

## Rehoboth MBTA

Howitt, Steven - Rep. (HOU) <Steven.Howitt@mahouse.gov>

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To: Rehoboth MA <rehobothagainstmblaw@gmail.com>

Cc: "Rubin, Natalie (HOU)" <Natalie.Rubin@mahouse.gov>

Justin:

I share the concerns raised by many Rehoboth residents and officials about the potentially adverse impacts associated with implementing the zoning provisions of the MBTA Communities Act. While there is absolutely an urgent need to address the shortage of affordable housing in Massachusetts, the MBTA Communities Act does not provide sufficient flexibility to municipalities to tackle this problem in a way that considers the unique circumstances of each individual city and town and their capacity to handle more housing developments. The law also fails to acknowledge the steps that communities may have already taken to create more affordable housing.

The House Republican Caucus has been actively working to address municipal concerns about the law by offering amendments during floor debate on the Fiscal Year 2025 budget as well as the housing bond bill that would give cities and towns more flexibility and an opportunity to file an appeal. These amendments include proposals to:

- provide affected communities with a minimum extension of 12 additional months from the current deadline for submitting a compliance application;
- require a municipality's total net units of housing created by qualifying construction projects completed within the past 5 years to be considered when determining their MBTA Communities Act compliance;
- allow communities whose affordable housing threshold exceeds 10 percent of its total housing units to be exempt from the zoning requirements of the MBTA Communities Act (which was defeated on a roll call vote of 27-131); and
- allow a municipality affected by the zoning provisions of the MBTA Communities Act to appeal for relief from the provisions based on one or more of the following criteria:

- o the inability to meet the drinking water supply requirements necessary to support the housing units authorized by such provisions;

- o the inability to meet the wastewater treatment requirements necessary to support such units;

- o the inability of municipal transportation infrastructure to safely accommodate increased population attributable to housing development pursuant to such provisions;

- o any adverse environmental impacts attributable to the developments of housing units pursuant to such provisions; and

- o any adverse impacts on historical properties (which was defeated on a roll call vote of 32-126).

The House Republican Caucus also offered an amendment to require the Executive Office of Housing and Livable Communities to conduct a study at least every three years to determine: the number of housing units produced under the MBTA Communities Act; these units' impact on municipal water supplies, wastewater treatment, and transportation infrastructure; and the impacts of the production of these units on the local school districts where they are located.

While none of these amendments were adopted, I can assure you that my colleagues and I will continue to pursue opportunities to assist communities that are struggling with implementing the law's new zoning requirements.

Steven