



# PLANNING DEPARTMENT REVIEW OF THE PROPOSED LEGISLATIVE CHANGES BY STARWOOD CAPITAL

# DISCUSSION OUTLINE

- A. Zoning
- B. Land Use and Building Permits
- C. Reuse and Master Plan
- D. Massachusetts Environmental Policy Act (MEPA)
- E. M.G.L. Chapter 40B Affordable Housing Law
- F. Public Ways



# ZONING: BYLAWS AND MAP

- The existing zoning bylaws and zoning map are incorporated in the new legislation.
- The bylaws would be scrubbed of any reference to the Reuse and Master Plan.
- “Major changes” and “minor changes” would be redefined.
  - Only map changes and use changes would remain with the towns. However, each town would act for its jurisdiction only.
  - All other zoning amendments would be controlled by South Shore Tri-Town Development Corp. (SSTTDC).



# CURRENT MINOR CHANGE LANGUAGE

## 18.1 Revisions Which Are Not Substantial

- A. As provided in the Enabling Legislation, the Corporation, without action by the Towns, may make minor revisions to the Reuse Plan and the By-Laws which are not substantial.
- B. A proposed revision to these By-Laws shall not be considered substantial, for purposes of the Enabling Legislation and the By-Laws, if the revision meets any of the following criteria:
  - (1) the proposed revision corrects a typographical or clerical error or omission without prejudice to the rights of any person or Town;
  - (2) the proposed revision renumbers a provision of the Reuse Plan or the By-Laws without change to the text thereof;
  - (3) the proposed revision adds, deletes or modifies a specific reference to a section of the Enabling Legislation, to reflect the correct section reference of the Enabling Legislation as adopted by the Massachusetts Legislature;
  - (4) the proposed revision is an amendment to increase or decrease the size of the WRP District (as defined in **Article 9**) made pursuant to **Section 18.3A**; and
  - (5) the proposed revision provides for a more detailed legal description of the zoning district boundaries as shown on the Zoning District Map.
- C. Prior to approving any revision to these By-Laws which is not considered substantial, the Corporation shall formally notify and consult with the Towns and the Advisory Board, shall publish a notice of public hearing in newspaper(s) of general circulation within the NAS South Weymouth Region (as defined in the Enabling Legislation), shall hold at least one public hearing in NAS South Weymouth or in any one of the Towns at which the proposed revision to the By-Laws not considered substantial shall be considered and voted upon, and shall afford the opportunity for public comment at such public hearing.

# NEW AMENDMENT AUTHORITY

- SSTTDC would gain amendment authority for a number of criteria:
  - Parking ratios and standards
  - Dimensional requirements and setbacks
  - Height limitations
  - Form-based codes
  - Water resource protection standards



# CHANGES IN PROCEDURES

## State Law

### A. Initiation

1. Town Council
2. Board of Appeals
3. Landowner
4. Ten Registered Voters
5. Planning Board
6. Regional Planning Agency

### B. Referral

1. Submit to Planning Board within 14 days

### C. Public Hearing

1. Planning Board & Town Council within 65 days

### D. Town Council Action

1. After Planning Board report received or 21 days have elapsed after hearing

### E. Amendments

1. Allowed

## Starwood Proposal

1. Chief Executive
2. Master Developer
3. Landowner

1. See Below\*

1. See Below\*

1. Within 90 days of Council receipt of revision

1. Not Allowed

\*Section 14C states that all other procedures are as set forth in chapter 40A of MGL

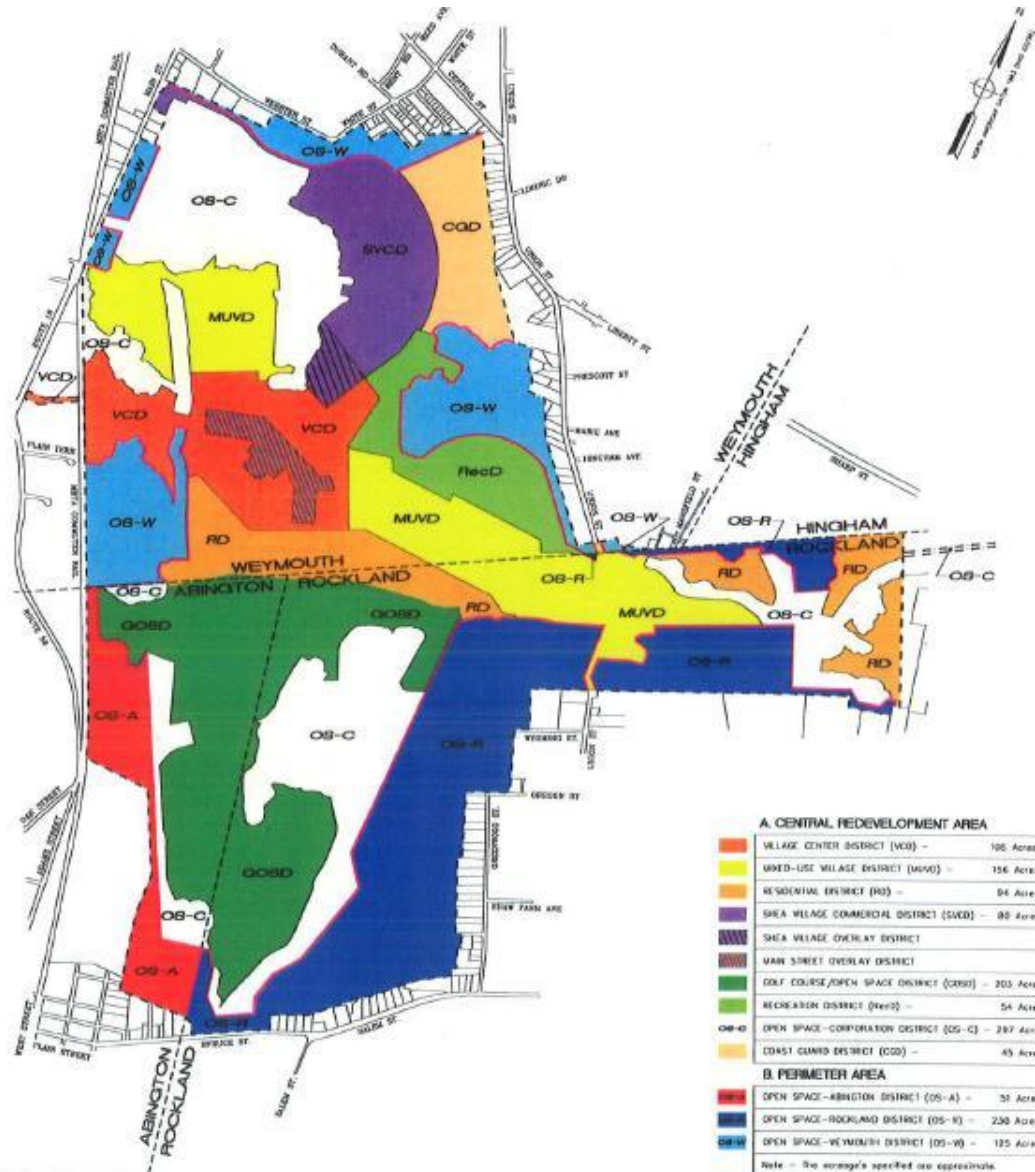


# NEW DEDICATED COMMERCIAL ZONE

- A dedicated, 30-acre commercial zone to meet the minimum commercial development goal is proposed by zoning designation.
- It should be outside zoning, potentially under a Memorandum of Understanding (MOU).
- Stronger language and a performance guarantee are suggested.



# ZONING MAP





# REUSE AND MASTER PLAN

- See proposed legislation Section 14(b).
- Several commitments remain in place.
- Other items are removed:
  - Phasing
  - Number of bedrooms per unit type
  - Number of single family units
  - 400 units of housing for persons 55 years and over
  - Sports facility



# MEPA

- There would be a required Notice of Project Change.
- Considerations would include off-site mitigation, a trigger point, and timing.



# M.G.L. CHAPTER 40B AFFORDABLE HOUSING LAW

- See proposed legislation Section 32.
- It should hold the Town harmless – units and land area should not be counted for Weymouth.
- Affordable Housing vs. Workforce Housing



# PUBLIC WAYS

- See proposed legislation Section 19(c):  
*Each town shall accept as a public way...  
provided the [SSTTDC Board of Directors] has  
approved the layout and construction of such  
way....*
- Weymouth must accept all ways approved by  
SSTTDC as public ways.

