

Commonwealth of Massachusetts
**EXECUTIVE OFFICE OF HOUSING &
LIVABLE COMMUNITIES**

Maura T. Healey, Governor ◆ Kimberley Driscoll, Lieutenant Governor ◆ Edward M. Augustus Jr., Secretary

February 21, 2024

Town Administrator Nicholas Milano
Milton Town Hall
525 Canton Avenue
Milton, MA 02186

Dear Town Administrator Milano,

On February 16, 2024, I notified Select Board Chairman Michael Zullas, that as a result of the recent referendum vote that overturned the MBTA Communities Multi-family Overlay District passed at Milton's December 11, 2023, special town meeting, the town of Milton is now non-compliant with M.G.L. c. 40A, § 3A (the MBTA Communities law).

The zoning that town meeting approved in December would have been in interim compliance with the law and would have made significant strides in helping Milton (and Massachusetts) address our housing affordability crisis. While we are deeply disappointed that Milton's zoning plan was rejected by a referendum vote, we are hopeful that we can continue to work with the town to ensure that Milton can achieve compliance with the MBTA Communities law.

Milton's current non-compliant status means the town will begin losing out on significant grant funding from the state, effective immediately. As stated in my January 9, 2024 letter, the town will not be eligible to receive MassWorks and HousingWorks grants. The town of Milton will also be at a competitive disadvantage for the 13 discretionary grant programs offered by the Executive Office of Housing and Livable Communities (EOHLC), as well as other grants that are a part of Community One Stop for Growth. Additionally, the town will not be eligible for a recent Seaport Economic Council grant award for \$140,800 for seawall and access improvements, which was subject to compliance with the law.

We value having a strong partnership with local cities and towns to move Massachusetts forward. We are grateful for the strong communication between state officials and town leaders with respect to developing the new local zoning that would have permitted multifamily housing development near transit stations. Moreover, our administration has worked diligently to support Milton in complying with the MBTA Communities Law, including providing the community with multiple community planning grants totaling \$80,000 for technical assistance to help craft the new zoning by-law.

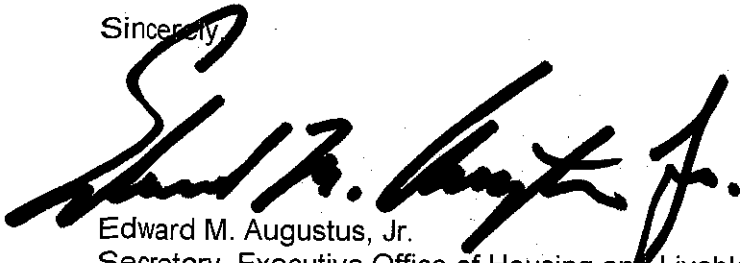
The MBTA Communities Act was signed into law by then-Gov. Charlie Baker in January 2021. The law was passed unanimously by the Senate and overwhelmingly by the House (143 to 4). The significance of the MBTA Communities Act cannot be overstated: This law presents a transformative opportunity for 177 communities served by the MBTA to come together to zone for multi-family housing near transit stations to help address the greatest challenge facing our state – the high cost of housing.

I look forward to meeting with you soon, as well as representatives of the Yes and No campaigns to discuss a path forward. The administration is hopeful that we can work together on a new plan that will bring the town into compliance.

The law is clear – **compliance with the MBTA Communities Law is mandatory**. At this time, Milton is the only rapid transit community in Massachusetts that is not in compliance. If we do not all come together to build more housing, we will not be able to overcome our affordability crisis. We need every community to do their part.

Thank you for all that you do for your community. We sincerely hope to continue this partnership, bring Milton into compliance, and build a stronger, more affordable Massachusetts for everyone.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward M. Augustus, Jr.", written in a cursive style.

Edward M. Augustus, Jr.
Secretary, Executive Office of Housing and Livable Communities

cc: Milton Select Board
State Sen. Walter Timilty
State Rep. Bill Driscoll Jr.
State Rep. Brandy Fluker Oakley