



February 21, 2025

Secretary Edward Augustus  
Executive Office of Housing and Livable Communities  
100 Cambridge St., Suite 300  
Boston, MA 02114

**Re: NAIOP Comments in Support of Proposed 760 CMR 72.00 *Multi-Family Zoning Requirement for MBTA Communities* Regulations**

Dear Secretary Augustus:

NAIOP Massachusetts, The Commercial Real Estate Development Association, appreciates the opportunity to provide comments on the proposed regulations to implement Section 3A of M.G.L. Chapter 40A, the state's Zoning Law.

NAIOP was a member of the coalition that worked to pass Housing Choice, and participated in the working group convened by the then-Executive Office of Housing and Economic Development to develop Guidelines for the implementation of section 3A. As the Guidelines were developed, the agency conducted an extensive outreach process that ensured that the concerns and input of stakeholders were considered, while prioritizing zoning reforms that would be a catalyst for needed new housing development.

These Guidelines, which serve as the foundation for the proposed 760 CMR 72.00 *Multi-Family Zoning Requirement for MBTA Communities* regulations, successfully advanced the goal of encouraging the production of multifamily housing. As of the end of 2024, 118 communities have successfully passed multifamily zoning districts through their legislative process. Additionally, over 3,000 units of multifamily housing are already in the pipeline in zoning districts created to satisfy Section 3A.

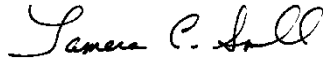
NAIOP strongly encourages EOHLC to advance the proposed 760 CMR 72.00 *Multi-Family Zoning Requirement for MBTA Communities* regulations without amendments. It is critical that the implementation of the MBTA Communities law continue as quickly as possible. Any substantial changes to these guidelines in the final regulations would lead to confusion and delay for the communities that have already submitted compliance applications, and for the currently noncompliant or conditionally compliant communities that have spent months developing rezoning plans based on the previous guidelines. Clarity, consistency and predictability are critical for communities still navigating compliance.

NAIOP Massachusetts represents the interests of companies involved with the development, ownership, management, and financing of commercial properties. NAIOP has over 1,800 members who are involved with office, research & development, lab, industrial, mixed use, multifamily, retail and institutional space.

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NAIOP thanks you, the EOHLC team, and the entire Healey-Driscoll Administration for working to address the Commonwealth's housing crisis and welcomes the opportunity to discuss our comments here further. Please feel free to reach out to me, or NAIOP Vice President of Policy and Public Affairs [Anastasia Daou](#) to discuss next steps.

Sincerely,

A handwritten signature in black ink, reading "Tamara C. Small". The signature is fluid and cursive, with the first name "Tamara" being more prominent than the last name "Small".

Tamara C. Small  
Chief Executive Officer  
NAIOP Massachusetts, The Commercial Real Estate Development Association