

Cohasset Advisory Committee Meeting Minutes

Wednesday March 15, 2023

Virtual Meeting-Zoom Video Call

7 pm

Pursuant to M.G.L. c. 30A, Section 20(b), following Governor Baker's declaration of a state of emergency in the Commonwealth arising from the COVID-19 Pandemic, the Advisory Committee will meet virtually utilizing remote technology. All votes will be taken by a Roll-Call Vote.

The meeting was called to order by Chairman Rob Hillman at 7:00 pm. Present – Jeanne Astino, Present – Mike Barclay, Present- Fran Collins, Present- Mark Maggi, Present- Ellen Maher, Present – Mary McGoldrick, Present – Rob Hillman

Meg Wheeler absent

Mr. Kennedy joined at 7:06 pm

Present: Town Manager Chris Senior, Town Finance Director Jen Mullen

Chair Hillman welcomed the members from the Zoning Bylaw Committee Tom Callahan, Judge Judith Cutler of KP Law, former Chief Justice of Land Court and Lauren Lind Town Planning Director.

Mr. Callahan reviewed the makeup and charge of the ZBC since its inception last summer, indicating there are 2 open spots on the Committee. He proceeded to review the warrant articles and the changes to the Zoning Bylaw articles that are being proposed. The overall intent was to update/modernize language where appropriate, reduce duplication within the bylaw itself and bylaws where needed.

Zoning Articles 1 and 13 (which is being recommended to be deleted entirely because the text is being incorporated into Article 1). The Planning Board (PB) approved by a vote 6-0. Motion to recommend to Town Meeting the text of **Article 20 of the draft warrant of March 15, 2023, regarding Zoning Bylaws Articles 1 Authority Intent and Purpose and Zoning Bylaw Article 13 Administration** by Mrs. Astino, seconded by Mr. Kennedy. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Zoning Article 3 Establishment of Zoning Districts which creates zoning districts and maps is updating references to the maps and is primarily a housekeeping article. A new zoning map will

be done after the Fall Special Town Meeting which has a second group of changes to the Zoning Bylaw. The only real change in this proposal is that if a lot by a base of a district boundary, the use can extend from the original lot to the adjacent lot and the previously required width and depth requirements of the original lot are eliminated. Mr. Callahan indicated this is a technical change. Mr. Kennedy inquired of the existing zoning map can show how many lots have this extension and Mr. Callahan advised that perhaps the GIS layering system may show this. The PB approve this 6-0. Motion to recommend to Town Meeting the text of **Article 22 of the draft warrant of March 15, 2023, regarding Zoning Bylaw Article 3 Establishment of Zoning Districts** by Mrs. Astino, seconded by Mr. Kennedy. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Zoning Article 6 Sign Regulations was reviewed. The changes were made to comply with State Regulations and to protect 1st amendment rights to for free speech, expanding Political signs beyond election or campaign signs but to include social issues. Clarity is also provided regarding the 10' height requirement as it is the requirement of the sign itself. Mr. Barclay requested further clarification regarding the 1st amendment component and Judge Cutler provided examples and advised that there is also a limit on the number of signs that can be displayed on residential and nonresidential properties. The PB approved this 6-0. Motion to recommend to Town Meeting the text of **Article 23** of the draft warrant of March 15, 2023 regarding Zoning Bylaw Article 6 Signing Regulations by Mrs. McGoldrick, seconded by Mrs. Astino. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Zoning Article 12 Administration and Enforcement was reviewed. Mr. Callahan advised that the primary changes are to clean up language and change the violation fine to \$300 from \$100. Language was updated regarding Site Plan Review by the PB for requirements and procedures. Substantial alteration was defined as 500 square feet or 10% of existing gross floor plan. For a parking lot or driveway it was changed to 500 square feet as well requiring a site plan review. The ZBC voted 5-0 to approve. The PB deferred. Motion to recommend to Town Meeting the text of **Article 25 of the draft warrant of March 15, 2023 regarding Zoning Bylaw Article 12 Administration and Enforcement** by Mrs. Astino, seconded by Mr. Kennedy. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Zoning Article 8 Nonconforming Uses, Structures and Lots was next discussed. Mr. Callahan advised that this article will require 2 sections, 2 votes. The first section is housekeeping eliminating redundancy and incorporates and expands the word "abandonment". The second amendment to the article would insert a cutoff date of June 30, 2023 for eligibility for certain exemptions for non conforming lots that are under common ownership. This article was last amended in 1978 and originated in 1955. Anyone with rights today will not be beholden to the new provision. The PB approved this with a vote of 6-0. Mrs. Astino asked if this would impact easements and Mr. Callahan advised it would not. Motion to recommend to Town Meeting the text of **Article 24 of the draft warrant of March 15, 2023 regarding Zoning Bylaw Zoning**

Article 8 Nonconforming Uses, Structures and Lots by Mr. Collins, seconded by Mr. Kennedy. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Zoning Article 2 Definitions was next reviewed. Mr. Callahan advised that the PB did not vote. One of the primary changes is in the definition and measurement data points of HEIGHT. The goal was to measure every height of roof in a common way to the highest point of the roof. The ZBC voted 3-2 in support. The building inspector is in support of this change as the Large Home Review process is evidencing the height limit being pushed aggressively. Mr. Callahan felt this was a pro-active response to the issues. Mrs. McGoldrick inquired how neighboring communities address height and Mr. Callahan advised that Hingham and Scituate are 35', 2 ½ stories. In 1978 all towns had to conform to 1976 state law. Mr. Collins indicated that building height has been an ongoing issue in town. Mr. Callahan responded to Mr. Kennedy's question about objections to this change by saying the objections are generally around architectural issues and flexibility. Mr. Kennedy said that this change closes the loophole that existed before. Motion to recommend to Town Meeting the text of **Article 21 of the draft warrant of March 15, 2023 regarding Zoning Bylaw Zoning Article 2 Definitions** by Mrs. McGoldrick, seconded by Mr. Barclay. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Chair Hillman thanked Mr. Callahan, Judge Cutler and Ms. Lind for their hard work.

Article 13 South Shore Regional Vocational School Committee-Amend Regional Agreement which adds Marshfield to the agreement and outlines Marshfield's financial contribution was moved to a vote by Mrs. Astino and seconded by Mr. Collins. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Chair Hillman commented on the current news stories out of Newton regarding override votes. He indicated we would vote on the SFC warrant article at our next meeting.

Town Manager Chris Senior presented Article 14 Veterans Valor Act. He said most towns have something similar. This was initiated by the Select Board. Operational details need to be flushed out. In response to questions from the Committee, Mr. Senior will research potential number of users for this act, financing of this (offset to tax deduction) and administration of this program. Motion to recommend to Town Meeting the text of **Article 14 of the draft warrant of March 15, 2023 regarding Veterans Valor Act** by Mr. Collins, seconded by Mr. Barclay. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Motion to approve the minutes of February 15, 2023 by Mrs. Astino, seconded by Mrs. McGoldrick Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman

Mr. Senior outlined next week's various Town Board/Committee meeting schedules.

Motion to adjourn at 9:12 pm by Mr. Maggi, seconded by Mrs. Astino. Roll Call Aye-Jeanne Astino, Aye-Mike Barclay, Aye-Fran Collins, Aye-Mark Maggi, Aye-Ellen Maher, Aye-Mary McGoldrick, Aye-Patrick Kennedy, Aye-Rob Hillman