



Commonwealth of Massachusetts
EXECUTIVE OFFICE OF HOUSING &
LIVABLE COMMUNITIES

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

Via email: nmilano@townofmilton.org

June 11, 2025

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

Re: Town of Milton: Pre-Adoption Feedback for Compliance with Section 3A of the Zoning Act

Dear Administrator Milano,

The Executive Office of Housing and Livable Communities (EOHLC) received a pre-adoption review application from the Town of Milton requesting that EOHLC review the proposed zoning district submitted via Citizen's Petition to Milton's Town Meeting, "MBTA Communities Multi-Family Overlay District", which is comprised of nine subdistricts (District), based on the criteria set forth in G.L. c.40A, § 3A (Section 3A) and 760 CMR 72.00 (the Regulations). EOHLC is aware that an additional zoning amendment to meet the requirements of an Adjacent Community and submitted by the Town's Planning Board, will be before Milton's Town Meeting on June 16, 2025; the proposed Planning Board amendment does not meet the criteria of G.L. c.40A, § 3A or 760 CMR 72.00.

EOHLC appreciates the work the Town has done to prepare for compliance with Section 3A. After careful review and analysis, EOHLC has the following technical feedback to aid the Town in achieving compliance. We hope the description of technical corrections will assist the Town in adopting zoning that can be deemed compliant. The MBTA Communities program staff are available to discuss any technical details with you and your staff, should you so desire.

Milton is designated as a Rapid Transit Community with 9,844 existing housing units per the 2020 United States Decennial Census. The Town is required to have a district with a minimum multi-family unit capacity of 2,461 units and a gross density of 15 dwelling units per acre. At least fifty percent (50%) of the Town's requirements must be met within ½ mile of transit stations.

EOHLC identified the following issues, which may affect the District's compliance with Section 3A:

1. The "Milton Station East" subdistrict shows a density of 44 dwelling units per acre allowable in the submitted compliance model, however, the proposed bylaw only allows 40 dwelling units per acre as of right. If the bylaw figure of 40 units per acre is accurate Milton would not meet its minimum unit capacity

requirement. The bylaw should be revised to reflect the 44 dwelling units per acre submitted in the compliance model prior to submitting for district compliance.

2. The subdistrict known as the “Paper Mill Site” contains a single parcel that has challenging access to the buildable portion of the parcel. EOHLIC is relying on the Town’s representation that there is legal access to the site.
3. The “Mattapan Station” subdistrict has a Maximum Floor Area Ratio (FAR) of 1.10 per the proposed bylaw, however, a FAR of 1.20 was input into the submitted compliance model for the FAR limitation. The compliance model submitted with any future district compliance application should reflect the language from the adopted zoning bylaw.
4. The frontage and access for the majority of parcels in the “Randolph Ave East” subdistrict rely on common ownership of these parcels with frontage and access on “Access Road”. EOHLIC is relying on the Town’s representation that there is legal frontage and access for the parcels in question from “Access Road.”
5. The affordability requirements found in the section of the proposed bylaw titled “Provision of Affordable Housing” will require an Economic Feasibility Assessment (EFA) to be submitted. Please note that the town may submit an EFA after the July 14, 2025 deadline if necessary.

For the foregoing reasons, EOHLIC recommends that the Town address the issues above before Town Meeting and applying for District Compliance.

Please note that this pre-adoption review is limited to specific issues identified at this stage of review and is based on materials provided by the Town of Milton. It does not constitute a representation that resolution of the noted issue would result in a compliant zoning district. EOHLIC encourages the Town to review its existing zoning carefully to make sure there are no provisions that would affect the proposed District.

MBTA Communities staff at EOHLIC will meet with you and your staff should you want to review the details of this letter. If you have questions or need further assistance regarding this determination, please contact MBTA Communities Compliance Coordinator Nathan Carlucci, at nathan.carlucci@mass.gov.

Sincerely,



Caroline “Chris” Kluchman
Director, Livable Communities Division

cc: Senator William Driscoll, william.driscoll@masenate.gov
Representative Richard Wells, Richard.Wells@mahouse.gov
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