SPECIAL TOWN MEETING
* ZONING BY-LAW AMENDMENT *
Monday, September 26, 2016
7:30 PM
Nahant Town Hall
for an extended period of time while the proper zoning approvals are sought, delaying the eventual creation of a new tax base for the town. Any delay in revenue from this parcel could have serious detrimental impacts on the town’s finances and could create a budget short-fall while the land sits undeveloped and neither earning rent for the Town nor bringing in new tax revenue. Minimizing the administrative hurdles to complete the approved project would reduce the amount of risk to the town’s operating budget. The Advisory and Finance Committee strongly urges the Board of Selectmen and Town Administrator to consider this temporary loss of income in negotiating a letter of understanding with any developer and hope they would include some sort of payment in lieu of taxes during the development period to offset the lost revenue while the project is being developed.

Additionally, the Bass Point Overlay District makes no changes to the current zoning by-laws throughout the town and would only be utilized if the project as presented was put forward. As was explained to the Advisory and Finance Committee, there is no risk to the dimensional requirements, density, setbacks and other fundamental tenants of our zoning by-laws throughout the town.

The adoption of this zoning by-law amendment grants the Planning Board the power to review a Special Permit Application which shall require that the project contain no more than 8 single family homes in Zone A, which is in the Castle Road corridor, and that the project contain a multi-family dwelling in Zone B, not to exceed 20 units. Assuming the project meets the requirements of the by-law, the Developer should be awarded a Special Permit. After receiving the Special Permit, the Developer will then be entitled to a building permit assuming compliance with the zoning and building codes. The process envisioned by the by-law change has been utilized by other communities who have looked to foster development of certain parcels of land and has proven to be effective in the goal of stimulating development.

The zoning by-law amendment also requires that portions of the eventual project retain some units for affordable housing. These units would be owner occupied, would have income restrictions, and would be restricted to a minimal percentage growth in value as set out by State statute. The affordable program would be administered by the Board of Selectmen to qualify and award units of the affordable program to eligible buyers. The Advisory and Finance Committee urges the Board of Selectmen to employ a neutral third party to administer the qualification and award process. Many other communities use a lottery system after qualification to make sure that the units are awarded in a fair manner. The Advisory and Finance Committee encourages the Board of Selectmen to follow a similar process.

The members of the Advisory and Finance Committee present at our last meeting unanimously voted to recommend this article and encourage the residents of Nahant to approve the zoning by-law amendment as presented.

COAST GUARD HOUSING DESIGN DEVELOPMENT ADVISORY COMMITTEE SUPPORTING STATEMENT:

As far back as 2008 the Town has proposed that the Military housing, located at the corner of Castle and Gardner Roads, be re-developed to contain eight (8) single-family houses and a twenty (20) unit condominium building(s). The purpose of this development was, in part, to introduce more varied forms of new housing to Nahant for the benefit of all as such housing does not now readily exist. The underlying zoning does not permit the re-development of this property as so envisioned. Article I proposes a zoning amendment that is specific to the town-owned land and would modify the existing density and area requirements within the Town Zoning Bylaw in order to permit the desired re-development. Any proposal under this new zoning amendment would require a special permit from the Planning Board as means of safeguarding that a re-development project would meet the construction specifications delineated in the Coast Guard Housing Design Guidelines established by the Town. Twenty-five (25%) of the developed units must be affordable as defined by the State. It is important to emphasize that the proposed zoning amendment provides controls that ensure that the resulting project is in conformance with the expectations of the town.

Additionally, before a redevelopment proposal can begin on this land, the Town must issue a Request For Proposal (RFP) which will yield a recommended development party, then the town will negotiate a Land Disposition Agreement (LDA) that specifies all desired controls over the project, the RFP award recommendation and the LDA must be voted on at the annual Town Meeting, and then the project must proceed through all required State and Local permitting processes. This overall process is expected to take between 12-16 months to complete and must all occur before the selected developer can start any construction on the site. It is important to emphasize that each of these steps works to incorporate Town controls regarding the initial development and long-term use of the land, ensuring that any failure in the process will result in the Town retaining the property and being held financially harmless, and will create penalties for non-compliance with the expressed requirements.

Assuming that the Special Town Meeting approves the proposed zoning amendment, it is the intent of the Town to issue an RFP by late October with an anticipated award by no later than late December.

Perry Barrasso, Chairman
Coast Guard Design Development Advisory Committee

PLANNING BOARD SUPPORTING STATEMENT:

The Nahant Planning Board recommends adoption of these changes to the Nahant Zoning By-laws for the reasons stated by the Coast Guard Housing Design Development Advisory Committee.

Richard Snyder, Chairman
Planning Board