

MEMORANDUM

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

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

DATE: April 6, 2022

SUBJECT: Peer Review: 46 Border Street
Atlantica Restaurant/Function Building

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 46 Border Street within the Waterfront Business (WB) Zoning District and the Floodplain and Watershed Protection District. The property has a total land area of approximately 1.5 acres and is located in the FEMA F.I.R.M Zones AE and VE. The property is currently improved with an approximately 14,809 square foot (sf) building, which functions as a restaurant and large event space. The property also contains access to Cohasset Harbor via a licensed float for recreational marine vessels.

This memorandum summarizes the results of our peer review of site plan and special permit application documents. The letter report is prepared pursuant to our July 1, 2020, contract with the Town, and our March 29, 2022 proposal. 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 as summarized below:

- 46 Border St. Site Plan Application, Form 10, and Litigation Policy (Two pages, March 9, 2022)
- 46 Border St. Cohlobster, LCC, Application for Site Plan Review (Nine pages, March 9, 2022)
- 46 Border St Site Plan Review, Site Plan Set of Drawings (Five sheets, February 28, 2022)
- 46 Border St. Site Plan Review, Cohasset Wharf Renovations, Architectural Set of Drawings (10 sheets, March 9, 2022)
- 46 Border St. Uncovered Walk Lighting Site Plan (One sheet, February 28, 2022)
- Public Hearing Notice, 46 Border St. Site Plan Review (One page, March 21, 2022)

Overview of the Proposed Development

Cohlobster LLC (the applicant) is proposing to improve the existing building to accommodate a fine dining restaurant and kitchen, a restaurant/coffee shop, an ice cream store, a bakery, and a lobster pound. In addition, the applicant is proposing to include public areas on the site. The applicant's

proposal will result in a net reduction in the total area dedicated to restaurant use with the elimination of the large event space. The existing 13,464 sf footprint will be reduced to approximately 8,780 sf. The applicant has indicated the following breakdown of square footage by use in the cover letter of their *Application for Site Plan Review*, dated March 9, 2022, and Site Plans Sheet AS101, dated March 9, 2022:

Table 1. Summary of Square Footage by Use	
Use	Total Square Footage
Fine dining restaurant	2,691
Fine dining kitchen	1,707
Restaurant/coffee shop	1,336
Small prep kitchen	512
Ice cream store	212
Bakery	935
Lobster Pound	893
Old Salt House kitchen	494
TOTAL:	8,780

Notes:

- a. Source: Application for Site Plan Review, dated March 9, 2022, and Site Plans Sheet AS101, dated March 9, 2022.

Peer Review

This memorandum serves as a peer review document related to the following topic areas:

1. Parking & Circulation
2. Site Plan Layout & Bylaw Compliance

The format of each reviewed items is the *italicized applicable standard and enforceable policy*, our evaluation and analysis, and an underlined request or action for the applicant. Our peer review scope provided on March 29, 2022 excludes architecture and landscape architecture review. Architectural plans were reviewed to collect data on areas of use. Weston & Sampson reviewed the application based on the following bylaws and policies as well as engineering industry standards:

- Site Plan Review per Chapter 300, Article 12.6 of the Cohasset Zoning Bylaws; and
- Special Permit per Chapter 300, Article 12.4, and Article 22 of the Cohasset Zoning Bylaws.

1.0 PARKING & CIRCULATION

Weston & Sampson reviewed the applicant's Site Plans (dated February 28, 2022), Architectural Plans (dated March 9, 2022), and Special Permit Application (dated March 9, 2022) for compliance with Town bylaws and policies. Additional detailed technical review areas and the associated bylaw provisions are provided in the other sections of this peer review.

1.1 **Parking:**

This section and subitems provide peer review comments related to parking.

1.1.1 *Parking Demand Calculations*

The Applicant proposes to reconfigure the existing parking lot to provide a total of 28 parking spaces that conform to the current Bylaw Section 300-7.1. The existing parking lot is non-conforming and includes 52 irregularly sized parking spaces, which includes parking west of the parcel. The Applicant has indicated that a total of 46 parking spaces are required per Bylaw Section 300.7.1. as shown in the table below. These calculations exclude the Old Salt House and questions on this connected property are provided in Item d of this section.

Table 2: Summary of Parking Allocation by Applicant			
Use	Number of Spaces		
	Required ^a	Proposed ^b	Difference
Off-Street Parking			
<i>Two Restaurants (4,054 sf) Fine dining restaurant & Restaurant/coffee shop</i>	20	12	-8
<i>Two Kitchens (2,219 sf) Fine dining kitchen & Small prep kitchen</i>	11	7	-4
<i>Bakery/Ice Cream Shop (1,147 sf)</i>	11	7	-4
<i>Lobster Pound (893 sf)</i>	4	2	-2
TOTAL:	46	28^a	-18

Notes:

- Eight of the proposed parking spaces are within Border Street and not off-street. These on-street parking spaces cannot be allocated to the off-street parking total.
- Quantities as provided from parking table on Cover Sheet of Site Plans prepared by Ross Engineering Company dated February 28, 2022, and are based on square footages shown on Architects Draft/Preliminary Plan dated March 1, 2022.
- Quantity of proposed parking spaces were calculated on a prorated basis and are for informational purposes only. The total quantity aligns with the number shown on the plan. The applicant has rounded the number of spaces to the nearest whole number.

Per Bylaw Section 300-7.1 Off Street Parking Standards, the Table of Off-Street Parking Standards use E shows that a restaurant establishment should use a parking ratio of 1 space 200 square feet when part of a mixed-use development; if not mixed use a higher parking allotment is required (1 space for each 100 square feet of net floor area).

- The Applicant should provide more explanation on the reasoning for the use of the lower parking (i.e., mixed use) ratio as part of their Special Permit request and why this development should be considered mixed use.

- b) A review of the Architectural plan does not provide the same square footage of uses as noted on the site plans and above in the parking calculations. Weston & Sampson requests the applicant review and clarify the areas between the plans and calculations.

The applicant's narrative indicates that the Old Salt House Kitchen (494 square feet) is to remain in its current location. The applicant's parking allocation count represents only two kitchens on the site, while their narrative and their architectural plan show three kitchens on the site.

- d. Weston & Sampson requests the applicant clarify the number of kitchens and the required associated parking.
- e. The Old Salt House that is attached to the redevelopment building appears on assessor maps as 44 Border Street; as existing parking in front of this abutting property appears changed by this development, we request the applicant clarify the parking needs of this business and impact on the proposed parking lot. Approximately 5 additional parking spaces may be needed if this building is considered within the redevelopment parking lot.
- f. The Applicant indicates in their letter that special permit will be required for the nonconforming parking use but does provide information in support of granting the special permit. The Applicant should address the concerns with the parking calculations as noted above as part of their special permit request and/or confirm these items will be presented to the Zoning Board of Appeals (ZBA).
- g. The site plans include the creation of eight proposed additional striped offsite parking spaces on the site plan; however, since these spaces are within the public right of way (ROW) these parking spaces do not appear to meet the definition of a "Parking Space" (§ 300-2.1) that includes a requirement for an "off-street space".

Additional comments related to parallel parking spaces are provided in Item 1.1.4.

§ 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 2 above provides a summary of off-street parking highlighting the above that eight parking spaces are shown on Border Street and within the public ROW.

§ 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.

1.1.2 Parking and Drive Aisle Dimensions

The parking space dimensions, and drive aisle widths shown on the plans meet the Bylaw requirements. These include the Cohasset Parking Requirement Diagrams required dimensions of 9.5' by 20' for parking spaces and 24' wide drive aisles widths.

1.1.3 Driveway Widths

§ 300-7.3.C.3 No entrance or exit driveway shall exceed 24 feet in width except for a suitable radius of curvature at the entrances

The proposed width shown on the site plan for the driveways exceeds the maximum width allowed per the Bylaws. While there is some flexibility in the Bylaw for a large width including radii of curvature, the radius of curvature provided appears to be excessive based on the fire truck turning maneuver information provided Sheet 5 of the Plans. In addition, the excessive width on the eastern driveway may promote illegal parking along the existing granite retaining wall. Weston & Sampson requests the applicant revise the proposed driveways and associated radii to meet the Bylaws.

1.1.4 Proposed Parallel Parking on Border Street

The Applicant proposes the creation of eight striped parking spaces on Border Street adjacent to the site. It appears that the proposed offsite parking space impact the existing striped walking path on Border Street along site frontage and result in a reduction of the overall width of the existing travel lane. The site plans do not provide the existing pavement markings along Border Street so a full evaluation of the impacts cannot be provided. Weston & Sampson request the applicant show pavement markings along Border Street and provide dimensions of existing and proposed lane and shoulder widths for further review.

1.1.5 Loading

It is unclear from the site plan how access to the dumpster for removal will be accomplished as it appears the enclosures are behind curb, parking spaces, or landscaping. Weston & Sampson requests the applicant provide more information on how the trash removal will occur including type of vehicle and frequency. This should include trash truck turning maneuvers for review.

Weston & Sampson requests the applicant provide a description of how deliveries to the site will occur including the size vehicles, frequencies of deliveries proposed access route into and out of the site and loading area. This should include delivery truck turning maneuver plan for review.

2.0 SITE PLAN LAYOUT & BYLAW COMPLIANCE

This section of the Peer Review includes the following:

- Site Plan Layout;
- Bylaw Compliance; and
- Constructability

2.1 **Site Plan Layout:**

The following items include the site plan review comments. Additional requested details on the site plan set are listed within the Constructability Section 2.3 below. These items follow from the bylaw requirements of site plan reviews under §300-12.6:

2.1.1 Development Use:

§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.

The provided site plans The applicant lists that “additional public areas” are proposed. Please clarify which areas are publicly accessible and not restricted to the business uses. Signage for public access areas may be beneficial.

2.1.2 Natural Resources:

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

The applicant should provide drawings with proposed environmental protection procedures to be implemented during and after construction.

2.1.3 Erosion Controls:

§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.

Weston & Sampson requests the applicant provide construction drawings indicating the proposed placement of erosion and sedimentation controls to be utilized during construction. The drawings should also indicate the location of any proposed stabilized construction entrances. The design of these features may include reference to the *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas*.

2.1.4 Stormwater:

§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.

Weston & Sampson requests the applicant provide the following to facilitate review of the stormwater management system:

- a) Stormwater Report prepared in compliance with local and MassDEP requirements;
- b) Details on existing utility pipe locations, invert elevations, and structure rim elevations;
and

- c) Drawings showing proposed grading, proposed stormwater Best Management Practice locations and elevations.

2.1.5 Pollution to Ground or Surface Waters:

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

Review of the proposed stormwater management plans will be required to further comment on this criterion. See response above to 2.1.4 above.

2.1.6 Sidewalks

§ 300-12.6.5 That the movement of vehicular and pedestrian traffic within the site and in relation to access streets will be safe and convenient.

If the Applicant proposes to move forward with creation of parallel parking spaces along Border Street, then Weston & Sampson recommends that a raised 5-foot wide (minimum) sidewalk be constructed along the entire site frontage between the existing utility poles and the property line to promote safe pedestrian passage and reduce the potential of cars parking within this area. Sidewalk design should follow the Town Standards and meet ADA/AAB accessibility requirements.

2.2 Constructability:

Weston & Sampson has reviewed the application and determined that additional information is required to further assess overall constructability of the proposed project.

2.2.1 Drawings:

The submitted drawings do not provide a level of detail sufficient for review against overall constructability of the project. Weston & Sampson requests the applicant provide drawings showing site preparation details (erosion and sediment controls, temporary fencing, staging areas, etc.), proposed grading, existing and proposed utilities, and other construction details as needed. These details should include, but not be limited to, pavement thicknesses, curbing materials, stormwater BMPs, and sidewalk construction.

2.2.2 Demolition Plans

The drawings indicate a portion of the existing building will be removed. Weston & Sampson requests the applicant provide drawings indicating how the public will be protected during demolition. This should include security fencing, staging areas, etc.

In addition, Weston & Sampson requests that the applicant verify that the Massachusetts Department of Environmental Protection (MassDEP) required AQ-06 form and associated hazardous building material inventory (HBMI) has been/will be performed prior to the renovation.

2.2.3 Chapter 91

The Town of Cohasset Master Plan lists the applicant's parcel (the Atlantica site) as subject to Chapter 91. The Waterfront Business district description lists:

A small portion of this district includes land subject to Chapter 91, which governs the use of Commonwealth tidelands and protects the public's right to access those tidelands. The regulations governing Chapter 91 land requires that the land be preserved for water-

dependent uses and designates land that can provide direct access to the waterfront. According to the Municipal Harbor Plan, the primary parcels affected are the Cohasset Harbor Inn, Olde Salt House, and Atlantica sites, and three Town-owned properties: the site of the John Smith marker, the war memorial, and Government Island. The zoning changes proposed in the Municipal Harbor Plan and described below would require changes to the Chapter 91 license that governs this area, which is described in more detail in that plan.

Cohasset 2019 Master Plan, Town of Cohasset by the Metropolitan Area Planning Council

Weston & Sampson requests the applicant review the applicability of Chapter 91 to the proposed redevelopment.