

## **Massachusetts House of Representatives Bill Summary**

**Bill #:** H.2295

**Title:** An Act providing for retroactive housing compliance under the MBTA Communities Act

**Sponsor:** Rep. Bradley Jones

**Committee:** Municipalities and Regional Government

**Hearing Date:** July 29, 2025

**Current Law:** Section 3A of Chapter 40A of the Mass. General Laws was signed into law as Chapter 358 of the Acts of 2020, an economic development bill.

The language codified in Section 3A states that an MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable. Failure to comply with the law may result in the city or town losing eligibility for certain state grants and other funding programs.

The law and accompanying regulations (760 CMR 72.00, as of 4/11/25) defines an MBTA community as a city or town that is:

(a) one of the 51 cities and towns as defined in M.G.L. c. 161A, § 1; the cities and towns of Bedford, Beverly, Braintree, Burlington, Canton, Cohasset, Concord, Danvers, Dedham, Dover, Framingham, Hamilton, Hingham, Holbrook, Hull, Lexington, Lincoln, Lynn, Lynnfield, Manchester-by-the-Sea, Marblehead, Medfield, Melrose, Middleton, Nahant, Natick, Needham, Norfolk, Norwood, Peabody, Quincy, Randolph, Reading, Salem, Saugus, Sharon, Stoneham, Swampscott, Topsfield, Wakefield, Walpole, Waltham, Wellesley, Wenham, Weston, Westwood, Weymouth, Wilmington, Winchester, Winthrop and Woburn.

(b) one of the 14 cities and towns as defined in M.G.L. c. 161A, § 1; the cities and towns of Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Medford, Milton, Newton, Revere, Somerville and Watertown.

(c) other served communities as defined in M.G.L. c. 161A, § 1; or

(d) a municipality that has been added to the Massachusetts Bay Transportation Authority under M.G.L. c. 161A, § 6 or in accordance with any special law relative to the area constituting the authority.

Adjacent Community means an MBTA community that:

(a) (b) has within its boundaries less than 100 acres of Developable station area; and is not an Adjacent small town.

Adjacent Small Town means an MBTA community that:

(a) has within its boundaries less than 100 acres of Developable station area; and

(b) either has a population density of less than 500 persons per square mile, or a population of not more than 7,000 year-round residents.

Chapter 7 of the Acts of 2023 created the Executive Office of Housing and Livable Communities, which succeeded the Department of Housing and Community Development.

**Summary:** This legislation amends Subsection (c) of section 3A of Chapter 40A, which concerns the promulgation of guidelines to determine whether an MBTA community is in compliance with the law.

The bill adds language requiring that the guidelines take into consideration the total net units of housing created by qualifying construction projects that have been completed in the 3 years since the effective date of the section of the law. The act was signed and took effect on January 14, 2021.