

SENATE No. 736

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to affordable housing built near wetlands.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/25/2017</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>1/30/2017</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/1/2017</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>2/3/2017</i>

SENATE No. 736

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 736) of Patrick M. O'Connor, David F. DeCoste, Donald F. Humason, Jr., Ryan C. Fattman and others for legislation relative to affordable housing built near wetlands. Housing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to affordable housing built near wetlands.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Section 21 of chapter 40B of the Massachusetts General laws is hereby
2 amended by adding the following paragraph:-

3 Applications to build low and moderate income housing units using a comprehensive
4 permit shall not be exempt from local bylaws and ordinances concerning building in or the
5 disturbance of environmentally sensitive areas including, but not limited to, bordering vegetative
6 wetlands, watersheds, scenic rivers, marshes, wildlife sanctuaries, and vernal pools. Compliance
7 with these local bylaws and ordinances shall not be considered an uneconomic condition. Local
8 boards shall have the sole discretion to waive these local bylaws and ordinances.