Planning for Cohasset Harbor
Draft Municipal Harbor Plan
November 18, 2019
6:30pm
Willcutt Commons Chart Room
91 Sohier 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

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.
What is a Municipal Harbor Plan?

The Cohasset Board of Selectmen

• Requested the grant from the Seaport Economic Council ($80,000 from the SEC; $20,000 match from the Town)

• Is the designated Municipal Official under 301 CMR 23.00

• Appoints the Harbor Committee who acts as the Harbor Planning Group required by 301 CMR 23.02

• Designates the Town’s Planning Representative (in this case, the Director of Planning)

• Per RFP, will hold a public hearing and approve plan to move into State’s approval process
What is a Municipal Harbor Plan?

Process

• The municipality conducts a pre-planning process to determine the scope of the process.

• The municipality submits a Request for Notice to Proceed to the Director of the Office of Coastal Zone Management (CZM) (301 CMR 23.03)

• The Director of CZM issues the Notice to Proceed

• The municipality develops and submits its plan according to the Notice to Proceed.

• CZM/DEP conduct their approval process and issue a written decision.
## Planning Process To Date

<table>
<thead>
<tr>
<th>Meetings of Municipal Boards/Committees</th>
<th>Harbor Committee Meetings</th>
<th>2018: March 22, June 19, September 19, October 17, November 14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informational</td>
<td>CSCR State of the Harbor Panel</td>
<td>April 25, 2018</td>
</tr>
<tr>
<td>Facilitated Public Workshop</td>
<td>Introduction to the planning process, conditions in the harbor, and initial visioning</td>
<td>May 31, 2018</td>
</tr>
<tr>
<td>Regulatory</td>
<td>Request for Notice to Proceed sent to CZM by Town’s Planning Representative</td>
<td>September 25, 2018</td>
</tr>
<tr>
<td>Regulatory</td>
<td>Distributed to required agencies by Town</td>
<td>September 26, 2018</td>
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<tr>
<td>Regulatory</td>
<td>Distributed to additional agencies by Town</td>
<td>October 4, 2018</td>
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<tr>
<td>Regulatory</td>
<td>Published in Cohasset Mariner by Town</td>
<td>October 5, 2018</td>
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<tr>
<td>Regulatory</td>
<td>Published in Environmental Monitor by CZM</td>
<td>October 10, 2018</td>
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<tr>
<td>Regulatory</td>
<td>Distributed to Harbor Committee’s mailing list by Town</td>
<td>October 23, 2018</td>
</tr>
<tr>
<td>Regulatory</td>
<td>Public Comment Period Ended</td>
<td>November 9, 2018</td>
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<tr>
<td>Regulatory</td>
<td>Notice to Proceed issued to Town by CZM</td>
<td>December 7, 2018</td>
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<tr>
<td>Informational</td>
<td>Open House at the Cohasset Library</td>
<td>December 8, 2018</td>
</tr>
<tr>
<td>Facilitated Public Workshop</td>
<td>Discussion of the draft conceptual plan and the initial implementation goals</td>
<td>December 17, 2018</td>
</tr>
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<td>Meetings of Municipal Boards/Committees: Harbor Committee Meetings</td>
<td>2019: January 24, April 3, June 18, August 8, September 1</td>
</tr>
<tr>
<td>Committee/Public Review of Draft</td>
<td>January Draft</td>
<td>Posted online</td>
</tr>
<tr>
<td>Public Hearing by the Planning Board</td>
<td>Introduction to proposed language to modify the Waterfront Business District; link to Harbor Plan goal of link from Village to Harbor</td>
<td>February 6, 2019</td>
</tr>
<tr>
<td>Continued Public Hearing by the Planning Board</td>
<td>Link between FEMA, Chapter 91 and Town’s Zoning; Discussion of zoning options</td>
<td>February 20, 2019</td>
</tr>
<tr>
<td>Continued Public Hearing by the Planning Board</td>
<td>Discussion of modification vs. new overly district; pros and cons; who is impacted</td>
<td>March 13, 2019</td>
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<tr>
<td>Continued Public Hearing by the Planning Board</td>
<td>Link between proposed zoning and Chapter 91 requirements; discussion and vote on proposed language</td>
<td>March 20, 2019</td>
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<tr>
<td>Board of Selectmen and Town Council Review of Draft Language</td>
<td></td>
<td>March 2019</td>
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<tr>
<td>Town Meeting</td>
<td>Discussion of Zoning Change and Vote to Approve</td>
<td>April 29, 2019</td>
</tr>
<tr>
<td>Committee/Public Review of Draft</td>
<td>April Draft</td>
<td>Posted online</td>
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<tr>
<td>Committee/Public Review of Draft</td>
<td>July Draft</td>
<td>Posted online</td>
</tr>
<tr>
<td>Committee/Public Review of Draft</td>
<td>September Draft</td>
<td>Now online on the Harbor Committee’s web page.</td>
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<td>Board of Selectmen</td>
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<tr>
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<td>Planning Board</td>
<td>November 6, 2019</td>
</tr>
<tr>
<td>Informational</td>
<td>TODAY</td>
<td>November 18, 2019</td>
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</table>
### Remaining Process: Local and State Approval

#### Local Approval Process
- Harbor Committee Meeting
- Board of Selectmen Public Hearing
- Final edits to Draft Plan
- Submission of Plan to CZM by Town’s Planning Representative

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<td></td>
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<tr>
<td>Submission of Plan to CZM by Town’s Planning Representative</td>
<td>All dates TBD</td>
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#### State Approval Process
- Distribution to agencies and others by Town as required
- Published in *Cohasset Mariner* by Town
- Published in *Environmental Monitor* by CZM
- Public Comment Period
- Local public hearing held by CZM
- Consultation period with municipality and relevant state agencies by CZM
- Written decision issued to Town by CZM

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<tr>
<td>Published in <em>Environmental Monitor</em> by CZM</td>
<td></td>
</tr>
<tr>
<td>Public Comment Period</td>
<td>Ends 30 days after publication</td>
</tr>
<tr>
<td>Local public hearing held by CZM</td>
<td>Within public comment period</td>
</tr>
<tr>
<td>Consultation period with municipality and relevant state agencies by CZM</td>
<td>Within 60 days of the close of the public comment period</td>
</tr>
<tr>
<td>Written decision issued to Town by CZM</td>
<td>Within 21 days of the close of the consultation session</td>
</tr>
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Plan Contents

OVERVIEW

GENERAL PLANNING AREA

VISION

PLAN COMPONENTS

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  RECOMMENDATIONS RELATED TO HARBOR GOVERNANCE

WATERSHEET

  RECOMMENDATIONS FOR THE WATERSHEET

EDGES

  RECOMMENDATIONS FOR THE EDGES

LAND

LAND: THE HARBOR AND THE VILLAGE

  RECOMMENDATIONS FOR THE LAND

MODIFICATIONS TO CHAPTER 91

IMPLEMENTATION PLAN

APPENDIX A REPORT FROM FXM ASSOCIATES

APPENDIX B REPORT FROM GEI CONSULTING

APPENDIX C LIST OF CHAPTER 91 LICENSES

APPENDIX D NOTICE TO PROCEED

APPENDIX E HARBOR VILLAGE BUSINESS OVERLAY DISTRICT
The general planning area is centered on the watersheet of the Harbor, following the bounding roadways on the land and beginning and ending at the breakwater that protects the entrance to the Harbor. The red line is the approximate boundary of Chapter 91 jurisdiction.
Vision

Cohasset Harbor is a jewel-box of a harbor. This small area supports a variety of users – commercial fishermen, recreational boaters, sailors, rowers, scientists, dog-walkers, coffee-drinkers, diners, artists, residents, visitors, and those just hanging out and enjoying the beautiful sunrises, sunsets, and breezes off the water.

The vision for this Harbor is simply to enhance the land, the water, and the edge in between to support access to and enjoyment of the Harbor for all ages, interests, and abilities. The key is to balance the needs of the variety of uses to ensure a safe and pleasant experience for all.

Part of that enhancement is a strong link between the Harbor and the Village – a link with physical, visual, and economic components.
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Implementation

The Implementation Plan for this vision draws together the investment, regulatory changes, and other actions needed to support the recommendations of this MHP for improvements to infrastructure that will implement the goals for the Harbor. Modifications to the requirements of Chapter 91 are included to address future development to strengthen the Harbor in terms of its water, land, and edges and the complex interweaving of ecosystems and economic systems in this small area.
Plan Components

**Harbor Governance** defines the entities responsible for the health of the Harbor and how those entities work together. Health is defined as social, environmental, and economic health.

**Watersheet** includes the activities on or under the surface of the water. Components include commercial fishing, recreational boating, moorings, dredging, underwater ecosystems and other elements.

**Edges** are the soft and hard infrastructure that join or separate water and land. Components include seawalls, docks, piers, and vegetative ecosystems that protect against wave and wind action or that allow access between water and land.

**Land** allows access to the water, supports commercial and recreational activities, and provides the infrastructure to support those activities. Components include buildings, parking, and links to the Village.
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**Chapter 91 Modifications** state the local preferences identified by the Town to state agencies.

**Implementation Plan** links the recommendations from each section to the goals of the planning process; groups related actions; and identifies possible funding sources.
Harbor Committee Goals for the Planning Process

• Support the Cohasset Commercial Fishing Fleet
• Support public use of and access to the Harbor
• Identify and plan for appropriate improvements to landside and waterside infrastructure
• Support public use of the Harbor, including support for those town and civic organizations that enable such use
• Improve the geographical relationship between the Village and the Harbor
• Identify and improve commercial landside and waterside commercial activity
• Integrate and improve Harbor management and uses
• Identify and address improvements to ecosystem and environmental issues
• Provide recommendations for a recurring dredging plan (areas/frequency/dredge type/potential funding sources)
• Provide an action plan and steps to implement the MHP recommendations, identifying responsible entities, timeline, and available funding mechanisms
Objectives for the Harbor Planning Process

1. Support the Cohasset Commercial Fishing Fleet.
2. Support public use of and access to the harbor.
3. Identify and plan for appropriate improvements to landside and waterside infrastructure.
4. Support town and civic organizations that use the harbor.
5. Improve the geographical relationship between the downtown and the harbor.
6. Identify and improve commercial landside and waterside commercial activity.
7. Integrate and improve harbor governance and organizations.
8. Identify and address improvements to ecosystem and environmental issues.
9. Provide recommendations for a recurring dredging plan (areas/frequency/dredge type/potential funding sources).
10. Identify ways to increase protection of natural resources
11. Focus on building overall resiliency within the Harbor and surrounding area, including responding to impacts from current flooding and future sea level rise (SLR).
Harbor Governance: Recommendations

• Merge the responsibilities of the Government Island Advisory Committee into the Harbor Committee

• Review and modify the charge of the current Harbor Committee

• Consider the establishment of a Waterways Enterprise fund

• Establish a “Friends of Cohasset Harbor”

• Document public safety responsibilities in the Harbor

• Establish an Inter-Municipal Agreement with Scituate

• Create and publish a written emergency response plan
Watersheet: Recommendations

• Address requests from commercial fishermen
• Conduct a mooring study
• Evaluate a new pile supported-pier
• Conduct a dredging study
• Complete the Parker Avenue boat ramp
• Consider separating facilities for commercial fishing and recreational boating
Edges: Recommendations

- Undertake a hazard mitigation plan
- Conduct a study of the breakwater
- Evaluate seawalls
- Repair seawalls
- Evaluate the health of soft infrastructure
- Create an education program
- Consider hydrological model of the harbor
- Adopt regulatory changes
- Consider incentives
- Evaluate infrastructure
- Reduce the impact of heat island effect
Land: Recommendations

• Study Government Island
• Evaluate the need for more parking
• Design and install streetscape improvements
• Design and install signs
• Establish gateways
• Evaluate zoning changes to the light industry zone
• Develop a marketing plan
• Create special permits for young business owners
Key Task: Ensure that Chapter 91, if applied, is consistent with the new Harbor Village Business Overlay District passed by Town Meeting in May.
Boundary of the Proposed Harbor Village Business Overlay District

Harbor Village Business Overlay District

Cohasset Municipal Harbor Plan

November 18, 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

Section A
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 set back of 25 feet from the shoreline.

For Illustrative Purposes Only
For Illustrative Purposes Only

ZONING REQUIREMENTS - DIAGRAMMATIC SECTION

10ft setback above second floor

25ft setback from shoreline

Building Envelope

Property Line

Seawall

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

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
WATER-DEPENDENT USES

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.

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.

For Illustrative Purposes Only

Approximate area of Water-dependent use zone within Chapter 91 Jurisdiction. Area: 8,663.8 SF
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.
ZONING AND CHAPTER 91 - DIAGRAMMATIC SECTION

For Illustrative Purposes Only

Approximate Extent of Chapter 91 Jurisdiction

Area of Building Envelope within Chapter 91 Jurisdiction

Seawall / Project Shoreline

Building Envelope

Property Line

35 ft ABOVE FEMA BASE FLOOD ELEVATION

60 ft DEEP PUBLIC USE

60 ft DEEP PUBLIC USE

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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.
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.

Portion available for permanent structure. Area = 690 SF

See page 19 for area calculations and FAR
Proposed Chapter 91 Amplifications, Substitutions, and Offsets

Proposed Amplifications

• Reduce allowable height to 35 feet above BFE to match HVBOD
• Require 25’ non-buildable setback from Project Shoreline
• Require view corridor aligned with southern edge of Elm Street consistent with an approved Special Permit from the Town of Cohasset Planning Board
Proposed Chapter 91 Amplifications, Substitutions, and Offsets

Proposed Substitution

• Up to approximately XX square feet of interior and exterior non-water dependent Facilities of Private Tenancy will be allowed to be located within 100 feet of the project shoreline, but not less than 25 feet from the project shoreline.

Proposed Offset

• At least an equivalent area of Facilities of Public Accommodation (FPA) will be provided adjacent to other FPA space on the site, expanding the location of FPAs beyond 100 feet of the project shoreline

Precedent

• Amendment to the East Boston Waterfront District Municipal Harbor Plan (2008)

Regulatory Requirement: 310 CMR 9.51(3)(b)

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