

Town of Hopkinton

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FOR IMMEDIATE RELEASE

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Town of Hopkinton Shares Information Regarding State's MBTA Communities Initiative

HOPKINTON — Town Manager Norman Khumalo and Principal Planner John Gelcich wish to share information regarding the state's MBTA Communities Multi-Family Zoning Requirements.

As of the passing of the Economic Bond Bill, signed by Gov. Charlie Baker in January 2021, 175 MBTA communities are subject to the new requirements of [Section 3A of the Zoning Act](#), including Hopkinton.

The purpose of Section 3A is to encourage the production of multi-family housing by requiring MBTA communities to adopt zoning districts where multi-family housing can be built without a Special Permit or Variance, and that meet other requirements set forth in the statute. The law does allow for municipalities to require a limited Site Plan Review process.

What is an MBTA Community?

An MBTA community falls under one or more of the following categories:

- One of the 14 cities and towns that initially hosted MBTA service;
- One of the 51 cities and towns that also host MBTA service but joined later;
- Other "served communities" that abuts a city or town that hosts MBTA service;
- A municipality that has been added to the MBTA under G.L. c. 161A, sec. 6 or in accordance with any special law relative to the area constituting the authority.

Hopkinton is classified as a "served community" with proximity to the Southborough Commuter Rail Station.

What does this mean for Hopkinton?

To be compliant with the MBTA Communities Multi-Family Zoning Requirements, the Town of Hopkinton will be required to establish a zoning district(s)/overlay(s) that allows for multi-family units, however, it does not require the units to be constructed. The zoning must allow for multi-family residential development with no special permits or other discretionary approval needed. This means that the zoning district regulations cannot impose age restrictions within the MBTA Communities district(s).

Through the process, the Town of Hopkinton must establish zoning district(s) of at least 50 acres, and the district(s) must allow a minimum density of 15 units per acre. The law does not require municipalities to upgrade or install new infrastructure to support the development of sites within the MBTA Communities zoning district.

The multi-family district(s) may include land areas within a half-mile of the Southborough MBTA Commuter Rail Station, or areas that are farther than a half-mile from the transit station provided the areas are easily accessible to the transit station based on existing street patterns and pedestrian connections.

The deadline for zoning compliance is Dec. 31, 2024.

What if Hopkinton does not comply?

Communities that do not comply with the zoning requirement will not be eligible for certain state funding and, as the [Attorney General's Office advised in March](#), "Communities that fail to comply with the Law's requirements also risk liability under

federal and state fair housing laws.”

Since 2014, the Town of Hopkinton has received more than \$8 million in MassWorks Funding for road safety and infrastructure improvements. The projects that received MassWorks funding include Legacy Farms North and the Main Street Corridor. Projects that qualify and could be at risk include a potential future Massachusetts Water Resources Authority water connection and potential future infrastructure improvements related to affordable housing.

If Hopkinton does not comply with Section 3A's requirements, the town risks losing eligibility to receive MassWorks funding, as well as any funding through the Housing Choice Initiative and Local Capital Projects fund. Additionally, as of August 2023, the law has been amended to add 13 discretionary grant programs that will consider compliance with Section 3A in making grant awards.

What are Hopkinton's next steps?

The town is in the preliminary stages of evaluating potential areas that could be zoned to help meet these requirements. The town plans to make opportunities for public input available as the work progresses.

The next opportunity for public input will take place at the Zoning Advisory Committee meeting on Sept. 18, virtually via Zoom. To confirm meeting details, check the [Town's online calendar](#) or contact Principal Planner John Gelcich at jgelcich@hopkintonma.gov.

The MBTA Communities zoning district that is ultimately identified by the town will need to be approved at Annual Town Meeting in May 2024 in order to meet the state's compliance deadline of Dec. 31, 2024.

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A message from the Town of Hopkinton