

May 9, 2018

Honorable Robert A. DeLeo
Speaker of the House of Representatives
State House, Room 356
Boston, MA 02133

RE: Zoning Reform and Housing Initiatives

Dear Mr. Speaker:

We are writing to express our support for a zoning reform and housing initiative package that reflects a balance and compromise of concerns and impacts expressed by interested parties in the fields of housing, planning, environment and municipal government.

Massachusetts families, especially seniors and young people, face a housing crisis that threatens to tear them from their communities and undermine our economic success and quality of life. Businesses indicate that housing scarcity makes it difficult to attract and retain employees, while many cities and towns struggle to create vibrant, walkable places that can attract new investment.

Governor Baker's "Housing Choice" bill, as reported out by the Housing Committee, can serve as a starting point to modernize the Commonwealth's planning, zoning and permitting rules. It contains simple majority approval for zoning improvements and special permits that help to produce and preserve housing, along with local option inter-municipal agreements to share costs and revenue from development.

In addition, we support including the following provisions:

1. A training program for residents who serve on local planning and zoning boards. Funding has been included in a supplemental budget and will be distributed through the Department of Housing and Community Development.
2. Expediting certain kinds of appeals by limiting court review to whether or not the local permit decision was made appropriately.
3. A mediation process at the local level to resolve permitting disputes.
4. When a zoning change is considered, requiring the planning board to provide an advisory report on whether the proposed change is consistent with the master plan.
5. Providing notice to the board of health when a development project application is submitted to a municipality.

6. Authorizing “site plan review,” a tool that helps communities to improve project design while ensuring prompt approval for developers.
7. Making it easier for developers to “cluster” homes in a subdivision to conserve land and reduce construction costs.
8. Enabling more single family homeowners to create a modest “accessory apartment” within the home for relatives, caretakers, or rental.
9. Extending the time for municipalities to exercise a right of first refusal to purchase agricultural land or recreational land.
10. Reform of unregulated “Approval Not Required” development, if a community is willing to adopt a Minor Subdivision Ordinance or By-Law.
11. Encouraging more multifamily housing in sensible locations.
12. Clarifying that discriminatory actions in zoning and permitting are not allowed under Massachusetts law.
13. Establishing sensible parameters for property owners to vest their property rights, which will encourage municipalities to update their zoning.

State zoning, planning and subdivision statutes have not been significantly updated since 1975. Passage of such a bill would be a worthy accomplishment and in line with the House’s tradition of reform. In that regards, we respectfully request that the House take action on a comprehensive zoning reform and housing initiative package by the end of session. Thank you in advance for your consideration.

Sincerely,

Rep. Stephen Kulik
1st Franklin

Rep. Sarah Peake
4th Barnstable