SENATE DOCKET, NO. 481 FILED ON: 1/19/2011

SENATE . . . . . No. 596

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 passage of the accompanying:

An Act relative to affordable housing built near wetlands..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Robert L. Hedlund	☐ *[District]* ☐
James M. Cantwell	*4th Plymouth*
Bruce E. Tarr	☐ *[District]* ☐
Michael R. Knapik	☐ *[District]* ☐

SENATE DOCKET, NO. 481 FILED ON: 1/19/2011

SENATE . . . . . No. 596

By Mr. Hedlund, petition (accompanied by bill, Senate, No. 596) of Cantwell, Knapik, Tarr and other members of the General Court for legislation relative to affordable housing built near wetlands [Joint Committee on Housing].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *770* OF 2009-2010.]

The Commonwealth of Massachusetts

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:

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

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