



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

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

By email: nmilano@townofmilton.org

February 16, 2024

Select Board Chair Michael F. Zullas
Town of Milton
525 Canton Avenue
Milton, MA 02186

RE: Town of Milton's Non-Compliance with MBTA Communities Law

Dear Chairman Zullas:

I am writing to officially notify you that, as a result of the February 14, 2024 referendum vote that overturned the MBTA Communities Multi-family Overlay District zoning district passed at Milton's December 11, 2023 special town meeting, the Town of Milton is non-compliant with M.G.L. c. 40A, § 3A (the MBTA Communities law). As Attorney General Andrea Campbell advised communities on March 15, 2023, compliance with the MBTA Communities law is mandatory, and failure to comply may result in civil enforcement action by the Office of the Attorney General. Noncompliance also means the town will begin losing out on significant grant funding from the state.

The housing crisis affects every resident in every corner of the Commonwealth, and it will take all of us, including the Town of Milton, to get back on track. The MBTA Communities law is a critical tool to create more housing near transit stations and decrease the high costs of living. Compliance with the law is mandatory, and we are grateful to Milton's municipal staff and Town leaders who have worked with the Executive Office of Housing and Livable Communities (EOHLC) to date to achieve compliance.

Thanks to those efforts, Milton successfully passed zoning intended to comply with the MBTA Communities law at its December 2023 special town meeting. 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.

Sincerely,

Edward M. Augustus, Jr.
Secretary

cc: Senator Walter F. Timilty
Representative William J. Driscoll
Representative Brandy Fluker Oakley
Nicholas Milano, Town Administrator, Town of Milton
Tim Czerwienski, AICP, Director of Planning and Community Development, Town of Milton