

Citizens' petition could put 3A decision on the ballot

by [Adam Swift](#) • July 18, 2024 • [0 Comments](#)

A citizens' initiative petition submitted at town hall on Monday by 90 petitioners could put the MBTA 3A overlay zoning decision before voters in November. However, town officials said they are still seeking a legal opinion on whether the town council has the right to vote on 3A zoning even with the citizen's petition in play.

The MBTA 3A zoning could require Winthrop to create zoning for 882 multi-family units as an MBTA adjacent community. During the public comment period of Tuesday night's town council meeting, Diana Viens talked about the actions she believes the town and the council will have to take now that the citizens' initiative petition has been filed with the town.

Viens said the council must adopt the "no" language in the petition, which effectively prohibits MBTA overlay zoning in Winthrop, or the question would go on the November election ballot. She said any attempt to circumvent the process by the council could expose it to a lawsuit. "This council is now blocked from voting on 3A or any 3A associated plan," said Viens.

"The effect of this petition is to remove the 3A decision from this town council and place it in the hands of the people of Winthrop." Viens said that after a review of the petition, the council has two options, either adopting the language of the petition or putting it on the ballot.

"In case you are wondering, there is zero getting out of this," she said. "Now that the petition is submitted, the law states that the town council is forced to act upon it.

Any attempt by the council to vote on 3A will violate the law of conflicting or alternative measures, because doing so would conflict with our petition." Viens said the petition was necessary to prevent the council from acting in a way which was contrary to an exemption case for the town. Town Council President Jim Letterie said the town is still seeking a legal opinion on the petition.

"We don't think it disables us from voting on 3A, but we are in the middle of getting a legal opinion on it now," said Letterie.

"We firmly believe that if we voted in a direction that people didn't want, they absolutely have the opportunity to get enough signatures to warrant us to put the question on the ballot.

We do not believe they have the right to stop us from voting on something that is potentially a state law."

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