

Town of Cohasset
Zoning Bylaw Working Group - Master Plan Implementation Committee
April 7, 2021 – Virtual Meeting via Zoom

A meeting of the Zoning Bylaw Working Group was held at 4:00 pm on April 7, 2021 virtually on Zoom.

In attendance were:

Katie Dugan, MPIC representative
Cassie Malatesta, MPIC representative
Tom Callahan, Planning Board representative
Woody Chittick, Zoning Board of Appeals representative
Peter Pescatore, Open Space & Recreation representative
Paul Colleary, Planning Board representative
Jen Oram, Assistant Director of Permits & Inspections

Absent:

Jack Creighton, Cohasset Select Board representative
John Hallin, Building Commissioner & Zoning Officer

The meeting was called to order at 4:05 pm.

Minutes

The working group approved the Zoning Bylaw Working Group minutes from March 22, 2021. Katie Dugan will send copies to Town Clerk to post on the Town website.

Annual Town Meeting – Articles for Town Warrant

The Zoning Bylaw Working Group reviewed statement written by Tom Callahan and Katie Dugan regarding the Land Alteration Bylaw. This will be used to address upfront some of the community concerns regarding the scope of the Land Alteration bylaw at the Advisory Committee meeting on Thursday, April 8th.

Woody Chittick and Katie Dugan reported that after meeting with the Zoning Board of Appeals on Tuesday, April 6th that the committee voted unanimously to endorse the three zoning articles proposed by the ZBWG at Annual Town Meeting.

The ZBWG will be presenting the zoning warrant articles at Advisory Committee tomorrow and Select Board on Tuesday, April 13th for their consideration and vote to recommend to ATM.

Update on Residential Zoning

Cassie Malatesta, Katie Dugan, and Jen Oram circulated a comprehensive packet of materials related to residential zoning. Including detailed analysis of residential parcels in LUC 101 (single family homes) and presentation on preliminary calculations for lot size, lot coverage, FAR ratios and other data related to single-family homes. The packet also included detailed analysis by Jen Oram of the Large Home Review and ZBA hearings to analyze for RGFA and height data.

Cassie Malatesta walked the working group through the analysis of the residential data from the Assessor’s Office. Using techniques used by Newton’s FAR Working Group, she was able to provide the working group with a number of observations regarding our current single-family home residential parcels. Of note, 67% of RA district, 66% of RB district and 63% of RC district parcels are non-conforming. The group discussed briefly the history of zoning bylaw changes from 1955 to present, and how this in combination with Cohasset’s expansive single-lot exemption bylaw has created 2/3 majority non-conforming size lots.

The following charts summarize the data

Key Metrics	RA District Min Lot Size 18,000 Sq Ft	RB District Min Lot Size 35,000 Sq Ft	RC District Min Lot Size 60,000 Sq Ft
% Lots Non-conforming (Lot Size)	66%	67%	63%
Average Non-conforming (Lot Size - Sq Ft)	11,413	20,712	31,562
Total District - Average Acre Size	21,396	39,240	60,791
Total District - Median Acre Size	15,059	24,152	42,651
Average Year Built	1926	1951	1952
Homes Built After 2000	51	212	41
Average Gross Building Area - Basement	3,071	4,124	5,674
Median Gross Building Area - Basement	2,847	3,823	5,106

Key Metrics	RA District Min Lot Size 18,000 Sq Ft	RB District Min Lot Size 35,000 Sq Ft	RC District Min Lot Size 60,000 Sq Ft
Average FAR	0.22	0.16	0.14
Median FAR	0.19	0.14	0.12
% of Lots w/ Over 5,000 sf of GBA Above Grade	10%	27%	52%
Average Coverage %	12%	9%	7%
Median Coverage %	11%	8%	6%
% Lots w/ Coverage Over 20%	11%	3%	2%
Average Size of Lot w/ Over 20% Coverage	7,185	12,063	12,903
% Lots w/ Coverage Over 15%	26%	10%	6%
Average Size of Lot w/ Over 15% Coverage	9,092	14,266	18,742

Residential District RA		
Lot SF Range	Average FAR	Average Coverage
< 9,000	0.37	20%
9,000-17,999	0.23	12%
18,000-19,999	0.18	10%
20,000-24,999	0.15	8%
25,000-29,999	0.14	7%
30,000-34,999	0.12	7%
35,000-39,999	0.10	6%
40,000-49,999	0.08	4%
50,000-59,999	0.08	4%
60,000-69,999	0.07	3%
70,000-99,999	0.04	3%
100,000+	0.02	1%

Residential District RB		
Lot SF Range	Average FAR	Average Coverage
< 9,000	0.35	20%
9,000-17,999	0.24	14%
18,000-19,999	0.17	11%
20,000-24,999	0.18	10%
25,000-29,999	0.15	8%
30,000-34,999	0.14	7%
35,000-39,999	0.12	6%
40,000-49,999	0.10	5%
50,000-59,999	0.09	5%
60,000-69,999	0.09	5%
70,000-99,999	0.07	3%
100,000+	0.04	2%

Residential District RC		
Lot SF Range	Average FAR	Average Coverage
< 9,000	0.33	33%
9,000-17,999	0.27	15%
18,000-19,999	0.22	13%
20,000-24,999	0.20	11%
25,000-29,999	0.18	8%
30,000-34,999	0.16	8%
35,000-39,999	0.14	7%
40,000-49,999	0.14	7%
50,000-59,999	0.12	6%
60,000-69,999	0.11	5%
70,000-99,999	0.07	3%
100,000+	0.05	5%

The group discuss lot coverage ratio and believes that 20% is too generous. Paul Colleary suggested that reducing lot coverage to 15% and potentially reducing height to 30’ could be feasible. The working group discussed the merits of the FAR metric and while more precise at measuring massing it would take a lot of community education to build acceptance for this type of change to the Table of Area Regulations. Katie Dugan noted that when Newton introduced FAR metric in 1997 it was limited to new homes/new construction (tear-down of greater than 50% of existing structure) to address large homes not in concert with existing neighborhoods. Not until later did Newton expand FAR to all residential and

commercial districts. She noted that Cohasset could take a similar approach and phase in metric like FAR just to new homes.

The group discussed follow-ups which included analyzing the parcel data for RA, RB and RC by date of homes built (pre-2000 vs. post-2000). The working group believes this additional analysis will show that homes built in last 20 years are substantially larger than existing homes in the district. The larger new homes compounded with prevalence of non-conforming lot sizes has resulted in community concern regarding massing and scale of homes to lot sizes. In addition, similar to Newton working group, the ZBWG discussed getting sample of addresses in RA, RB and RC which represent a range of lot coverage ratios from 10% to 30% in order to internalize what the massing issue looks like on “the ground”.

Katie Dugan briefly reviewed analysis of full 2,400 parcels with land use code 101. The significant observation was that 2/3 of properties fall between 9,000 sq to 39,999 sf with the most common parcel size being 20,000-24,999 sq in RB district.

	Blank	DB	HB	LI	RA	RB	RC	Grand Total
< 5,000		1			23	6		30
5,000-8,999		1			63	33	4	101
9,000-14,999		5	2		153	123	8	291
15,000-17,999	1	4	1		77	119	8	210
18,000-19,999					18	68	5	91
20,000-24,999	2	1	1	1	49	455	39	548
25,000-29,999	2				24	163	25	214
30,000-34,999			1		17	91	34	143
35,000-39,999	1				11	113	13	138
40,000-49,999	2	2	2		15	115	38	174
50,000-59,999	1				7	80	16	104
60,000-69,999					10	42	35	87
70,000-99,999	1	1			7	83	32	124
100,000+	1		1		7	90	46	145
Grand Total	11	15	8	1	481	1,581	303	2,400

Jen Oram provided the working group with detailed spreadsheet with all the Large Home Review hearings from 2017 to 2021. The group reviewed the data and concluded that height of the new structures does not seem to be an issue. The group did note that the majority of LHR were on non-conforming lots as is typical in Town and this contributed to the concern from abutters regarding massing. This was particularly true at 580 Jerusalem and Lot 31/Lot 32 Windy Hill hearings recently. The group then reviewed a similar analysis of date from ZBA public hearings over the last four years. The ZBWG noted again that height of non-conforming structures was significantly below 35’ and in most cases below 30’.

Katie Dugan briefly reviewed pre-grant application for Zoning Bylaw Recodification that Lauren Lind (Town Planner) submitted to the state for review. The Town expects to hear back regarding the likely approval of the five grant applications in May. If the state thinks that the Zoning Bylaw Recodification grant has merit the Town will then submit full grant application. The group reviewed some preliminary work that Cassie Malatesta had identifying potential consultants who could be hired through RFP process to help with this additional work related to zoning bylaws. There were some good examples of work done by the firm including one that has done work recently in Scituate.

Administrative

The working group agreed that the next meeting will be on Monday, April 26, 2021 at 2:00 pm.

The second meeting in April will focus on continuing the Harbor zoning conversation. Katie Dugan and Jen Oram will work on developing a parcel by parcel map of the section of waterside commercial district from CHI through Government Island/Marina off Parker Avenue, including small section of commercial opposite war memorial on Border Street. They will develop map including current zoning and proposed

Adjourn

The meeting adjourned at 6:02 pm.

Documents

2021 ATM Draft Warrant_04.05.21
Above Ground Ledge PDF
Acquinnah Residential Zoning Bylaw
Boston Globe_Harbor Ruling
CM Copy_B&T Extract FY 21_04.05.21
ESCWG Elm Street Public Forum Invite
Land Alteration Intro_Advisory & SB
Large Home Review Stats
LUC 101 by Lot Size Categories
PB Vote on Zoning Articles for ATM2021
Pre Grant Application_Zoning Recodification
ZBA Hearings 2017-2021
ZBWG Real Estate Consultants Considerations
ZBWG Real Zoning Analysis_Summary Deck_April 2021