

LOCAL

Hopkinton is latest to reject proposal for multifamily housing near public transit



Tom Benoit

The MetroWest Daily News

Published 5:37 a.m. ET May 10, 2024 | Updated 5:37 a.m. ET May 10, 2024

HOPKINTON — Voters at Town Meeting this week rejected a plan to bring Hopkinton into compliance with the MBTA Communities Act, a new state law that requires 177 eastern Massachusetts communities to zone for multifamily housing near public transit stations.

The law, which was signed by former Gov. Charlie Baker in January 2021, affects municipalities that either have direct access to an MBTA service, or border communities with such access. These municipalities are required to permit a higher level of density by right in neighborhoods that are within a half-mile radius of rail stops.

Hopkinton's proposal would have added multifamily zoning to three areas: two off Cedar Street (Route 85), directly adjacent to the Southborough Commuter Rail station; and in downtown Hopkinton.

Towns plot to accommodate law: Natick, Wellesley work to comply with new MBTA zoning standard

The article failed during Wednesday night's Town Meeting session, 126-118. In a statement to the Daily News, interim Town Manager Elaine Lazarus called the vote "a setback."

"The result of the vote on Article 39 at last night's Annual Town Meeting was a setback in the town's plan for conformance with MGL Chapter 40A, Section 3A (the MBTA Communities law)," Lazarus said. "However, Hopkinton is committed to presenting another proposal at a Special Town Meeting (likely to be held sometime in the fall) in order to achieve compliance with the law before the end of the year."

She encouraged residents to look out for public information and input sessions in coming months.

Hopkinton is considered an "MBTA adjacent" community, due to its proximity to Commuter Rail stations in Southborough and Westborough. It's required to zone for a minimum of 750 units, or

about 11% of its current housing stock.

Hopkinton joins a handful of other Massachusetts cities and towns, including Marshfield, Milton, Hanson and Norwell, in rejecting proposals that would accommodate the law. In Hanover, the town voted to send the plan back to the Planning Board for further review.

What is the MBTA Communities Act?

The MBTA Communities Act requires 177 communities in eastern Massachusetts to designate at least one zoning district that allows for multifamily housing by right, meaning certain conditions like special permits or variances aren't required. The law's intent is to boost housing production.

'Paper compliance': Towns settling for 'bare minimum' with housing law, critics say

These zoning overlay districts must allow for projects that are suitable for families and have a minimum density of 15 units per acre. If applicable, districts must be within a half-mile of public transportation and are encouraged to be near existing commercial districts. For Hopkinton, the Cedar Street district would have satisfied the half-mile radius requirement from the Southborough Commuter Rail station.

This type of zoning would allow multifamily housing in addition to the land's existing zoning. The law does not require that anything be actually built — only that it is zoned to allow for multifamily residences.

What's next for Hopkinton?

If Hopkinton does not pass the zoning changes by year's end, the town risks losing out on state money and could face a potential lawsuit from the state.

According to a prior press release from the town, Hopkinton has received more than \$8 million in MassWorks Funding for road safety and infrastructure improvements. Projects that received this funding include Legacy Farms North and the Main Street Corridor. Projects that could be at risk of losing out on funding include the Massachusetts Water Resources Authority water connection and potential affordable housing-related infrastructure improvements.

Hopkinton's vote comes months after Milton voters renounced their previously approved MBTA zoning changes. State Attorney General Andrea Campbell sued the town in the state Supreme Judicial Court, and the state pulled a \$144,800 grant for the design of a seawall at Milton Landing. Designated as a "rapid transit" community, Milton's deadline to approve its MBTA zoning was the end of last year.

In a statement to the Daily News, Campbell urged the town to reconsider its failed vote.

“While some remain wrongly focused on the towns that have had failed votes, a majority of communities are taking steps to comply with the MBTA Communities Law, and we will continue to be a resource to all communities, including Hopkinton and Marblehead, who have until the end of 2024 to come into compliance,” the attorney general said. “I thus urge them to reconsider another zoning article at another Town Meeting before the end of the year.”

Hopkinton Town Clerk Connor Degan said the Planning Board will work to bring a new proposal forward.