

The MBTA Communities Law and Medway



What is it?

A new state law. In 2021, the Massachusetts Legislature enacted legislation requiring all 177 cities and towns in the MBTA service area to adopt zoning that encourages multifamily homes. Medway is in the MBTA service area due to the train stations located nearby in the Town of Franklin.

What does the law require Medway to do?

To comply, Medway needs to change the Zoning Bylaw for “as of right” multifamily development in one or more locations in town. The deadline to comply is December 2024. The Planning and Economic Development Board is working on proposed zoning changes to comply with the law, which are planned to be presented at the Annual Town Meeting in May of 2024.

What happens if we don't comply?

Under the new law, Medway would be ineligible for state grants such as MassWorks, which provides funding for some local infrastructure projects. It would also become less competitive for grants such as funding for open space acquisition, historic preservation, planning, and other funds the Town has applied for and received in the past.



More about the MBTA Communities Law

What does “as of right” mean?

The Planning and Economic Development Board will be able to review site and building design, access, parking, circulation, utilities, and other physical characteristics of a proposed project and impose reasonable conditions on it, but not deny the developer’s application.



Rendering of Glenn Brook Way, an affordable housing development.

How many multifamily homes is Medway supposed to allow?

The law requires Medway to zone for a minimum multifamily density of 15 units per acre without limits on number of bedrooms or age restrictions. The new zoning district must have at least 50 acres of land and regulations that would allow a total of 750 multifamily homes. The land in the district may already have housing or other uses, and the required 50 acres could be divided into more than one location. **The district does not have to have any vacant land.**

What about affordable housing?

Medway can require 10 percent of the multifamily homes in a development in the MBTA Communities district to be affordable and eligible for the Chapter 40B Subsidized Housing Inventory (SHI). The Town *may* be able to require more, but first we have to prove that doing so will not discourage multifamily development.

What does the law not say?

- **It does not require the construction of 750 multifamily units.** It requires the Town to have **zoning** that complies. New housing development is not required.
- **It does not require communities to pay for any infrastructure** that would be needed for new multifamily homes to be developed in the MBTA Communities zoning district.
- **It does not override state or local environmental laws** such as the Massachusetts Wetlands Protection Act or Title V, or the Medway Wetlands Bylaw.
- **It does not allow waivers.** All 177 communities are subject to the new law.

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