

Town of Cohasset
Zoning Bylaw Working Group - Master Plan Implementation Committee
March 7, 2022 – Virtual Meeting via Zoom

A meeting of the Zoning Bylaw Working Group was held at 2:00 pm on March 7, 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
Jack Creighton, Cohasset Select Board representative

Absent:

Lauren Lind, Director of Planning
John Hallin, Building Commissioner & Zoning Officer
Vacant Position, Open Space & Recreation representative
Paul Colleary, Planning Board representative

The meeting was called to order at 2:03 pm.

Minutes

The working group voted to approved minutes from February 24, 2022. Katie Dugan will send this minutes to Town Clerk's office to be posted on the Town website.

Update on MBTA Multifamily – Housing Choice

Katie Dugan updated the working group on the status of a Town response to the MBTA Multifamily Housing Choice legislation. Lauren Lind will be working on drafting materials to bring to the Select Board at their 3/15 or 3/22 meetings. Drafts will be sent to the working group for comment and consideration.

Update on Working Group

The working group discussed staffing of the working group going forward in 2022. Peter Pescatore resigned from Open Space & Recreation Committee as of March 2022, and the OSRC did not name a replacement to the zoning working group. In addition, Paul Colleary will be stepping off the Planning Board as an Associate member after Town Elections. This leaves the ZBWG needing to replace two members prior to beginning work on comprehensive reorganization & redraft. The working group discussed appealing to the Select Board to change the committee charge to add two additional member-at-large positions to allow for additional manpower in light of the size of the project. Katie Dugan updated the working group on meeting with potential interested citizen-at-large (Denise Bodonaro). She has some family obligations and would not be fully available until early summer, but is interested and has legal and ZBA background. The working group will follow up with Town Manager to discuss further once RFQ process is complete.

RFQ - Comprehensive Zoning Bylaw Redraft & Reorganization

Katie Dugan and Cassie Malatesta gave a brief update on the RFQ process. Unfortunately only bidder responded to the March 3rd extended deadline. Stantec, a nationwide planning services firm with offices in Boston, submitted a response to the RFQ which has been circulated to the full Interview Committee. The committee will review the response and discuss formally and interview the consultant later in March. The working group discussed that it was disappointing that Barrett Consulting did not respond to the bid in partnership with Bob Mitchell after attending both pre-proposal Zoom calls.

Comprehensive Zoning Reorganization & Redraft

The working group discussed reorganized Bylaws which followed the Reorganization 2.0 which was discussed at the February 24th meeting. The group gave comments on the how the new flow worked including moving definitions for Article 9, 14, 19 and 20 back into the new proposed Article 8. The working group asked Tom Callahan to delete reference to bylaws changes as Katie Dugan is working on a Table of Amendments. The working group looked at new Article 4 which will need significant reconfiguration including Table of Uses. The working group reviewed draft Table of Uses prepared by Tom Callahan which greatly simplifies the description of uses. The working group discussed that reviewing this simplified use table will have to be done in tandem with Article 2 definitions. Finally, the working group briefly reviewed the Code of Regulations. The ZBWG agreed that areas of the text that should be moved into the Code of Regulations document should first be highlighted in Zoning Bylaws in red – as flagged for movement into separate governing document.

<p>Preface – Laws & Regulations Governing Land Use</p> <ul style="list-style-type: none">Chapter 300 – Zoning BylawChapter 325 – Subdivision of LandChapter 132 – Historic DistrictsChapter 223 – Stormwater ManagementChapter 228, Article II – Scenic RoadsChapter 260 – Wetlands ProtectionState Building CodeState Wetlands Protection& Rivers Protection Act <p>Article 1 – Purpose & Administration</p> <p>Scope – Existing Article 1</p> <p>Amendment & Validity – Existing Article 13</p> <p>Administration - Existing Article 12</p> <ul style="list-style-type: none">Execution – 12.1ZBA Appeals – 12.3Special Permits – 12.4Variances – 12.5Site Plan Review – 12.6 <p>Enforcement – Existing Article 12</p> <ul style="list-style-type: none">Violation & Penalties – 12.2 <p>Article 2 – Definitions</p> <p><i>Consolidate into single article all definitions from:</i></p> <ul style="list-style-type: none">Existing Article 2 – DefinitionsExisting Article 10 – RCDDExisting Article 17 - TODODExisting Article 21 – Moratorium on MarijuanaExisting Article 22 – HVBOD <p>Article 3 – Zoning Districts</p> <p>Established Zoning Districts – Existing Article 3</p> <p><i>Include overlay district boundaries?</i></p> <p>Multifamily – <i>NEW</i> – State mandate by 12/31/22 - Zoning district or overlay per MGL 40A, 3A</p> <p>** INDEX OF AMENDMENTS – Pull out ALL the references to zoning changes and put in appendix</p>	<p>Article 4 –Use Regulations*</p> <p>Use Regulations – Existing Article 4 BUT organize and move language from table of uses to text in bylaw:</p> <p>Residential</p> <ul style="list-style-type: none">One Family DwellingTwo Family DwellingAccessory Dwelling Unit – Existing Article 15Inclusionary Zoning – Existing 4.3N<i>Multifamily – NEW –per MGL 40A, 3A</i>Transient Lodging –Inns/Motels, B&B, AirB&BAccessory Residential BuildingsStorage/Equipment <p>Business:</p> <ul style="list-style-type: none">Commercial - retail Services and other uses in DB, VB, HB, TBIndustrial – wholesale & manufacturing in LI usesWaterfront – uses unique to WB districtInstitutional – congregant facilities+Agricultural – forestry, livestock+ <p>Other:</p> <ul style="list-style-type: none">Community Facilities – Church, golf course... <p><i>* Separate table into Residential & Business</i></p> <p>Article 5 – Special Regulations</p> <p>Parking & Loading Regulations – Existing Article 7</p> <p>Sign Regulations – Existing Article 6</p> <p>Marijuana – Existing Article 21 - Expired 12/31/2018?</p> <p>Article 6 – Dimensional Regulations</p> <p>Table of Dimensions - Existing Article 5 BUT organize and integrate language from footnotes 1-18 into text of bylaws</p> <p>Article 7 – Nonconforming Uses, Structure & Lots</p> <p>Article 8 – Overlay Districts</p> <ul style="list-style-type: none">Residential Cluster Development – Existing Article 10Village Business – Existing Article 18Transit Oriented Development – Existing Article 17Harbor Village Business – Existing Article 22Historic District – Reference existing district
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<p>***RULES & REGULATIONS – Pull out ALL special permit & plan review into separate ZBA & PB Rules & Regulations</p> <p>**** Large Home Review – Existing 5.4 – Eliminate?</p>	<p>Article 9 – Environmental & Land Alteration</p> <p>Land Alteration - Existing Article 11</p> <p>Floodplain & Watershed District - Existing Article 9</p> <p>Water Resource District - Existing Article 14</p> <p>Sustainability – Model bylaw available?</p> <p><i>Consolidate definitions from all 3 articles into single definitions section for this article</i></p> <p>Article 10 – Alternative Energy</p> <p>Wind Energy Conservation – Existing Article 19</p> <p>Solar Photovoltaic OD – Existing Article 20</p> <p><i>Consolidate definitions from all 2 articles into single definitions section for this article</i></p>	
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Administrative

The meeting adjourned at 4:00 pm. Katie Dugan will poll the working group on the next working group meeting.

Documents

- CCR Outline_2-24-22
- Reorg with no Changes 2-27-22
- Overview of Regulations MBTA Multifamily Housing District
- Reorganization 2.0