

# MBTA Wins Suit Against Milton

Judge Frank W. Tomasello of Suffolk Superior dismissed on Monday a suit by the Town of Milton to block the MBTA rapid transit extension from Ashmont Station to Mattapan.

William H. White, chairman of Milton selectmen, said later "we are going to appeal this to a higher court."

The extension would enable the MBTA to store its rapid transit cars in Mattapan instead of Cambridge, thus clearing the Bennett-street yard near Harvard sq.

This would pave the way for the building of the Kennedy Library complex at Bennett street.

In their suit, Milton officials contended that the MBTA had not given adequate notice of its plans and had not complied with a requirement that it consult with the State Department of Commerce and Development and the Metropolitan Area Planning Council (MAPC).

Judge Tomasello ruled that the \$12.8 million extension plan was "duly approved by the MBTA Advisory Board" on Feb. 29, 1968, and was based upon transportation plans adopted by Public Works.

He further ruled that the extension was prepared by the MBTA in consultation with the Department of Commerce and Development and the MAPC.

White said he feels the extension is "an absolute waste of taxpayers' money and is only replacing an already existing trolley line.

"They could do better to use the money to build lines where none exist now," he added.

Robert D. O'Leary, Milton town counsel, said the governor discussed the matter with the MBTA in great detail, but after Feb. 29 "I don't believe he discussed it with anyone from the Town of Milton."