

From: Lorraine Iovanni

Sent: Monday, April 1, 2024 2:19 PM

To: Ann Harrison <harrisona@manchester.ma.us>; Christopher Olney <olneyc@manchester.ma.us>; Greg Federspiel <federspielg@manchester.ma.us>

Cc: Debbie Powers <powersd@manchester.ma.us>; Gail Hunter <HunterG@manchester.ma.us>

Subject: [EXTERNAL] - Milton's Counter Claim to AG Suit/Info only

[AG v. Milton - Motion for Leave.pdf \(townofmilton.org\)](#)

Attn: MBTA TF, SB, and TA

(Ms Hunter, please pass this along to all MBTA TF and PB members)

(Ms, Powers, please pass this along to all SB Members)

Good Afternoon,

In keeping with my MO to pass relevant data along...if you have the appetite to read a *legal* brief, I am passing Milton's Counter Claim arguments along as a backdrop to your work on MBTA zoning.

Start on page 26. This is an interesting read to complete your research. Milton's response to the AG's suit since this was mentioned at the last TF Meeting on March 28th. I was impressed with the reasoned arguments. It takes about 12 minutes to read starting on page 26.

Milton is questioning the extent of the law with regard to AG's role; the legal weight of the Guidelines and its additional penalties beyond the 4 grants in sec 3A; and the AG's standing to bring an action in this matter. This is indeed *something to keep an eye on*, as the TF alluded to on March 28th.

As a matter of data, **footnote 21** caught my eye:

"21. For context, and on information and belief, only a few communities in Massachusetts currently exceed 15 units per acre in the aggregate: Boston; the immediately adjoining communities of Cambridge, Somerville, Everett, Chelsea, Revere, Malden, and (rounding up) Watertown; and Lawrence. See <https://residency.mhp.net/> (Massachusetts Housing Partnership's residential density map). Even relatively dense communities near Boston such as Lynn,

Brookline, Medford, and Arlington do not meet that level of density municipality wide."

Regards,

Lorraine

Lorraine Iovanni
20 A Pine St