Comparison of the Dimensional and Use Standards of the Harbor Village Business Overlay District and M.G.L. Chapter 91 for 124 Elm Street
What is a Municipal Harbor Plan?

Voluntary process

Initiated by the Town

Governed by 301 CMR 23.00 Review and Approval of Municipal Harbor Plans

Purpose
Guides actions of state agencies when approving waterways permits and licenses
Allows municipalities to vary certain Chapter 91 standards to meet local preferences
What is a Municipal Harbor Plan?

In other words, a state-approved MHP *allows Town objectives and priorities to take precedence over* certain standard objectives and priorities of Chapter 91 *giving the Town additional flexibility and control* over the application of Chapter 91 within Cohasset Harbor.
Proposed Chapter 91 Amplifications, Substitutions, and Offsets

Zoning and Chapter 91 Evaluation of the Harbor Inn Site

November 6, 2019
Proposed Chapter 91 Amplifications, Substitutions, and Offsets
Harbor Planning Area

Zoning and Chapter 91 Evaluation of the Harbor Inn Site

November 6, 2019
What is the Harbor Village Business Overlay District (HVBOD)?

The following are the purposes of this Harbor Village Business Overlay District Bylaw ("HVBOD"): 

- Encourage a vibrant mix of uses, including multifamily residential, to support increased public access to and commercial activity within Cohasset Harbor.

- Activate the edges of Border Street and Summer Street and the Cohasset waterfront, allowing commercial uses to contribute to public activity in the area.

- Encourage physical and commercial links between Cohasset Harbor and Cohasset Village, anchoring Elm Street at each end with a complementary mix of commercial and residential uses.

- Ensure that new development in the Harbor area is consistent with a local and state-approved Municipal Cohasset Harbor Plan, including the requirements for public access under Massachusetts General Laws Chapter 91.

The Town considers the mix of residential and commercial uses and public access to the Harbor in the HVBOD to be one of the fundamental purposes.
EXISTING CONDITIONS

Cohasset Harbor Inn
Approx. Area: 50,000 SF

Seawall

Property Line

Site Area: 56,218 SF

For Illustrative Purposes Only
A building shall have no minimum front yard setback. However, buildings with more than 2 stories shall be required to step the upper story back by a minimum of 10 feet from the public right-of-way.

Ground floor parking must be screened from view of the public right-of-way by landscape treatment appropriate to the area as determined by the special permit granting-authority.

A building on the waterfront shall have a minimum setback of 25 feet from the shoreline.

For Illustrative Purposes Only

Building Envelope

Footprint Area: 45,326 SF

Seawall

Property Line

A

Veteran's Park

Elm St.

Margin St.

Summer St.
ZONING REQUIREMENTS - DIAGRAMMATIC SECTION

For Illustrative Purposes Only

- Property Line
- Seawall
- 25ft setback from shoreline
- Building Envelope
- 10ft setback above second floor
- 35 ft ABOVE FEMA BASE FLOOD ELEVATION
- 60 ft DEEP PUBLIC USE
- 60 ft DEEP PUBLIC USE
- RESIDENTIAL
- RESIDENTIAL
- RESIDENTIAL/PARKING

SECTION A

Ground floor parking must be screened from view of the public right-of-way by landscape treatment appropriate to the area as determined by the special permit granting-authority.
CHAPTER 91 JURISDICTION

Approximate Extent of Chapter 91 Jurisdiction

Veteran’s Park

Approx. Area: 19,270 SF

Property Line

Seawall / Project Shoreline

55 ft MAX. HEIGHT

Approximate Extent of Chapter 91 Jurisdiction

Property Line

Seawall / Project Shoreline

Veteran’s Park

55 ft MAX. HEIGHT

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
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.
FACILITIES FOR PUBLIC ACCOMMODATION

310 CMR 9.00 WATERWAYS

9.51(3)(b): Facilities of Public Accommodation, but not nonwater-dependent Facilities of Private Tenancy, shall be located on any pile-supported structures on flowed tidelands and at the ground level of any filled tidelands within 100 feet of a project shoreline. The Department may allow any portion of the equivalent area of a Facility of Public Accommodation to be relocated within the building footprint, or in other buildings owned, controlled or proposed for development by the applicant within the Development Site 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.

Examples of interior facilities of public accommodation referenced in the regulations include restaurants, performance areas, hotels, retail establishments, and educational and cultural institutions.
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
ZONING AND WATER-DEPENDENT USES - DIAGRAMMATIC SECTION

ZONING REQUIREMENTS
Ground floor parking must be screened from view of the public right-of-way by landscape treatment appropriate to the area as determined by the special permit granting-authority

310 CMR 9.00 WATERWAYS

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.
310 CMR 9.00 WATERWAYS

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.

Examples of interior facilities of public accommodation referenced in the regulations include restaurants, performance areas, hotels, retail establishments, and educational and cultural institutions.
AVAILABLE BUILDING FOOTPRINT OUTSIDE CHAPTER 91 JURISDICTION

Available Building Footprint at approx. 51,000 SF on 3 levels outside Chapter 91 Jurisdiction. 33.4% Lot Coverage.

For Illustrative Purposes Only
The applicant must also provide a view corridor easement that aligns with the southern edge of Elm Street, allowing visual access across the parcel to Cohasset Harbor from the public right-of-way.

Property Line

Seawall

New Building Envelope.

Footprint Area: 39,597 SF

Portion available for permanent structure.

Area = 690 SF

35 ft ABOVE FEMA BASE FLOOD ELEVATION

25ft setback from shoreline

Property Line

Seawall

New Building Envelope.

Footprint Area: 39,597 SF

The maximum allowable floor area ratio (FAR) shall be 1.0; however, the maximum allowable FAR may be increased by the special permit granting authority.

See page 19 for area calculations and FAR
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