this month, Duxbury would be required to zone at least 50 acres of land at a minimum of 15 units per acre for a total of at least 750 units zoned for. Of course, this does not require the units to be built but only that they are zoned for. Other requirements are that the zoning must be as-of-right, at least 25 of the acres must be contiguous, and they need to be in relatively close proximity to an MBTA station or stop. There has been some thought in town to possibly purposefully not complying with these guidelines given their excessive impact related to the scale of the town. Choosing this path would make Duxbury ineligible for the following grant programs:

- MassWorks Grants
- Housing Choice Grants
- Local Capital Projects Fund

While Housing Choice is not impactful to Duxbury, the other two programs are very relevant and could reduce Duxbury’s ability to address infrastructure needs in the future. Therefore, I would recommend at least trying to see if there are one or more alternative solutions to meet the Guidelines but not experience a major negative impact.

The Chair indicated that Island Creek on 3A might be able to be used as part of the solution and I would agree that this should be considered because it appears close to 25 acres and may have a density approaching 15 units/acre. If this works, and I will show my initial analysis below, then Duxbury would only need another 25 acres which could be broken up into several smaller pieces.

The Island Creek development consists of five (possibly six) parcels that contain eligible multifamily housing (age-restricted housing is not applicable). They include the following:

Parcel	Use	Acres	Units	Density
452-002	Vacant	0.52	0	0.0
452-003	Unrestricted Residential	4.87	58	11.9
452-004	Unrestricted Residential	1.79	24	13.4
452-005	Restricted Residential	6.67	94	14.1
452-006	Restricted Residential	2.09	1	0.3
452-007	Unrestricted Residential	9.26	120	13.0
		26.01	297	11.4

As the table shows, there is enough acreage (>25) but the density is not 15. This isn't too important because you can zone for the 15 units knowing that you will not likely have all of it built. However, it does offer developers the opportunity to take, for example, Parcel 452-006 and build 31 additional units. I am not certain what the effect would be on the age-restricted units already built but I hope that given its non-conformity status that it can remain as-is until replaced with another use or project. Alternatively, you could try to add acreage from the rear of 452-001 (church parking lot) or 046-000 (cranberry bog) to get to the 25 acres.

If Island Creek was able to be used for the 25 contiguous acres, then Duxbury would only need another 25 or less acres (for example, if you added 3 acres from 452-001 and 046-000, then we might need only +/-20 acres) elsewhere in town. These 20 acres could be broken into smaller but still viable parcels, some which could already be built on and some that the Town may wish to see redeveloped as mixed-use.

Both MAPC and OCPC offer consulting services for developing an action plan and creating regulations for this state mandate. I strongly recommend that Duxbury take advantage of one of these programs soon. The action plan due date is January 31, 2023. A few questions below are intended to spark a discussion at one of the next few Planning Board meetings.

1. Does the Planning Board wish to pursue consideration of ways and means to comply with this program?
2. If yes, does the Planning Board wish to develop this program internally or suggest some working group or collaborative effort with, for example, the Selectboard?
3. Does the Planning Board wish the Planning Department to pursue technical assistance from one of our two Regional Planning Agencies? The assistance could include finding appropriate land, developing an action plan, and developing bylaws, among other tasks.
4. Does the Planning Board wish Planning staff to further analyze the Island Creek development for one possible compliant area? Does the Board wish to reach out to the owner to gain their permission?
5. Does the Board want to learn more about the MGL 40R and 40S programs in case they could be used to help develop some of the land area under this mandate?

6. How should we initially consider other possible locations and project types? An internal process? Initially a public process? It may be useful to identify one interested Board member to work with staff and RPA initially and bring to the full Board when some progress made.