

**SENATE . . . . . No. 810**

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**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>1/29/2019</i>
<i>Dean A. Tran</i>	<i>Worcester and Middlesex</i>	<i>1/31/2019</i>

**SENATE . . . . . No. 810**

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By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 810) of Patrick M. O'Connor, David F. DeCoste and Dean A. Tran for legislation relative to affordable housing built near wetlands. Housing.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

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.