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Town of Marshfield v. Commonwealth

Supreme Judicial Court of Massachusetts, Plymouth - September 18, 2026 - N.E.3d - 2026 WL 2793958

Town and its select board brought action against the Commonwealth and the Executive Office of Housing and Livable Communities, seeking declaratory and injunctive relief and challenging the Massachusetts Bay Transportation Authority Communities Act (MBTA Act) on grounds that the MBTA Act constituted an unfunded local mandate, violated the constitutional voting rights of town meeting voters, violated the Home Rule Amendment, and conflicted with the Zoning Act.

The Superior Court Department granted defendants' motion to dismiss. Town and board appealed, and the Supreme Judicial Court allowed their application for direct appellate review.

The Supreme Judicial Court held that:

- Allegations of costs incurred in evaluating and drafting proposed zoning bylaws to comply with MBTA Act, and in presenting them to town meetings, did not plausibly allege unfunded local mandate;
- Allegation that town expected to incur additional costs as a direct result of MBTA Act and implementing regulations was too conclusory and speculative to state unfunded local mandate claim;
- Town and board failed to state unfunded local mandate claim;
- Town and members of board lacked standing to assert constitutional voting rights claim on behalf of town meeting voters;
- MBTA Act did not violate Home Rule Amendment; and
- MBTA Act did not conflict with Zoning Act.

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