

SENATE No.

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:

Patrick M. O'Connor

DISTRICT/ADDRESS:

First Plymouth and Norfolk

SENATE No.

[Pin Slip]

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 1. Section 3A of chapter 40A of the General Laws, as appearing in the 2020
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 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.