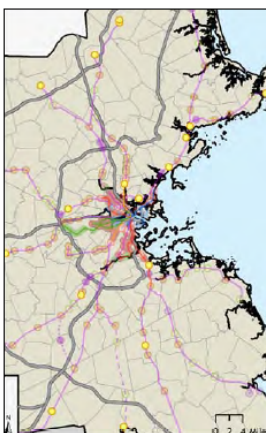


The Making of Don't Boston My Cape Ann

During the local municipal election season of 2021, we noticed that candidates for the Mayor's race and City Council were running on platforms of "workforce housing," "immigration," and "families." They said we needed to build more housing to "bring in" more families and to house the "new people coming here" and to house our "coffee servers". Curious as to where their platforms were getting their information from, we did some digging into the planning board and found out that during COVID they had been meeting online and restructuring the entire city with nine new zoning amendments. They were about to push forward a rezoning that could change the skyline of Gloucester forever. Increasing the height restrictions downtown and making three family by right in all of Ward 5.

Since these types of planning ideas don't usually come from local planning members we looked into where they were getting this information from and soon found out about MAPC. Not many people knew who they were but we soon found out that they have their hands in many aspects of our community. The MAPC, also known as the Metropolitan Area Planning Council, and their consultants were helping and planning for our city to become an "Urban Gateway." Gloucester was to be a hub for our neighboring towns.

Urban Gateway



These station areas are found in the heart of Regional Urban Centers such as Quincy, Malden, Lowell, Brockton, Beverly, Gloucester and Framingham. They provide connections to Boston via commuter rail and, in the case of Malden and Quincy, rapid transit service. Many stations are also the local hub for MBTA or Regional Transit Authority bus service. The two densest station areas in this type could be

served by proposed MBTA expansion via the Urban Ring (Chelsea) or the Blue Line extension (Lynn.)

While these stations are in downtown areas, the land use intensities are often lower than the Neighborhood Subway stations, and the mix of uses is more even, ranging from .30 to .60. Most of these downtowns are home to large communities of low-income, minority, and foreign born residents; the average median income is just \$48,000.

TOD may take the form of gradual parcel-scale revitalization (Chelsea), major adaptive reuse opportunities (Lowell), or transformative district-scale redevelopment (Quincy Center). Unfortunately, the real estate market and economy in many of these station areas is particularly weak, and the development pipeline is small compared to our estimated potential for growth. While rising prices and displacement could eventually become an issue in these communities, stimulating the housing and retail market is the principal concern.



The Cordovan at Haverhill Station



Quincy Center (Rendering)

ILLUSTRATIVE STATIONS

In Downtown **Haverhill**, there have been three major conversions of former factory buildings to residential development immediately adjacent to the MBTA commuter rail station: the Cordovan (146 housing units, including 40% affordable and live work spaces); the Hayes building (57 units), and Hamel Mill Lofts (305 units.) The city's 40R Smart Growth Zoning district is a key tool in expediting development near the station.

Malden Center has seen the development of over 300 housing units and 300,000 square feet of office and retail uses over the past decade. The potential for future development is strong with the disposition of the City Hall site directly across from the T station now being planned as well as development of the large NSTAR site southeast of the station.

The **Quincy Center** station area is on the verge of undergoing a transformation through a \$1.2 billion public private partnership to create 1.6 million square feet of retail, office, and medical space, 800 housing units, 200 hotel rooms, and a completely reconfigured downtown streetscape.

https://www.mapc.org/wp-content/uploads/2017/08/MetroFuture_Goals_and_Objectives_1_Dec_2008.pdf

Realizing that this had been a goal for some time and we could see many of the plans for the Metro Future of Boston already had been implemented, and were being implemented, we

wondered how they would ever complete this goal. We then came across Chapter 358, referred to by many namesakes, the “Housing Choice Law”, the “Zoning Act Law”, or the “Economic Development Legislation of 2020”. This was voted in, once again, under the cover of COVID. When everybody was struggling to stay alive, they were meeting and planning the future of the eastern seaboard of Massachusetts, where they said cities that they chose would have to create multifamily zoning around MBTA train station or other public MBTA transportation like bus stations. They initially started with 51 cities which immediately grew to the 177 that are being “mandated” today. And in order to get these zoning changes approved in each town they changed the voting threshold from a super majority to a simple majority.



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**
Charles D. Baker, Governor ♦ Karyn E. Polito, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

January 29, 2021

**PRELIMINARY GUIDANCE FOR MBTA COMMUNITIES
REGARDING COMPLIANCE WITH SECTION 3A OF CHAPTER 40A
(BY RIGHT MULTIFAMILY ZONING)**

Section 18 of chapter 358 of the Acts of 2020 adds a new section 3A to the Zoning Act (Chapter 40A of the General Laws) applicable to MBTA communities. The purpose of section 3A is to encourage MBTA communities to adopt zoning districts where multifamily zoning is permitted as of right, and that meet other requirements set forth in the statute.

The Department of Housing and Community Development (the “Department”), in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, is required to promulgate guidelines to determine if an MBTA community is in compliance with section 3A. This preliminary guidance is to (1) inform MBTA communities about the process the Department will undertake to establish compliance criteria for section 3A, and (2) notify MBTA communities that they will remain eligible for grant programs administered by the Executive Office of Housing and Economic Development or its agencies until more detailed compliance criteria and guidelines have been issued.

What is an MBTA community?

The Zoning Act was amended to add the following definition of “MBTA Community”: a city or town that is: (i) one of the 51 cities and towns as defined in section 1 of chapter 161A; (ii) one of the 14 cities and towns as defined in said section 1 of said chapter 161A; (iii) other served communities as defined in said section 1 of said chapter 161A; or (iv) a municipality that has been added to the Massachusetts Bay Transportation Authority under section 6 of chapter 161A or in accordance with any special law relative to the area constituting the authority.

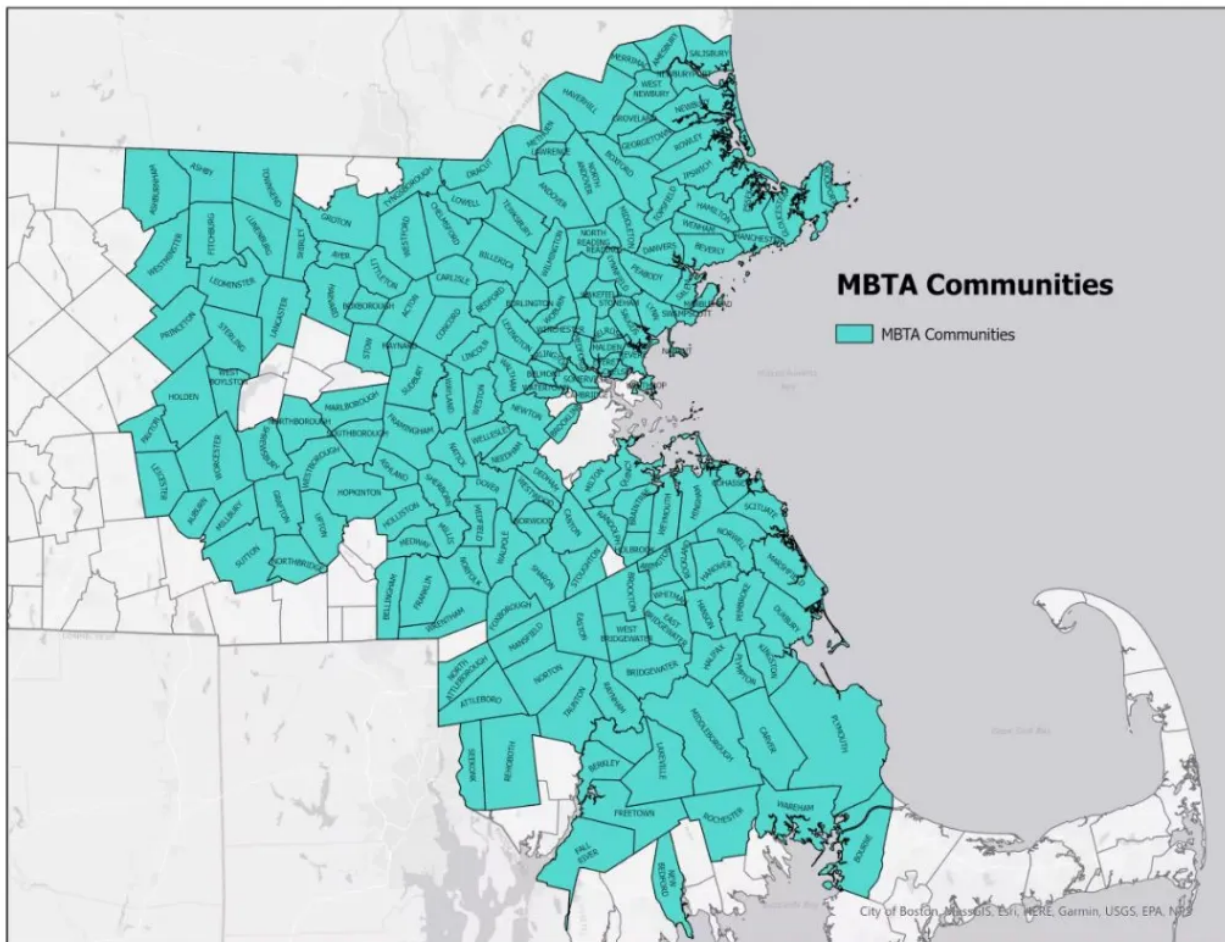
What does the new section 3A of Chapter 40A require of MBTA communities?

New section 3A of the Zoning Act provides that each MBTA community “shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right.” The statute further provides “that such multi-family housing shall be without age restrictions and shall be suitable for families with children,” and that each such district “shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.”

GUIDANCE FOR LOCAL OFFICIALS ON DETERMINING VOTING THRESHOLDS FOR ZONING ORDINANCES AND BYLAWS

Chapter 358 of the Acts of 2020 (sometimes referred to as the economic development legislation of 2020) made several amendments to Chapter 40A of the General Laws, commonly known as the Zoning Act. Among these amendments are (1) changes to section 5 of the Zoning Act, which reduce the number of votes required to enact certain kinds of zoning ordinances and bylaws from a $\frac{2}{3}$ supermajority to a simple majority; and (2) changes to section 9 of the Zoning Act, making similar changes to the voting thresholds for the issuance of certain kinds of special permits.

We sounded the alarm as dense housing around train stations typically referred to as TOD, Transit Oriented Development or Transit Overlay Districts was part of a much larger plan for over 177 communities of Massachusetts and was forever changing the landscapes of our communities. We wanted Gloucester to have growth and change, but for what was right for our city and our citizens not for some bureaucrats' idea for the Metro Region of Boston. That's when we started "Don't Boston My Cape Ann"



We got involved and participated in the process and watched the Public's First Meeting on the Final Zoning Changes put forth by the Planning and Development on November 18, 2021. Here is the recorded zoom link.

https://gloucester-ma-gov.zoom.us/j/672Fv28dKd6bV8NCtceARkEV4mNV5FU4rGtQHxgNDkzuEtggqeFyqz6NclzfRGITNpLbgzae44_rT5sP.6lx1UkvR4NBuJHcu?startTime=1637272849000&_x_zm_rtaid=rTLxxts1QbeoxB4Tdp-KCQ.1642613840843.c741e9f1451728ecd42921564ccf15ae&_x_zm_rtaid=779

PUBLIC NOTICES

PUBLIC NOTICES

TOWN OF ROCKPORT CONSERVATION COMMISSION

Pursuant to the provisions of the Massachusetts Wetlands Protection Act MGL Chapter 131, Section 40 and the Rockport Wetlands Protection By-law, the Rockport Conservation Commission will hold a public hearing on Wednesday, November 18, 2021 at 6:30 pm in Remote Meeting (access information will be listed on meeting posting at town website: www.rockportma.gov) on Notice of Intent of Heather Nelson for construction of a new deck and conversion of an existing deck to a house addition within 100' of a bordering vegetated wetland at Map 12/Lot 2 - 13 Pookes Lane, Rockport, MA.

Plans will be available for review at the Rockport Conservation Commission office and website <https://www.rockportma.gov/conservation-commission>

David McKinnon, Chair
Rockport Conservation Commission
GT - 11/3/21

NOTICE OF PUBLIC HEARING

In accordance with the provisions of MGL Chapter 40A, Section 5, and the Gloucester Zoning Ordinance, Sec. 1.11, the Gloucester Planning Board will hold a remote public hearing on Thursday, November 18, 2021 at 5:00 p.m. relative to the following:

Proposed Amendments to the Gloucester Zoning Ordinance by amending: Section 2.3.1 Residential Uses: Numbers 1-6; Section 3.2 Dimensional Table (For One, Two and Three-Family Dwellings): minimum lot per dwelling unit (sf), minimum lot width (ft), maximum building height (ft), and footnote a; Section 3.2.2 Dimensional Requirements for Multi-family Dwellings and Their Accessory Uses (other than sign); maximum building height (ft) and footnote f; and Section 3.1.6 (b) Building Heights Greater than 35 feet. The proposal may be found on the Planning Board website at <https://www.gloucester-ma.gov/288/PlanningBoard> by following the "filed applications" link in the folder dated November 18, 2021. The complete text is also on file with the Community Development Department, located in the City Hall Annex at 3 Pond Road, Gloucester, MA 01930 and in the Office of the City Clerk in City Hall, 9 Dale Ave. Gloucester, MA 01930.

Access information for the remote public hearing will be listed on the agenda at www.gloucester-ma.gov. The Chair reserves the right under the law to re-schedule the date and/or deadline for this and any other public hearing at any time provided that the public is notified as quickly as is reasonably possible. At the public hearing, all interested persons will have the opportunity to be heard.

Richard Noonan, Chair
Planning Board
GT - 11/3, 11/10/21

The attendance by the citizens was shocking to the Planning Board Members as they did not realize they had constituents to answer to and the citizens were chastised by the Chair of the Planning Board, Rick Noonan, saying, "You can't just parachute in at the last minute."



Putting our critical thinking cap on, we realized that the zoning amendments the planning board was trying to put forward aligned with what we needed to comply with the new MBTA TOD or what people now refer to as 3A. We immediately contacted our local officials to help them connect the dots on what they would ultimately be truly voting on for our city.

We put together a detailed Power Point presentation explaining the zoning amendments and the new law. We met individually with Mayor Verga, City Councilors Worthley, O’Neil, O’Hara, Grow, and Gross. Val Gilman refused to meet with us. Councilor Gross refused to believe the law was real and that we were telling the truth of its existence. Jason Grow denied our new zoning amendments were tied in with 3A and the other Councilors were in shock and awe.

After all our city had already been working on its own version of a “TOD” at the train station. In fact, one such version in 2014 was called “[Reimagining Railroad: Strengthening Connections Downtown](https://www.mapc.org/wp-content/uploads/2017/11/Gloucester-Market-Analysis-FINAL-25Sept14.pdf)”. They worked with MAPC who concluded that we were an aging population and would want to move from our single-family homes to an urban setting and prefer to live in buildings with elevators and they determined that “*Downtown Gloucester could potentially support somewhere between 266 and 533 additional multi-family units.*” A far cry from the now “mandated” zoning capacity dictated by the state under 3A. We initially calculated that it would be 20 Halyards, as we noted the amount of zoning capacity the new districts would be zoned for. The opposition to us immediately called this number “hyperbole”! Turns out we were wrong; it did not call for the equivalent of 2000 units but for 2,270 units!

<https://www.mapc.org/wp-content/uploads/2017/11/Gloucester-Market-Analysis-FINAL-25Sept14.pdf>

The new zoning amendments with the increased heights would pave the way for an urban district much more than the citizens were being told with the plans for new TOD plans for the district around the MBTA train station in a proposed area of 35 acres.



Proposed Transit Oriented Development
Overlay District /12/2021



(b) Dimensional Requirements for Buildings⁴

Standard	Any Development Except Major Transit-Oriented Development	Major Transit- Oriented Development by Special Permit
Building Height		
Minimum height	2 stories	4 stories
Maximum feet/stories	45' / 3 stories	60' / 5 stories*
Ground floor min/max height	14' / 18'	14' / 18'
Upper story min height	10'	10'
Min. façade buildout (Frontage Occupancy)	60%	60%
Maximum building length	100'	150'
Street-facing wall width (no offset)	50	50
Transparency (minimum)		
Ground floor	60%	60%
Upper floors	20%	20%
*Subject to a stepped-back façade requirement of at least 10 feet above the third floor		

5.32.9. Commercial Frontage Zone

On any lot with frontage on Washington Street, Railroad Avenue, Maplewood Avenue, or Pearl Street, there shall be a Commercial Frontage Zone extending 60 feet from the front lot line. The

² Discussion: do you want to encourage parcel assembly and larger redevelopment projects or allow smaller-scale, incremental change? If the former, increase the minimum lot area.

³ Gregg: I assume this applies to building coverage, not total impervious coverage

⁴ Gregg: I opted not to add a build-to line, relying instead of maximum front setback. Do you want a build-to line?

We set out to make the people aware of the upcoming City Council vote and collected signatures. We set up at Market Basket and we met Tracy O'Neil for the first time. Contrary to the fake news, Tracy O'Neil was a City Councilwoman who did her job, met her constituents, and

researched and listened to the information. She was never a part of our group or our signature collecting.



We held numerous rotary standouts!



We collected over 870 signatures. This was our letter to the city upon our first drop off of our signature collections.

“We are a group of citizens concerned about the new zoning changes proposed by the Planning Board and the potential for our application to become an MBTA TOD Community. Although there have been nine “public meetings” we do not feel the citizens were adequately noticed and able to speak effectively due to having to form questions only and or being chastised by the city officials for not having known this was happening.

We have started a petition and have been meeting people out on the streets and everyone we meet has not heard about these changes. Accusing the citizens of not doing their part to be involved in city government without a proper paper that actually reports on happenings in town that has an extremely low readership and a poorly designed city website for over 42 different boards and commission that no citizen could possibly keep up with, the city needs to do its part to use the All Call System they have in place to notify the citizens of these changes. These zoning changes will have a profound effect on people’s quality of life. We ask that the City Council vote no on all amendments and do not apply for the TOD until the citizens can have a say on how the town will be impacted. We ask that no changes be made until we redo our Housing Production Plan and citizen involvement not just Stakeholder involvement take place. The middle class needs a seat at the table.

We turn into you today several sheets of signed petitions in case you need to verify signatures. We will continue to collect signatures and turn them in before the City Council votes. Rushing democracy is unacceptable.”

WE, THE CITIZENS OF GLOUCESTER, HEREBY PETITION CITY COUNCILORS TO OPPOSE THE PLANNING BOARD ZONING MOTIONS

The Gloucester Planning Board has recommended to the City Council 9 motions to amend current zoning ordinances. The City Council is scheduled to vote on this recommended proposal on February 22, 2022. This “**upzoning**” will drastically change the look and feel of the whole city. By-right building height in the Civic Central District (CCD), Central Business (CB), and Village Business (VB) will be 45 feet. These districts will be allowed building heights up to 60 feet (five stories) by special permit if further state zoning is evoked. Residential district height will rise to 35 from 30, even along shorelines. Allowing single family homes to convert to two or three units will legalize needed “in-law apartments” for many residents, however, these changes are more directed to intense overdevelopment by investors. These changes are intended to create as many as 6,966 new housing units. Gloucester is now considered a Regional Urban Center as part of Greater Boston. Under a state emergency law, Gloucester is designated as an MBTA Transit Oriented Development (TOD) community. If these 9 amendments go into effect they lay ground work necessary to qualify for the MBTA TOD overlay. Within feet of the train station there will be a minimum requirement of 750 units and within ½ mile there is potential for 2270 units. **We the undersigned petition the City Councilors to VOTENO on the 9 Planning Board motions as presented.**

#	✓	1. Signature to be in person with named as substantially registered	2. Now Registered at Street Number, Street Name, Apartment Number	W	P

Realizing the nine zoning amendments did align with the MBTA 3A law and made things confusing to the citizens, our elected officials wrote scathing letters in opposition to 3A as if to convince the citizens, don’t worry if the zoning amendments pass we would never go along with the state mandated 3A in Gloucester!

The City Council wrote things like...

- The guidelines do not have mechanisms to address affordable and workforce housing. The council says it's likely the new multi-unit housing that will be created will be rented or sold – “at prohibitively high market rates.”
- The requirement of 15 units per acre in Gloucester “is neither practical nor feasible,” given the city is 400 years old with narrow, winding streets built before transportation planning.

[The City Council provides strong feedback on MBTA community districts](https://www.gloucestertimes.com/council-provides-strong-feedback-on-mbta-community-districts/article_0c201096-aa3f-11ec-822f-63cb62e41e6a.html)

https://www.gloucestertimes.com/council-provides-strong-feedback-on-mbta-community-districts/article_0c201096-aa3f-11ec-822f-63cb62e41e6a.html

Mayor Verga talked tough with the State.

["Mayor Pushes Back on MBTA Zoning Guidelines."](https://www.gloucestertimes.com/news/mayor-pushes-back-on-mbta-zoning-guidelines/article_43990cf2-b440-11ec-bb39-8f4b23219ad4.html)



https://www.gloucestertimes.com/news/mayor-pushes-back-on-mbta-zoning-guidelines/article_43990cf2-b440-11ec-bb39-8f4b23219ad4.html

Then the city told the citizens they weren't allowed to talk about 3A until after the zoning amendments were passed.

We continued to hit the streets, collect signatures, hold standouts and host online zoom meetings and then gave in person presentations throughout town. One City Council member went running to Market Basket to confront the signature collectors and ran his finger into the face of a senior citizen demanding she stop collecting signatures.

Tracy O'Neil began to hold meetings in her Ward. This angered City Hall! They told her to stop! They sent an army of city officials and YIMBY's to her meetings to record everything that was said and to document the names of the citizens in attendance. They were sent to cause disruption and chaos which they did. This part of the story could go on forever but let's just leave that part in the past for now.

The news of the upcoming vote was getting out to the citizens, and it frightened the YIMBYs. They created a Housing 4 All Gloucester and they immediately went online with their smear campaigns of calling everyone who was against multifamily housing downtown a racist xenophobe.

Jennifer A. Holmgren, former City Council member, came out of retirement to write this letter to the Editor. She explains that people *"who grew up here have mostly no chance at buying or even renting here unless they have family or friends who are able to help them out. That's a huge reason why I ran for council in the first place. It's why I continue to advocate for ways to allow housing of all types here."*

She spent 2 terms in office and states that since 2017 Gloucester *"has adopted two-thirds of the Housing Production Plan's recommendations."* And yet with the increased number of housing units rents have only GONE UP.

[Letter: Don't give in to xenophobia](https://www.gloucestertimes.com/opinion/letter-dont-give-in-to-xenophobia/article_5be1ddee-8e92-11ec-8d91-e7ab316a5805.html)

https://www.gloucestertimes.com/opinion/letter-dont-give-in-to-xenophobia/article_5be1ddee-8e92-11ec-8d91-e7ab316a5805.html

After stall tactics and 2 public City Council meetings they finally voted. The hold outs were Jason Grow and Val Gilman and Scott Memhard. They went against the will of the people.

For a detailed recap of the history of the vote please listen to Ethan Forman's interview and know that he could not have been stated it better, and it still rings true for today that all Don't Boston My Cape Ann has ever wanted from its elected representatives,

"You're an elected official, you have to listen to the people."





<https://youtu.be/ni8oGhHTVU8?si=S4qcFq40paJA0FLv>



Gloucester City Council Votes "No" on 9 Zoning Amendments

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