

MPB LETTERHEAD

Edward Augustus
Secretary
Executive Office of Housing & Livable Communities (“EOHLC”)
Commonwealth of Massachusetts
100 Cambridge Street
Boston, MA

Sept 14, 2023

Dear Secretary Augustus,

The Town of Milton (the “Town”) is working diligently to comply with Section 3A of MGL c. 40A regarding compulsory multi-family zoning under the MBTA Communities Act (the “Act”). In its capacity of advising the Town and its citizens on all planning and zoning initiatives, the Milton Planning Board (the “MPB”) is now finalizing specific zoning districts that comply with the core radius, size, and density requirements of the Act. Soon we will take up the challenge of establishing design guidelines and dimensional requirements applicable to each district that are integral to making the districts workable from both a development and community impact perspective. Then once districts are mapped and details fully outlined, a final step of drafting and approving binding zoning language will ensue.

More specifically, the Town’s Select Board has already voted to fully comply with the Act and has called for a Special Town Meeting on December 4 to put this important issue on the Warrant for the vote of Town Meeting. To meet the Special Town Meeting schedule, a complete warrant article must be written and given to our Warrant Committee by a deadline of September 22, 2023. The Warrant Committee must review and vote on a recommendation which needs to be printed in the Warrant by October 24. Plainly, the Town is taking a proactive and good faith approach to compliance, yet we face a near impossible timeline for completion.

We think it helpful to point out that Milton has three (3) quite unique challenges in creating workable transit districts. First, the MBTA trolley serving the Town runs virtually entirely along the Boston/Milton line, and thus fully half the land area for potential redistricting under the Act sits in the City of Boston. And with Boston exempt from the Act, this leaves Milton bearing the disproportionate burden of compliance within the literal radius requirements of the Act. Second, Milton’s “half-radius” redistricting area sits largely along the Neponset River and its protected resource area. And third, the close distance between our four

(4) trolley stops creates significant district “overlap” among the targeted redistricting zones around trolley stations. Taken together, these circumstances serve to dramatically exacerbate the Town’s challenge of finding workable districts in these unusually concentrated and already built-up areas. The Town fully appreciates the imperative and urgency of redistricting to spur housing production near transit, yet in its wisdom in passing the Act, the Legislature could not have anticipated such unique challenges as are now faced by the Town of Milton.

While recent EOHLC guideline changes (i) to enable zoning for up to half the dwelling units outside the ½ mile radius of transit stations, and (ii) to add greater affordability and commercial space, are welcome and do ease our task somewhat, they do not necessarily speed it up given entirely new, non-transit district impact issues must be carefully evaluated.

There is a separate but clearly related matter for you to be aware of. The Town is also formally asking the MBTA to reclassify this Mattapan Trolley Line as “non-rapid transit.” For this antiquated line, lightly used and with infrequent service to be considered rapid transit (as if akin to the commuter rail or subway service) we feel is grossly unfair and misguided. The MBTA will need time to evaluate this request and if granted will necessarily alter and delay the Town’s redistricting effort.

For these reasons the MPB believes we cannot reasonably set forth well researched and actionable zoning to the Warrant Committee and the Town Meeting Members in this condensed time frame. We respectfully ask the EOHLC to formally grant the Town an extension of time of 180 days to comply. This extension will allow the MPB, other Town Boards and commissions, and the Town Meeting to establish actionable zoning that addresses community concerns and meets the objectives and intent of the Act. We appreciate the EOHLC’s attention to this matter and hope for a speedy response.

Sincerely,

The Town of Milton Planning Board

Meredith Hall
Chair