

Residential Real Estate

# Needham rejects MBTA Act zoning in another blow to law



Needham is the latest town to reject MBTA Communities zoning.

GARY HIGGINS / BOSTON BUSINESS JOURNAL



By [Greg Ryan](#) – Senior Reporter, Boston Business Journal  
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Opponents of Needham’s plan to allow more multifamily housing under the MBTA Communities law have defeated the measure in a town-wide referendum.

While the results are not yet official, supporters of the town’s new zoning conceded Tuesday night. The defeat represents another blow to the law, the state’s most aggressive effort to spur the construction of more apartments and condos and to help bring down housing prices.

The “no” side drew 6,866 votes, or 58% of the total, while the “yes” side garnered 4,882 votes, or 42%, according to preliminary results posted to the town’s website.

Of the 30 communities that have opted not to comply with the law, Needham is one of the largest and also one of the closest to Boston. Its plan would have created capacity for nearly 3,300 units, significantly more than the 1,784 minimum required for the town under MBTA Communities. Residents at Town Meeting approved the plan in October, but opponents collected enough signatures to bring the measure to a referendum.

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Last week, the state’s highest court upheld both the law and Attorney General Andrea Campbell’s [ability to enforce it](#), but it ruled that state housing officials had erred by neglecting to issue formal regulations. Campbell’s office [had sued Milton](#) after its residents voted down a zoning plan in February.

On Tuesday, while Needham residents were voting, the Healey administration published emergency regulations meant to replace the guidelines that the Supreme Judicial Court deemed insufficient.

Under the new rules, Needham is not yet out of compliance with the law, but it will need to act quickly to get in its good graces: Towns that missed their

deadline under the old guidelines have to submit a rough outline of their compliance plan by Feb. 13 and to adopt a plan by July 14. Town officials could come up with a revised plan between now and then.

If Needham misses the new deadline, Campbell's office could sue the town, and the Healey administration could withhold funding under certain state programs.

"The voters have spoken, and while YES for Needham is disappointed with the outcome, we look forward to seeing the vision that the Planning Board and Select Board lay out over the coming weeks and months regarding the future of multifamily housing in Needham," Yes for Needham, the campaign supporting the plan, posted on Facebook.

The Charles River Regional Chamber was a strong backer of the plan, arguing that businesses desperately need more housing so that their workforces can afford to live in the town.

The group opposing the plan, Needham Residents for Thoughtful Zoning, could not be immediately reached for comment Tuesday night.

According to the state Executive Office of Housing and Livable Communities, there are 116 cities and towns that have adopted multifamily zoning under the law. Thirty missed their compliance deadline under the old guidelines or, in the case of Gloucester and Shrewsbury, have a future referendum scheduled related to their plan.

Others that failed to comply under the old guidelines include Duxbury, Hanover, Ipswich, Marblehead, Marshfield, Saugus, Weston and Winthrop.

**T H E L I S T**