

Town of Cohasset
Zoning Bylaw Working Group - Master Plan Implementation Committee
January 25, 2022 – Virtual Meeting via Zoom

A meeting of the Zoning Bylaw Working Group was held at 10:30 am on January 25, 2022 virtually on Zoom.

In attendance were:

Katie Dugan, MPIC representative
Cassie Malatesta, MPIC representative
Tom Callahan, Planning Board representative
Woody Chittick, Zoning Board of Appeals representative
Peter Pescatore, Open Space & Recreation representative
Paul Colleary, Planning Board representative
Jack Creighton, Cohasset Select Board representative
John Hallin, Building Commissioner & Zoning Officer

Absent:

None

The meeting was called to order at 10:36 am.

Minutes

The working group voted to approved minutes from January 5, 2022. Katie Dugan will send this minutes to Town Clerk's office to be posted on the Town website.

RFQ - Comprehensive Zoning Bylaw Redraft & Reorganization

Cassie Malatesta and Katie Dugan updated the working group on the Request for Qualification (RFQ) for the zoning consultant to assist the working group with the comprehensive zoning bylaw reorganization & redraft. One prospective consultant attended the Pre-Proposal Zoom call on January 19th (Judi Barrett – Barrett Consulting Group – who may partner in bid with Bob Mitchell) and no bidders submitted Requests for Information (RFI) on January 21st. The group discussed concerns over interest level in RFQ for zoning consultant along with the feedback from one of targeted firms which was that they did not have consulting bandwidth to bid on the RFQ. The working group discussed next steps and 4 of the 5 Interview Committee members present agreed that having member of the ZBWG make proactive calls to prospective consultants regarding level of interest & concerns regarding bidding was needed prior to adjusting the RFQ strategy. Katie Dugan did update the working group that Town Procurement Office (Michelle Leary) suggested that the ZBWG had three options: (1) revise scope of services, (2) extend your timeline, and (3) cancel RFQ and wait until the market is less saturated and try again at a later date. The working group discussed that was difficult to judge if any of these strategies were going to work with no data/information. Paul Colleary agreed to make phone calls with a script to assess the level of consulting interest.

The working group discussed other options, including a Plan B suggested by Peter Pescatore to just focus on reorganization and holding on substantive changes until the working group can accomplish buy-in and community engagement piece. Judi Barrett and Bob Mitchell have both suggested separately that reorganization alone is much easier to sell to a community and is an important step in the comprehensive rewrite process. The group agreed to wait until we could hear back on working being done by Paul Colleary to discuss further.

Next Steps - Communications

The group reviewed two pieces written by the working group – “Why Zoning Matters?” and “Why Update Cohasset’s Zoning Bylaws?”. The group agreed to read and send final comments to Katie so that these could be

circulated more broadly for additional comment. The group also walked through a background document prepared by Cassie Malatesta called "Why Zoning Matters which is intended as internal document to memorialize the key concerns hear from the public (both advocacy & opposition), what the mission statement of the zoning work really is (positive purpose-built development which supports sustainability/climate resiliency, appropriate density, housing diversity, and preserves Town's character & history). The background document also focused on series of key phrases which needed to be further developed which could be used to solidify purpose of zoning reorganization & redraft in community engagement.

Proposed Work Plan – Reorganization & Redraft

The working group next discussed a series of memorandums done by Tom Callahan regarding the structure of reorganization & redraft. The work plan proposed is broken down into structure for reorganization of existing bylaws, definitions discussions, minor changes, areas with no changes, nonconforming changes, separation of rules & regulations into separate document outside bylaws, and discuss of article 12 administration & enforcement. Tom explained his thought process behind the proposed work plan to the ZBWG. The working group agreed to begin focusing on reorganization outline & definitions at next meeting in February. The goal would be to agree on framework of the reorganization to have a structure to begin to work through with the zoning consultant, once they are onboard. The working group also felt like it could begin to tackle the consolidation, reorganization & potential revision of definitions as this work is foundational to the comprehensive zoning rewrite. The working group will begin this work with further input needed from key stakeholders and the community going forward.

Katie Dugan will circulate the agenda for the February 3rd meeting along with the homework assignment related to definitions & reorganization to the working group.

Update KP Law

The working group briefly reviewed the opinion provided by Carolyn Murray of KP Lawn dated January 18, 2022 on the memo to Chris Senior by Clark Brewer at the end of December 2021. The opinion supported the work of the ZBWG in Article 6 at STM 2021, and addressed the two key concerns raised relative to language differences relative to MGL 41, 81L and the informational summary description of case law.

Administrative

The meeting adjourned at 12:10pm. The working group agreed to meet on Thursday, February 3, 2022 at 11:00 am to work on draft communications and next steps in the RFQ process.

Documents

RFQ Zoning Timeline_Jan to March 2022

Why Update Cohasset's Zoning Bylaws

Why Zoning Matters

Why Zoning Matters_Background Document

ZBWG_Zoning Consultants_Final 1.18.22