Harbor Village Business Overlay District
Town of Cohasset
March 20, 2019
Outstanding Issues

- FAR of 0.8 vs. 1.0 vs. 1.3

- Percentage of Required Commercial/Nonresidential: Proposed 15% of building areas as ground-floor commercial/non-residential (not including parking)

- Setback from shoreline: Proposed setback: 25 feet from shoreline
Approximate extent of Chapter 91 jurisdiction; assumed to be historic private tidelands based on initial review of historic maps; to be used for initial planning purposes only.
Blue line is approximate extent of Chapter 91 jurisdiction; assumed to be historic private tidelands based on initial review of historic maps; to be used only for initial planning purposes and illustration of principles of Chapter 91 relevant to this site.
Chapter 91 Implications

- 310 CMR 9.00 Waterways (Department of Environmental Protection)

- 9.51 Conservation of Capacity of Water-Dependent Use
- 9.51 Utilization of Shoreline for Water-Dependent Purposes
To be used only for initial planning purposes and illustration of principles of Chapter 91 relevant to this site.
Minimum Conditions:

9.51(3)(c): New or expanded buildings for nonwater-dependent use, and parking facilities at or above grade for any use, shall not be located within a water-dependent use zone.

Width of the water-dependent use zone is determined by:

9.51(3)(c)1. along portions of a project shoreline… the zone extends for the lesser of 100 feet or 25% of the weighted average distance from the present high water mark to the landward lot line of the property but no less than 25 feet.

May be changed by a state-approved municipal harbor plan.
Approximate area of Water-dependent use zone

Approximate extent of Chapter 91 jurisdiction; assumed to be historic private tidelands based on initial review of historic maps; to be used for initial planning purposes only.
Approximate area of Water-dependent use zone **within** Chapter 91 jurisdiction

Approximate extent of Chapter 91 jurisdiction; assumed to be historic private tidelands based on initial review of historic maps; to be used for initial planning purposes only.
9.51(3)(b): Facilities of Public Accommodation, but not nonwater-dependent Facilities of Private Tenancy shall be located... at the ground level of any filled tidelands within 100 feet of a project shoreline.

...Any portion of the equivalent area of a Facility of Public Accommodation to be relocated within the building footprint...if the Department determines the alternative location would more effectively promote public use and enjoyment of the project site.

May be changed by a state-approved municipal harbor plan.
Approximate area for Facilities of Public Accommodation **within** Chapter 91 jurisdiction

Approximate extent of Chapter 91 jurisdiction: assumed to be historic private tidelands based on initial review of historic maps; to be used for initial planning purposes only.

For illustrative purposes only
Red blocks show possible locations for commercial use to activate the harbor; possible adjustment to required areas for Facilities of Public Accommodation.
9.51(3)(d): At least one square foot of the project site at ground level...shall be reserved as open space **for every square foot of tideland area** within the combined footprint of buildings containing nonwater-dependent use on the project site.

May be changed by a state-approved municipal harbor plan.
In a water-dependent use zone, the project shall include at least the following:

- 9.52(1)(a): one or more facilities that generate water-dependent activity of a kind and to a degree that is appropriate for the site
  - Facilities that promote active use of the shoreline
  - Includes waterfront boardwalks and esplanades for public recreation
  - Water-based public facilities listed in 9.53(2)(a)
    - include, but not limited to, ferries, cruise ships, water shuttles, public landings, swimming/fishing areas excursion/charter/rental docks, community sailing centers
In a water-dependent use zone, the project shall include at least the following:

9.52(1)(b): a pedestrian access network of a kind and to a degree appropriate for the project site and facilities provided in 9.52(1)(a)

Minimum requirement:

- Walkways along the entire length of the water-dependent use zone...where feasible, adjacent to the shoreline, and shall be no less than 10 feet in width. Width may be changed by a state-approved municipal harbor plan.

- Appropriate connecting walkways to approach the shoreline from other public ways or public access facilities to which any tidelands on the site are adjacent
Area of site governed by Chapter 91 and relevant zones
310 CMR 9.00 Waterways

- **Square Footage Calculations (Rounded to Nearest 100)**
  - Area under Chapter 91 Jurisdiction: ~16,000 SF
  - Water-dependent Use Zone (within Chapter 91): ~8,400 SF
  - Zone of Facilities of Public Accommodation (within Chapter 91): ~13,100 SF
  - Zoning: Maximum Structural Coverage 80%
  - Chapter 91: 1’ for 1’ Open Space Requirement = dependent on amount of nonwater-dependent use on ground floor within the Chapter 91 jurisdiction

Lot area per CAD dimensions = ~53,317 SF
Maximum Structural Coverage (80%) = ~42,654 SF
Minimum Open Space (20%) = ~10,663 SF

Project Shoreline in Linear Feet = 270 LF
10’ path along project shoreline = ~2,700 SF
15’ path along project shoreline = ~4,100 SF
25’ boardwalk along project shoreline = ~6,800 SF
A minimum of 15% of the building area (excluding basement and underground parking) is dedicated to publicly accessible ground floor commercial or non-residential (excluding parking) uses, including seasonal commercial uses. A maximum of 5% of the total building area may be dedicated to outdoor seasonal use, such as the outdoor eating area for an adjacent café. For a project adjacent to the waterfront, 10 feet of the 25-foot setback required from the shoreline may be included in this required area.

Lot area per CAD dimensions = 53,317

<table>
<thead>
<tr>
<th>FAR</th>
<th>Building SF</th>
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<th>5% of Building Area</th>
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Example 1:

- Facilities of Public Accommodation: ~13,100 SF
- 25’ Boardwalk within 25’ Setback: ~ 6,800 SF
- Remaining FPA Requirement: ~ 6,300 SF

FPA: Include but are not limited to: public restaurants; hotels; art galleries; educational, historical, or cultural institutions open to the public; interior spaces for community meetings, informational displays, special recreational events; sports or fitness facilities open to the public; open spaces, pedestrian walkways, or other outdoor recreation facilities open to the public; retail sales or service facilities; vehicular ways open to the public or parking facilities open to the public including uses of FPA
Example 2:

- Facilities of Public Accommodation: ~13,100 SF
- 15’ Pathway: ~ 4,100 SF
- Remaining FPA Requirement: ~ 9,000 SF
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