

Briefly review (maybe with Jodi's help) where things stand regarding the MBTA Zoning law. Milton is the billboard of not approving this as a town, what impact does this have to Milton and possibly Millis if it were to be voted down.

A proposed 40A/3A bylaw to amend the Town's Zoning Bylaws is working its way through the Town Meeting Warrant Article process. The article will be presented to Millis' MBTA 3A Advisory Committee on Monday, March 4th at 7:00PM. The 3A Advisory Committee was appointed by the Select Board in September 2022 and has been putting the by law together since then. After the Advisory Committee's meeting, the draft bylaw will move forward to the Planning Board's Public Hearing on March 12th.

The Executive Office of Housing and Livable Communities (EOHLC) oversees the 40A/3A MBTA Community Rezoning Act. EOHLC is an executive department, which means it works at the discretion of the governor.

The consequences that a municipality will encounter for not passing an MBTA Community Zoning bylaw are the same for all cities and Towns in the Commonwealth. The following are some of the effects.

The guidelines published by EOHLC note 13 grants under EOHLC's discretion that will initially be withheld from any municipality not in compliance with the act. Those 13 grants compile EOHLC's, and the state's, major focus of development funding for communities. They range from planning grants (such as the grant we received for our downtown development study in 2020), to capacity grants (which is the \$46,700 grant we received from EOHLC to create our 40A/3A bylaw), to infrastructure grants (which would help us develop water, sewer, streets and other infrastructure for commercial developments), and building and renovation grants (such as we have requested of EOHLC for the renovation of the Lansing Millis Memorial depot). Also included is the Municipal Vulnerability Program, which Millis has been the beneficiary of three grants, totaling over \$200,000 to help us plan and build infrastructure to handle future flooding due to climate change. The logic behind withholding these funds is that a community that does not want to increase its housing density around development nodes does not need funding for development.

We have seen in Milton's refusal to comply with the act that the state can deny other development grants that are outside of EOHLC. Basically, any funding resource that falls under the governor's discretion can be withheld from the municipality.

Beside the governor, another state elected official has weighed in. The Massachusetts Attorney General has legal power to assure the Commonwealth's laws are followed. Atty Gen Campbell filed a complaint immediately upon Milton's refusal in which she asked the state courts for an injunction to force the town to enact compliant zoning, and if Milton refuses to comply with the injunction, to appoint someone who will create the zoning whether the town adopts it or not.