

**HOUSE . . . . . No.**

---

---

**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>1/16/2025</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/17/2025</i>

**HOUSE . . . . . No.**

[Pin Slip]

**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 1. Section 3A of chapter 40A of the General Laws, as appearing in the 2022  
2 Official 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.