



MINUTES
COHASSET PLANNING COMMISSION
305 NW FIRST AVENUE
WEDNESDAY, SEPTEMBER 6, 2023 – 6:00 P.M.

1. **Call Meeting to Order:** Chair Josh Casper called the meeting to order at 6:03 p.m.

2. **Roll Call**

Present: PC Members Josh Casper, Steve Lavalier, Mike Rock, Harlow Zeppelin, GiGi Pehrson and Lucas Thompson

Absent with Notice: PC Member Scott Gerling

Ex-Officio Members Present: Zoning Officer Tony Valtinson, City Council Liaison Kevin Ott and Mayor Andy MacDonell

Others Present: Anne Walker, Jeff Walker and Rory Walker

3. **Review and Approve the Agenda**

Additions: None

Deletions: None

A motion was made by Mike Rock to approve the agenda as presented. Steve Lavalier seconded the motion. Voting in favor: Josh Casper, Steve Lavalier, Harlow Zeppelin, Mike Rock, GiGi Pehrson and Lucas Thompson; Voting against: None; Absent: Scott Gerling. Motion carried.

4. **Resident Input:** None

5. **Approve July 12, 2023 Planning Commission Minutes:**

A motion was made by Harlow Zeppelin to approve July 12, 2023 as written. Gigi Pehrson seconded the motion. Voting in favor: Josh Casper, Steve Lavalier, Harlow Zeppelin, Mike Rock, GiGi Pehrson and Lucas Thompson; Voting against: None; Absent: Scott Gerling. Motion carried.

6. **Planning Commission acting as Board of Zoning Appeals to hear appeal from Anne Walker and Rory Walker regarding zoning decision for Water Oriented Accessory structure located at PID 05-410-0230.**

Zoning Officer Tony Valtinson presented the appeal request from Anne Walker and Rory Walker regarding Zoning decision for Water Oriented Accessory structure located at PID 05-410-0230.

Anne Walker handed out some ordinances and pictures to the planning commission (these handouts are available for public review in the Planning Commission Packet in the City of Cohasset office).

Zoning Officer Tony Valtinson recapped the history and timeline of the boathouse. In 2020 the request to rebuild the boathouse was communicated to the then Zoning Officer Greg Tuttle and informed the applicants that since there was a request for a rebuild of the existing boat house that no permit was required for rebuilding the same size, same location, same height, and same footprint. The boathouse was rebuilt and there was a deck added at one point in time, as well as pressurized water. A complaint was filed and through the research, it was determined by Zoning Officer Tony Valtinson and the City Attorney that the deck and the pressurized water were non-conformities, and the rebuild of the boathouse was a rebuild of an existing non-conforming structure, therefore, it was a grandfathered structure. The City of Cohasset asked that the Casey's remove the deck and disconnect the pressurized water.

Discussion was held regarding the boathouse regulations, the original size of the boathouse, and current size of the boathouse. The current boathouse square footage requirement is 250 square feet. The boathouse was a legal non-conforming structure of 364 square before it was rebuilt.

It was pointed out that a letter dated June 8th, 2023 was send to the Casey's that they had until September 1, 2023 to comply by removing the deck and to disconnect the pressurized water. Zoning Officer Tony Valtinson stated that requests have been complete.

A recap was given that the boathouse was rebuilt to the same footprint, the deck has been removed and the pressurized water has been disconnected and the City of Cohasset recognizes that the boathouse now meets the stipulations to put them back into conformity.

Anne Walker presented to the Planning Commission her reasons why the appeal was applied for and why in her opinion the boathouse rebuild does not follow regulations. Anne Walker informed the Planning Commission that she believes the boathouse is bigger, not built in the same footprint, and has a different use, than the old one. Anne Walker added that there is no record of anyone from the City of Cohasset doing a site visit and boathouse is only seven feet from her son's property line.

Josh Casper stated that when the property owner purchased the property next door to her son the boathouse was existing and was already as close to the property line as it was. Josh Casper reminded Anne Walker that the previous Zoning Officer Greg Tuttle was approached by the property owner and asked if a permit was necessary. Due to the City of Cohasset's ordinances it was determined that a building permit was not needed and because of that there was no requirement for any form of site visit, form of a variance or a reason to come before the Planning Commission or City Council.

The property owner decided to go above and beyond what was relayed to them by the previous zoning officer by putting a deck on and pressurized water to the boathouse. It was brought to the City Council's attention. The issue was brought to the City Attorney for recommendations. The recommendation was that the boathouse was rebuilt to the same footprint, the deck has to be removed and the pressurized water has to be disconnected. The deck has been removed and the pressurized water has been disconnected. The ordinance does not say you cannot upgrade or alter the foundation. The foundation was a rotting unsafe foundation and now the property owner has a solid foundation in the same footprint.

Further discussion was held with the Walker's of the boathouse regulations and the steps taken for the boathouse rebuild.

Josh Casper closed the discussion and asked the PC Members for a motion.

A motion was made by Harlow Zeppelin to table until the next Planning Commision Meeting pending legal advice on the ordinance. Mike Rock seconded the motion. Voting in favor: Josh Casper, Steve Lavalier, Harlow Zeppelin, Mike Rock, GiGi Pehrson and Lucas Thompson; Voting against: None; Absent: Scott Gerling. Motion carried.

7. **FYI's:** No variances on deck, Increased law enforcement presence in Cohasset, Parking at Portage Park going well, Farmers Market going well.

Adjourn: Chair Josh Casper adjourned the meeting at 7:35 p.m.

Submitted by Deputy Clerk Crystal Jarvi
Approved: 10/24/2023