



Commonwealth of Massachusetts
EXECUTIVE OFFICE OF HOUSING &
LIVABLE COMMUNITIES

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Edward M. Augustus Jr., Secretary

Via Email: blungokoehn@medford-ma.gov

September 30, 2024

Mayor Breanna Lungo-Koehn
City of Medford
85 George P. Hassett Drive
Medford, MA 02155

Re: Medford - District Compliance Determination for MBTA Communities under Section 3A of the Zoning Act (Section 3A)

Honorable Mayor Lungo-Koehn:

Congratulations! The Executive Office of Housing and Livable Communities (EOHLC) has reviewed the district compliance application for the City of Medford's Wellington Station Multifamily Overlay District (WSMOD) (District). After careful review and analysis, EOHLC has determined that Medford is **compliant** with Section 3A, as it finds that Medford meets, or exceeds, the requirements of Section 3A and the Guidelines.

Please note that this Determination of Compliance by EOHLC qualifies Medford for the MBTA Communities Catalyst Fund which was announced by Governor Healey in [June](#). Learn more about the program at the web page [MBTA Communities Catalyst Fund](#) which has a link to the Notice of Funding Availability (NOFA). While housing production is not required, EOHLC is eager to hear about multi-family developments in your MBTA Communities District, please share permit activity with us at EOHLC3A@mass.gov.

Medford is designated as a Rapid Transit Community with 25,770 existing housing units per the 2020 United States Decennial Census. The Town is required to have a district with a minimum land area of 35 acres, and a minimum multi-family unit capacity of 6,443 units.

EOHLC conducted a thorough review of the application, and made the following determinations:

1. The District comprises **136.0 acres**.
2. As of right multi-family unit capacity for the District is estimated at **6,921 units**.
3. The gross density of the District is estimated at **51.7 dwelling units per acre**.
4. At least **fifty percent (50%)** of the District is one contiguous land area.
5. **At least seventy-five percent (75%)** of the required District land area and estimated unit capacity is within transit station areas.

6. The multi-family housing allowed as of right in the District is suitable for families with children pursuant to Section 3A and Section 7 of the Guidelines.
7. There are no dimensional zoning requirements not captured by the compliance model that are likely to substantially affect the District's estimated multi-family unit capacity.
8. Taken as a whole, the District meets the land area, multi-family unit capacity, gross density, and contiguity requirements of Section 3A and the Guidelines.

The following table shows the **required** District minimums, the estimates **submitted** in the District application, and estimates as **determined** by EOHLC following its review:

	Required	Submitted	Determined
Land area (acres)	35	136.0	136.0
Multi-family unit capacity (units)	6,443	6,921	6,921
Gross density (units per acre)	15	51.7	51.7
One 50% contiguous area	Yes	Yes	Yes

EOHLC identified the following **additional factors** that could affect as of right multi-family housing development in the District:

- Developments in the District are subject to site plan review. The standards set forth in the site plan review lean towards discretionary criteria which may affect the “as of right” approvals for development proposals in the District. We caution the City against applying site plan review criteria in a discretionary manner that is inconsistent with G.L. c.40A Sections 1A and 3A.
- The City's site plan review appears to require a traffic impact and access plan and transportation demand management plan for most multi-family development in the District. These studies and plans may affect as of right development in the District.

Please note that continued district compliance is **subject to** the following requirements:

- Municipalities must notify EOHLC in writing of any proposed or active zoning amendment that affects the district, or of any other by-law, ordinance, rule, regulation, or municipal action that limits the development of multi-family housing in the District. This notification must be sent to EOHLC3A@mass.gov prior to any planning board public hearing on the proposed zoning amendment.
- EOHLC may establish a system to monitor compliance over time to ensure that approved districts allow multi-family housing in accordance with the criteria under which they were approved.
- EOHLC may rescind a determination of district compliance or require changes to the District to remain in compliance as per Section 10 of the Guidelines, or if it becomes aware of

additional information not identified in this compliance review that would render the District noncompliant with Section 3A.

- Permitting conducted in connection with the additional factors listed above must not effectively reduce the estimated multi-family unit capacity of the District. If site plan review, or reductions in projects based on traffic capacity reduce the estimated multi-family unit capacity of the District, EOHLC may revisit Medford's compliance with Section 3A, and could require the City to remedy any deficiency with amendments to its zoning.

If you have questions or need further assistance regarding this determination, please contact MBTA Communities Compliance Coordinator Nathan Carlucci, at nathan.carlucci@mass.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edward M. Augustus, Jr.", written in dark ink.

Edward M. Augustus, Jr.
Secretary

cc: Senator Patricia Jehlen, Patricia.Jehlen@masenate.gov
Representative Christine Barber, Christine.Barber@mahouse.gov
Representative Paul Donato, Paul.Donato@mahouse.gov
Representative Sean Garballey, Sean.Garballey@mahouse.gov
Danielle Evans, City of Medford, devans@medford-ma.gov