

Town of Cohasset Municipal Harbor Plan

FAQs

Municipal Harbor Plans

The Commonwealth of Massachusetts regulates development along waterways and filled tidelands. These regulations derive from Chapter 91 of the Massachusetts General Laws, also known as the Massachusetts Public Waterfront Act.

Additional information can be found here: <https://www.mass.gov/guides/chapter-91-the-massachusetts-public-waterfront-act>

A Municipal Harbor Plan allows a town to vary certain requirements of Chapter 91 to implement the community's goals. The planning process requires a public process, led by the Town, to educate the community about the harbor plan and solicit input about opportunities, constraints, and recommendations. The draft plan must be approved by the Board of Selectmen and the Commonwealth's Executive Office of Energy and Environmental Affairs (EEA).

Additional information can be found here: <https://www.mass.gov/service-details/czm-port-and-harbor-planning-program-municipal-harbor-plans>

Why Plan?

The planning process for a municipal harbor plan helps community members develop a plan that will:

- Define the needs of their harbor
- Identify specific goals for future use, development, and preservation of their harbor
- Develop an implementation plan with specific policies, actions, and responsibilities that will, over time, help fulfill the community-defined goals
- Inform state and federal agencies with jurisdiction over different aspects of the harbor what the community's goals and preferences of are for the future of the harbor
- Modify certain standards under Chapter 91 in favor of community preferences for development within the jurisdiction of Chapter 91.

301 CMR 23.00 defines the process for creating and approving a municipal harbor plan. The process requires significant public input prior to state approval.

Did Cohasset have to create a municipal harbor plan?

No. Communities are not required to have a state-approved municipal harbor plan. However, having

such a plan has benefits for communities who adopt them:

- Understanding of community preferences for future policies and actions
- Support for grant applications
- Ability to modify Chapter 91 regulations
- Communication with state and federal agencies regarding needs and preferences for the harbor area

The Seaport Economic Council provided a grant of \$80,000 to support this plan; the Town contributed another \$20,000.

Does this plan have legal ramifications?

Yes and no. Any modifications to Chapter 91 that are included in a state-approved municipal harbor plan are regulatory in impact; a property owner who has property within Chapter 91 jurisdiction must comply with relevant approved modifications when applying for a Chapter 91 license. The modifications proposed in this plan to date are not intended to be applicable to all properties within Chapter 91 jurisdiction in Cohasset Harbor.

The recommendations, goals, policies, strategies, and actions are road maps for the Town rather than legal obligations. The plan provides a path for implementation of the recommendations but the timing of implementation or even whether a recommendation is implemented is up to the Town.

Who is creating this plan?

The Town is in charge of creating this plan. The **Town Planner**, Lauren Masiar, is the point of contact with the consultant team.

The **consultant team** is led by Harriman. FXM Associates provided information about existing conditions for economic development and GEI Consultants research existing conditions related to infrastructure and projections related to sea-level rise and climate change.

The **Harbor Committee**, appointed by the Board of Selectmen, has acted as the Harbor Planning Group required by 301 CMR 23.00 and led the pre-planning discussions before the consultant team was hired by the Town.

The **Office of Coastal Zone Management** (CZM) and the **Massachusetts Department of Environmental Protection** (MassDEP) have statutory responsibilities in the preparation of a municipal harbor plan and have been involved with and consulted throughout the process.

What is the status of the Harbor Planning Process?

The consultant team is working to complete some outstanding pieces of the plan, including the proposed modification to Chapter 91 that will coordinate with the zoning for the new Harbor Village Business Overlay District passed by Town Meeting this spring.

The Board of Selectmen will receive a presentation on the plan in September. If the Board were to hold its public hearing and vote approval of the plan in October, the plan would be submitted to MassDEP in October and final approval would be expected in February.

What has been the public input process to date?

- Community workshops in May and December 2018
- Interviews with Town department heads and nonprofit organizations active in the harbor in Summer 2018
- Open house in December 2018
- Regular meetings of the Harbor Committee
- Chances to comment on draft in January, April, and August
- Parallel public process for changing the zoning

Is there still time to comment?

Yes! Final comments are due to Lauren Masiar at LMasiar@cohassetma.org by the end of the day on August 23. The draft is available here: <https://cohassetma.org/284/Harbor-Committee>

Comments will be accepted during the Board of Selectman's public hearing and MassDEP and CZM conduct their own local public hearing during their review process.

What is the link between the Municipal Harbor Plan and the Zoning?

During the planning process for the harbor, it became obvious that the Cohasset Harbor Inn was a critical location for some of the public amenities identified at the public meetings. This include a connected harbor-wide walkway, a view of the Harbor from Elm Street, and the ability to connect the Village to the Harbor.

The Inn was in the process of changing hands, and the land uses, particularly residential, that could support such amenities were not allowed under the zoning. From January - April 2019, the focus of the planning process shifted to working with the Planning Board to determine whether zoning that was acceptable to the community and consistent with Chapter 91 could be developed to support revitalization of this underused site and the underdeveloped mixed-use parcels across the street. This zoning was passed at the Spring 2019 Annual Town Meeting.

How does the zoning work with Chapter 91?

Certain dimensional and uses standards required by Chapter 91 may be modified by a state-approved municipal harbor plan. Now that the zoning has passed, the combination of substitutions, amplifications, and offsets that will complement the zoning is being developed by the consultant team and discussed with CZM and MassDEP.

Are the owners of the Cohasset Harbor Inn involved in these discussions?

Yes. In order to ensure that the site may be developed according to the zoning, the requirements of Chapter 91, community expectations, and the development team's expectations, the current owners of the Cohasset Harbor Inn have been involved in the discussions.

I have more questions. Who can help?

Lauren Masiar at LMasiar@cohassetma.org or (781) 383-4100 ext. 5128.