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To: Milton Residents
From: Milton Select Board
Date: March 27, 2024
Re: Attorney General's Lawsuit Against the Town of Milton

Today, Milton's attorneys filed a response to the Attorney General's lawsuit against the Town of Milton at the Supreme Judicial Court. There are legal questions about the MBTA Communities Act ("MBTA CA") that need to be answered. Our response filed today addresses questions that we have and that we have heard from many residents about the MBTA CA.

We acknowledge that cities and towns in Massachusetts need to work together with our partners in state government to address housing issues. Milton is growing; we have permitted hundreds of new housing units in recent years. We remain willing to work with the state to come up with a plan that works for Milton so that, together, we can make progress on housing in Massachusetts.

Over the past two years, our Town has been engaged on the MBTA CA, offering feedback to the state on the law and the guidelines issued by the Executive Office of Housing and Livable Communities. We asked questions of our state leaders and raised concerns about how the guidelines and the law were applicable to Milton. We held countless public meetings and information sessions to provide updates and solicit feedback.

Those efforts culminated in a Town Meeting vote on an MBTA CA proposal last December, and then a subsequent town-wide referendum, allowed by our Town Charter, on that MBTA CA proposal on February 14.

We would like to thank our boards, committees, staff, and residents who have engaged on this issue. We encourage this respectful dialogue to continue on MBTA CA and all issues facing our Town.

Less than two weeks after the town-wide referendum, the Attorney General filed a lawsuit against our Town. This action did not give us adequate time to come together as a community to plan our next steps with respect to MBTA CA.

To respond to the Attorney General's lawsuit, on March 15 the Select Board voted to engage Goodwin Procter LLP as special counsel to assist Town Counsel in defending the Town.

We expect that the Supreme Judicial Court will hear oral arguments on the Attorney General's lawsuit in October and will issue a decision sometime thereafter.

We are hopeful that this attention on the Mattapan Line will help focus the MBTA's efforts on the sorely needed Mattapan Line Transformation Project, which would greatly improve transit access to underserved populations in Mattapan, Milton, and Dorchester.

After the town-wide referendum, the state cut a \$140,800 grant that had been awarded to Milton to help design repairs to the seawall at Milton Landing. The seawall needs repair, and we are already experiencing the impacts of coastal flooding during high tide and storm events. We will be submitting a formal request to the state that it not penalize Milton by withdrawing these and other grant funds until, at the very least, the Supreme Judicial Court renders a decision in this matter.

We look forward to the Court's resolution of the many legal questions regarding the MBTA CA. Again, we thank you for your engagement on the MBTA CA and all the important policy issues facing our Town.

Thank you.

Milton Select Board