

HOUSE No. 2291

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act allowing municipalities to appeal zoning provisions under the MBTA Communities Act.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/17/2025</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/17/2025</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>1/31/2025</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>3/10/2025</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/28/2025</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/30/2025</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/11/2025</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/10/2025</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>3/27/2025</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>8/13/2025</i>

HOUSE No. 2291

By Representative Jones of North Reading, a petition (accompanied by bill, House, No. 2291) of Bradley H. Jones, Jr. and others relative to allowing municipalities to appeal zoning provisions under the MBTA Communities Act, so-called. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act allowing municipalities to appeal zoning provisions under the MBTA Communities Act.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 3A of chapter 40A of the General Laws, as appearing in the 2022 Official
2 Edition, is hereby amended by adding at the end thereof the following new subsection: -

3 (d) The Department of Housing and Community Development shall develop and
4 promulgate regulations to allow a municipality affected by the zoning provisions of this section
5 to appeal for relief from such provisions based on one or more of the following: (1) The inability
6 to meet the drinking water supply requirements necessary to support the housing units authorized
7 by such provisions; (2) The inability to meet the wastewater treatment requirements necessary to
8 support such units; (3) The inability of municipal transportation infrastructure to safely
9 accommodate increased population attributable to housing development pursuant to such
10 provisions; (4) Any adverse environmental impacts attributable to the developments of housing
11 units pursuant to such provisions; or (5) Any adverse impacts on historical properties.