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The Commonwealth of Massachusetts

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MBTA Communities 40A, Section 3A - Funding

Dear Members of the Select Board and Planning Board,

As we approach Town Meeting I wanted to convey information regarding state funding and 3A compliance. In conversation with many of the executive offices we have gleaned the following information.

The [MBTA Communities Act](#) was passed under the Baker administration in 2021. To date 131 communities have approved their local districts at Town Meeting. The legislation included protections under existing wetlands and stormwater laws and protections subject to the availability of water and wastewater systems. I.e if there is no water and land area not large enough to construct a wastewater system and mitigate stormwater runoff the unit count will be significantly reduced from the compliance number.

Funding: The MBTA Communities legislation includes listed grant programs that are contingent on approval of the local 3A district in our communities. The Executive Office of Housing and Livable Communities MBTA 3A [Regulations](#) include additional grant programs that require compliance. Further additional funding programs have been identified requiring compliance including within, the Housing and Economic Development Bond Bills, supplemental budgets and executive office advisories.

What we know to date: Any state discretionary grant funding is on the table for consideration of compliance with the following exceptions. Federal funding and grants to non-town entities (Iron Ox Farm for example) and more recently Public Safety grants are not linked to compliance. We do not yet have a clear answer as to if MSBA funding is impacted, however we do know that in the [Supplemental Fair Share Budget](#) in the

Senate they included a requirement that a community be in compliance with MBTA 3A for a community to access that supplemental funding from MSBA. Previous funding awards should remain intact as long as the project is under contract by the compliance deadline of July 14, 2025. The funding to the district is significant. Over the past few years there has been millions of dollars that have come out of these programs to the 2nd Essex District for water quality and infrastructure, transportation, education, veterans, mental health, seniors and the environment.

The grants that we have tracked and collaborated with Hamilton since 2023 are below. There may be others for which we were not involved and therefore not included.

Hamilton 2023 to 2024: \$929,138.00, which at this point all are secure, assuming they are all under contract. However \$917, 547 (98%) MBTA 3A may be a factor if the Town pursues these grants in the future.

2023-2024 Awarded Grants	Hamilton
Cultural Council	\$12,100.00
Safe Drinking Water Grants	\$232,490.00
Firefighter Safety Grants	\$11,591.00
Transportation Infrastructure Grants	\$133,505.00
MYCAP (schools)	\$5,500.00
2024 Municipal Road Safety (PD)	\$15,864.00
FY25 Municipal Road Safety Grants	\$11,488.00
Green Communities Competitive Grants	\$500,000.00
MassDEP Sustainable Materials Recovery Program	\$6,600.00
Total	\$929,138.00

Hamilton 2025 to Date: \$\$305,890.37 of that \$279,775 (91%) MBTA 3A may be a factor for which the Town must get under contract for already awarded and may be ineligible for future grants.

2025-2026 Awarded Grants	Hamilton
Firefighter Safety Equipment Grants 2nd Round	\$3,715.37
Firefighter Safety Equipment Grants 1st Round	\$15,500.00
Student Awareness of Fire Safety (SAFE)	\$4,700.00
Senior SAFE	\$2,200.00
MassDEP Ipswich River Grant	\$279,775.00
	\$305,890.37

I do believe that we need to provide a diversity of housing options, in line with community character that our residents need; and that if communities are doing their part to create opportunities for housing funding should be available, that is why I commented along with the Town on the then draft regulations and have sponsored [legislation](#) to that end. While I disagree with the withholding of critical funding, the law is in effect and many communities have already approved their district locally. We are seeing that there are real fiscal consequences from the administration if a community does not approve their local 3A district. Further, we that represent towns that have not yet passed their district have fought fiercely to ensure that funding like public safety money must not be linked to compliance under this section and will continue to fight, however we are an increasingly small faction of the legislature as more and more communities approve their districts.

I commend the Town of Hamilton, Select Board, and Planning Board for their work over the past two years to carefully create the 3A District, providing many open sessions and including input from residents. I hope that this information is helpful. This is a local decision. As the vote is contemplated, consider the lost funding under the many programs affected. I wish that it was not a reality and I will always continue to fight to keep intact funding opportunities for critical programs to bring back every dollar I can to Hamilton. Please reach out at any time with any questions.

Sincerely,

Kristin E. Kassner

State Representative 2nd Essex, Room 254

Ipswich, Hamilton, Rowley, Newbury, Georgetown, Topsfield (1)