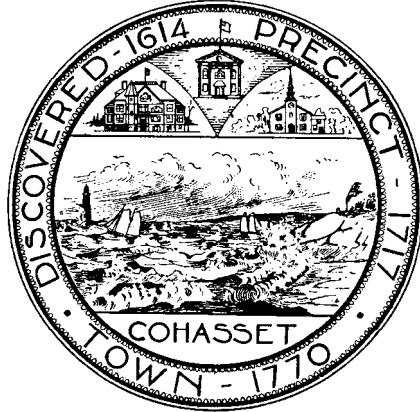


TOWN OF COHASSET

WARRANT

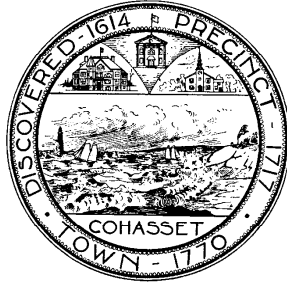


**ANNUAL TOWN MEETING
SATURDAY, MARCH 29, 2008
9:00 A.M.**

**COHASSET HIGH SCHOOL
SULLIVAN GYMNASIUM
COHASSET, MASSACHUSETTS**

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To: Citizens of Cohasset

From: William R. Griffin, Town Manager

Date: March 12, 2008

Re: Fiscal 2009 Revenue & Expenditure Recommendations

Introduction

It is my honor and pleasure to submit for your consideration the Town Manager's Fiscal 2009 revenue and expenditure recommendations, including the recommended Fiscal 2009 operating budget as set forth in Appendix A of this report.

Appendix B of this report provides compensation and classification information for town employees. Appendix C sets forth capital requests submitted by town departments for Fiscal 2009 through Fiscal 2012. Please note that in Article 5 of this warrant, the Capital Budget Committee is recommending only one project on that list at this time, engineering design funds for the west Corner Culvert Replacement Project, a joint project of the towns of Cohasset, Hull and Hingham. The construction phase of that project is estimated at \$2.4 million and will be funded with federal and state resources.

Appendix D of this report details the projects and expenses proposed for funding by the Community Preservation Committee under Article 6 of the annual town meeting.

I would encourage all citizens to refer to the chart immediately following this message called the "Fiscal 2009 Sources & Uses of Funds." That chart sets forth all categories of revenues and expenses, including all projections made in formulating the recommended budget for Fiscal 2009. I would like to highlight some of the key projections and recommendations:

Revenues

Tax Levy: A tax levy of \$26,502,911 is projected for Fiscal 2009, an increase of \$1,023,569 over the current year's levy, or an increase of 4.02%. It is particularly important to note that no override of Proposition 2 ½ is proposed or recommended for Fiscal 2009. "New Growth" revenues are projected at \$450,000, and excluded debt service being added to the tax levy is slightly less than the current year and will continue to decline over the next several years.

Tax rate and tax bill projections for Fiscal 2009 are as follows:

	Fiscal 2008	Fiscal 2009	\$ Increase	% Increase
Levy Tax Rate	\$9.56	\$9.80	\$0.24	2.51%
Avg. Tax Bill	\$7,887	\$8,085	\$198	2.51%
Debt Excluded Tax Rate	\$1.04	\$1.04	\$0	0.00%
Avg. Tax Bill	\$858	\$858	\$0	0.00%
Total Tax Rate	\$10.60	\$10.84	\$0.24	2.26%
Total Tax Bill	\$8,745	\$8,943	\$198	2.26%
CPA Assessment	\$115	\$118	\$3	2.26%

Note: Average tax bill is based on property valuation of \$825,000, same as in Fiscal 2008. These amounts may decline before Fiscal 2009 valuations are set, but for comparison purposes, no change in valuations is being utilized.

State Aid: Based on the recently approved House and Senate local aid resolution for Fiscal 2009, state aid to Cohasset is estimated to total \$2,963,619, an increase of \$89,504, or 3.11%.

Local Receipts: Projected local receipts for Fiscal 2009 total \$3,469,326, a decrease of \$25,132, or -0.72%. The decrease is projected due to the current state of the economy and revenue data to date this fiscal year.

Available Funds: In the Fiscal 2009 Sources & Uses of Funds" chart that follows this message, you will note the various special sources of funds that contribute to overall town revenues.

Expenses

On the second page of the “Fiscal 2009 Sources & Uses of Funds” chart, recommended expenses for Fiscal 2009 are summarized. The overall recommended operating budget totals \$36,374,463 an increase over Fiscal 2008 of \$988,922, or 2.79%. Budget highlights are as follows:

Cohasset School Department: I am pleased to report that the recommended Fiscal 2009 school budget of \$14,316,397 equals the certified school budget as recently voted by the Cohasset School Committee. That budget represents an increase of \$629,997 over the current fiscal year, or an increase of 4.6%.

General Government Operating Budget: The recommended general government operating budget totals \$8,411,869, a decrease of \$35,997 from the current budget for town departments. However, funds have yet to be budgeted for any salary adjustments negotiated with town unions and provided to non-union employees for Fiscal 2009. It is estimated that when such funds are included at a later date, the general government operating budget will increase by approximately 1.94% over the current fiscal year.

Shared/Fixed Costs

Unlike recent fiscal years, we are fortunate that in Fiscal 2009 we are facing only a modest increase in the town’s health insurance budget and a slight decline in the Norfolk County pension assessment.

Enterprise Funds

As you will see as you review the Fiscal 2009 Sources and Uses chart, a \$442,943 increase is being experienced in Water Department budget for Fiscal 2009, primarily due to debt service payments due on previously approved bond issues for improvements to the distribution system and land acquisition. A decrease of \$101,635 is proposed for the two sewer enterprise funds.

Other Expenditures

In the Fiscal 2009 Sources & Uses of Funds chart, you will note proposed expenditures for several articles on the warrant for town meeting, including the Community Preservation Committee and Capital Budget Committee. I am pleased to also point out that funding is proposed for two new stabilization funds on the this warrant, including a Capital Stabilization Fund and a Post-Retirement Health Insurance Stabilization Fund. Both funds are being proposed to provide for resources for important town initiatives, capital improvements and future health insurance expenses for retiring employees.

Finally, I would like to sincerely thank the Board of Selectmen, Advisory Committee, School Committee, Superintendent of Schools Dr. Denise Walsh and her staff, and of course Finance Director Michael Buckley for all their assistance in preparing and reviewing the recommended budget for Fiscal 2009. I would also like to thank Jennifer Oram of the Town Manager's Office for her invaluable assistance in preparing and issuing this warrant booklet.

I will of course be prepared to answer any questions voters might have at the annual town meeting. In the meantime, please do not hesitate to contact me with any questions or concerns at (781) 383-4105 or at wgriffin@townofcohasset.org. Thank you.

Respectfully submitted,

William R. Griffin
Town Manager

FISCAL 2009 SOURCES & USES OF FUNDS

	Final for FY 2008	Proposed for FY 2009	\$ Variance FY08-09	% Variance FY08-09
REVENUES				
Property Taxes				
Prior Year Tax Levy Limit	\$21,966,683	\$23,023,061		
2.5% Allowance	\$549,167	\$575,577	n/a	
New Growth	\$507,211	\$450,000	n/a	
Unused Levy Capacity	\$0	\$0	n/a	
Override	\$0	\$0	n/a	
Excluded Debt Service	\$2,456,281	\$2,454,273	(\$2,008)	-0.08%
Total	\$25,479,342	\$26,502,911	\$1,023,569	4.02%
State Aid				
Chapter 70	\$1,696,971	\$1,788,815	\$91,844	5.41%
School Construction Aid	\$485,300	\$485,300	\$0	0.00%
Charter School	\$10,795	\$12,432	\$1,637	15.16%
School Lunch	\$5,179	\$5,021	(\$158)	-3.05%
Lottery	\$474,221	\$474,221	\$0	0.00%
Additional Assistance	\$166,099	\$166,099	\$0	0.00%
Exemptions - Vets, Blind	\$15,063	\$12,750	(\$2,313)	-15.36%
Exemptions - Elderly	\$10,040	\$8,534	(\$1,506)	-15.00%
Public Libraries	\$10,447	\$10,447	\$0	0.00%
Total	\$2,874,115	\$2,963,619	\$89,504	3.11%
Local Receipts				
Motor Vehicle Excise	\$1,209,958	\$1,200,000	(\$9,958)	-0.82%
Other Excise	\$7,500	\$7,500	\$0	0.00%
Penalties & Interest	\$110,000	\$110,000	\$0	0.00%
Charges - Trash	\$260,000	\$280,000	\$20,000	7.69%
Fees	\$490,000	\$480,000	(\$10,000)	-2.04%
Revenue - Libraries	\$14,000	\$14,000	\$0	0.00%
Revenue - Cemeteries	\$15,000	\$15,000	\$0	0.00%
Revenue - Recreation	\$75,000	\$75,000	\$0	0.00%
Other Dept Revenue	\$60,000	\$60,000	\$0	0.00%
Rentals	\$15,000	\$0	(\$15,000)	-100.00%
Licenses & Permits	\$330,000	\$320,000	(\$10,000)	-3.03%
Special Assessments	\$500,000	\$507,000	\$7,000	1.40%
Fines & Forfeits	\$55,000	\$50,000	(\$5,000)	-9.09%
Investment Income	\$250,000	\$250,826	\$826	0.33%
Misc. Recurring	\$103,000	\$100,000	(\$3,000)	-2.91%
Total	\$3,494,458	\$3,469,326	(\$25,132)	-0.72%

FISCAL 2009 SOURCES & USES OF FUNDS

	Final for FY 2008	Proposed for FY 2009	\$ Variance FY08-09	% Variance FY08-09
REVENUES				
Available Funds				
Water Enterprise	\$2,995,600	\$3,438,543	\$442,943	14.79%
Sewer Enterprise	\$1,123,083	\$1,021,448	(\$101,635)	-9.05%
CPC Funds	\$582,255	\$948,679	\$366,424	62.93%
Free Cash	\$759,000	\$617,067	(\$141,933)	-18.70%
Overlay Surplus	\$75,000	\$75,000	\$0	0.00%
Sewer Stabilization Fund	\$17,500	\$160,000	\$142,500	n/a
School Construction Surplus	\$101,377	\$60,894	(\$40,483)	n/a
Budget/Article Transfers	\$59,789	\$100,000	\$40,211	n/a
Pension Reserve	\$60,000	\$60,000	\$0	0.00%
Waterways Fund	\$11,645	\$11,645	\$0	0.00%
Wetlands Funds	\$10,000	\$5,000	(\$5,000)	-50.00%
Sale of Lots	\$40,000	\$0	(\$40,000)	-100.00%
Total	\$5,835,249	\$6,498,276	\$663,027	11.36%
Grand Total	\$37,683,164	\$39,434,132	\$1,750,968	4.65%

FISCAL 2009 SOURCES & USES OF FUNDS

	Final for FY 2008	Proposed for FY 2009	\$ Variance FY08-09	% Variance FY08-09
EXPENSES				
<u>Operating Budgets</u>				
Administrative Services	\$1,472,621	\$1,462,204	(\$10,417)	-0.71%
Public Safety Services	\$3,902,552	\$3,881,761	(\$20,791)	-0.53%
Cohasset School Department	\$13,686,400	\$14,316,397	\$629,997	4.60%
Regional Vocational School Assessment	\$144,752	\$133,028	(\$11,724)	-8.10%
Public Works & Facilities Maintenance	\$2,115,705	\$2,121,344	\$5,639	0.27%
Health & Human Services	\$330,813	\$327,261	(\$3,552)	-1.07%
Culture & Recreation Services	\$626,175	\$619,299	(\$6,876)	-1.10%
Debt Service	\$4,796,529	\$4,767,013	(\$29,516)	-0.62%
Benefits & Insurance	\$4,191,311	\$4,286,165	\$94,854	2.26%
Sewer Enterprise Funds	\$1,123,083	\$1,021,448	(\$101,635)	-9.05%
Water Enterprise Fund	\$2,995,600	\$3,438,543	\$442,943	14.79%
Total	\$35,385,541	\$36,374,463	\$988,922	2.79%
<u>General Articles</u>				
CPC Projects & Allocations	\$467,256	\$910,200	\$442,944	94.80%
Capital Articles	\$414,000	\$50,000	(\$364,000)	-87.92%
Capital Stabilization Fund	\$0	\$250,000	\$250,000	n/a
Post-Retirement Health Stabilization Fund	0	100,000	\$100,000	n/a
FY08 Supplemental Appropriations	0	175,000	\$175,000	
Other Articles	\$111,546	\$17,067	(\$94,479)	-84.70%
Total	\$992,802	\$1,502,267	\$509,465	51.32%
<u>Other Expenditures</u>				
Retired Teacher Health Assessment	\$730,256	\$781,139	\$50,883	6.97%
Other State Assessments	\$358,778	\$360,637	\$1,859	0.52%
Cherry Sheet Offsets	\$15,626	\$15,626	\$0	0.00%
Overlay Reserve	\$200,161	\$200,000	(\$161)	-0.08%
Set-Aside	\$0	\$200,000	\$200,000	#DIV/0!
Total	\$1,304,821	\$1,557,402	\$252,581	19.36%
Grand Total	\$37,683,164	\$39,434,132	\$1,750,968	4.65%

TOWN OF COHASSET
WARRANT FOR 2008
ANNUAL TOWN MEETING

MARCH 29th FOR THE TRANSACTION OF BUSINESS
APRIL 5th FOR THE ELECTION OF OFFICERS

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

To the Constables of the Town of Cohasset, in the County of Norfolk.

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Cohasset who are qualified to vote in Elections and Town Affairs to meet at the Cohasset High School Sullivan Gymnasium.

SATURDAY, THE TWENTY NINTH DAY OF MARCH, 2007

At 9:00 o'clock in the forenoon, then and there to act on the following articles:

Article 1: Annual Town Report

To act upon the reports of the various Town Officers as printed in the Annual Town Report for 2007, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article asks the Town Meeting to accept the reports of the Town Officers that are printed in the Annual Town Report for Calendar Year 2007. Copies of the Town Report are available in the Town Clerk's Office and the Office of the Board of Selectmen.

Article 2: Reports of Committees

To hear the reports of any Committee heretofore chosen and act thereon, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATION SUMMARY: This article provides an opportunity for Boards and Committees to present a report directly to the Annual Town Meeting. As of the printing of this Warrant, the Board of Selectmen has not requested any specific reports. Any recommended reports will take place at the Annual Town Meeting.

Article 3: Operating Budget

To see if the Town will vote to fix salaries and compensation of Elected Officers, and to see what sums the Town will vote to raise and appropriate from available funds or otherwise, for the payment of the salaries and compensation, expenses, equipment and outlays, capital and otherwise, of the several Town Departments, for the ensuing fiscal year, or to take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article requests Town Meeting to accept the Town Manager's Proposed Fiscal 2009 Operating Budget as set forth in APPENDIX A and APPENDIX B of this warrant booklet. For a more detailed explanation of the Proposed Budget, please refer to the Town Manager's Annual Report contained at the beginning of this Warrant.

Board of Selectmen: Recommend Approval by Vote of 5-0
Advisory Committee: Recommend Approval by Vote of 7-0

Article 4: Union Contracts & Other Salary Adjustments

To see if the Town will vote to raise and appropriate borrow pursuant to any applicable statute, and/or transfer from available funds, a sum or sums of money, to be expended by the Town Manager, to fund the FY09 cost items of a collective bargaining agreement between the Town, represented by the Board of Selectmen, and the Fire Department employees represented by Local 2804, Cohasset Permanent Firefighters, Police Department employees represented by the New England Police Benevolent Association, Inc. Local 9000, the Library employees represented by SEIU Local 888, Clerical employees represented by SEIU Local 888, and Public Safety Dispatch employees represented by Teamsters Local Union No. 25 in accordance with Chapter 150E of the General laws, and to fund salary adjustments for non-union and employees with individual employment contracts, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article requests funding for those Fiscal 2009 cost items contained in collective bargaining agreements between the Town and unions representing the firefighters, police officers, library employees, clerical employees, public safety dispatch employees, and non-union and contract employees salary adjustments.

Board of Selectmen: Recommend Indefinite Postponement
Advisory Committee: Recommend Indefinite Postponement

Article 5: Capital Improvements Budget

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money to fund various capital improvements, capital projects and/or capital equipment for the various departments, boards, commissions and agencies of the town, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article requests funding for various capital projects and equipment for town departments. Please refer to APPENDIX C of this report for a complete list of proposed projects. The Capital Budget Committee is recommending that the only project in the list to be funded at the 2008 Annual Town Meeting is the West Corner Culvert Replacement Design for \$50,000.

Board of Selectmen: Recommend Approval by Vote of 4-0
Advisory Committee: Recommend Approval by Vote of 7-0
Capital Budget Com: Recommend Approval by Vote of 3-0

Article 6: Community Preservation Committee

To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2009, and to see if the Town will vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and by authorizing the Board of Selectmen, with the approval of the Community Preservation Committee to acquire, by purchase, gift or eminent domain such real property interests in the name of the Town, or enforceable by the Town, including real property interests in the form of permanent affordable housing restrictions and historical

preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing, or to take any action related thereto.

Board of Selectmen for COMMUNITY PRESERVATION COMMITTEE

INFORMATIONAL SUMMARY: Under the Community Preservation Act, the Community Preservation Committee is required each year to make a recommendation to the Annual Town Meeting as to how the Community Preservation funds raised through local taxation and state matching funds are to be spent. A recommendation to the Annual Town Meeting is required even if the Committee recommends that the money be reserved rather than spent. A list of the expected motions to be offered by the Community Preservation Committee at the 2008 annual town meeting is set forth in APPENDIX D of this warrant booklet.

Board of Selectmen: Recommendation Deferred until Town Meeting
Advisory Committee: Recommendation Deferred until Town Meeting

Article 7: Unpaid Bills from Previous Years

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow, pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, to pay for unpaid bills from previous fiscal years, or to take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article is required in case funding from available funds is needed to pay for bills incurred by the Town from previous fiscal years that for one reason or another were not paid during the particular fiscal year in which the bill was received. As of the printing of this warrant, there are no outstanding bills that require action by the annual town meeting.

Board of Selectmen: Recommend Indefinite Postponement
Advisory Committee: Recommend Indefinite Postponement

Article 8: Supplemental Appropriations for Fiscal 2008

To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute and/or transfer from available funds, a sum or sums of money, to be expended by the Town Manager, needed by various departmental budgets and appropriations to complete the fiscal year ending June 30, 2008, or to take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article requests the Town Meeting to provide \$175,000 in additional funding to various departmental budgets that are experiencing a shortfall in Fiscal 2008

Board of Selectmen: Recommend Approval by Vote of 5-0
Advisory Committee: Recommend Approval by Vote of 7-0

Article 9: Capital Stabilization Fund

To see if the Town will vote to create a Capital Stabilization Fund pursuant to Chapter 40, Section 5B of the General Laws for the purpose of funding various capital improvements, capital projects and/or capital equipment for the various departments, boards, commissions and agencies of the town; and to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute a sum of money to be deposited into said Capital Stabilization Fund, any other action related thereto.

Board of Selectmen for CAPITAL BUDGET COMMITTEE

INFORMATIONAL SUMMARY: Under recent legislation, municipalities may now create special purpose Stabilization Funds. The purpose of this article is to create a new Capital Stabilization Fund to be used fund various capital improvements, capital projects and/or capital equipment for the various departments, boards, commissions and agencies of the town. Further, it is expected that the 2008 annual town meeting will be asked to transfer and appropriate a total of \$250,000 for deposit into the new fund.

Board of Selectmen: Recommend Approval by Vote of 4-0
Advisory Committee: Recommend Approval by Vote of 7-0

Article 10: Post-Retirement Health Insurance Liability Stabilization Fund

To see if the Town will vote to create a Post-Retirement Health Insurance Liability Stabilization Fund pursuant to Chapter 40, Section 5B of the General Laws for the purpose of funding health insurance expenses for future retired town employees, and to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute a sum of money to be deposited into said Post-Retirement Health Insurance Liability Stabilization Fund, or take any other action related thereto.

Board of Selectmen for TOWN MANAGER

INFORMATIONAL SUMMARY: Under recent legislation, municipalities may now create special purpose Stabilization Funds. The purpose of this article is to create a new Post-Retirement Health Insurance Liability Stabilization Fund for the purpose of funding health insurance expenses for future retired town employees. Further, it is expected that the 2008 annual town meeting will be asked to transfer the sum of \$100,000 into the new fund.

Board of Selectmen: Recommend Approval by Vote of 5-0
Advisory Committee: Recommend Approval by Vote of 7-0

Article 11: Amendments to Personnel Classification and Compensation Plan Bylaw

To see if the Town will vote to amend Article XI (Personnel Classification and Compensation Plan), Section 6 (Fringe Benefits), said amendments on file in the Office of the Board of Selectmen, or take any other action related thereto.

Board of Selectmen for TOWN MANAGER

INFORMATIONAL SUMMARY: Article XI, Section 6 of the Town Bylaws governs fringe benefits afforded the town's non-union employees. The article seeks to update vacation and personal leave benefits to bring those benefits for non-union employees more in line with those granted union employees.

Board of Selectmen: Recommend Approval by Vote of 4-0
Advisory Committee: Recommend Approval by Vote of 6-1

Article 12: Amendment to Smoking Bylaw

To see if the Town will vote to amend the General Bylaws, Article VII, Safety and Public Order, Section 33, Smoking Bylaw, as follows, by amending Section 33.(b)v. by inserting in the fifth line after “libraries;” the following: “membership association;”

and by inserting the following new Section 33.(b)v. and renumbering existing Sections 33.(b)v. through xii. accordingly:

v. Membership Association”, a not-for-profit entity that has been established and operates, for a charitable, philanthropic, civic, social, benevolent, educational, religious, athletic, recreation or similar purpose, and is comprised of members who collectively belong to:

(1) a society, organization or association of a fraternal nature that operates under the lodge system, and having 1 or more affiliated chapters or branches incorporated in any state; or

(2) a corporation organized under chapter 180 ; or

(3) an established religious place of worship or instruction in the commonwealth whose real or personal property is exempt from taxation; or

(4) a veterans’ organization incorporated or chartered by the Congress of the United States, or otherwise, having 1 or more affiliated chapters or branches incorporated in any state.

(5) Except for a religious place of worship or instruction, an entity shall not be a membership association for the purposes of this definition, unless individual membership is required for all members of the association for a period of not less than 90 days. or take any other action related thereto.

Board of Selectmen for BOARD OF HEALTH

Informational Summary: The purpose of this article is to extend the Town’s current ban on smoking to membership associations.

Board of Selectmen: Recommendation Deferred until Town Meeting
Advisory Committee: Recommend Disapproval by Vote of 5-3

Article 13: South Shore Recycling Cooperative Memorandum of Agreement

To see if the Town will vote to authorize the Board of Selectmen to enter into a five year extension of the Intermunicipal Agreement relative to the South Shore Recycling Cooperative, effective July 1, 2008, or take any other action related thereto.

Board of Selectmen for TOWN MANAGER

INFORMATIONAL SUMMARY: The purpose of this article is to authorize the Board of Selectmen to enter into a five year extension of the Intermunicipal Agreement with the South Shore Recycling Cooperative. The Town’s participation in the Cooperative enhances the Town’s recycling effort and related revenues.

Board of Selectmen: Recommend Approval by Vote of 4-0
Advisory Committee: Recommend Approval by Vote of 7-0

Article 14: Zoning Bylaw Amendment: Wind Energy Conversion Facility Bylaw

To see if the town will vote to amend the zoning bylaws by adding a new Section 19: Town of Cohasset Wind Energy Conversion Facility Bylaw to read as follows:

19.1 Purpose and Intent

It is the express purpose of this bylaw to accommodate large distributed generation, wind energy conversion facilities, hereinafter referred to as a wind turbine(s), in appropriate locations, while minimizing any adverse visual, safety and environmental impacts of the facilities. The bylaw enables the review of wind turbines by the town's Planning Board in keeping with the Town's existing bylaws. This bylaw is intended to be used in conjunction with other regulations adopted by the Town, including historic district regulations, site plan review and other local bylaws designed to encourage appropriate land use, environmental protection, and provision of adequate infrastructure development in Cohasset.

19.2. Definitions

Height: The height of a turbine(s) is measured to the highest point reached by the blades. The height of the tower will be measured to the top of the nacelle.

Nacelle: The frame and housing at the top of the tower that encloses the gearbox and generators and protects them from the weather.

Rotor: The blades and hub of the wind turbine(s) that rotate during turbine operation.

Set Back: The base of the tower to the nearest lot line.

Size: Only wind turbines greater than 500 kilowatts are covered by this Bylaw

Special Permit Granting Authority (SPGA): Board designated by zoning ordinance or bylaw with the authority to issue permits.

Wind energy conversion facility: All equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, all transmission, storage, collection and supply equipment, substations, transformers, site access, service roads and machinery associated with the use. A wind energy conversion facility may consist of one or more wind turbines.

Wind Turbine Flickering: The blinking effect while the rotor is in motion. Attention will be paid to siting the wind turbine(s) to reduce significant flickering.

Wind Monitoring or Meteorological ("test" or "met") Towers: Tower used for supporting anemometer, wind vane and other equipment to assess the wind resource at a predetermined height above the ground.

Wind turbine: A device that converts kinetic energy of the wind into rotational energy to turn an electrical generator shaft. A wind turbine typically consists of a rotor, nacelle and supporting tower.

19.3 District Regulations

19.3.1 Use Regulations:

19.3.1 Wind Turbine

The construction of any wind turbine under this Bylaw shall be permitted in all zoning districts, subject to issuance of a Special Permit and provided the proposed use complies with all Dimensional and Special Permit Requirements set forth in Sections 19.3 and 19.4 of this bylaw.

19.3.1.2. Wind Monitoring or Meteorological Towers

Temporary erection of Wind Monitoring or Meteorological Towers shall be permitted in all zoning districts subject to the issuance of a building permit for a temporary structure for not more than eighteen months.

19.3.2 Site Control

The applicant shall submit with the application documentation of the applicant's legal right to install and use the proposed facility at the subject property. Documentation should also include proof of control over the setback areas.

19.3.3 Dimensional Requirements

All wind turbines shall comply with the requirements set forth in this Section 19.3.3.

19.3.3.1 Height

Wind turbines shall have a maximum height of 350-feet, as measured from the Pre-Construction Grade to the highest point reached by the nacelle. The SPGA may allow this height to be exceeded as part of the special permit process if the project proponent can demonstrate that the additional height is needed and that the additional benefits of the higher tower outweigh any adverse impacts. Monopole towers are the preferred type of support for wind turbines.

19.3.3.2 Setback

- a) Each wind energy conversion facility and its associated equipment shall comply with the building setback provisions of the zoning district in which the facility is located.
- b) In addition, the following setbacks shall be observed:
 1. In order to ensure public safety and to protect the interest of neighboring property owners, the minimum distance from the base of any wind turbine tower to any property line in a residential district, shall be equal to the total height of the turbine to the highest point.

19.4 Special Permit Criteria

The SPGA may grant a Special Permit only if it finds that the proposal complies with the provisions of this bylaw and is consistent with the applicable criteria for granting Special Permits.

19.4.1 General

Proposed wind turbine(s) shall comply with all applicable local, state and federal requirements, including but not limited to all applicable electrical, construction, noise, safety, environmental and communications requirements.

19.4.1.1 Visual Impact

The proponent shall demonstrate through project siting and proposed mitigation that the wind turbine minimizes any impact on the visual character of surrounding neighborhoods and the community; this may include, without limitation, information regarding site selection, turbine design, buffering, lighting and cable layout.

19.4.1.2. Color

Wind turbine(s) shall be painted a non-reflective color.

19.4.1.3. Lighting and Signage

Wind turbine(s) shall be lighted only if required by the Federal Aviation Administration (FAA). The proponent shall provide a copy of the FAA's determination to establish the required marking and /or lights for the structure.

- a) Lighting of equipment structures and any other facilities on site (except lighting) required by the FAA shall be shielded from abutting properties.
- b) Signs on the facility shall be limited to:
 1. those needed to identify the property and the owner and warn of any danger; and,
 2. educational signs providing information on the technology and renewable energy usage.
- c) All signs shall comply with the requirements of the Town's sign regulations unless relief is granted by the S.P.G.A.

19.4.2.1 Land Clearing/Open Space/Rare Species

Wind turbines shall be designed to minimize land clearing and fragmentation of open space areas and shall avoid permanently protected open space when feasible. Wind turbines should be sited to make use of previously developed areas wherever possible. Wind turbines facilities shall also be located in a manner that does not have significant negative impacts on rare species in the vicinity (particularly avian species, bats, etc.) as may be applicable law.

19.4.2.2. Storm water

Storm water run-off and erosion control shall be managed in a manner consistent with all applicable state and local law.

19.4.2.3 Noise

The wind turbine and associated equipment shall conform with Massachusetts noise regulations (310 CMR 7.10). An analysis prepared by a qualified engineer shall be presented to demonstrate compliance with these noise standards and shall be consistent with Massachusetts Department of Environmental Protection guidance for noise measurement.

19.4.2.4. Shadowing/Flicker

Wind turbines shall be sited in a manner that does not result in significant shadowing or flicker impacts. Applicant must demonstrate that this effect does not have significant adverse impact on adjacent uses through siting.

19.5 Uses by Telecommunications Carriers

Wind turbines may be used to locate telecommunications antennas, subject to applicable law governing such uses and structures, and subject to the following additional requirements:

- a) All ground-mounted telecommunications equipment shall be located in either a shelter, within the wind turbine tower or otherwise screened from view year-round(either through effective landscaping or existing natural vegetated buffers);
- b) Antennas shall be flush-mounted to be in keeping with the design of the wind turbine tower; and;
- c) All cabling associated with the personal wireless facility shall be contained within the tower structure or enclosed within a conduit painted to match the turbine mount.

19.6 Monitoring and Maintenance

- 19.6.1** After the wind turbine is operational, the applicant shall submit to the SPGA at annual intervals from the date of issuance of the Special Permit, a report detailing operating data for the facility (including but not limited to days of operation, energy production in accordance with the special permit conditions)
- 19.6.2** The applicant shall maintain the wind energy conversion facility in good condition. Such maintenance shall include, without limitations, painting, structural integrity of the foundation and support structure and security barrier (if applicable), and maintenance of the buffer areas and landscaping if present.
- 19.6.3** Notice shall be provided to the SPGA of any change in ownership of the facility.

19.7 Abandonment or Discontinuation of Use

- 19.7.1** Within six months that a wind turbine(s) is scheduled to be discontinued, the applicant will notify the SPGA by certified U.S. mail of the proposed date of abandonment or discontinuance of operations. In the event that an applicant fails to give such notice, the facility shall be considered abandoned or discontinued if the facility is inoperable for 190 days. In the case of a multi-turbine facility, the SPGA shall determine in its decision what proportion of the facility would be inoperable for the facility to be considered abandoned.
- 19.7.2** Upon abandonment or discontinuation of use, the owner shall physically remove the wind turbine(s) within 90 days from the date of abandonment or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the SPGA.” Physically remove” shall include, but not be limited to:
- a) Removal of the wind turbine(s) and tower(s), all machinery, equipment, equipment shelters, security barriers and all appurtenant structures from the subject property.
 - b) Proper disposal of all solid or hazardous materials and wastes from the site in accordance with local and state solid waste disposal regulations,
 - c) Restoration of the location of the wind turbine(s) to its natural condition, except that any landscaping, grading or below grade foundation may remain in the after-condition.
- 19.7.3** If an applicant fails to remove a wind turbine in accordance with this section of this bylaw, the Town shall have the authority to enter the subject property and physically remove the facility. The SPGA may in its decision provide a form of surety (i.e. post a bond, letter of credit or establish an escrow account or other) at the SPGA’s election to cover costs of removal in the event the town must remove the facility. The amount of such surety shall be equal to 150 percent of the cost of removal of the facility as determined by a qualified engineer. The amount shall include a mechanism for a Cost of Living Adjustment after 10 and 15 years.

19.8 Terms of Special Permit

A Special Permit issued for any wind turbine(s) facility shall be valid for 25 years unless extended or renewed. At the end of that time period, the wind turbine(s) shall be removed by the applicant.

19.9 Application Procedures

19.9.1 Special Permit Granting Authority (SPGA)

The SPGA for wind energy conversion facilities, also referred to as Wind Turbine(s) is this bylaw shall be the Planning Board.

Or, take any other action related thereto.

PLANNING BOARD

INFORMATONAL SUMMARY: This article creates a town-wide bylaw that would establish regulations by special permit only, for wind turbines larger than 500KW (commercial size). The Planning Board would grant the special permit, provided that the proposed turbine(s) meet the required setback, noise and siting regulations set forth in the bylaw.

Board of Selectmen: Recommend Approval by Vote of 5-0
 Advisory Committee: Recommend Deferred until Town Meeting
 Planning Board: Recommend Approval by Vote of 3-0

Article 15: Zoning Bylaw Amendment – Section 4.2 Permitted Uses – Table of Use Regulations

To see if the Town will vote to amend Section 4.2, “Permitted Uses, Table of Use Regulations”, of the Zoning Bylaws to indicate that Wind Energy Conversion Facilities are allowed in all zoning districts by special permit issued by the Planning Board (SPP) by inserting the following after “Helicopter landing area and commercial communication towers” under the heading “Retail & Service:”

USE	Residential			DB	Non-Residential				Office & Open Space District	
	R-A	R-B	R-C		WB	HB	TB	LI	OS	
Wind energy conversion facility	SPP	SPP	SPP	SPP	SPP	SPP	SPP	SPP	SPP	SPP

Or take any other action related thereto.

PLANNING BOARD

INFORMATONAL SUMMARY: This article creates an overlay district incorporating the entire town as possible sites for a commercial sized wind turbine by special permit granted by the Planning Board.

Board of Selectmen: Recommend Approval by Vote of 5-0
 Advisory Committee: Recommend Approval by Vote of 8-0
 Planning Board: Recommend Approval by Vote of 3-0

Article 16: Zoning Bylaw Amendment – Amendment to Section 8

To see if the Town will vote to amend Section 8 of the Zoning Bylaw by:

- (a) adding to the end of subsection 8.1 the sentence:

The planning board shall be the special permit granting authority under this section in the VB district and the board of appeals shall be the special permit granting authority under this section in all other districts; and,

- (b) replacing the words “board of appeals” where they appear in subsections 8.7, 8.8 and 8.10 with the words “special permit granting authority“.

Or, take any other action related thereto.

PLANNING BOARD

INFORMATONAL SUMMARY: With the new village zoning passed in November 2007, the Planning Board was made the Special Permit Granting Authority. To further enhance the goal of having all zoning bylaw-related permitting with one Board, this amendment to the non-conforming lots & structures section of the bylaw will move the special permit granting authority for such lots and structures to the Planning Board, in the village district only, to correct an oversight when transferring all jurisdiction to the Planning Board.

Board of Selectmen: Recommend Approval by Vote of 5-0
Advisory Committee: Recommend Approval by Vote of 8-0
Planning Board: Recommend Approval by Vote of 3-0

Article 17: Photovoltaic Array System at Paul Pratt Memorial Library

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to be expended by the Town Manager to install a photovoltaic array at the Paul Pratt Memorial Library, or take any other action related thereto.

Board of Selectmen for ALTERNATIVE ENERGY COMMITTEE

Board of Selectmen: Recommend Indefinite Postponement
Advisory Committee: Recommend Indefinite Postponement

Article 18: Sewer Betterment Abatement

To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$6066.99 for the purpose of returning the sewer betterment assessed and paid for the property located at Map 32 Plot 55, or take any other action relative thereto.

Board of Selectmen for the Sewer Commissioners

INFORMATIONAL SUMMARY: The purpose of this article is to appropriate funds to allow the Sewer Commissioners to purchase back a authorized but unused sewer connection by returning the sewer betterment previously paid by the property owner.

Board of Selectmen: Recommend Approval by Vote of 4-0
Advisory Committee: Recommend Approval by Vote of 8-0

Article 19: Affordable Housing Trust Bylaw

To see if the Town will accept Massachusetts General Laws Chapter 44, Section 55C so as to create an affordable housing trust, and amend the General By-Laws of the Town by adding new Article V, Section 21 as follows, or take any other action relative thereto:

COHASSET AFFORDABLE HOUSING TRUST

SECTION 1

A. There shall be in the Town of Cohasset a Cohasset Affordable Housing Trust Fund (hereinafter referred to as "the trust"). The purpose of the trust is to provide for the creation and preservation of affordable housing in the Town of Cohasset for low- and moderate-income households.

B. There shall be a board of trustees which shall include seven (7) trustees. The trustees shall be appointed by the Board of Selectmen and shall include one (1) member of the Board of Selectmen and are designated as

public agents for purposes of the constitution of the Commonwealth. The initial terms of the trustees shall be staggered as one (1) or two (2) year terms. All terms thereafter shall be for two (2) years.

SECTION 2

A. The powers of the board of trustees shall include the following:

1. to accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the trust in connection with the provisions of the Cohasset Zoning By-Law or General By-laws, or any general or special law or any other source, or money from the Community Preservation Act, G.L. Chapter 44B;
2. to accept and receive municipal, school or other public property, subject to a majority vote of Town Meeting to transfer said property to the trust, for the purposes of the trust;
3. to purchase and retain real or personal property for the purposes of the trust, including without restriction investments that yield a high rate of income or no income, and to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate;
4. to manage or improve real property;
5. to sell, lease, exchange, transfer or convey any real property for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertakings relative to trust property as the board deems advisable, notwithstanding the length of any such lease or contract;
6. to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;
7. to employ and pay reasonable compensation to advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary.
8. to apportion receipts and charges between income and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation, depletion or otherwise;
9. to carry property for accounting purposes at other than acquisition date values;
10. to borrow money on such terms and conditions and from such sources as the trustees deem advisable, to mortgage and pledge trust assets as collateral, subject to approval by a majority vote of the Board of Selectmen. (Any debt issued by the Trust shall not be deemed to constitute a debt or liability of the Town of Cohasset or a pledge of the faith and credit of the Town, but shall be payable solely from the revenues, funds and/or assets of the Trust. Any debt instrument executed by the Trust shall contain on the face thereof a statement to the effect that the Town of Cohasset is not obligated to pay the same or the interest thereof except from revenues, funds and/or assets of the Trust and that neither the faith and credit nor the taxing power of the Town of Cohasset is pledged to the payment of the principal of or the interest on such debt. The issuance of debt by the Trust shall not directly or indirectly or contingently obligate the Town of Cohasset to levy or to pledge any form of taxation whatever therefore or to make any appropriation for their payment);
11. to make distributions or divisions of principal in kind;
12. to defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this Article, to continue to hold the same for such period of time as the board may deem appropriate;
13. to extend the time for payment of any obligation to the trust;
14. to provide grants or loans to assist low- or moderate-income homebuyers to purchase or rehabilitate a dwelling unit in the Town of Cohasset;
15. to convey, through sale, lease or transfer, real property purchased under this act, to any for-profit or non-profit developer or any public agency to provide low- or moderate-income housing, subject to an affordable housing restriction under Section 26 or Sections 31-33 of Chapter 184 of the General Laws;
16. Expenditures for the acquisition or disposition of real property shall be subject to approval by a majority vote of the Board of Selectmen; and
17. in each fiscal year, expenditures from the fund shall be in accordance with an allocation plan approved by the Town at the Annual Town Meeting and upon the recommendation of the trustees, for purposes consistent with this by-law. The allocation plan shall be a general plan for the use of funds during the fiscal

year to which the plan applies, and may provide for moneys to be held in reserve for expenditure in later years. The plan may be amended at a Town Meeting upon favorable recommendation of the board of trustees.

SECTION 3

A. As a means of providing available assets for the trust, all moneys received by the Town through the following means shall be paid directly into the trust and need not be appropriated or accepted and approved into the trust:

1. cash payments made by developers to the Town for purposes of creating or preserving affordable housing, under any development agreements or development approvals pursuant to the Cohasset Zoning By-Law;
2. gifts, grants, donations, contributions or other cash payments to the trust for the purpose of providing low- or moderate-income housing;

B. General revenues appropriated into the trust become trust property, and to be expended these funds need not be further appropriated;

C. All moneys remaining in the trust at the end of any fiscal year, whether or not expended by the board of trustees within one year of the date they were appropriated into the trust, shall remain trust property;

D. The trust is exempt from G.L. Chapters 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any political subdivision thereof; and

E. The books and records of the trust shall be reviewed annually by an independent auditor in accordance with accepted accounting practices.

SECTION 4

As used in this act, the term “low or moderate income housing” shall mean “low income housing” or “moderate income housing” as defined in Section 2 of Chapter 44B of the General Laws.

SECTION 5

The Town Treasurer shall be the custodian of the trust’s funds. Any income or proceeds received from the investment of funds shall be credited to and become part of the fund.

SECTION 6

A. The trust is a governmental body for purposes of Sections 23A, 23B and 23C of Chapter 39 of the General Laws.

B. The trust is a board of the Town for purposes of Chapter 30B and Section 15A of Chapter 40; but agreements and conveyances between the trust and agencies, boards, commissions, authorities, department and public instrumentalities of the Town shall be exempt from Chapter 30B.

C. The trust is a public employer and the members of the board are public employees for purposes of Chapter 258.

D. The trust shall be deemed a public agency and trustees as special municipal employees for purposes of Chapter 268A.

E. All projects for new construction of affordable housing or conversion of existing units into affordable housing that are proposed to be funded or subsidized by the trust shall be so constructed or converted through the Local Initiative or Local Access Programs as governed by the then-applicable regulations of the Department of Housing and Community Development, or its successor.

F. At any time after the expiration of five years after the date on which this trust is created by the Town, it may be terminated in the same manner as it was created, except that it shall remain in existence to complete any pending undertakings or obligations. During such winding down, the then-membership of the Board of Selectmen shall serve as the trustees. The balance of any funds held by the trust after winding down shall pass to the Town's Community Preservation Fund or some other substitute affordable housing fund created by the Town. Non-monetary assets of the trust shall pass to the Town under the control of the Board of Selectmen under such restrictions as applicable law may require or as may have been prior imposed upon such assets.

Board of Selectmen for the HOUSING PARTNERSHIP COMMITTEE

INFORMATIONAL SUMMARY: To facilitate the efforts of the Town to provide more affordable housing opportunities and meet its state-mandated obligations, the Housing Trust, following a model passed in Hingham last year, is proposed to provide a body that will have the ability to respond more adroitly to conditions in the housing market and to take advantage of opportunities there without first securing the approval of twice-annual Town Meetings. Generally, the need to wait for Town Meeting makes it impossible to capitalize on opportunities in the fast-moving real estate market.

The Housing Trust will provide the Town with:

- 1) a funded agency to concentrate exclusively on housing issues, allowing for more cohesive and sustained long-term planning and action,*
- 2) the potential to react to market conditions by acquiring and disposing of property when it is advantageous, even if Town Meeting is many months away, but with Board of Selectmen approval required, and*
- 3) an ongoing mechanism for securing and using State and federal grants, funds derived from developers, gifts, donations, and Community Preservation housing funds.*

The Housing Partnership recommends a model based on Hingham's trust, passed last year, which adopts a state statute and modifies that statute to provide numerous local controls and checks and balances.

Board of Selectmen: Recommend Approval by Vote of 5-0
Advisory Committee: Recommendation Deferred until Town Meeting

Article 20: Zoning Bylaw Amendment – Inclusionary Zoning

To see if the Town will amend the provisions of the Zoning Bylaw by striking Subsection 14 of Section 4.3 and Section 17.8 and replacing them with the following new Section 20, in order to better encourage and facilitate the development of affordable housing:

SECTION 20 – Inclusionary Zoning

1. Definitions. In addition to the definitions found in Section 2, the following definitions shall apply for purposes of implementation of this Section.

Affordable unit: housing or housing units constituting Low or Moderate Income Housing as such terms are defined by M.G.L. c 40B, Sections 20 through 23, as amended, or successor law, and its implementing regulations in 760 CMR 30.00 et seq. and 31.00 et seq. or successor regulations.

2. Purpose and Intent

- a. To recognize the affordable housing need in Cohasset;
- b. To require applicants for development projects having a significant impact on the Town to contribute toward this need;
- c. To encourage the expansion and upgrade of the Town's affordable housing in order to provide for a full range of housing choices for households of all families, ages and sizes;
- d. To prevent the displacement of low to moderate income Cohasset residents;
- e. To increase the production of affordable housing units;

- f. To meet the requirements of the Local Initiative Program; and
- g. To qualify housing for inclusion on the Subsidized Housing Inventory.

3. Applicability

- a. The provisions of this Section shall apply to all projects requiring approval as any and all commercial, residential or mixed-use projects requiring Site Plan Review, to single family residential subdivisions on sites having a development potential under current zoning of five or more lots, and to the construction of “multiple unit” developments of five (5) or more dwelling units in accordance with any Section of the Zoning Bylaw, whether on one or more contiguous parcels, and including, but not limited to, any characterization of units, such as “multifamily”, “apartments”, “condominiums”, “cooperatives” and any other development governed by a common scheme, restrictions or covenants, and without regard to how many dwelling units exist per building in the development.
- b. The provisions of this Section shall not apply to any project undertaken by the Town for any municipal purposes.
- c. The provisions of this Section shall not apply to any project undertaken pursuant to MGL c. 40B.

4. Mandatory Provision of Affordable Units

The Planning Board or Board of Appeals or any other authority giving permission for construction of dwelling units, shall, as a condition of approval of any development referred to in Subsections 3 above, require that the applicant for site plan review, subdivision, special permit or building permit approval comply with the obligation to provide affordable housing pursuant to this Bylaw and more fully described in Subsection 5 below.

5. Provision of Affordable Units

- a. Residential-Only Development. To facilitate the provision of affordable housing in an all residential-only development, the number of units that are required to be affordable shall be ten percent (10%) of the number of units that could be developed “as of right” (AOR), rounded up to the nearest whole number. The number of affordable units required shall not subtract from the number of AOR units, but instead shall be added to the AOR units as a density bonus. Thus, a proposal that would have 5 AOR units would include those 5 plus 1 affordable unit. If the number of affordable units plus the AOR units yields a result where the number of affordable units is less than 10% of the total number of units being provided with the density bonus, then an additional affordable unit shall be added to bring overall percentage at or above 10%.
- b. Commercial-Only Development. In a commercial development, affordable units are not expected to be provided on-site unless “mixed-use” zoning is available. Nevertheless, such development should also and is compelled to contribute to the need for affordable housing by a fee-in-lieu-of-construction payment, per subsection (e) and Section 11 below. The required number of affordable units shall be calculated as follows: .02 affordable housing units per each 2,000 square feet of floor area in the development.
- c. Mixed-Use Development. In the VB and TOD districts, and in any other location where “mixed use” development is permitted, both the calculations of required affordable units set forth in subsections (a) and (b) above shall be made, and the one yielding the larger number of affordable units shall be applied.

In the VB district, if there is a conflict between (i) the density allowed under this subsection (c) (referenced in terms of number of units) and the number of units this Section 5 requires of a development in the VB district and (ii) the density allowed under Section 18(1) (referenced in terms of Floor Area Ratio and allowable apartment sizes) and the number of units such density bonus would yield, the density limits and affordable unit number results of Section 18.1 will control.

- d. An applicant may offer, and the Planning Board or Board of Appeals, in concert with the Board of Selectmen, may accept a parcel of land in fee simple, on or off-site, that the Planning Board or Board of

Appeals determines are suitable for the construction of affordable housing units. The value of donated land shall be equal to or greater than the value of the construction or set-aside of the affordable units. The Planning Board or Board of Appeals may require, prior to accepting land as satisfaction of the requirements of this Section, that the applicant submit appraisals of the land in question, as well as other data relevant to the determination of equivalent value;

- e. In substitution for providing affordable housing units, a cash payment to the Cohasset Housing Trust Fund (or similar affordable housing fund) may be made subject to Subsection 11 below.
- f. The applicant may offer, and the Planning Board or Board of Appeals may accept, any combination of the above requirements provided that in no event shall the total number of units or land area provided be less than the equivalent number or value of affordable units required by this Section.

6. Provisions Applicable to Affordable Housing Units On-and Off-Site

- a. Siting of affordable units - All affordable units constructed or rehabilitated under this Section shall be situated within the development so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units.
- b. Minimum design and construction standards for affordable units - Affordable housing units within market rate developments shall be integrated with the rest of the development and shall be compatible in design, appearance, construction and quality of materials with other units, and built in accordance with the following ratios:

Market Rate Unit %	Affordable Housing Unit %
Up to 30%	None required
30% + 1 unit	At least 10%
Up to 50%	At least 30%
Up to 75%	At least 50%
75% + 1 unit	At least 70%
Up to 90%	100%

Fractions of units shall not be counted.

7. Marketing Plan for Affordable Units

Applicants under this Bylaw shall submit a marketing plan or other method, prepared with the assistance of and approved by, the Cohasset Housing Partnership approved by to the Planning Board or Board of Appeals for approval, which describes how the affordable units will be marketed to potential homebuyers. This plan shall include a description of the lottery or other process to be used for selecting buyers. The marketing plan must describe how the applicant will accommodate local preference requirements, if any, established by the Board of Selectmen, in a manner that complies with the nondiscrimination in tenant or buyer selection guidelines of the Local Initiative Program.

8. Provision of Affordable Housing Units Off-Site

As an alternative to the requirements of Subsection 5(a), (b) and (c) above, an applicant subject to this Section may develop, construct or otherwise provide affordable units equivalent to those required by Subsection 5 off-site. All requirements of this Section that apply to on-site provision of affordable units, shall apply to provision of off-site affordable units. In addition, the location of the off-site units to be provided shall be approved by the Planning Board or Board of Appeals as an integral element of the review and approval process for the permit requested..

9. Maximum Incomes and Selling Prices: Initial Sale

- a. The developer of the housing units or his/her agent shall verify prior to transferring title or executing a lease that each prospective purchaser or renter of an affordable housing unit created under this Section is a household of low or moderate income, as defined by the Commonwealth's Local Initiative Program (LIP). Toward this end:
 - (1) the developer shall engage a qualified certifying agent acceptable to the Planning Board or to the Board of Appeals to receive purchase or rental applications, obtain and review documentation concerning sources and amounts of household income, and certify to the Town that all purchasers or renters approved for an affordable unit meet LIP income eligibility requirements (which certifying agent may be the Town's Housing Partnership, Housing Authority or consultant(s) thereto).
 - (2) The developer is responsible for making arrangements acceptable to the Planning Board or to the Board of Appeals to provide annual certifications to the Town as may be required to place and maintain the affordable units on the Commonwealth's Chapter 40B Subsidized Housing Inventory.
- b. The maximum allowable purchase price or maximum allowable rent for affordable units created under this Bylaw shall comply with the regulations and guidelines of the Local Initiative Program (LIP).

10. Preservation of Affordability; Restrictions on Resale

- a. Each affordable unit created in accordance with this Section shall have the following limitations governing its resale. The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability to qualified purchasers in the future. The resale controls shall be established through a deed rider or an affordable housing restriction as defined by M.G.L. c.184, Section 31, recorded at the Norfolk County Registry of Deeds or the Land Court, and shall be in force for as long a period as is lawful. The affordable housing use restriction shall meet the requirements of the Local Initiative Program.
- b. Resale price -Sales beyond the initial sale to a qualified affordable income purchaser shall include the initial discount rate between the sale price and the unit's appraised value at the time of resale. This percentage shall be recorded as part of the restriction on the property noted in this Subsection 10. For example, if a unit appraised for \$300,000 is sold for \$225,000 as a result of this Section, it has sold for 75% of its appraised value. If, several years later, the appraised value of the unit at the time of proposed resale is \$325,000, the unit may be sold for no more than \$243,750, or 75% of the appraised value of \$325,000.
- c. Right of first refusal to purchase -The purchaser of an affordable housing unit developed as a result of this Section shall agree to execute a deed rider prepared by the Town, granting, among other things, the Town's right of first refusal for a period not less than the maximum period allowable under guidelines set by the Department of Housing and Community Development for Local Initiative Units as defined by the Local Initiative Program, to purchase the property or assignment thereof, in the event that, despite diligent efforts to sell the property, a subsequent qualified purchaser cannot be located.
- d. The Planning Board or Board of Appeals shall require, as a condition for subdivision, special permit or building permit approval under this Section, that the deeds to the affordable housing units contain a restriction against renting or leasing said unit during the period for which the housing unit contains a restriction on affordability.
- e. The Planning Board or Board of Appeals shall require, as a condition for special permit approval under this Bylaw, that the applicant comply with the mandatory set- asides and accompanying restrictions on affordability, including the execution of the deed rider noted in this Subsection 10. The Zoning Enforcement Officer shall not issue an occupancy permit for any affordable unit until the deed restriction is recorded at the Norfolk County Registry of Deeds or the Land Court.
- f. Affordability restrictions as set forth herein shall be in perpetuity.

11. Fees in Lieu of Affordable Housing Units

As a further alternative to Subsection 5 above, an applicant may contribute a cash payment to the Cohasset Housing Trust Fund (or if none exists to the Cohasset Community Preservation Fund), to be used for the development of affordable housing by the Town or its designees, in lieu of constructing and offering affordable units within the locus of the proposed development or off-site.

- a. Calculation of fees-in-lieu of units. The applicant for development subject to this Section may pay a fee in lieu of the construction of affordable units. For each affordable unit not constructed or provided through one or a combination of the methods specified in Subsection 5 above, the fee shall be an amount equal to the difference between the median sale price for new single-family homes built in Cohasset during the preceding three fiscal years, as determined and reported by the Board of Assessors, and the purchase price of a similar home that is affordable to a qualified purchaser. For developments of multi-family condominiums, the Planning Board or Zoning Board of Appeals may substitute the median sale price for new condominiums built in Cohasset during the preceding three fiscal years for the median sale price of new single-family homes.
- b. The methodology used to determine an affordable purchase price shall comply with Local Initiative Program guidelines in effect at the time of application for a special permit.
- c. The assumptions used to determine an affordable purchase price, including but not limited to minimum down payment, mortgage interest rate, term, closing and other costs shall be consistent with first-time homebuyer mortgage products available from commercial lending institutions located in or serving Cohasset at the time of application for a special permit, all in accordance with the Inclusionary Housing Submission Requirements and Procedures Manual adopted by the Planning Board and filed with the Town Clerk.
- d. Upon adoption of this Section by town meeting, the Planning Board shall prepare and adopt an Inclusionary Housing Submission Requirements and Procedures Manual after holding a public hearing on the same. This will be used by Zoning Board of Appeals where it is the permit granting authority. Or take any other action related thereto.

Board of Selectmen for HOUSING PARTNERSHIP COMMITTEE

Informational Summary: An inclusionary zoning bylaw is one that allows a town that has achieved the 10% threshold of affordable housing required by MGL c. 40B to maintain that threshold by requiring all future development to contain at least 10% affordable units. For a town like Cohasset that has yet to achieve 10%, it can help get it there while then being in place when 10% is achieved. Cohasset has had an inclusionary provision in its zoning bylaw since passage at the April 2006 Town Meeting. A separate inclusionary provision is also built into the TOD district bylaw.

Board of Selectmen:	Recommend Indefinite Postponement
Advisory Committee:	Recommend Indefinite Postponement
Planning Board:	Recommend Indefinite Postponement

Article 21: Harbor Study Funding

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money in order to retain a professional consulting/planning firm overseen by the Planning Board acting under its powers and duties of the General Laws of the Commonwealth and the General and Zoning Bylaws of the Town, to assist the Planning Board and Board of Selectmen in the development of bylaws which enhance the vitality of the Waterfront Business District (WB), the Harbor portion of the Downtown Business District (DB), the Harbor portion of the Light Industry District (LI), the Harbor portion of the Official and Open Space District and the all other properties abutting the Harbor around its perimeter, while maintaining its general physical character. The professional consulting/planning firm shall assist the Planning Board in producing a comparative series of build out analyses, for public review and input, which shall professionally estimate the net new generation of commercial and residential square footage of built structures in the study area and the requisite

requirements for pedestrian access, parking space inventory, and sewer capacity, given selected variables and scenarios relating to potential changes in the Cohasset Zoning Bylaw relative to the study area. The consulting/planning firm shall be familiar with the literature associated with location theory and the types and characteristics of successful retail enterprises in the harbor districts with populations and access similar to that in Cohasset. The sum of money raised and appropriated hereunder may in part be funded or supplemented by grants, or gifts from private citizens as the Board of Selectmen may deem available and appropriate.

PLANNING BOARD

Board of Selectmen: Recommendation Deferred until Town Meeting
Advisory Committee: Recommendation Deferred until Town Meeting

Article 22: Treat’s Pond Restoration Project Funding

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be expended by the Town Manager in combination with other federal and/or state funds for engineering and design professional services for the designing and permitting, construction supervision and related services in connection with the Treat’s Pond ecosystem restoration project, and for the construction of such project and all related construction expenses, including, an independent engineering and environmental assessment, and further to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain such easements or other property interests as may be advisable to carry out this project, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: Funding in the amount of \$300,000 will be sought under this article and will be combined with federal and state funds to restore salt marsh and salt pond habitats in Treat’s Pond and to address flooding that occurs in the area of the pond.

Board of Selectmen: Recommend Approval by Vote of 4-0
Advisory Committee: Recommendation Deferred until Town Meeting

Article 23: Repurchase of Cemetery Lots Funding

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to be expended by the Town Manager for the repurchase of cemetery lots at Town cemeteries, or take any other action related thereto.

Board of Selectmen for FINANCE DIRECTOR

INFORMATIONAL SUMMARY: Many former Town residents have expressed interest in selling back to the Town graves that they had previously purchased, as their plan for a final resting place have changed. This article will allow the Town to accommodate their wishes and resell the lots to current residents through an appropriation of \$11,000.

Board of Selectmen: Recommend Approval by Vote of 4-0
Advisory Committee: Recommend Approval by Vote of 7-0

Article 24: Stormwater Management Bylaw

To see if the Town will vote to amend the General Bylaws by adding the following new Article XV, or take any other action related thereto:

COHASSET STORMWATER MANAGEMENT BYLAW

1. Authority

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the federal Clean Water Act, 33 U. S. C. §§ 1251-1386 (the "Act") and regulations issued pursuant to the Act which are found at 40 CFR 122.34.

2. Purpose

- A. The purpose of this Bylaw is to:
1. Prevent and reduce existing and future flooding.
 2. Protect water quality.
 3. Increase groundwater recharge.
 4. Reduce erosion and sedimentation.
 5. Promote environmentally sensitive site design practices.
 6. Ensure long-term maintenance of stormwater controls.
 7. Help the Town of Cohasset meet federal requirements under Phase II of the National Pollutant Discharge Elimination System.
 8. Establish the legal authority by which the Town of Cohasset can enforce the provisions of this Bylaw and accompanying regulations.

3. Definitions

- A. The following definitions shall apply in the interpretation and implementation of this Bylaw. The term "alter" shall include, without limitation, the following activities:
1. Changing of pre-existing drainage characteristics, adding impervious area or changing type of land cover, or changing sedimentation patterns, flow patterns or flood retention characteristics;
 2. Dumping, discharging or filling with any material, or removal of material, which would alter elevations or change drainage patterns or degrade water quality;
 3. Driving of piles, erection, or expansion of buildings or structures of any kind;
 4. Destruction of plant life, including clearing of trees;
 5. Any activities, changes or work which may cause or tend to contribute to pollution of any body of water or groundwater.

4. Regulated Activities

- A. Regulated Activities Requiring a Stormwater Permit. The following activities, developments or redevelopments require the issuance of a full Stormwater Permit by the Conservation Commission (the "Commission") after the filing by the Applicant of a full application and full review by the Commission through a public hearing:
1. Any activity that will alter 5,000 square feet or more of land.
 2. Any construction or development activity on an undeveloped parcel of any size that will increase the impervious surface area, or increase the amount or rate of runoff from the parcel.
 3. Any development or redevelopment of Land Uses with Higher Potential Pollutant Loads as defined in the Massachusetts Stormwater Management Policy, which include, for example:
 - a. auto salvage yards (auto recycler facilities)
 - b. auto fueling facilities (gas stations)
 - c. exterior fleet storage areas (cars, buses, trucks, public works equipment)
 - d. exterior vehicle service, maintenance and equipment cleaning areas
 - e. commercial parking lots
 - f. road salt storage and loading areas
 - g. commercial nurseries
 - h. outdoor storage and loading/unloading of hazardous substances
 - i. marinas (service, painting and hull maintenance areas)
- B. Regulated Activities Requiring Administrative Approval. The following activities, which are smaller than activities requiring a full Stormwater Permit, shall require approval under an Administrative Approval process by the Commission or its Stormwater Agent:

1. Any activity that will result in a net increase in impervious surface area of more than 500 square feet of land but which will alter less than 5,000 square feet of land.
 2. Any replacement of an existing building with a new building of more than 500 square feet.
- C. Regulated Activities Completed in Phases Requiring a Stormwater Permit or Administrative Approval:
1. Activities that are completed in phases, such as subdivision developments and phased commercial developments which could be reasonably expected to alter more than the thresholds in 4.A and 4.B shall require a Stormwater Permit or Administrative Approval prior to beginning construction, even if the planned alteration is conducted over separate phases and/or by separate owners.

5. Exempt Activities

- A. This Bylaw shall not apply to the following activities:
1. Normal use, maintenance and improvement of land in agricultural use.
 2. Maintenance of existing landscaping.
 3. Repair or modification of a building that remains within its existing footprint.
 4. Construction of a fence that will not alter existing terrain or drainage patterns.
 5. Repairs or alterations to any stormwater management facility or practice that poses a threat to public health, safety, or the environment.
 6. Emergency work associated with accidents, spills or releases of oil or hazardous wastes, or natural disasters.
 7. Repair or maintenance of a sewage disposal system when required by the Board of Health for protection of public health, provided the post-repair condition drainage is similar or more effective than the pre-repair condition.
 8. Any work or projects for which all necessary approvals and permits have been issued before the effective date of this Bylaw.

6. Conservation Commission Authority

- A. The Commission shall be responsible for issuing a Stormwater Permit.
- B. The Commission may appoint a Licensed Professional Engineer with expertise in stormwater management as its Stormwater Agent to assist the Commission. This position shall be funded from application and review fees charged to applicants during the Stormwater Permit and Administrative Approval process.
- C. The Commission shall review Stormwater Permit applications, conduct necessary site inspections and investigations, issue final permits, and monitor and enforce permit conditions. For Administrative Approval of projects regulated under Section 4.B of this Stormwater Management Bylaw, the Stormwater Agent may represent the Commission by conducting site inspections as necessary, issuing a decision based on review, and monitoring conditions stated in the Administrative Approval.
- D. The Commission shall establish (1) Application Fees and (2) Review Fees which are sufficient to recover the cost for application review including assistance from the Stormwater Agent. Separate application and review fees shall be established for the Stormwater Permit process and for the Administrative Approval process which requires no public hearing. Said fees and charges shall be established by regulations issued by the Commission.

7. Rules and Regulations

- A. The Commission shall adopt and amend Rules and Regulations related to the submittal requirements and performance standards required to obtain a Stormwater Permit or Administrative Approval conducted pursuant to this Bylaw. Rules and Regulations shall be adopted and amended after a public hearing and public comment period. The public hearing shall be advertised in a newspaper of general local circulation at least seven days before the hearing date.
- B. Other boards, commissions, and departments are encouraged to adopt those Rules and Regulations by reference.
- C. Failure to promulgate such Rules and Regulations shall not have the effect of suspending or invalidating this Bylaw.

8. Performance Standards

- A. The purpose of the Stormwater Permit and Administrative Approval Program shall be to maintain the post-development runoff characteristics (including peak flow, total volume of runoff, and water quality of the runoff) for development and redevelopment projects as equal to or less than the pre-development runoff characteristics.
- B. Performance standards for site design, erosion control, stormwater management, materials, vegetation, and other aspects of developments shall be outlined in the Rules and Regulations. Performance standards shall include (but are not limited to) standards for the following:
 - 1. Peak discharge rates and runoff volumes (flooding protection and channel protection).
 - 2. Recharge volume.
 - 3. Pretreatment and water quality.
 - 4. Erosion control and property damage.
 - 5. Vegetation, site design, and site restoration.
 - 6. Integrity of stream channels, surface water, and aquatic habitats.
 - 7. Application of Low-Impact Development measures to facilitate the maximum possible infiltration of precipitation on-site.
- C. Applicants shall meet these performance standards and those of the Massachusetts Stormwater Management Policy (as may be amended), whichever are more stringent.

9. Submittal Requirements

- A. Submittal requirements for a Stormwater Permit, or for Administrative Approval, shall be as required below and as further defined in the Rules and Regulations.
- B. Submittal requirements for a Stormwater Permit shall include (but may not be limited to) the following:
 - 1. Stormwater management plan stamped by a Professional Engineer certifying post-development runoff characteristics (including peak flow, total volume of runoff, and water quality of the runoff) for development and redevelopment projects as equal to or less than the pre-development runoff characteristics. The plan shall show proposed grading, description of stormwater management system with map of pre- and post-development drainage, existing and proposed vegetation, recharge analysis, hydrologic calculations, and estimated seasonal high groundwater.
 - 2. Abutters list.
 - 3. Erosion control plan.
 - 4. Operations and maintenance plan listing responsible parties, maintenance agreements, maintenance schedule, and estimated annual budget (including anticipated sources of funding) for operations and maintenance.
 - 5. Record(s) of stormwater easements.
 - 6. For subdivision applications, a plan showing the building envelope within each house lot and proposed grading, drainage, and stormwater disposal for each lot.
 - 7. Application and review fees.
- C. Submittal requirements for an Administrative Approval shall include (but may not be limited to) the following:
 - 1. A stormwater management plan stamped by a Professional Engineer describing the proposed alteration activities and the mitigation measures and best management practices to be employed to manage stormwater generated by the alteration, and certifying post-development runoff characteristics (including peak flow, total volume of runoff, and water quality of the runoff) for development and redevelopment projects as equal to or less than the pre-development runoff characteristics. The following additional submittals may be required, but only if determined necessary by the Commission or their Stormwater Agent to support the engineer's stormwater Management plan and certification: Plan of proposed grading, more detailed description and/or drawings of proposed stormwater management system with map of pre- and post-development drainage, existing and proposed vegetation, recharge analysis, hydrologic calculations, estimated seasonal high groundwater, and erosion control plan.
 - 2. Abutters list.
 - 3. Application and review fees.

10. Application Review

- A. Pre-Application Meeting. If a Stormwater Permit or Administrative Approval is required under Section 4 of this bylaw, then applicants are strongly encouraged to schedule a pre-application meeting with the Commission and/or its Stormwater Agent to review the proposed development plans at the earliest feasible time.
- B. Review and Comment by Town Boards and Departments. Following receipt of a completed application for Stormwater Permit or for Administrative Approval, the Commission shall provide the opportunity for review and comments from the Planning Board, Board of Health, Sewer Commission, Water Commission, Building Inspector and Department of Public Works. Failure by these other Town Boards or Departments to make recommendations within fourteen days of receipt shall be deemed lack of opposition.
- C. Stormwater Permit. If a Stormwater Permit application is filed, then the review process shall include a public hearing held by the Commission in conjunction with public hearings held for other aspects of the project when practicable. The Commission shall hold a separate hearing for the stormwater permit application if necessary. If a separate hearing is required, then written notice shall be given, at the expense of the applicant, in a newspaper of general circulation in the Town at least seven (7) working days prior to the hearing; and the Commission shall also give written notice of the hearing to all abutters, as that term may be defined by the Commission, also at least seven (7) working days prior to the hearing. Such notice shall be given in the form and manner that the Commission shall prescribe.
 1. The Commission shall commence the public hearing within twenty-one (21) calendar days from the receipt of a complete application and shall issue its permit, denial or determination in writing within twenty-one (21) calendar days after the close of said public hearing. The Commission shall have the authority to continue any hearing to a date certain announced at the hearing, for reasons stated at the hearing, which may include receipt of additional information offered by the applicant or others, information and plans required of the applicant deemed necessary by the Commission in its discretion, or comments and recommendations of other Town boards and officials.
 2. After review of the Stormwater Permit application, circulation to other boards, and public hearing, the Commission may take one of the following actions within twenty-one days after closing the public hearing:
 - a. Approve the application and issue a Stormwater Permit if it finds that the proposed plan will protect water resources and meets the objectives and requirements of this Bylaw.
 - b. Approve the application and issue a Stormwater Permit with conditions, modifications, or restrictions as necessary to ensure protection of water resources or to meet the objectives of this Bylaw.
 - c. Disapprove the application and deny a permit if it finds the proposed plan will not protect water resources or fails to meet the objectives of this Bylaw; or if it finds that the applicant has not submitted information sufficient for the Commission to make such a determination.
 3. A decision by the Commission shall be final. Appeal should be to a court of competent jurisdiction pursuant to applicable law. The remedies listed in this Bylaw are not exclusive of other remedies available under applicable federal, state, or local law.
- D. Administrative Approval. The Administrative Approval process shall require notification of abutters, as that term may be defined by the Commission, but will not require a public hearing and may be conducted by the Stormwater Agent acting on behalf of the Commission. After completing a review and after circulating the application to other boards, the Commission or its Stormwater Agent may take one of the following actions within twenty-one (21) calendar days of receiving a complete application:
 1. Approve the application if it finds that the proposed plan will protect water resources and meets the objectives and requirements of this Bylaw.
 2. Approve the application with conditions, modifications, or restrictions as necessary to ensure protection of water resources or to meet the objectives of this Bylaw.
 3. Disapprove the application and require submission of a Stormwater Permit to the Commission.
 4. Disapprove the application if it finds the proposed plan will not protect water resources or fails to meet the objectives of this Bylaw; or if it finds that the applicant has not submitted information sufficient for the Commission or its Stormwater Agent to make such a determination.
 5. A decision by the Commission or its Stormwater Agent shall be final. A decision by the Stormwater Agent made under this Bylaw shall be reviewable by the Commission if an appeal of the decision is filed with the Town Clerk within twenty days thereof, and if the applicant files with such appeal a complete application for a Stormwater Permit.

11. Site Inspection

Submittal of the Stormwater Permit or Administrative Approval application shall grant the Commission and its agents with permission to enter the site for inspection.

12. Surety

For projects requiring a Stormwater Permit under 4.A, the Commission may require the posting of a surety bond until work is completed.

13. Enforcement

- A. The Commission shall enforce this Bylaw with violation notices, administrative orders and enforcement orders, and may pursue all civil and criminal remedies for such violations. Mechanisms and procedures for enforcement shall be detailed in Rules and Regulations adopted by the Commission pursuant to this Bylaw.
- B. Any person who violates any provision of this Article, regulations thereunder, or permits issued thereunder, shall be punished by a fine of one hundred (\$100) dollars. Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of the bylaw, regulations or permit violated shall constitute a separate offense.
- C. Non-criminal disposition. As an alternative to criminal prosecution or civil action, the Commission may elect to utilize the non-criminal disposition procedure set forth in M.G.L. Ch. 40, § 21D and Section 1(h) of the Town’s General Bylaws. The penalty for violation shall be \$100. Each day or part thereof that such violation occurs or continues shall constitute a separate offence.

14. Severability

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

Or take any other action related thereto.

INFORMATIONAL SUMMARY: The purpose of this Stormwater Management Bylaw is to address the causes of serious flooding and pollution problems in the Town of Cohasset due to unregulated stormwater runoff. By establishing a stormwater permit process, this article is designed to ensure that effective stormwater management controls are incorporated into the design and construction of future developments in Town. This article will also enable the Town to meet the federally imposed deadline of June 2008 to comply with the requirements of the Federal Clean Water Act.

Board of Selectmen: Recommend Approval by Vote of 5-0
Advisory Committee: Recommendation Deferred until Town Meeting

Article 25: Citizens Petition – Operation of Leaf Blowers Bylaw

Proposed Bylaw: To limit gas and gas-generated electric leaf-blower usage to the following hours: Tuesday-Saturday, 9 am – 5 pm. Violation of this ordinance will result in the assessment of a two hundred fine upon the offending property owner.

<u>NAME</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>ADDRESS</u>
Doris Mandeville	25 Oak Street	Walter Ross	159 South Main Street
Kristin Norton	320 North Main Street	Lorraine Cunningham	11 Oak Street
Woodworth Chittick	98 South Main Street	Davenport Crocker	79 Spring Street
James Porter	184 South Main Street	George MacCleave	9 James Lane
MaryLouise Clark Slotnick	190 South main Street	Robert Sweeney	15 James Lane

INFORMATIONAL SUMMARY: (THE FOLLOWING EXPLANATION WAS SUBMITTED BY THE PETITIONERS)
The purpose of this article is to establish a new town bylaw to limit the operation leaf-blowers in the community from Tuesday to Saturday between the hours of 9:00 AM and 5:00 PM, and to establish a fine for violations.

Board of Selectmen: Recommend Disapproval by Vote of 4-0
Advisory Committee: Recommend Disapproval by Vote of 8-0

You are further required and directed to notify and warn the inhabitants present at the Town Hall Auditorium that sometime between the hours of 8:00 AM and close time of the polls on Saturday, THE FIFTH DAY OF APRIL, 2008, to cast and/or give their votes upon their official ballot for the following officers:

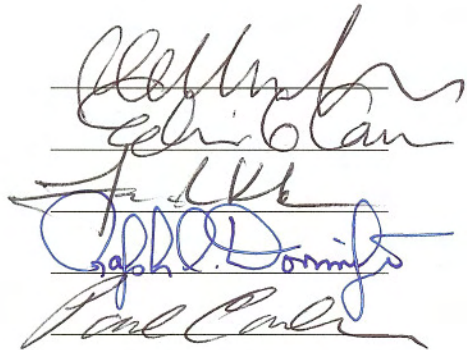
Two Selectmen for a term of three years; One Moderator for a term of three years; One Town Clerk for a term of three years; One School Committee member for a term of three years; Three Trustees of the Paul Pratt Memorial Library each for a term of three years; One Assessor for a term of three years; One member of the Board of Health for a term of three years; One Water Commissioner for a term of three years; One Sewer Commissioner for a term of three years; One member of the Planning Board for a term of five years; One member of the Planning Board for an unexpired term of three years; One member of the Recreation Commission for a term of five years; and One member of the Recreation Commission for an unexpired term of two years.

The polls for the reception of ballots will be kept open until 6:00 PM..

And you are directed to serve this Warrant by posting copies thereof, attested by you in writing, at the Post Office of the Town of Cohasset and in not less than five (5) other public places in the Town seven (7) days at least before the time appointed for in the meeting called for in this Warrant.

Whereof, fail not and make due return of this Warrant, indicating your method of service, and posting thereon, to the Clerk of the Town of Cohasset, on or before the time and place of the meeting aforesaid.

Given under our hands this 10TH day of March in the year two thousand eight.

The image shows four handwritten signatures in blue ink, each written over a horizontal line. From top to bottom, the signatures appear to be: Gary Vanderweil, Edwin G. Carr, Frederick R. Koed, and Paul Carlson.

BOARD OF SELECTMEN

Gary Vanderweil, Chairman

Edwin G. Carr

Frederick R. Koed

Ralph S. Dormitzer

Paul Carlson

NORFOLK, ss

By virtue of the above Warrant, I hereby notify and warn the inhabitants of the Town of Cohasset, qualified to vote in elections and Town affairs, to meet at the time, place, and for the purposes therein mentioned.

ATTEST: Maria A. Plante, Constable of Cohasset

**APPENDIX A
FISCAL 2009 OPERATING BUDGET
SUMMARY**

	FISCAL 2006	FISCAL 2007	FISCAL 2008	FISCAL 2009	FISCAL 2009
DEPARTMENT	BUDGETED	BUDGETED	BUDGETED	REQUESTED	RECOMM'D
ADMINISTRATION					
Moderator					
Personal Services	573	573	573	573	573
Total	\$573	\$573	\$573	\$573	\$573
Selectmen					
Personal Services	5,500	5,500	5,500	5,500	5,500
General Expenses	58,800	58,800	64,050	64,050	61,450
Total	\$64,300	\$64,300	\$69,550	\$69,550	\$66,950
Town Manager					
Personal Services	115,000	120,000	125,000	125,000	125,000
Town Hall Clerical	400,147	420,664	427,031	399,417	389,554
General Expenses	6,550	35,050	39,150	44,900	39,900
Total	\$521,697	\$575,714	\$591,181	\$569,317	\$554,454
Advisory Committee					
General Expenses	345	345	345	345	345
Reserve Fund	234,000	100,000	100,000	100,000	100,000
Total	\$234,345	\$100,345	\$100,345	\$100,345	\$100,345
Director of Finance					
Personal Expenses	92,639	96,323	99,396	99,396	99,396
General Expenses	28,968	28,948	46,850	33,193	29,193
Total	\$121,607	\$125,271	\$146,246	\$132,589	\$128,589
Board of Assessors					
Personal Expenses	65,830	69,355	71,675	72,025	72,025
General Expenses	26,855	27,655	35,355	35,980	33,780
Total	\$92,685	\$97,010	\$107,030	\$108,005	\$105,805
Treasurer/Collector					
Personal Expenses	60,002	62,550	64,605	64,605	64,605
General Expenses	40,450	41,486	40,985	40,985	38,865
Total	\$100,452	\$104,036	\$105,590	\$105,590	\$103,470
Legal Services					
Town Counsel Services	190,000	260,420	150,000	150,000	150,000
Total	\$190,000	\$260,420	\$150,000	\$150,000	\$150,000
Town Clerk					
Personal Services - Elected	57,119	59,863	62,689	65,600	63,689
Personal Services	11,307	18,153	17,687	16,427	16,427
General Expenses	8,735	11,125	10,010	10,338	8,890
Total	\$77,161	\$89,141	\$90,386	\$92,365	\$89,006

**APPENDIX A
FISCAL 2009 OPERATING BUDGET
SUMMARY**

DEPARTMENT	FISCAL 2006 BUDGETED	FISCAL 2007 BUDGETED	FISCAL 2008 BUDGETED	FISCAL 2009 REQUESTED	FISCAL 2009 RECOMM'D
Conservation Commission					
General Expenses	37,400	37,374	31,910	31,910	31,260
Total	\$37,400	\$37,374	\$31,910	\$31,910	\$31,260
Planning Board					
Personal Services	10,300	0	0	54,542	54,542
General Expenses	4,400	14,450	15,050	15,050	14,750
Total	\$14,700	\$14,450	\$15,050	\$69,592	\$69,292
Zoning Board of Appeals					
General Expenses	4,385	3,025	2,560	2,560	2,260
Total	\$4,385	\$3,025	\$2,560	\$2,560	\$2,260
Town Reports					
General Expenses	15,000	15,000	15,000	15,000	13,000
Total	\$15,000	\$15,000	\$15,000	\$15,000	\$13,000
Parking Clerk					
General Expenses	2,000	1,800	1,200	1,200	1,200
Total	\$2,000	\$1,800	\$1,200	\$1,200	\$1,200
Unclassified					
Audit of Accounts	8,500	12,000	12,000	12,000	12,000
S.S. Coalition	4,000	4,000	4,000	4,000	4,000
Water Purchase	50,000	30,000	30,000	30,000	30,000
Total	\$62,500	\$46,000	\$46,000	\$46,000	\$46,000
ADMINISTRATIVE TOTAL	\$1,538,805	\$1,534,459	\$1,472,621	\$1,494,596	\$1,462,204
<u>PUBLIC SAFETY</u>					
Police Department					
Personal Services	1,740,415	1,682,451	1,724,267	1,835,378	1,734,996
General Expenses	101,450	112,738	108,950	121,500	105,200
Total	\$1,841,865	\$1,795,189	\$1,833,217	\$1,956,878	\$1,840,196
Fire Department					
Personal Services	1,607,642	1,617,808	1,668,279	1,695,703	1,644,344
General Expenses	147,345	165,295	193,095	203,785	195,710
Hydrant Services	67,414	87,120	17,120	17,120	17,120
Total	\$1,822,401	\$1,870,223	\$1,878,494	\$1,916,608	\$1,857,174
Building Commissioner					
Personal Services	67,700	71,209	72,778	73,278	71,778
General Expenses	5,400	5,250	5,250	5,250	4,700
Total	\$73,100	\$76,459	\$78,028	\$78,528	\$76,478
Gas & Plumbing Inspector					
General Expenses	8,000	10,000	10,000	10,000	9,500
Total	\$8,000	\$10,000	\$10,000	\$10,000	\$9,500

**APPENDIX A
FISCAL 2009 OPERATING BUDGET
SUMMARY**

DEPARTMENT	FISCAL 2006 BUDGETED	FISCAL 2007 BUDGETED	FISCAL 2008 BUDGETED	FISCAL 2009 REQUESTED	FISCAL 2009 RECOMM'D
Weights & Measures					
Personal Services	2,600	2,678	2,678	2,678	2,678
General Expenses	450	450	0	450	0
Total	\$3,050	\$3,128	\$2,678	\$3,128	\$2,678
Wiring Inspector					
General Expenses	17,500	17,500	17,950	19,164	17,500
Total	\$17,500	\$17,500	\$17,950	\$19,164	\$17,500
Civil Defense					
Salaries & Expenses	5,350	5,350	7,850	7,850	5,350
Total	\$5,350	\$5,350	\$7,850	\$7,850	\$5,350
Harbormaster					
Personal Services	62,589	61,623	64,435	64,435	64,435
General Expenses	5,100	8,050	9,400	9,400	7,900
Total	\$67,689	\$69,673	\$73,835	\$73,835	\$72,335
Shellfish					
Personal Services	500	500	500	500	500
Total	\$500	\$500	\$500	\$500	\$500
PUBLIC SAFETY TOTAL	\$3,839,455	\$3,848,022	\$3,902,552	\$4,066,491	\$3,881,761
<u>EDUCATION</u>					
Cohasset Schools					
Salaries & Expenses	12,248,612	12,914,714	13,686,400	14,358,893	14,316,397
Total	\$12,248,612	\$12,914,714	\$13,686,400	\$14,358,893	\$14,316,397
South Shore VocTech					
Vocational Assessment	95,770	105,910	144,752	133,028	133,028
Total	\$95,770	\$105,910	\$144,752	\$133,028	\$133,028
EDUCATION SERVICES TOTAL	\$12,344,382	\$13,020,624	\$13,831,152	\$14,491,921	\$14,449,425
<u>PUBLIC WORKS/FACILITIES</u>					
Department of Public Works					
Personal Services	700,327	718,166	736,299	743,812	743,812
General Expenses	161,715	185,395	194,400	204,050	197,590
Other Appropriations	390,036	427,473	425,110	425,110	433,110
Total	\$1,252,078	\$1,331,034	\$1,355,809	\$1,372,972	\$1,374,512
Snow & Ice					
General Expenses	51,156	51,437	76,000	76,000	76,000
Total	\$51,156	\$51,437	\$76,000	\$76,000	\$76,000

**APPENDIX A
FISCAL 2009 OPERATING BUDGET
SUMMARY**

DEPARTMENT	FISCAL 2006 BUDGETED	FISCAL 2007 BUDGETED	FISCAL 2008 BUDGETED	FISCAL 2009 REQUESTED	FISCAL 2009 RECOMM'D
Street Lighting					
General Expenses	58,000	62,000	62,000	70,000	70,000
Total	\$58,000	\$62,000	\$62,000	\$70,000	\$70,000
Building Maintenance					
Personal Services	220,791	224,694	230,896	361,739	243,532
General Expenses	273,265	301,718	391,000	373,800	357,300
Total	\$494,056	\$526,412	\$621,896	\$735,539	\$600,832
PUBLIC WORKS/FACILITIES TOTAL	\$1,855,290	\$1,970,883	\$2,115,705	\$2,254,511	\$2,121,344
HEALTH & WELFARE					
Board of Health					
Personal Services	123,527	123,102	126,785	126,785	126,785
General Expenses	12,100	8,350	8,350	8,350	6,150
Total	\$135,627	\$131,452	\$135,135	\$135,135	\$132,935
Elder Affairs					
Personal Services	126,972	138,829	154,578	156,972	154,226
General Expenses	31,160	42,510	39,400	39,400	38,400
Total	\$158,132	\$181,339	\$193,978	\$196,372	\$192,626
Veterans Services					
Personal Services	1,600	1,600	1,600	1,600	1,600
General Expenses	425	225	100	100	100
Total	\$2,025	\$1,825	\$1,700	\$1,700	\$1,700
Commission on Disabilities					
General Expenses	100	100	0	0	0
Total	\$100	\$100	\$0	\$0	\$0
HEALTH & WELFARE TOTAL	\$295,884	\$314,716	\$330,813	\$333,207	\$327,261
CULTURE & RECREATION					
Library Services					
Personal Services	355,683	361,450	377,776	403,583	384,515
General Expenses	100,211	110,085	108,118	110,304	98,104
Total	\$455,894	\$471,535	\$485,894	\$513,887	\$482,619
Recreation					
Personal Services	118,425	121,946	127,601	124,905	124,775
General Expenses	6,380	6,380	6,680	6,680	5,905
Total	\$124,805	\$128,326	\$134,281	\$131,585	\$130,680
Common Historical Commission					
General Expenses	200	100	100	100	100
Total	\$200	\$100	\$100	\$100	\$100

**APPENDIX A
FISCAL 2009 OPERATING BUDGET
SUMMARY**

DEPARTMENT	FISCAL 2006 BUDGETED	FISCAL 2007 BUDGETED	FISCAL 2008 BUDGETED	FISCAL 2009 REQUESTED	FISCAL 2009 RECOMM'D
Historical Preservation					
Personal Services	800	800	800	800	800
General Expenses	200	200	100	100	100
Total	\$1,000	\$1,000	\$900	\$900	\$900
Celebrations					
General Expenses	2,500	5,000	5,000	5,000	5,000
Total	\$2,500	\$5,000	\$5,000	\$5,000	\$5,000
CULTURAL & REC. TOTAL	\$584,399	\$605,961	\$626,175	\$651,472	\$619,299
<u>DEBT SERVICE</u>					
Non-Excluded Principle	1,152,935	1,195,005	1,327,727	1,208,413	1,208,413
Non-Excluded Interest	418,085	415,323	425,844	558,132	558,132
Excluded Principle	1,494,160	1,543,826	1,871,830	1,885,920	1,885,920
Excluded Interest	1,722,110	1,388,817	1,171,128	1,114,548	1,114,548
DEBT SERVICE TOTAL	\$4,787,290	\$4,542,971	\$4,796,529	\$4,767,013	\$4,767,013
<u>BENEFITS & INSURANCE</u>					
Pensions					
County Assessment	983,173	1,105,000	1,126,111	1,123,165	1,123,165
Total	\$983,173	\$1,105,000	\$1,126,111	\$1,123,165	\$1,123,165
Worker's Compensation					
General Expenses	70,000	80,000	92,000	92,000	92,000
Total	\$70,000	\$80,000	\$92,000	\$92,000	\$92,000
Unemployment					
General Expenses	35,000	30,109	20,000	20,000	20,000
Total	\$35,000	\$30,109	\$20,000	\$20,000	\$20,000
Health Insurance					
General Expenses	1,966,000	2,157,500	2,500,000	2,580,000	2,580,000
Total	\$1,966,000	\$2,157,500	\$2,500,000	\$2,580,000	\$2,580,000
Life Insurance					
General Expenses	8,000	9,000	11,000	9,000	9,000
Total	\$8,000	\$9,000	\$11,000	\$9,000	\$9,000

**APPENDIX A
FISCAL 2009 OPERATING BUDGET
SUMMARY**

DEPARTMENT	FISCAL 2006 BUDGETED	FISCAL 2007 BUDGETED	FISCAL 2008 BUDGETED	FISCAL 2009 REQUESTED	FISCAL 2009 RECOMM'D
Medicare					
General Expenses	190,000	200,000	206,000	226,000	226,000
Total	\$190,000	\$200,000	\$206,000	\$226,000	\$226,000
Property & Liability Insurance					
General Expenses	202,500	218,000	236,200	236,000	236,000
Total	\$202,500	\$218,000	\$236,200	\$236,000	\$236,000
BENEFITS & INSURANCE TOTAL	\$3,454,673	\$3,799,609	\$4,191,311	\$4,286,165	\$4,286,165
ENTERPRISE FUNDS					
Central Cohasset Sewer					
General Expenses	499,166	538,706	624,897	624,467	624,467
Depreciation/Capital	57,292	82,292	144,253	30,000	30,000
Indirect Expenses	52,730	54,312	22,536	32,818	32,818
Debt Service	47,420	58,550	60,137	60,137	60,137
Total	\$656,608	\$733,860	\$851,823	\$747,422	\$747,422
North Cohasset Sewer					
General Expenses	143,874	155,490	179,210	165,078	165,078
Depreciation/Capital	54,333	52,750	71,362	97,419	97,419
Indirect Expenses	19,500	20,085	20,688	11,529	11,529
Total	\$217,707	\$228,325	\$271,260	\$274,026	\$274,026
Water Enterprise Fund					
General Expenses	1,269,000	1,188,600	1,207,600	1,236,100	1,236,100
Capital Outlay	0	0	0	0	0
Town Hall Services	31,296	32,000	32,000	32,000	32,000
Debt Service - Principle	708,531	777,159	857,070	1,022,443	1,022,443
Debt Service - Interest	446,331	695,391	898,930	1,148,000	1,148,000
Total	\$2,455,158	\$2,693,150	\$2,995,600	\$3,438,543	\$3,438,543
ENTERPRISE FUNDS TOTAL	\$3,329,473	\$3,655,335	\$4,118,683	\$4,459,991	\$4,459,991
GRAND TOTAL	\$32,029,651	\$33,292,580	\$35,385,541	\$36,805,367	\$36,374,463

APPENDIX B- COMPENSATION & CLASSIFICATION SCHEDULES

Fiscal Year 2009

<u>Grade</u>	<u>Step</u>	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>5th</u>	<u>6th</u>	<u>7th</u>
A	Hourly	10.46	11.05	11.65	12.25	12.84	13.45	14.06
	35 Hrs.	366.10	386.75	407.75	428.75	449.40	470.75	492.10
	40 Hrs.	418.40	442.00	466.00	490.00	513.60	538.00	562.40
B	Hourly	11.30	11.95	12.60	13.24	13.84	14.49	15.15
	35 Hrs.	395.50	418.25	441.00	463.40	484.40	507.15	530.25
	40 Hrs.	452.00	478.00	504.00	529.60	553.60	579.60	606.00
C	Hourly	12.24	12.89	13.57	14.24	14.96	15.69	16.39
	35 Hrs.	428.40	451.15	474.95	498.40	523.60	549.15	573.65
	40 Hrs.	489.60	515.60	542.80	569.60	598.40	627.60	655.60
D	Hourly	13.18	13.96	14.67	15.44	16.20	16.94	17.71
	35 Hrs.	461.30	488.60	513.45	540.40	567.00	592.90	619.85
	40 Hrs.	527.20	558.40	586.80	617.60	648.00	677.60	708.40
E	Hourly	14.22	15.07	15.84	16.66	17.47	18.30	19.12
	35 Hrs.	497.70	527.45	554.40	583.10	611.45	640.50	669.20
	40 Hrs.	568.80	602.80	633.60	666.40	698.80	732.00	764.80
F	Hourly	15.36	16.25	17.10	17.94	18.86	19.75	20.63
	35 Hrs.	537.60	568.75	598.50	627.90	660.10	691.25	722.05
	40 Hrs.	614.40	650.00	684.00	717.60	754.40	790.00	825.20
G	Hourly	16.61	17.53	18.49	19.43	20.37	21.27	22.24
	35 Hrs.	581.35	613.55	647.15	680.05	712.95	744.45	778.40
	40 Hrs.	664.40	701.20	739.60	777.20	814.80	850.80	889.60
H	Hourly	17.92	18.94	19.96	21.00	21.99	23.00	24.04
	35 Hrs.	627.20	662.90	698.60	735.00	769.65	805.00	841.40
	40 Hrs.	716.80	757.60	798.40	840.00	879.60	920.00	961.60
I	Hourly	19.37	20.45	21.56	22.65	23.75	24.85	25.97
	35 Hrs.	677.95	715.75	754.60	792.75	831.25	869.75	908.95
	40 Hrs.	774.80	818.00	862.40	906.00	950.00	994.00	1,038.80
J	Hourly	20.90	22.06	23.26	24.42	25.68	26.86	28.07
	35 Hrs.	731.50	772.10	814.10	854.70	898.80	940.10	982.45
	40 Hrs.	836.00	882.40	930.40	976.80	1,027.20	1,074.40	1,122.80
K	Hourly	22.59	23.83	25.16	26.42	27.70	28.99	30.30
	35 Hrs.	790.65	834.05	880.60	924.70	969.50	1,014.65	1,060.50
	40 Hrs.	903.60	953.20	1,006.40	1,056.80	1,108.00	1,159.60	1,212.00
L	Hourly	24.40	25.80	27.19	28.58	29.95	31.31	32.70
	35 Hrs.	854.00	903.00	951.65	1,000.30	1,048.25	1,095.85	1,144.50
	40 Hrs.	976.00	1,032.00	1,087.60	1,143.20	1,198.00	1,252.40	1,308.00
M	Hourly	26.38	27.82	29.32	30.83	32.33	33.84	35.36
	35 Hrs.	923.30	973.70	1,026.20	1,079.05	1,131.55	1,184.40	1,237.60
	40 Hrs.	1,055.20	1,112.80	1,172.80	1,233.20	1,293.20	1,353.60	1,414.40
N	Hourly	28.44	30.06	31.68	33.26	34.90	36.51	38.16
	35 Hrs.	995.40	1,052.10	1,108.80	1,164.10	1,221.50	1,277.85	1,335.60
	40 Hrs.	1,137.60	1,202.40	1,267.20	1,330.40	1,396.00	1,460.40	1,526.40
O	Hourly	30.74	32.47	34.24	36.00	37.73	39.46	41.23
	35 Hrs.	1,075.90	1,136.45	1,198.40	1,260.00	1,320.55	1,381.10	1,443.05
	40 Hrs.	1,229.60	1,298.80	1,369.60	1,440.00	1,509.20	1,578.40	1,649.20

APPENDIX B - COMPENSATION AND CLASSIFICATION SCHEDULES

	PAY GROUP	POSITIONS AUTHORIZED	HOURS
<u>Schedule 1 - Regular Employees</u>			
Board of Assessors			
Deputy Assessor/Appraiser	Contract	1	40
Assistant Assessor	H	1	35
Administrative Assistant	G	1	35
Building Department			
Building Commissioner/Zoning Officer	Contract	1	40
Clerk	F	1	20
Civilian Dispatch			
Communications Supervisor	H	1	40
Lead Dispatcher	G	1	40
Dispatcher (FT)	F	3	40
Dispatcher (PT)	F	1	24
Dispatcher (PT)	F	1	16
Elder Affairs			
Director	Contract	1	40
Elder Advocate	I	1	28
Volunteer Coordinator	G	1	19
Clerk	G	1	18
Van Driver	F	1	19
Van Driver	F	2	4
Facilities			
Director	Contract	1	40
Maintenance Worker	G	2	40
Custodial Worker	F	1	40
Custodial Worker	F	1	19
Fire Department			
Fire Chief	Contract	1	40
Captain	FS - 13	4	42
Lieutenant	FS - 12	4	42
Firefighter - Paramedic	FS - 11	15	42
Harbor Department			
Harbormaster	Contract	1	40
Board of Health			
Health Agent	Contract	1	12
Administrator	Contract	1	40

APPENDIX B - COMPENSATION AND CLASSIFICATION SCHEDULES

	PAY GROUP	POSITIONS AUTHORIZED	HOURS
Library			
Chief Librarian	Contract	1	40
Staff Librarian		1	35
Staff Librarian		1	31
Library Assistant		1	37.5
Library Assistant		1	35
Library Technician		1	29
Library Technician		1	22
Library Technician		2	21
Library Technician		2	20
Administrative Assistant		1	9
Planning Board			
Administrator	Contract	1	38
Police Department			
Police Chief	Contract	1	40
Lieutenant	PS - 11	2	37.5
Sergeant	PS - 11	3	37.5
Patrolman	PS - 09	13	37.5
Secretary	G	1	40
Department of Public Works			
Superintendent	Contract	1	40
General Foreman	K	1	40
Working Foreman	I	3	40
Heavy Equipment Operator	G	4	40
Skilled Utility Worker	F	3	40
Tree Climber	F	1	40
Skilled Utility Worker - Cemetery	F	1	40
Clerk	G	1	35
Recreation			
Director	Contract	1	40
Board of Selectmen			
Administrative Assistant	I	1	40
Secretary/Receptionist	F	1	27
Director of Finance/Town Accountant			
Director of Finance/Town Accountant	Contract	1	40
Assistant Town Accountant	G	1	25
Town Clerk			
Assistant Town Clerk	G	1	40

APPENDIX B - COMPENSATION AND CLASSIFICATION SCHEDULES

	PAY GROUP	POSITIONS AUTHORIZED	HOURS
Town Manager			
Town Manager	Contract	1	40
Treasurer/Collector			
Treasurer/Collector	Contract	1	40
Assistant Treasurer/Collector	H	1	40
Assistant to Treasurer	G	1	35

Schedule 1a - Elected Employees

Town Clerk	\$63,689
Clerk, Board of Registrars	\$329
Moderator	\$1
Board of Selectmen:	
Chair	\$1,500
Members (4) at \$1,000	\$4,000
Board of Assessors	
Chair	\$1,300
Members (2) at \$1,200	\$2,400

Schedule 2a - Part Time Positions Annual

Veterans' Agent	\$1,600
Member, Board of Registrars	\$326
Sealer of Weights and Measurers	\$2,600
Town Archivist	\$600
Director of Emergency Management	\$350
Assistant Director of Emergency Management	\$100
Shellfish Constable	\$500
Animal Control Officer	\$16,808
Keeper of the Town Clock	\$100
Keeper of the Town Pump	\$100

APPENDIX B - COMPENSATION AND CLASSIFICATION SCHEDULES

	PAY GROUP	POSITIONS AUTHORIZED	HOURS
<u>Schedule 2b - Part Time Positions Hourly</u>			
Assistant Harbor Master	\$13		
Casual Labor	\$8		
Election Officers	\$12		
Election Clerk	\$12		
Election Warden	\$12		
Summer Patrolman	\$14		
Police Matron	\$13		
Deputy Building Inspector (H-Min)	\$18		
Library Pages	\$8		
Recording Secretary	\$13		
<u>Schedule 3 - Part Time Positions</u>			
Constable - Per Notice	\$20		
<u>Exempt Positions - Per the Fair Labor Standards Act</u>			
Deputy Assessor/Appraiser	Health Agent		
Building Commissioner	Chief Librarian		
Director of Finance/Town Accountant	Police Chief		
Director of Facilities	Recreation Director		
Elder Affairs Director	Superintendent of Public Works		
Fire Chief	Town Manager		
Harbormaster	Treasurer/Collector		
Health Administrator	Town Planner		

APPENDIX C - CAPITAL IMPROVEMENT PLAN				
FY 2009 TO FY 2012				
	2009	2010	2011	2012
Department/Description	Proposed	Proposed	Proposed	Proposed
FACILITIES MANAGEMENT				
Library				
Library Gutters and Downspouts	\$72,500			
Library East Parapet Wall Repair	\$11,000			
Library EPDM repairs		\$44,000		
Security System (cameras)			\$50,000	
Schools				
Trash Truck	\$45,000			
Osgood Pavement (new back turn around / walkway)	\$50,000			
Osgood Playground Replacement/Repair	\$75,000			
Middle High Science Classroom Exhaust Fans	\$25,000			
Osgood Kitchen Upgrade		\$40,000		
Osgood Emergency Generator		\$160,000		
High School Fitness Center Air Conditioning			\$22,000	
Alumni Field Bleachers		\$85,000		
Alumni Field Turf/Track Replacement				\$1,500,000
Town Hall				
Town Hall Chiller Replacement	\$45,000			
Town Hall Windows, Electrical, Restroom, Auditorium Upgrades		\$60,000		
Town Hall Sill Replacement		\$25,000		
Town Hall Security System (camera and burglar)			\$30,000	
Town Hall Basement Air Conditioning				\$15,000
Town Hall Emergency Generator				\$30,000
Police/Fire				
Emergency Generator	\$130,000			
Other				
Town Wide BAS (building automation) System	\$80,000			
Maintenance Vehicle (if new maintenance staff hired)	\$35,000			
Dark Fiber Install (schools, police, library, town hall)	\$30,000			
DPW Security System (camera and burglar)			\$30,000	
Sub-Total	\$598,500	\$414,000	\$132,000	\$1,545,000
TOWN MANAGER				
West Corner Culvert Replacement Design	\$50,000			
Sub-Total	\$50,000			
BOARD OF SELECTMEN				
Lightkeepers Sewer Connection Project	\$50,000			

APPENDIX C - CAPITAL IMPROVEMENT PLAN				
FY 2009 TO FY 2012				
	2009	2010	2011	2012
Department/Description	Proposed	Proposed	Proposed	Proposed
Flood Control Projects	\$400,000	\$2,000,000	\$2,000,000	
Sub-Total	\$450,000	\$2,000,000	\$2,000,000	\$0
PUBLIC WORKS				
1985 CAT 950 Loader (refurbishment)	\$30,000			
Bucket Truck (replacement)	\$70,000			
Tractor (replace 1989 Peterbilt)	\$120,000			
Mowing Machine	\$30,000			
Replace Sander	\$10,000			
Chevrolet C-30 (replace 1990)		\$45,000		
Loader/Backhoe (replace 1988 Ford)			\$90,000	
Replace 1986 Ford Dump Truck				\$85,000
Sub-Total	\$260,000	\$45,000	\$90,000	\$85,000
INFORMATION TECHNOLOGY				
Equipment Purchase & Replacement	\$10,000	\$10,000	\$10,000	
Sub-Total	\$10,000	\$10,000	\$10,000	\$0
SCHOOL DEPARTMENT				
Technology Replacement	\$100,000	\$100,000	\$100,000	\$100,000
Transportation Busses / vans	\$80,000	\$45,000	\$80,000	\$80,000
Sub-Total	\$180,000	\$145,000	\$180,000	\$180,000
LIBRARY				
Replace 15 Public Computers & 2 notebook computers	\$28,200		\$28,200	
Replace 11 staff computers				\$18,700
Replace 6 children's room computers & 5 PAC's		\$18,700		
Install Self-Check out Kiosk	\$14,000			
Finish Staff Work Room	\$5,000			
Replace Carpet	\$2,400			
Replace worn Upholstery		\$5,000		
Sub-Total	\$49,600	\$23,700	\$28,200	\$18,700

APPENDIX C - CAPITAL IMPROVEMENT PLAN				
FY 2009 TO FY 2012				
	2009	2010	2011	2012
Department/Description	Proposed	Proposed	Proposed	Proposed
POLICE DEPARTMENT				
Vehicle Replacement (marked)	\$58,000	\$58,000	\$29,000	\$60,000
Vehicle Replacement (marked)				
Sever & Workstation Replacement	\$9,000	\$5,000	\$5,000	\$5,000
Vehicle Replacement (unmarked)	\$38,000		\$20,000	
Special Vehicle (4X4)			\$30,000	
Mobile Radios				\$50,000
Portable Radios		\$90,000		
Dispatch/911 Consoles Replacement	\$150,000			
Police Repeater Update/Refurbish		\$30,000		
Firearms - Handguns			\$12,500	
Firearms - Long Guns			\$3,500	
New Police Station		\$4,500,000		
Sub-Total	\$255,000	\$4,683,000	\$100,000	\$115,000
FIRE DEPARTMENT				
Chief's Vehicle Replacement	\$35,000			
Ambulance Replacement	\$165,000			
Engine Two Replacement	\$450,000			
Forest Fire Truck Replacement				\$150,000
Air Compressor/Self Contained Breathing App. Filling Station		\$50,000		
Special Hazards Equipment Trailer		\$25,000		
Jaws of Life - Gas Powered (replacement)	\$20,000			
Jaws of Life - Electric Powered (replacement)			\$23,000	
Thermal Imaging Camera Replacement (2)		\$27,000		
Desktop & Notebook Computr Replacement			\$10,000	
Heart Monitor/Defibrillator - 12 Lead (replacement)	\$25,000			\$28,000
Hose Replacement	\$15,000			
Second Fire Station Feasibility Study	\$25,000			
Heavy Rescue Tools				
Sub-Total	\$735,000	\$102,000	\$33,000	\$178,000
GRAND TOTAL	\$2,588,100	\$7,422,700	\$2,573,200	\$2,121,700

APPENDIX D
COMMUNITY PRESERVATION COMMITTEE RECOMMENDATIONS

The Community Preservation Committee has voted to recommend the following appropriations for Fiscal 2009:

Recommendation A: Sub Account Allocations

That Fiscal Year 2009 revenues to the Community Preservation Fund be divided to the following sub accounts to be administered by the Community Preservation Committee as follows:

Historical Resources Sub Account (10%)	\$ 50,000
Open Space Sub Account (10%)	\$ 50,000
Community Housing Sub Account (10%)	<u>\$ 50,000</u>
Total Budget	\$150,000

Recommendation B: Town Hall Restoration

That Three Hundred Thousand Dollars (\$300,000) be transferred from the Community Preservation Fund Discretionary Sub Account with the intention that these funds be available in FY 2008 and thereafter, which funds are to be expended by the Town Manager, for the purposes of rehabilitation and preservation to the exterior of the antique portion of Town Hall, including but not limited the restoration of the windows, gutters, downspouts, clapboard, chimney, acquisition of storm windows, and other related work. All work must comply with the requirements of the Community Preservation Act (G. L. ch. 44B, section 2 "rehabilitation" or any other applicable law).

Recommendation C: Stormwater Management

That Eighty-Eight Thousand Five Hundred Dollars (\$88,500) be transferred from the Community Preservation Fund Discretionary Sub Account with the intention that these funds be available in FY 2008 and thereafter, which funds are to be expended by the Town Manager, for the purposes of designing, installing and constructing of Stormwater Best Management Practice controls within the James Brook watershed that are needed to reduce the impacts of stormwater pollution affecting James Brook, Jacobs Meadow, Cohasset Cove and Cohasset Harbor including, but not limited to, ten locations within a quarter mile radius of Jacobs Meadow on Elm Street, Pleasant Street & Cushing Road, Norfolk Road & Cushing Road, South Main Street, North Main Street & Robert Jason Road, Oak Street & Cushing Road, Cove Road, Pond Street & Cushing Road, Ash Street & Cushing Road, Ripley Road, near Pratt Court and other related work. This project is necessary to preserve James Brook, Jacobs Meadow, Cohasset Cove, and Cohasset Harbor from destruction.

Recommendation D: Housing Perc. Tests

That Twenty Thousand Dollars (\$20,000) be transferred from the Community Preservation Fund Housing Resources Sub Account with the intention that these funds be available in Fiscal 2008 and thereafter, which funds are to be expended by the Town Manager for the purposes of performing percolation tests and other related engineering work/studies to determine whether land owned by the Town situated off Smith Place and Pleasant Lane is suitable for development.

APPENDIX D
COMMUNITY PRESERVATION COMMITTEE RECOMMENDATIONS

Recommendation E: Historical Society

That Fifty-One Thousand Seven Hundred Dollars (\$51,700) be transferred from the Community Preservation Fund Historical Resources Sub Account with the intention that these funds be available in FY 2008 and thereafter, which funds are to be expended by the Town Manager, for the purposes of rehabilitation and restoration of the Cohasset Historical Society's (former) Paul Pratt Memorial Library to rehabilitate the cupola windows, Front door and loggia, and Rotunda glass dome, installation of ultra-violet filtered Plexiglas inserts at each window of the Cohasset Historical Society's Wilson House and Cohasset Historical Society's Maritime Museum, and the acquisition and installation of textile storage racks for the purpose of preserving the Cohasset Historical Society's archives including textiles and other artifacts all other related work, provided, however, that the Board of Selectmen be hereby authorized to acquire in return for such sum a historic preservation restriction in compliance with Chapter 184 of the General Laws and the specific work items be performed with the prior approval of the Community Preservation Committee. The Historical Society must obtain the consent of the Community Preservation Committee before performing any of the work and/or contracting for services. All work to (former) Paul Pratt Memorial Library, Wilson House and Maritime Museum must comply with the requirements of the Community Preservation Act (G. L. ch. 44B, section 2 "rehabilitation" or any other applicable law).

Recommendation F: Water Department

That Twenty-Five Thousand Dollars (\$25,000) be transferred from the Community Preservation Fund Open Space Sub Account and One Hundred Fifty Thousand (\$150,000) Dollars from the Community Preservation Discretionary Sub Account, for a total of One Hundred Seventy-Five Thousand (\$175,000) Dollars, with the intention that these funds be available in FY 2008 and thereafter, which funds are to be expended by the Town Manager to acquire by purchase, gift or eminent domain the following parcel of land found on Assessor's Map Parcel 66-7 (20.43 acres) (described by deed recorded in Norfolk County Registry of Deeds in Book 5244 at Page 104. Said property is to be acquired in fee simple title for watershed, open space and recreation purposes. The parcel is the last of 15 parcels authorized by the Annual Town Meeting March 27, 2004, Article 13. The assemblage of land for open space and watershed protection came to be known as the Brass Kettle Brook Conservation Area. The town is authorized to grant a conservation restriction to The Trustees of Reservations requiring that this land be used only for watershed, open space and recreation purposes.

Recommendation G: Town Clerk

That Ten Thousand Dollars (\$10,000) be transferred from Community Preservation Fund Historical Resources Sub Account and Forty Thousand Dollars (\$40,000) be transferred from the Community Preservation Fund Discretionary Sub Account for a total of Fifty Thousand Dollars (\$50,000) with the intention that these funds be available in Fiscal 2008 and thereafter, which funds are to be expended by the Town Manager for the purposes of preserving and making various restorative improvements to the Town Clerk's ancient records and vital statistics.

APPENDIX D
COMMUNITY PRESERVATION COMMITTEE RECOMMENDATIONS

Recommendation H: Harbor Health Committee

That Thirty-Five Thousand Dollars (\$35,000) be transferred from the Community Preservation Fund Discretionary Sub Account with the intention that these funds be available in Fiscal 2008 and thereafter, which funds are to be expended by the Town Manager for the purposes of constructing/restoring the culvert running between the Gulf River and Cohasset Harbor and other related costs, which project is necessary to preserve the Cohasset Harbor, Cohasset Cove and the Gulf River from destruction. Notwithstanding the above, the Harbor Health Committee and or the Conservation Commission must, prior to December 31, 2009, demonstrate to the Town Manager's satisfaction, that it has raised all additional money necessary for completing the this project. If the Harbor Health Committee and/or the Conservation Commission Authority fail to receive the Town manager's endorsement that all such funds are in place by that date, then this appropriation shall expire and the money appropriated herein will return to the Community Preservation Fund Discretionary Sub Account.

Recommendation I: American Legion

That Twenty Thousand Dollars (\$20,000) be transferred from the Community Preservation Fund Discretionary Sub Account, with the intention that these funds be available in FY 2008 and thereafter, which funds are to be expended by the Town Manager, for the purposes of installing a fire sprinkler system, and other related work to the American Legion George H. Mealy Post 118, which is a historical built circa 1850 known as the "Guild Building" or "Legion Hall" and which formerly housed the U.S. Customs and Immigration Service for the Port of Cohasset during the 1800's. Notwithstanding the above, the American Legion must, prior to December 31, 2009, demonstrate to the Town Manager's satisfaction, that it has raised all additional money necessary for completing the this project before any work may commence on this project.. If the American Legion fails to receive the Town manager's endorsement that all such funds are in place by that date, then this appropriation shall expire and the money appropriated herein will return to the Community Preservation Fund Discretionary Sub Account. The project will be supervised by the Town Manager. The American Legion must receive the Town Manager's pre-approval before performing any work item and/or entering into any contract(s) for the work. Invoices for all work performed shall be submitted to the Town Manager for his approval and subject to his inspection (or that of his agents) of the work performed. All payments shall be made by the Town directly to the vendor.

Recommendation J: Harbor Study

That Twenty Thousand Dollars (\$20,000) be transferred from the Community Preservation Fund Discretionary Sub Account, with the intention that these funds be available in FY 2008 and thereafter, which funds are to be expended by the Town Manager, for the purposes paying a portion of the costs for retaining a municipal planner to prepare a concept plan for the future uses of Cohasset Harbor and the land surrounding it. The plan will focus on opportunities for open space, public access to the harbor, community housing, historical preservation, economic viability and include a build out analysis and recommendations for potential zoning changes.

Recommendation K: Debt Service Payment

That Thirty-Eight Thousand Four Hundred Seventy Nine Dollars (\$38,479) be transferred from the Community Preservation Fund Discretionary Sub Account to be expended by the Town Manager for payment of debt service for the project approved under Article 12 (Recommendation E) of the 2004 annual town meeting (open space land acquisition).

TOWN MEETING PROCEDURES

Our Town Meeting is conducted in accordance with the Town Bylaws and traditions adopted in our Town Meetings over the years. Several matters of procedure are summarized below. Anyone with questions about procedure should see the Moderator, ideally prior to the start of the meeting.

- Discussion should be **courteous** and **respectful**, and should be confined to the subject under consideration. Sarcasm is generally not respectful, and the subject under consideration does not include the individuals involved in the debate. All questions should be directed to the Moderator, who will ask the appropriate person to respond. Under our Bylaws, no one may speak a second time on any subject for longer than five minutes, nor more than twice on any subject (except to correct an error or make an explanation), without permission of the Meeting.
- If you desire to speak, please rise and seek the attention of the Moderator. When recognized by the Moderator, please use a microphone and begin by stating your name and address.
- Persons who are not registered voters may be admitted to the meeting as **guests**. Guests must display the nametags provided and, except with the permission of the Moderator (denoted by a colored sticker on the nametag), must remain in the designated guest seating area. Guests may address the meeting with the permission of the Moderator.
- An **article** in the warrant describes the subject matter to be acted on by the Town Meeting. A **motion** is proposed action to be taken by the Meeting, and must be within the scope of the article (i.e., the motion must not go beyond the subject matter, dollar amounts, restrictiveness, etc., contemplated by the article). Articles will be acted on in the order in which they are published in the warrant unless the Meeting otherwise determines. On each article, the first main motion will be the Town Manager's (or citizen proponent's) proposed motion.
- All **motions** (including proposed amendments) should be **in writing** unless they are so brief and simple as to be easily understood orally. If you plan in advance to make a motion, please let the Moderator know before the meeting so any wording issues can be resolved smoothly.
- Votes will generally be taken first by voice vote. If the Moderator is in doubt as to the results or if seven voters stand to express doubt as to the result declared by the Moderator, a **hand count** will be taken. Voters wishing to participate in the hand count must be in designated seating areas.
- A **motion for the previous question**, if adopted, will be followed immediately by a vote on the pending question. The motion is not debatable and requires a two-thirds vote for adoption. The Moderator will not accept a motion for the previous question if both sides have not had a fair opportunity to be heard, and may allow voters who have sought recognition to speak to be heard prior to considering the motion. A person who **"moves the previous question"** may not accompany the motion with remarks on the.
- Only those who were on the winning side of a vote may move to reconsider that vote. A vote may not be reconsidered a second time or after a motion to reconsider it has failed. A vote adopted at one session of the town meeting may not be reconsidered at a later (adjourned) session of the meeting unless notice of the intended reconsideration is given at the session at which the vote was passed.
- A **quorum** for the transaction of business is **100**. Once a quorum is determined, the presence of a quorum is presumed unless a point of no quorum is raised and a count shows that a quorum is not present. A quorum is not required to adjourn or dissolve.

Daniel S. Evans, Moderator

Serve Your Community

Town Government needs citizens who are willing to give time in the service of their community. The Resource Bank was adopted by the Selectmen and Moderator as a means of compiling names of interested citizens to serve, on a voluntary basis, on boards and committees. This file is available for use by the public, as well as the Moderator and the Selectmen.

Resource Bank files are constantly being updated to include categories consistent with the changing needs of the Town. Please indicate your order of preference and return the form below to:

Town Government Resource Bank
c/o the Board of Selectmen
41 Highland Avenue

Name: _____

Telephone No. _____

Address: _____

Occupation: _____

Background: _____

When are you available to serve? _____

LIST ORDER OF PREFERENCE

- | | |
|-----------------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Advisory Committee | <input type="checkbox"/> Town History Committee. |
| <input type="checkbox"/> Alternative Energy Committee | <input type="checkbox"/> Water Resources Protection Committee |
| <input type="checkbox"/> Bylaw Committee | <input type="checkbox"/> Wompatuck State Park Council Rep. |
| <input type="checkbox"/> Capital Budget Committee | <input type="checkbox"/> Zoning Advisory Committee |
| <input type="checkbox"/> Cemetery Study Committee | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Cohasset Cultural Council | <input type="checkbox"/> Other |
| <input type="checkbox"/> Cohasset Common Historic District Commission | |
| <input type="checkbox"/> Committee to Study Town Gov't Structure | |
| <input type="checkbox"/> Conservation Commission | |
| <input type="checkbox"/> Council on Elder Affairs | |
| <input type="checkbox"/> Board of Health | |
| <input type="checkbox"/> Drug and Alcohol Committee | |
| <input type="checkbox"/> Economic Development Committee | |
| <input type="checkbox"/> Government Island Advisory Committee | |
| <input type="checkbox"/> Harbor Committee | |
| <input type="checkbox"/> Historical Commission | |
| <input type="checkbox"/> Housing Partnership Committee | |
| <input type="checkbox"/> Open Space Committee | |
| <input type="checkbox"/> South Shore Regional School Dist Rep. | |
| <input type="checkbox"/> Recycling Committee | |
| <input type="checkbox"/> Regional Refuse Disposal Planning Committee | |
| <input type="checkbox"/> Registrars of Voters | |
| <input type="checkbox"/> School Facilities Committee | |
| <input type="checkbox"/> South Shore Regional School Dist. Rep | |

TELEPHONE NUMBERS AND OFFICE HOURS

COHASSET TOWN HALL, LIBRARY AND WATER DEPARTMENT

TOWN HALL HOURS

Monday	8:30 a.m. – 4:30 p.m.
Tuesday	8:30 a.m. – 7:00 p.m.
Wednesday	8:30 a.m. – 4:30 p.m.
Thursday	8:30 a.m. – 4:30 p.m.
Friday	8:30 a.m. – 1:00 p.m.

TOWN HALL PHONE NUMBERS

Town Hall Fax Number:	1-781-383-0228
Board of Assessors	1-781-383-4114
Board of Health	1-781-383-4116
Sewer Commission	1-781-383-4107
Board of Selectmen & Town Manager	1-781-383-4105
Building Commissioner/Zoning Officer	1-781-383-4112
Conservation Commission	1-781-383-4119
Director of Finance/Town Accountant	1-781-383-4110
Recreation Commission	1-781-383-4109
Town Clerk	1-781-383-4100
Town Planner/Planning Board	1-781-383-3517
Town Treasurer/Tax Collector	1-781-383-4102
Sewer Commission	1-781-383-4108
Zoning Board of Appeals	1-781-383-4105

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LIBRARY

Phone – 1-781-383-1348

HOURS

Monday & Tuesday	10:00 a.m. – 8:00 p.m.
Wednesday	10:00 a.m. – 5:00 p.m.
Thursday	10:00 a.m. – 8:00 p.m.
Friday	10:00 a.m. – 5:00 p.m.
Saturday	9:00 a.m. – 5:00 p.m.
Sunday	2:00 p.m. – 5:00 p.m. (Until Memorial Day)

WATER DEPARTMENT

Phone – 1-781-383-0057

HOURS - Monday – Friday 8:00 a.m. – 3:00 pm.

FOR MORE INFORMATION GO TO
www.townofcohasset.org

Town of Cohasset
Office of the Board
of Selectmen
41 Highland Avenue
Cohasset, MA 02025

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COHASSET, MA 02025

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