

**HOUSE . . . . . No. 4397**

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## The Commonwealth of Massachusetts

DEVAL L. PATRICK  
GOVERNOR

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EXECUTIVE DEPARTMENT  
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*August 8, 2014*

To the Honorable Senate and House of Representatives,

Pursuant to Part the Second, Chapter I, Section I, Article II of the Constitution of the Commonwealth, I am returning unsigned House Bill No. 4156 “An Act Providing for a Highway Buffer Zone in the Town of Needham.”

On its face, this legislation simply appears to authorize the Massachusetts Department of Transportation (MassDOT) to purchase by eminent domain two parcels of land in Needham for the purpose of creating a highway buffer zone. The effect, however, would be to prevent the construction of a much needed affordable housing project proposed under M. G. L. c. 40B. MassDOT has no interest in this land and, more significantly, this legislation would set a bad precedent by permitting the use of restrictive and unnecessary local zoning laws to prevent the development of much needed affordable housing for lower-income residents of the Commonwealth.

For these reasons, I am returning House Bill No. 4156 unsigned.

Respectfully submitted,

Deval L. Patrick,  
*Governor*