

# MEMORANDUM

**TO:** Lauren P. Lind, Planning Director  
Town of Cohasset, Massachusetts

**FROM:** Daron Kurkjian, PE (MA), Senior Project Manager  
M. James Riordan, AICP, LEED AP, Senior Project Manager  
Weston & Sampson Engineers, Inc.

**DATE:** July 22, 2020

**SUBJECT:** Peer Review: 127 & 87 Elm Street

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## Introduction

Weston & Sampson Engineers, Inc. (Weston & Sampson) was requested by the Town of Cohasset (the Town) to provide a peer review of the Site Plan and Special Permit for the proposed redevelopment of 127 & 87 Elm Street within the Harbor Village Business Overlay District (HVBOD) Zoning. 124 Elm Street is currently improved with a two-story inn, known as the Cohasset Harbor Inn, and 87 Elm Street includes a two-story multifamily/commercial structure. The Site Plan Review and Special Permit application to redevelop the subject parcels was opened and first heard during the June 17, 2020 public hearing.

This memorandum summarizes the results of our peer review. The letter report is prepared pursuant to our July 1, 2020 contract with the Town, which specifies consideration of the conditions of the peer review and requirements under specific Town Bylaws. Requirements of specific Town Bylaws are discussed further under the Peer Review section of this letter report.

In general, materials that we reviewed to prepare this letter report include those submitted with the Site Plan Review and Special Permit. We collected these materials from the Town's website.

## Overview of the Proposed Development

CHI Elm Street Realty LLC (the applicant) is proposing construction of 29 multi-family residential units, a 20,000 square foot (SF) waterfront public park including a 10-foot wide shoreline accessway, and commercial/retail spaces including one to two outdoor seasonal kiosk(s). The development includes three proposed buildings as summarized below:

Table 1: Summary of Proposed Development

Building Name (No. of stories) Location	Proposed Division of Use	Parking Spaces <sup>a, b</sup>
North Building (Three-story) 124 Elm Street	Retail Space – 2,427 SF 13 Residential Units (Units 1-13) – Gross Area 34,336 SF	<ul style="list-style-type: none"> <li>• 58 spaces for residential units – underground only</li> <li>• 23 spaces for retail uses – includes surface parking</li> </ul>
South Building (Three-story) 124 Elm Street	Amenity Space for Unit Owners – 661 SF Six residential units (Units 14 – 19) – Gross Area 14,882 SF	
West Building (Two-story) 87 Elm Street	Retail Space – 987 SF <sup>c</sup> 10 Residential Units (A-1, A-2, B-1, B-2, C-1, C-2, D-1, D-2, E-2, and F-2) – Gross Area 19,424 SF	

Notes:

- a) 17 parking spaces are present at Veteran's Park that are Town-owned and the applicant has noted will remain unchanged in number.  
b) Table developed from May 8, 2020 applicant letter and architectural plan set.  
c) Plan set notes retail space at 87 Elm Street is 983 SF.

The project area is within the Cohasset HVBOD and the eastern portion of the 124 Elm Street property includes a sea wall along Cohasset Harbor. The subject properties are located on the west and east sides of Elm Street and are shown on Cohasset Assessor records as a 1.23-acre parcel F5-30-021 (124 Elm Street) and a 0.41-acre parcel F5-27-004 (87 Elm Street).

## Peer Review

This peer review is provided under the following general review topics:

1. Bylaw Compliance
2. Commercial/Retail Space
3. Site Plan Layout & Public Realm
4. Traffic & Circulation

The format of each reviewed items is an underlined request or action for the applicant, our evaluation and analysis, and the *italicized applicable standard and enforceable policy*. Weston & Sampson reviewed the application based on the following bylaws and policies as well as engineering industry standards:

- Site Plan Review per Section 12.6 of the Cohasset Zoning Bylaws;
- Special Permit per Section 12.4 and Section 22 of the Cohasset Zoning Bylaws; and
- Village Business District & HVBOD Design Guidelines referenced in Section 22.6 of the Cohasset Zoning Bylaws.

To highlight significant comments and findings, these include:

- Applicant's Parking Waiver Request – Item 1.3; and
- Ground Floor Area usage and Commercial/Retail Space Percentages –Item 2.0; and
- Traffic and Margin Street width – Item 4.4.

Details of these items is provided in the listed item numbers. Additional peer review are also provided within this memo.

## 1.0 BYLAW COMPLIANCE:

Weston & Sampson reviewed the applicant's Site Plans and Special Permit Application for compliance with Town bylaws and policies that may or may not allow the project to proceed as proposed. Additional detailed technical review areas and the associated bylaw provisions are provided in the other sections of this peer review.

### 1.1 Building Height:

The applicant should provide backup calculations for the "mean level of the preconstruction ground". The applicant should also confirm their "mid-roof" elevation matches the bylaw midpoint definition.

The applicant's "mean level of preconstruction ground" appears to be the Federal Emergency Management Agency (FEMA) 10'-0" elevation (per architectural drawing set). The midpoint (identified as "mid-roof" line in the architectural drawings) is listed at 35 feet above this elevation (i.e., 45'-0") with another 5 feet of elevation (i.e., 50'-0") to the roof ridge line (excluding chimneys). These heights are the maximum allowable per the bylaws reproduced below:

- §300-2.1 definition of building height shall be *"The vertical distance above the mean level of the preconstruction ground within 10 feet of the outside walls of the structure. [...] On a sloped roof, height is measured to the midpoint of the roof surface; the midpoint shall be half the distance from the plate line to the ridgeline measured over the outer surface of the roof boarding, and the ridgeline may not be higher than five feet above the maximum allowed height. The limitations of this clause shall not apply to projections not used for human habitation which, in the aggregate, do not exceed 5% of the roof area, including without limitation chimneys, antennas, railings and cupolas."*
- Per §300-10.5 (B) *"Every building shall be limited to 35 feet in height."*

### 1.2 Floor Area Ratio (FAR):

No recommended change at this time.

The Town provides for a maximum allowable FAR of 1.0. Per calculations listed in Architectural Drawings, the following FAR are present:

- 124 Elm Street Overall FAR = 0.92 to 0.93
- 87 Elm Street Overall FAR = 0.91

Both parcels are below the maximum allowable FAR and meet the design and performance standard. Inclusionary zoning requirements are beyond the scope of this peer review and will be include in subsequent reviews.

*§300-22.6(A)(1): 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, provided that any such increase in FAR shall not entitle the applicant to relief from other dimensional area requirements of this bylaw and the approved use with a FAR greater than 1.0 will provide a public benefit in addition to those necessary to meet all the other requirements of this bylaw, including but not limited to: construction of off-site infrastructure serving a public purpose, such as parking and streetscape improvements, or exceeding the requirements under § 300-4.3 N, with inclusionary zoning units located within HVBOD or on the project site.*

**1.3 Waiver for Parking:**

The applicant’s letter has provided rationales for this waiver in the May 8, 2020 letter to the Planning Board. We have summarized the overall rationales as the following basic points:

- Peak parking demand of residences and retail will not coincide;
- Parking capacity will not be exceeded; and
- Reduced parking space sizes meet current undersized parking spaces and drive aisles.

Please refer to the applicant’s letter starting on Page 10 for the technical justifications of the parking waiver request. Specific additional information is provided under Item 1.3 as detailed below.

**1.3.1 Clarification of Parking Allocation**

The applicant should clarify the parking allocation (public vs. residential) for each lot and parking garage and provide their parking demand analysis per use. Parking space use should be labeled on the parking plan for clarification. This shall include designation of any residential visitor parking spaces on private property. The applicant should confirm access to surface lot at 87 Elm.

The applicant should clarify how the 17 existing public parking spaces are used in the parking calculations, the proposed changes to these spaces, and their ownership.

The applicant seeks a waiver for parking and reducing the number of parking spaces for retail use under §300-7.1. The table below summarizes the required and proposed number of parking spaces:

**Table 2: Summary of Parking**

Area	Number of Spaces <sup>a</sup>		
	Required	Proposed	Difference
Private Residential Parking	44	58	+ 14
Public Parking <sup>b</sup>	35	23	- 12

Notes:

- a) Quantities as provided from May 8, 2020 applicant letter and Parking Plan drawing.
- b) 17 existing public spaces are listed on the applicant’s letter to remain. Additional clarification is needed on the use and ownership of these parking spaces.

*§ 300-7.1. Off-street parking standards.*

*In any district, except as otherwise provided in any overlay district, now existing or hereinafter adopted, if a structure is constructed or enlarged, or an existing use is enlarged or changed, or the dimensions of a lot are changed, off-street parking and loading spaces shall be provided in accordance with the following Table of Off-Street Parking Standards.*

[Table of Off-Street Parking Standards included as an attachment to this memorandum.]

*§ 300-7.2. General parking and loading regulations.*

*F. Parking spaces for one use shall not be considered as providing the required parking facilities for any other use, except as otherwise provided in any overlay district, now existing or hereinafter adopted, or except as authorized by the Zoning Board of Appeals where it is clearly demonstrated that the need for parking occurs at different times.*

*H. Parking space shall be deemed inadequate if, when the off-street parking area is substantially full, there is frequent parking on the street near the premises in question.*

### 1.3.2 Dimensions of Outdoor Parking

Adjust the proposed site plans for parking lot layout that do not conform or include the layout as part of the waiver request.

The proposed parking layout shown on the plans for the outside parking lots for Lots 87 and Lot 124 do not meet the required dimensions in the Bylaws Section §300-7.2-I General Parking and Loading Regulations as shown on the referenced Parking Requirements Diagrams because they do not appear to provide a space at the end of the aisle to facilitate backing maneuvers.

*§ 300-7.2. General parking and loading regulations.*

*1. All parking spaces and aisles shall be designed in accordance with the chart in Article 7 of this bylaw.*

*[Table of Off-Street Parking Standards and Parking Requirements Diagrams included as attachments to this memorandum.]*

### 1.3.3 Americans with Disabilities Act (ADA) Parking

The location of ADA compliant parking spaces varies across plans. Show all proposed ADA compliant parking spaces for review.

According to the Bylaws for Lot 124 with a total of 52 proposed parking spaces there should be a minimum of three ADA accessible spaces provided and only one is shown on the plan. This space is shown on the public parking area in the Veterans Lot and therefore it appears none are provided for the exclusive use of the residents. It should also be noted that there appears to be some discrepancy between the "Parking Plan" and the "Materials Landscape Plan" on the location and quantity of ADA accessible spaces that should be clarified by the Applicant. Specifically, the ADA accessible space shown as a parallel parking space on Margin Street on one plan and a 9'x'20' Loading zone in the same location on another plan.

The Town Zoning Bylaws Section 244-9 provides information on the required amount of ADA accessible parking spaces that must be provided.

*§ 244-9. Reserved parking spaces to be provided.*

*Any person or body that has lawful control over a public or private way or of improved or enclosed property used as off-street parking areas for business, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings or for any other place where the public has a right of access as invitees or licensees shall reserve parking space in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person which vehicle bears the distinguishing license plate authorized by [Massachusetts General Law] MGL c. 90, § 2, according to the formula set forth below:*

- A. *If the number of parking spaces in any such area is more than 15 but not more than 25, one parking space; more than 25 but not more than 40, 5% of such spaces but not less than two; more than 40 but not more than 100, 4% of such spaces but not less than three; more than 100 but not more than 200, 3% of such spaces but not less than four; more than 200 but not more than 500, 2% of such spaces but not less than six; more than 500 but not more than 1,000, 1.5% of such spaces but not less than 10; more than 1,000 but not more than 2,000, 1% of such spaces but not less than 15; more than 2,000 but not more than 5,000, 0.75% of such spaces but not less than 20; and more than 5,000, 0.5% of such spaces but not less than 30.*

#### 1.3.4 Parking Demand Calculations

Please provide additional Traffic Impact Assessment information in support of the requested parking space reduction for review.

The Traffic Impact Assessment provides a section discussing parking demand for the proposed uses but does not provide information on the required parking spaces under §Section 300-7.1 for comparison. In addition, the information provided does not discuss the potential overlap of the proposed parking spaces in support of the requested parking reduction. Lastly, Harbor Village Business Overlay District (HVBOD) Section 300-22.7 Parking Standards, specifically indicates that the parking generation information provided takes into account residents, employees, guests, customers, and visitors. The Traffic Impact Assessment does not provide a discussion about how these were all taken into account in the parking demand calculations for the proposed site.

*§ 300-7.1. Off-street parking standards.*

[Table of Off-Street Parking Standards included as an attachment to this memorandum.]

*§300-22.7 Parking Standards.*

*A. Parking requirements within HVBOD shall be consistent with the requirements of § 300-7.1, with the following exception:*

- (1) Dwelling for occupancy by more than 1 family: 1 1/2 spaces per unit on same or contiguous lot in common ownership subject to covenant to assure permanent use for off-street parking, as the Cohasset Planning Board deems adequate.*
- (2) On any lot in HVBOD that serves more than one use, the total number of spaces required for a development (taken as a whole) may be reduced, provided that the applicant submits credible evidence to the satisfaction of the Cohasset Planning Board that the peak parking demand of the uses does not coincide, and that the accumulated parking demand at any one time shall not exceed the total capacity of the facility. Such evidence must take into account the parking demand of residents, employees, customers, visitors, and any other users of the lot. It must also take into account parking demand on both weekends and weekdays, and both during the daytime and overnight. Parking may be provided on a lot within 100 feet of the principal lot subject to covenant to assure permanent use for off-street parking, as the Cohasset Planning Board deems adequate.*

#### 1.3.5 Tandem Parking within Garages

Please clarify how these spaces will be utilized and monitored to ensure their successful operation. Confirm if tandem spaces will be allocated to the same unit and are for private use only.

The plans and Traffic Impact Assessment indicate the use of a total of 11 tandem parking spaces within the two parking garages. If these parking spaces are not successfully constructed and utilized by residents, additional outside spaces proposed for the retail uses on site may be used by residents requiring retail client parking to spill out onto the adjacent on-street parking areas.

#### 1.3.6 Screening of Ground Level Parking:

The applicant should revise the site plan to include screening as required by the special permit and the overlay district zoning requirements, including height and screening material.

The special permit bylaws require that “ground floor parking must be screening from view.” Per the Landscape Site Plan (Sheet L2.00 dated April 10, 2020), at 124 Elm Street two new spaces between Elm Street and the garage ramp are proposed and are not screened from Elm Street. Existing conditions include a mix of low bushes and wood fencing to screen parking. Renderings do not depict screening of these parking spaces. During the July 8, 2020 Planning Board hearing, the applicant noted harbor views would be provided through the parking lot. The lack of parking screening in this area does not meet the special permit bylaws.

Ground parking at 87 Elm Street is screened by the proposed building and existing building at 91 Elm Street. The architectural set provides four trees and bushes to further screen the parking lot. These are screening plantings should be added to the Site Plan to meet the screening requirement.

*Standards for Cohasset Village Business District & HVBOD Design Guidelines Section 6.2.2. If parking lots cannot be located to the rear of the property, parking lots should be screened from the sidewalk with transparent and well-maintained cast-iron and brick fencing, and plantings. Screening should be at least 3 feet high.*

*§300-12(A)(2)(e): Screening and buffering with reference to type, dimensions, and character.*

*§300-22.6(A)(3): 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.*

#### 1.3.7 Surface Parking Distance from Elm Street

The applicant should confirm they are not in compliance with the design standard and have not provided the 10 feet separation of surface parking from public rights-of-way.

Parking spaces at 124 Elm Street surface parking lot are within 10 feet of Elm Street. This proximity to the road does not meet the design standards of the HVBOD as reproduced below:

*Section 6.2.1. Surface parking lots should be located to the side or the rear of new buildings and such that buildings or landscaping separate parking areas from the street. Wherever feasible, off-street parking lots should be set back a minimum of 10 feet from property lines along public rights-of-way, excluding alleys.*

#### 1.3.8 Proposed Parallel Parking on Elm Street

Please clarify the discrepancy of parallel parking between the architectural plans and Traffic Impact Assessment set of plans.

The Cohasset Harbor plans prepared by the Architect including plan view and 3-D renderings show proposed parallel parking along the north side of Elm Street adjacent to the site. This information is not included in the Traffic Impact Assessment or proposed site plans.

#### 1.4 Residential Gross Floor Area:

Per unit listing on the April 2020 Planning Board Packet, the 29 residential units are within the allowable total residential gross floor area.

*§300-22.6(A)(2): The total residential gross floor area of a dwelling unit in the HVBOD shall be not less than 700 square feet nor more than 3,000 square feet.*

### 1.5 View Corridor:

The applicant should confirm that the view corridor will not be obstructed by railings, trees, hedges, kiosks or other obstructions.

The Site Plans include a walkway and open space following the seawall. A view corridor is also present in alignment with the southern edge of Elm Street. Railings for the ramp and the low hedge should be selected to minimize disruption to the view corridor. In addition, six proposed trees on the north edge of the parcel on Margin Street should also be sized and maintained to retain unobstructed views.

*§300-22.6(A)(4): For waterfront projects within or partially within the jurisdiction of Chapter 91 of the Massachusetts General Laws, the applicant must meet the requirements for open space and facilities of public accommodation as defined by Chapter 91 or by the requirements of a state-approved Municipal Cohasset Harbor Plan, when such plan is in effect. At a minimum, the applicant must provide open space, including a walkway, that is accessible to the public and that connects to a public right-of-way and to a harbor-wide walkway, should such walkway be built. 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.*

**2.0 COMMERCIAL/RETAIL SPACE:**

The applicant will need to expand the retail space to meet the bylaw or formally request a waiver of the minimum requirements for interior retail and the proposed offset from greater than required outdoor space. The parking demand is based on the current proposed retail area. If additional retail is added, the applicant should re-evaluate the parking waiver request. The applicant should also clarify the retail square footage for 87 Elm Street.

The Town Zoning bylaws include requirements for usage of ground floor areas under §300-22.6(B)(1). Per the Site Plan Sheet GAR, the applicant has calculated the following public use ground floor areas:

	REQUIRED	PROPOSED
PUBLIC USE GROUND AREA	-	22,750 SF+983 SF=23,733 SF
TOTAL GFA	-	34,336+14,882+19,424=68,642 SF
GROUND AREA USED FOR PUBLIC USES/TOTAL GFA	15%	23,733/68,642=34.6%

Based on the Site Plan and April 2020 'Planning Board Packet' architectural drawings, retail space within this calculation includes:

**Table 3: Summary of Required Space**

Type of Space	Percentage Required of Gross Floor Area (68,642 square feet) <sup>a,b</sup>	Percentage Provided	Space Provided (square feet)
Publicly Accessible Outdoor Area	Maximum is 5%	29.60%	20,323
Indoor Retail Space	Minimum is 10%	4.97%	3,410 <sup>c,d</sup>
Combined Total	Max. 5% outdoor space Min. 10% retail Min. 15% combined	34.57%	23,733 <sup>c,d</sup>

Notes:

- a) Required percentages from Town Bylaws Section 300-22.6(B)(1).
- b) Ground Floor Area data from Site Plan Sheet GAR.
- c) 3,410 Square Feet (SF) is based on applicant's April 2020 architectural plans showing the North Building with 2,427 SF and West Building with 983 SF of retail.
- d) Retail space area at West Building listed as 987 SF in applicant's letter, differing from the 983 SF listed on the Site Plan Sheet GAR.

As proposed, the area of retail is insufficient to meet the requirements of the bylaws. Documentation of sufficient active use of the ground floor will also be needed. The bylaws allow the Board to waive the minimum 10% retail space requirement if "active uses on the ground floor" are demonstrated to the satisfaction of the Board.

*§300-22.6(B)(1): 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. Of this 15% minimum, 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 or restaurant or for seasonal temporary uses. 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. Notwithstanding the foregoing, the special permit granting authority may waive this minimum if the Applicant provides sufficient evidence of active uses on the ground floor.*

### 3.0 SITE PLAN LAYOUT & PUBLIC REALM:

This section of the Peer Review includes the following:

- Site Plan Layout;
- Special Permit Requirements;
- Stormwater; and
- Constructability.

#### 3.1 **Site Plan Review:**

The following items include the site plan review comments. These items follow from the bylaw requirements of site plan reviews under §300-12.6:

##### 3.1.1 Development Use:

The development calls for a kiosk for the rental of kayaks. The applicant has not provided a boat launch area on premises and has indicated use of the Town Dock. The applicant should clarify how boat users will portage boats to this dock. If on-site access to the Harbor is not provided, what pedestrian access will allow users to access the Town dock?

The proposed development includes potential kayak and stand-up paddleboard (SUP) rental kiosks. No connection to the water is provided and as proposed, users would walk on Margin Street to the Town dock or cross where no crosswalk exists. These would impair a harmonious future use of this portion of the property. Additional review of harmful, injurious or objectionable items is provided with the traffic and stormwater review.

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

##### 3.1.2 Natural Resources:

No recommended change at this time.

No determination is made on the natural resources exhaustion in this review. The applicant will provide Massachusetts Wetlands Protection Act (WPA) and Cohasset Wetlands Protection Bylaw and other nature resource permits and applications.

*§300-12.6(B)(2): The natural resources will not be unduly exhausted.*

##### 3.1.3 Erosion Controls:

The applicant should show the location of erosion controls on the plans. If harbor protections (e.g. turbidity curtains) are planned show the location and details of environmental protection of abutting surface water bodies.

The developer has incorporated erosion controls include catch basin protections, strawbales, silt socks, and silt fencing. The location and layout of these items is not depicted on the drawings. A truck wash area is described but not shown on the site plan drawings. Additional requirements will apply to the construction based on the applicant or their contractor filing of National Pollutant Discharge Elimination System (NPDES) Remedial General Permit (RGP) permit and Construction General Permit (CGP).

Harbor protection including anchored turbidity curtains and booms do not appear in the application. Turbidity monitoring of the harbor is also not referenced. Protection of the harbor from sedimentation is not clear.

*§300-12.6(B)(3): That erosion will be controlled during and after construction and will not adversely affect adjacent or neighboring property or public facilities or services.*

#### 3.1.4 Stormwater Runoff:

No recommended change at this time.

A review of stormwater information identified that the applicant will reduce impervious area and associated stormwater runoff. As the harbor abuts the 124 Elm Street, no downstream properties are present. The 87 Elm Street property is upgradient of abutting property at 97 Elm Street and would not

*§300-12.6(B)(4): That 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.*

#### 3.1.5 Pollution to Ground or Surface Waters:

No recommended change at this time.

During construction maintenance of equipment and machines shall be performed to avoid release of hydraulic oils, diesel, and gasoline. The Contractor shall develop spill prevention measures and controls to restrict any release of contaminants to the environment. Satellite storage for construction waste and a separate storage for hazardous material storage needed for construction.

*§300-12.6(B)(5): That the proposed development will not result in undue pollution of ground or surface waters whether fresh or salt.*

### 3.2 Special Permit:

In addition to the Site Plan review requirements above, Weston & Sampson has reviewed the application for a Special Permit under §300-22.5(A).

#### 3.2.1 Retail Space:

Refer to Section 2.0 comment and information requests related to retail.

Retail space is present on the ground floor which shall conform to the special permit requirements for type of occupant. The applicant has listed a concern with the viability of these businesses and seasonality of peak demands. The allowed retail uses are listed in the bylaws reproduced below:

*§300-22.5(A)(1): Dwellings units in multifamily format in combination with one or more of the uses below.*

*§300-22.5(A)(2): Stores for the sale of goods at retail, including dry goods, food, apparel and accessories, furniture and home furnishings, smallwares, and hardware.*

*§300-12.5(A)(3): Restaurants (other than fast-food restaurants) serving foods or beverages from within the premises.*

*§300-12.5(A)(4): Personal service establishments, including beauty salon, barbershop, tailor, etc.*

*§300-12.5(A)(5): Civic, cultural and community facilities.*

*§300-12.5(A)(6): Offices and other business establishments.*

*§300-12.5(A)(7): Temporary HVBOD Use, as defined in this bylaw.*

*§300-12.5(A)(8): Co-Working Space, as defined in this bylaw.*

### 3.2.2 Historical Commission:

The applicant should provide an application to the Historical Commission for the existing building at 87 Elm Street.

The motor inn building at 124 Elm Street was constructed in 1972 and does not require Historical Commission review. The building at 87 Elm Street was constructed in about 1910 according to the Cohasset Assessor's property card. The property at 87 Elm Street therefore does require Historical Commission review by the application.

*§300-22.6(A)(7): The Cohasset Planning Board shall not take final action on a special permit application proposing any expansion or exterior renovation of a building in the HVBOD that was built prior to January 15, 1955, until first requesting, in addition to those reports detailed in § 300-12.4B, a report thereof from the Historical Commission, or until the Historical Commission has allowed 35 days to elapse after receipt of a copy of such application without submission of a report. Reasons for not accepting any of the comments and recommendations of the Historical Commission shall be noted by the Cohasset Planning Board in the final action on the application.*

### 3.2.3 Impact of First Floor Residences on Retail or Services:

No recommended change at this time.

The shoreline of the Cohasset Harbor is currently inaccessible at the Cohasset Harbor Inn. Proposed retail uses at Elm Street at 87 Elm Street and along the Harbor facing portion of 124 Elm Street do not appear to be adversely impacted by first floor residential uses.

*§300-22.6(B)(3): The applicant demonstrates, and the special permit granting authority specifically finds, that first floor residential uses will not have an adverse impact on the continuity of any retail or services uses located adjacent to a public right-of-way, including the shoreline of the Cohasset Harbor.*

## 3.3 Stormwater:

The applicant appears to be making the case that they are reducing impervious area and, therefore, they do not need to provide peak flow mitigation, recharge, or stormwater quality treatment measures. This seems to be correct in that these standards generally only come into play where there is an increase in impervious area on a site. The reduction of impervious area could be considered a LID approach. Additionally, peak flow mitigation is not required for Land Subject to Coastal Storm Flowage (LSCSF).

The project is in a Zone AE and is considered LSCSF under the Wetlands Protection Act (WPA); therefore, no compensatory storage would be required for any fill activities. Habitable building floors appear to be adequately elevated above flood elevations, but this may require Building Inspector or Zoning Board review and may not be within the purview of the planning board. Weston & Sampson reviewed the drainage plans with the following stormwater-related comments. Specific bylaws or policies are referenced as available.

### 3.3.1 Roof Runoff:

Provide additional information on how roof runoff is being managed from west building.

The management of roof runoff from the expanded building area of proposed structured at 87 Elm Street is not defined.

### 3.3.2 Operations and Maintenance (O&M) Checklist:

Update the O&M checklist to remove Best Management Practices (BMPs) that are not part of this project.

The O&M checklist appears to list BMPs that are not included as part of this project.

### 3.3.3 Catch Basin Reference:

Provide a different catch basin manufacturer.

The catch basin detail references a "Lebaron" hood. Lebaron is no longer in business, and a different manufacturer should be specified.

### 3.3.4 Infiltration System:

Provide details on the plans to indicate how the proposed infiltration system is to be constructed. Include details such as, but not limited to, the invert elevations and stone depths.

The plans indicate that there is an infiltration system being installed. The stormwater report makes no reference to it and indicates that stormwater recharge is not required.

### 3.3.5 Existing Utilities

Show on the plans all existing utilities including above grade utilities.

Plans indicates "proposed utilities - see note detail sheet" for sewer, water and gas but no note could be found on the detail sheet. Existing utilities in the streets should be shown and connection details provided for water and sewer. In addition, electrical pole locations should also be shown as an important construction and post-construction consideration.

### 3.3.6 Oil/Water Separator:

An oil/water separator detail should be provided on the plans or drainage of underground parking clarified.

It is assumed an oil/water separator will be installed due to the floor drains in the basement parking at 87 and 124 Elm Street and assumed connection to the sewer system.

## 3.4 Constructability:

Weston & Sampson has reviewed the application and provided comments related to the constructability of the project.

### 3.4.1 Construction Entrance and Truck Wash:

Provide the location of the planned construction entrance and truck wash. Also show the location of temporary erosion controls and sediment control measures.

The Site plans do not show where construction entrance and truck wash is proposed, nor do they show where other temporary erosion and sediment control measures are being implemented despite notes in the details and stormwater report that indicate that these are shown on the plan.

### 3.4.2 Berm and Curbing Detail

Provide the location of the detailed berm and/or curb.

The detail sheet has two different details for bituminous berm, and also precast concrete curb. Also, locations of different curb materials are not indicated on plans.

3.4.3 Pavement Thickness:

Recommend a 4-inch pavement is considered for parking area.

A 3-inch pavement section is shown on the details. This may not be adequate for parking adjacent to a town road; 4-inch minimum should be considered.

3.4.4 Exterior Lighting:

Provide the location of proposed exterior lighting for parking and building.

No outdoor lighting is shown. It is unclear if light poles are planned for parking areas or if these areas will be illuminated from the building.

*Section 6.3. For reasons of safety and the reduction of light trespass, glare and light pollution, all outdoor lighting in the District should comply with the following provision: Direct light emitted by exterior luminaire should not emit directly by a lamp, off a reflector, or through a refractor above a horizontal plane (90 degrees) through the fixture's lowest light-emitting part.*

## 4.0 TRAFFIC & CIRCULATION:

Weston & Sampson has reviewed the applicant's documentation related to traffic and circulation. These include the Transportation Impact Assessment dated April 2020. Overall, our review found the Traffic Impact Assessment was prepared in conformance with MassDOT Transportation Impact Assessment Guidelines, MassDOT Project Development and Design Guide (PDDG), and professional Traffic Engineering principles. Specific comments on these plans are provided below:

### 4.1 Trip Generation

The Applicants Engineer should review the trip generation data and provide updated figures and analysis.

It appears that the trip generation information provided was based on average rates for some time periods and uses, and the fitted curve data for others but does not seem to be consistently applied. A review of the trip generation data using only average rates results in only minor changes, on the order of 1 or 2 trips during the Peak Hours.

### 4.2 Stopping Sight Distance

The applicant should update the plans to show the proposed required improvements for minimum Stopping Sight Distance for review and approval by the Town.

The Traffic Impact Assessment indicates that improvements need to be made along the roadway in order to obtain the minimum Stopping Sight Distance for both of the proposed site driveways. However, the plans do not show the proposed improvements required to meet the minimum Stopping Sight Distance requirements.

### 4.3 Consideration of Driveways on Margin Street

Provide in the Traffic Impact Assessment a description of the existing conditions at Margin Street including the existing driveways.

The Traffic Impact Assessment does not provide a description of the existing conditions along Margin Street although there are two existing driveways along this roadway and as shown on the plans there are proposed improvements along this roadway including parking spaces and sidewalk on the south side of the roadway along the site frontage that may impact operations and safety.

### 4.4 Sidewalk at Margin Street – Road Narrowing

Please provide additional information on Margin Street to show the existing roadway and lane widths and the impact of the proposed improvements.

The plans show the construction of a new sidewalk along Margin Street within the property limits. This section of Margin Street appears to be 24 feet wide between the existing edge of pavement on the north side of the roadway and the existing retaining wall on the south. It appears from the proposed site plans that the new sidewalk will be constructed outside the limits of the existing retaining wall which would reduce the overall roadway width on Margin Street. This reduction would have an impact on the safety and operation of the roadway.

The Town of Cohasset will also review the road width for emergency vehicle response and evacuation needs.

*MassDOT PDDG Chapter 5, Exhibit 5-14 notes a required minimum width of 9 feet per lane or 18 feet roadway width for two-way traffic.*

#### **4.5 Connection between Cohasset Village**

The Applicant should consider providing a crosswalk to connect the site to the points north across Elm Street toward Cohasset Village.

Upon review of the proposed site plans it appears that the Applicant proposes to reconstruct the sidewalks bordering the property. A review of the existing study area shows that there is only one crosswalk from the site across Elm Street and that there is no way to get from the north side of Elm Street or Margin Street to the proposed site or Harbor Area.

*The HBVOD has the following purpose “To encourage physical and commercial links between Cohasset Harbor and Cohasset Village, anchoring Elm Street at each end with a complimentary mix of commercial and residential uses”.*

#### **4.6 Sidewalk Width**

Please provide additional information on the proposed sidewalk widths and existing aerial utilities.

Upon review of the proposed site plans it appears that the Applicant proposes to reconstruct the sidewalks bordering the property. However, it appears that the reconstructed sidewalks are only 4.5 feet wide exclusive of the curb which does not meet the MassDOT recommended minimum width. In addition, there appears to be a utility pole along the north side of Elm Street that might further restrict the width of the sidewalk to a point where it does not meet the minimum width required for ADA accessibility. An accurate assessment of this pinch point could not be determined because the existing utility pole is not shown on any of the proposed site plans.

#### **4.7 Location of Driveway at 87 Elm Street**

Please provide the location of the 87 Elm Street parking lot driveway for review.

The proposed site plans do not show the location of the proposed driveway entrance to Lot 87 as is shown for Lot 124.

#### **4.8 Intersection Spacing of Driveway**

The Applicant should address the 150-foot spacing requirement of proposed driveways from intersecting roadways as part of their waiver request.

While the driveways to the proposed sites are existing, their reconfiguration and change in use would classify them as proposed. These proposed site driveways violate the 150-foot spacing of the proposed site driveways to an intersecting roadway required under Bylaw Section §300-7.3-C.1.

*§300-7.3-C.1: Any nonresidential driveway shall be subject to the following: (1) No portion of any entrance or exit driveway to the area shall be closer than 150 feet to the center line of a street intersecting the street servicing the entrance or driveway. No more than two driveways shall serve one area.*