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:
Bradley H. Jones, Jr.	*20th Middlesex*	*1/17/2025*
Kimberly N. Ferguson	*1st Worcester*	*1/17/2025*
Paul K. Frost	*7th Worcester*	*1/31/2025*
David F. DeCoste	*5th Plymouth*	*1/28/2025*
Colleen M. Garry	*36th Middlesex*	*1/30/2025*

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.