

May 5, 2017

Mark Boyle
Janelle Chan
MBTA/MassDOT
Ten Park Plaza, Suite 5720
Boston, MA 02116

Re: Comments on Proposed Transit-Oriented Development Policies and Guidelines

Dear Mark and Janelle:

Thanks for the opportunity to review and comment on the policies and guidelines.

These Transit-Oriented Development Policies and Guidelines are significant steps forward. The policies formally acknowledge the important role that development near transit plays in creating a sustainable future for Massachusetts. We want to commend the agency for this comprehensive statement on the value of transit-oriented development and for your efforts to insure that both the MBTA and MassDOT consider the broader value and purpose of transit-oriented development in their decisions on land uses for property the agencies control.

We applaud the broad range of ideas and considerations on Transit-oriented Development that you incorporate into this document including encouraging density, incorporating parking maximums rather than minimums, and acknowledging the importance of the public realm in considering transit-oriented development.

We have some recommendations for additions or modifications to the draft policies and guidelines that we want to share with the agencies:

- 1) We believe that the appropriate overall goal for affordability should be the standard encompassed in the Commonwealth's 40B housing law for eligibility for relief from local zoning. The goal is that 25% of the units be affordable to families at or below 80% of Area Median Income. We acknowledge the proposed guideline include both a higher and a lower income goal. While it is important to provide housing for both very low-income families and individuals and for families at "workforce" income levels, the proposed guidelines as written could result in no housing units below the workforce affordability standard.
- 2) We understand that community goals and market conditions vary widely, but given the fact that these are guidelines, not laws or regulations, we would like the MBTA and MassDOT explore ways to insure that flexibility does not result in some communities where no affordable housing is created. We want to insure that transit-oriented development does not reinforce existing patterns of racial and economic segregation.
- 3) We recommend that the agencies modify their policies on environmental testing and remediation to allow for due diligence before disposition. Current policies that limit any environmental testing are a significant disadvantage for nonprofit affordable housing developers, who in general have less tolerance for the risks associated with environmental

remediation, and therefore may forego bidding for some sites or may be less competitive when there is great uncertainty about site conditions.

- 4) We believe that alignment of other state agencies with MassDOT and the MBTA on transit-oriented development policies is critical to achieving the best results for communities and for the Commonwealth. In many communities, the best outcome requires aligned disposition of parcels controlled by other state agencies, and that does not always happen. Any steps that the MBTA and MassDOT can take to advance alignment of land disposition of all state-owned parcels near transit would be a welcome development.
- 5) In addition, we recommend that the MBTA and MassDOT seek to align their dispositions with the Department of Housing and Community Development and the Massachusetts Qualified Allocation Plan, as well as with the Mass Housing Workforce Housing Initiative guidelines, to maximize the opportunity for creating affordable and “workforce” housing.
- 6) As the proposed policies and guidelines appropriately point out, equity in transit-oriented development includes employment as well as housing. In addition to having jobs near transit, we believe those jobs should be living-wage jobs to the greatest extent possible.
- 7) We are delighted to see the role of community development corporations called out in the document. The best outcomes for the community and the Commonwealth are developments that are completed in a timely manner with local support. Often those are projects undertaken by community-based developers. We recommend that the MBTA and MassDOT guidelines include, as a factor in evaluating proposals, a preference for developers with significant local support as a proxy for their ability to advance their development in a timely manner.

Thank you for taking this step to advance equitable and sustainable development in Massachusetts.

Sincerely,

Bob Van Meter Local Initiatives Support Corporation
Jorge Martinez, Sr. Project RIGHT
Joe Kriesberg, Massachusetts Association of Community Development Corporations
Rachel Heller, Citizens Housing and Planning Association
Carol Ridge Martinez, Allston Brighton Community Development Corporation
Chris Dempsey, Transportation for Massachusetts

