

**SENATE . . . . . No. 702**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Robert L. Hedlund***

*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 relating to 40B projects built near wetlands.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>

**SENATE . . . . . No. 702**

By Mr. Hedlund, a petition (accompanied by bill, Senate, No. 702) of Robert L. Hedlund, James M. Cantwell and David F. DeCoste for legislation relative to 40B projects built near wetlands. Housing.

**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relating to 40B projects 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.