

SENATE No. 1467

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

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 MBTA Communities to seek relief.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/23/2025</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/30/2025</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/6/2025</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Hampden</i>	<i>3/17/2025</i>
<i>Marcus S. Vaughn</i>	<i>9th Norfolk</i>	<i>3/28/2025</i>

SENATE No. 1467

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 1467) of Patrick M. O'Connor, David F. DeCoste, Colleen M. Garry and Steven S. Howitt for legislation to allow MBTA Communities to seek relief based on certain adverse impacts to the municipality. Municipalities and Regional Government.

The Commonwealth of Massachusetts

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

An Act allowing MBTA Communities to seek relief.

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 2020 Official Edition
2 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 an appeals process to allow a municipality affected by the zoning provisions of this
5 section to seek relief from such provisions based on one or more of the following:

6 1. The inability to meet the drinking water supply requirements necessary to support the
7 housing units authorized by such provisions

8 2. The inability to meet the wastewater treatment requirements necessary to support such
9 units

10 3. The inability of municipal transportation infrastructure to safely accommodate
11 increased population attributable to housing development pursuant to such provisions

- 12 4. Any adverse environmental impacts attributable to the developments of housing units
13 pursuant to such provisions.
- 14 5. Any adverse impacts on historical properties.