



TOWN ADMINISTRATOR
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SELECT BOARD

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**BENJAMIN D. ZOLL
MEMBER**

January 10, 2024

Secretary Ed Augustus
100 Cambridge Street
Boston, MA 02114

Re: Town of Milton Status with respect to MBTA Communities Act Compliance

Dear Secretary Augustus:

On Tuesday, January 2, 2024, the Town of Milton received a request for information from Chris Kluchman, Acting Director of the Community Services Division at the Executive Office Housing and Livable Communities (“EOHLC”) regarding the Town’s status for MBTA Communities Act Compliance. Please see below a summary of the Town’s actions to comply with the law and the Town’s responses to EOHLC’s requests.

Since the MBTA Communities Act was approved by the Legislature and signed into law by the Governor, the Town has worked to develop and refine zoning that complies with the law. Town departments, boards, and committees have held meetings and conducted other outreach to get resident feedback on the law and the Town’s efforts to develop legally-compliant zoning, including approximately 28 Planning Board meetings, 15 Select Board meetings, 8 public forums, an online survey with nearly 500 responses, numerous neighborhood association meetings and other townwide events, social media and email announcements, and a flyer inserted into property’s water bill. The Town has also applied for and received grant funding for expert analysis and data to help develop the zoning, including for Utile compliance modeling, 30 different compliance scenarios tested and evaluated by independent consultants, Metropolitan Area Planning Council subdistrict testing, and an RKG Fiscal Impact Analysis

A Special Town Meeting was held beginning on December 4, 2023, to seek Town Meeting’s approval of the zoning bylaw changes that would create legally-compliant zoning. Town Meeting approved the zoning in Article 1 on December 11, 2023, by a vote of 158-76. On December 18, 2023, the Select Board received a petition requesting that Article 1 be placed before the voters at large in accordance with Chapter C, Section 7 of the Town’s Charter. On December 27, Town Clerk Susan Galvin informed the Select Board that the petitioners had the requisite number of certified signatures of registered voters per Chapter C, Section 7 of the Town’s Charter. On December 28, 2023, the Select Board voted pursuant to Chapter C, Section 7 to “call a special town meeting . . . for the sole purpose of presenting to the

voters at large" Article 1 on February 13, 2024, at the Town's regular polling locations and for the hours of voting to be the same as used at the Town's Annual Election, 7 am to 8 pm. As a result, the Town is unable to submit the certified Town Meeting vote on Article 1 at this time.

EOHLC Request: "Prior to the expiration of the deadline at 11:59 p.m. on January 2, 2024, provide EOHLC with compliance materials including the final zoning text and associated zoning map amendments adopted by Special Town Meeting, the compliance model and the GIS shapefiles, and any other materials that the town has 'in hand.'"

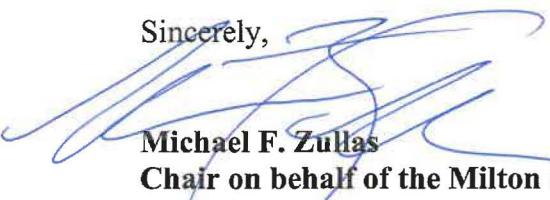
Town's Response: On January 2, 2024, Town Administrator Nicholas Milano provided the requested information and materials. As you know, the Town has not submitted an application to EOHLC for a review of its compliance with the MBTA Communities Act because the Select Board received a petition with the requisite number of signatures to place Article 1 before the voters at large. As a result, the Town is unable to submit an application for District Compliance to EOHLC, as required by EOHLC's Guidelines, since the zoning has not yet been approved by the Town.

EOHLC Request: "Provide a letter from the Select Board by close of business on January 11, 2024 confirming the town's intention to submit a District Compliance application" if the zoning is approved by voters.

Town's Response: The Milton Select Board confirms that if the voters at large approve Article 1 to amend the Town's zoning bylaws and map on February 13, 2024, then the Town will promptly submit a completed District Compliance application to EOHLC in accordance with EOHLC's Guidelines. If the voters at large do not approve Article 1 on February 13, 2024, then the Town will not be able to submit a completed District Compliance application to EOHLC.

If you have any questions or are seeking any additional information, please do not hesitate to contact Town Administrator Nicholas Milano at nmilano@townofmilton.org or 617-898-4845.

Sincerely,


Michael F. Zullas

Chair on behalf of the Milton Select Board:

Erin G. Bradley, Vice Chair
Roxanne F. Musto, Secretary
Richard G. Wells, Jr.
Benjamin D. Zoll