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February 2, 2021

Amy Glasmeier, Chair
Cohasset Planning Board
Town Hall
41 Highland Avenue
Cohasset, MA 02025

**Re: Application for Approval of Site Plan
147 South Main Street, Cohasset**

Dear Ms. Glasmeier:

This office represents John Schiavo with regard to a proposed mixed-use development project (the "Project") at 147 South Main Street, Cohasset, Assessors' parcels 32-89, 89A and 90 (the "Property"). Mr. Schiavo requests Site Plan Review in accordance with § 300-12.6 of Town of Cohasset Zoning Bylaws (the "Zoning Bylaws") in connection with the Project at 147 South Main Street, Assessor's parcel 32-89, 89A and 90 (referred to herein as the "Property").

I. Overview

The Project proposes a vibrant use of a now vacant parcel on South Main Street, Cohasset. The Property formerly housed a two-story mixed-use structure built in or around 1930. For years, the structure was used as an automobile repair garage (the "Garage") on the first floor, with 2 apartments on the second. In 2019, a catastrophic fire in the Garage destroyed the structure, requiring a full demolition in August 2019. Instead of rebuilding an auto repair garage at the Property, the Project proposes to build a structure containing retail spaces and residential units. The Project offers an opportunity for the Town to revitalize the Property and offers an aesthetically pleasing and structurally sound mixed-use building providing benefits to the residents of Cohasset.

II. Existing Conditions

The Schiavo Family Trust holds title of the Property by virtue of deed from Richard Silvia dated December 15, 1982, recorded with the Norfolk County Registry of Deeds (the "Registry") at Book 6090, Page 556. The Property is shown on the Town of Cohasset Assessor's Maps as Parcel ID 32-89, 89A and 90, and comprises a total land area of approximately 20,129 square feet. The Property is situated in the Residence A Zoning District. The Project Locus lies in FEMA

F.I.R.M. Zone AE (Elevation 0) and X (Hatched-0.2% Annual Chance Flood Hazard) as shown on Community Map Panel No. 25021C 0256E, dated July 17, 2012, as modified. The Property has frontage on South Main Street and is located in the Floodplain and Watershed Protection District and the Water Resource Overlay District.

The Property was formerly improved with a 2-story residential and commercial mixed-use building. The retail space encompassed approximately 3,200 square feet. The former structure at the Property was non-conforming with regard to use and certain dimensional requirements under the Zoning Bylaws including sideyard setback. In 1991, the Town of Cohasset Zoning Board of Appeals granted a variance for the Property allowing the placement of up to 24 vehicles on Lot 90.

III. Proposed Project

Mr. Schiavo seeks to reconstruct the mixed-use building at the Property, thereby replacing the structure destroyed by fire in 2019. Similar to the former building and use, the newly constructed building will be two-stories and will include both retail and residential units. Specifically, there will be 3 retail units and 3 storage units on the first floor of the building and 3 residential units on the second floor. The storage units are for the residential units. The retail units are each 677 s.f. and total 2,031 s.f. The residential units for the Project are each 751 s.f. and total 2,211 s.f. The storage spaces range from 157 s.f. to 213 s.f. for a total of 582 s.f.

The Project complies with dimensional zoning requirements under the Zoning Bylaws for building height, building coverage and minimum yard setbacks. The Project does not conform to the dimensional requirements under the Zoning Bylaws with regard to rear setback and impervious coverage.

Parking for the Project will be accommodated in a paved drive area comprising 17 spaces. Six of the parking spaces will be designed for the 3 residential units. The remaining 11 spaces, including 1 handicapped, will be for the retail use. The prior parking for the Property was nonconforming and Mr. Schiavo proposes to continue the nonconforming parking conditions. The past use required 36 parking spaces per the Zoning Bylaw while only 10 were provided.¹ Similarly, the Project requires 33 parking spaces per the Zoning Bylaw and the Project proposes 17 spaces.²

The Project is depicted in the following sets of plans:

- “ZBA Site Plan” for 147 South Main Street, Cohasset, MA, prepared by Morse Engineering Co. Inc. dated December 18, 2020.

¹ The Zoning Bylaw required 36 parking spaces for the prior use, calculated as follows: 32 parking spaces for the 3,200 s.f. auto body garage (1 space per 100 s.f.) and 4 spaces for the 2 dwelling units (2 parking spaces per unit).

² The Zoning Bylaw requires 33 parking spaces for the Project, calculated as follows: 27 parking spaces for the 2,700 s.f. retail/office space (1 space per 100 s.f.) and 6 spaces for the 3 dwelling units (2 parking spaces per unit).

- Schiavo, 147 South Main Street, Cohasset, MA, ZBA Set, prepared by Rockwood Design Inc., dated January 28, 2021.

The Project requires Site Plan Review in accordance with § 300-12.6 and a Special Permit in accordance with §§ 300-8.7 and 300-8.8 for (i) expansion of pre-existing nonconforming use and (ii) change of nonconforming use not substantially different in character or in the effect on the vicinity than previous existing nonconformity, respectively. The Project also requires a Special Permit for the greater than 40% impervious coverage within the Water Resources District (see § 300-14.4.C(5)) and the Floodplain District (see § 300-9.7H).

A. The Project Meets the Site Plan Approval Standards Set Forth in § 300-12.6.

1. The Proposed development will be harmonious with and not harmful, injurious or objectionable to existing or future uses in the area. (§300-12.6B(1)).

The Project consists of replacing the former mixed-use building at the Property with a new mixed-use building providing residential and retail use. Importantly, the Project does not propose to re-build an automotive repair garage at this location, but rather proposes a building with income opportunities in retail space and in residential housing. This mix-use will be beneficial to the neighborhood and to the Town. The Project is located in a neighborhood that includes multiple mixed-uses already including a church and related building, a funeral home, an automotive garage and 2-family homes. The Project is consistent with such pre-existing uses. Moreover, the Project is only a couple of blocks from the Cohasset downtown area and the Cohasset Harbor, thus providing opportunities for revitalizing the area. The Project will continue to maintain an appropriate relationship with the surrounding neighborhood and will enhance the neighborhood given that there will no longer be an automotive repair operation there.

2. Natural Resources will not be unduly exhausted. (§ 300-12.6B(2))

Mr. Schiavo will comply with the Massachusetts Wetlands Protection Act, G.L. c. 131, § 40, and the Cohasset Wetlands Protection Bylaw, Article XIV, and will obtain an Order of Conditions for the Project.

3. Erosion will be controlled during and after construction and will not adversely affect adjacent or neighboring properties or public facility or services. (§ 300-12.6B(3))

Mr. Schiavo will comply with the Massachusetts Stormwater Standards as incorporated into the Massachusetts Wetlands Regulations at 310 CMR 10.10.05(k) and the Cohasset Stormwater Management Bylaw and will obtain a Stormwater Permit. Mr. Schiavo will also comply with the U.S. Environmental Protection National Pollution Discharge Elimination System (“NPDES”) Stormwater Discharge from Construction Activities General Permit requirements.

4. The increased or decreased runoff due to development on the site will not be injurious to any downstream property owners or cause hazardous conditions on adjoining streets. (§ 300-12.6B(4))

Please see above.

5. The Project will not result in undue pollution of ground or surface waters whether fresh or salt (§ 300-12.6B(5))

Please see above.

6. That movement of vehicular and pedestrian traffic within the site and in relation to access streets will be safe and convenient. (§ 300-12.6B(6))

The Project will not alter the safety of vehicular and pedestrian movement around the Property. Access to the site will continue to be through the existing curb opening along South Main Street. All proposed parking spaces will comply with applicable dimensional requirements, and drive aisles within the parking area will accommodate circulation. Available parking at the Property (17 spaces) will be less than the 24 parking spaces previously allowed for the automotive garage per the 1991 Variance. The footprint of the building will be the same, and Applicant does not anticipate that the expanded use will add to traffic congestion.

IV. Conclusion

Mr. Schiavo has prepared the Project to be respectful to and consistent with the neighborhood surrounding the Property. The proposed mixed-use Project does not seek to rebuild an automotive repair facility but rather seeks a retail and residential use that will enhance the use of the Property and the area.

Should you require any additional information, please do not hesitate to contact us. Thank you for your consideration.

Very truly yours,



Adam J. Brodsky
Drohan, Tocchio & Morgan, P.C.

cc: Jennifer Oram, Zoning Board of Appeals (via email)
John Hallin, Building Commissioner (via email)
John Schiavo (via email)
Greg Morse (via email)