

Deanna Ruffer

From: info@peoplegis.com
Sent: Monday, December 30, 2013 4:24 PM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '47'
date = Dec 30, 2013
name = 'john payson'
email = 'jpayson1@yahoo.com'
comments = 'In Deanna Ruffer's email of 29 October, responding to my request of 28 October for a listing of the 318 parcels subject to the analysis, she wrote:
"As has been posted on the project public comment page, the study area includes 352 parcels. For the purpose of the build-out and sewer analysis several land use types were considered either undevelopable, or unlikely to be developed. These include protected open space with conservation restrictions, municipally owned properties such as cemeteries and church properties. As a result, only 318 were subject to the analysis."
She advised that a list of these parcels would have to be created specifically for me and that there would be a cost to me, but she suggested that,
"Alternatively, using the information you have or that is available to you from the project webpage, you can probably create this list yourself." Accordingly, I attempted to do this by accessing a download of the FY 2011 assessors database, cross-referencing it to the study area shown in Figure 1 of the October 29 Draft Report and the database that was available to me from the project webpage.

The Project's baseline buildout assumptions, openly specified to be possibly subject to debate, stipulated that "only the upland area of lots will be used to calculate buildout; wetlands will be subtracted."

Yet, while I was unable to specifically identify the 318 parcels to which the Revised September 2013 referred, more than fifty percent of those falling within the guidelines set forth in the email showed lots sizes greater than the lots sizes appearing the FY2011 assessors database.

In three of the four cases studies, the lot sizes shown for the parcels identified, exceed the lot sizes appearing in the FY1011 assessors database.

There are many conclusions in the Draft Report that are highly questionable because of unsupported assumptions and lack accurate validating statistical backup.

Observations said to be derived from the public participating in the Workshops, and elements of the process itself, can be hardly be considered to be based on a representative statistical sample of town residents.

Many more very specific questions, more than can adequately be posed in this posting, remain and must be addressed.'

phone = "
address = "
city = "
state = "
zip = "

Deanna Ruffer

From: info@peoplegis.com
Sent: Friday, December 27, 2013 8:05 AM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '46'
date = Dec 27, 2013
name = 'Deanna Ruffer'
email = 'druffer@chatham-ma.gov'
comments = 'The Cape Cod Commission is conducting this land use planning study under the direction of the Board of Selectmen to address concerns that have been raised about development along the Route 28 corridor. The purpose of the study is to identify potential opportunities to enhance or change development patterns along the corridor as well as identifying other possible improvements consistent with the town's Long Range Comprehensive Plan.'

The Route 28 corridor is currently the topic of two significant planning and design efforts. This website and comment forum are part of the land use planning project. A separate project, the West Chatham Roadway Design Project addresses the design of the road within the State Highway layout between George Ryder Road and Barnhill Road. People interested in learning more about the roadway design project can visit: www.wcroadwaydesign.info.

phone = ""
address = ""
city = ""
state = ""
zip = ""
question = ""
quest_link = ""

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=c19c38a210db8d209b8dc04edff5c2ab

Deanna Ruffer

From: info@peoplegis.com
Sent: Wednesday, December 25, 2013 3:30 PM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '45'
date = Dec 25, 2013
name = 'George Myers'
email = 'urkreksir@aol.com'
comments = 'When was the present rotary/roundabout in downtown Chatham constructed?'
phone = ""
address = ""
city = ""
state = ""
zip = ""
question = ""
quest_link = ""

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=316c48744e58a4a2cf6ba6c9daffec6a

Deanna Ruffer

From: info@peoplegis.com
Sent: Sunday, December 08, 2013 1:26 PM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '44'
date = Dec 08, 2013
name = 'Seth Taylor'
email = 'sethtaylor1@gmail.com'
comments = 'I believe the rules controlling developmental sprawl along route 28, as currently managed through the regulations of the Historic Business District Commission, as amended by town meeting on 13-May-2003, generally satisfy the town's needs. The one caveat, which I believe is shared nearly unanimously in town, is the recommended elimination of the current "Flex-Zone Overlays". I, and I believe, nearly everyone who has considered our current zoning regulations would fully support this change to the towns protective bylaws.'

Further, it is both reasonable and appropriate that the town initiate a review of the regulations overseen by the Historic Business District Commission. It may be that those regulations could be improved through the amendment process to better address the current wishes of the town.

Other than what I have stated above, I am opposed to any of the Cape Cod Commission's recommendations that would lead to an increase in non-conforming properties in Chatham. I do not endorse, or agree with, the notion of "four community centers in Chatham". The sustaining population of Chatham can not support the mix of business necessary to the "vision" of the Cornfield, Crowell Road, West Chatham, & South Chatham, becoming local-pedestrian-hubs. The town must continue to allow individuals the flexibility to site and operate their businesses as appropriate to their needs, within the constraints already engendered in our protective bylaws.'

phone = "
address = "
city = "
state = "
zip = "
question = "
quest_link = "

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=820585c3aa25716218ea4c91c4852726

Deanna Ruffer

From: info@peoplegis.com
Sent: Friday, December 06, 2013 11:42 AM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '43'
date = Dec 06, 2013
name = 'Donna Weir'
email = 'mdonna.weir@gmail.com'
comments = 'I think the report was comprehensive and made good recommendations. I followed the project on Channel 18. My concern is that even though there were excellent recommendations that the various boards will not act on them in a timely fashion. There comments made at the Board of Selectmens presentation and at the planning board presentation that made me feel that action could be delayed. The suggestion of the Director of Community Development to the planning board that the staff could facilitate the process and bring items to the planning board to discuss was an excellent suggestion. Also the suggestion that some of the recommendations could be bundled and presented at the next town meeting made sense. Zoning changes need to be updated while there is time to prevent further development in the future that is inconsistent with the recommendations.'

Specificly I am in favor of the following:

South Chatham Village Center should remain a quaint and small business development zoning to keep with the character of the neighborhood.

2. Flexible designation should be eliminated throughout the town.
3. Recommendation 8 requiring setbacks and green space should be enacted.
4. r20 for residential in "between areas" should be enacted.
5. HBDC should strengthened.
6. Zone for overlay districts.

I hope these comments will make their way to the various commisions and boards.'

phone = "
address = "
city = "
state = "
zip = "
question = "
quest_link = "

The record can be viewed at the following URL:

http://www.mapsonline.net/chatham/forms/template_select.php?id=717632525&jump=67be3e1c450c745582ed86a0033dcc99

Deanna Ruffer

From: info@peoplegis.com
Sent: Thursday, December 05, 2013 7:28 AM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '42'
date = Dec 05, 2013
name = 'Tom Wilson'
email = 'wilsonjtj_98@yahoo.com'
comments = 'To me, there are three things needed to fix Route 28 through West Chatham:
1. lower the speed limit from 40 to 25 mph from Sam Ryder Rd to the Cornfield.
2. Install traffic lights at George Ryder Rd and Barn Hill Rd.
3. Leave the middle lane- it works.'

No roundabout, please.'

phone = ""
address = ""
city = ""
state = ""
zip = ""
question = ""
quest_link = ""

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=fed5b0b7fda3d08a1648408fe9c79f06

Deanna Ruffer

From: info@peoplegis.com
Sent: Wednesday, December 04, 2013 3:00 PM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '41'
date = Dec 04, 2013
name = 'John Hausner'
email = 'johnhausner@outlook.com'
comments = 'Phil: In scrolling down to submit my comment, noticed that you have had 40 responses on the form, which I have just read. It's very helpful to get these comments, but wasn't immediately apparent without reading the "fine print" at the bottom of this page that all comments could be accessed. Others have commented that they had the same issue with this site (difficult to know where to search out comments). Perhaps you be able to group and post some of the most informative comments so that they could be read without scrolling and make it clearer graphically that all can be accessed in this box - it would be an improvement. At the very least, could the box be expanded so as to make it possible to read more than a sentence and a half at a time? Thanks, John'
phone = ""
address = ""
city = ""
state = ""
zip = ""
question = ""
quest_link = ""

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=1ea7a63f579b2c74d57ee31e229c78f7

Deanna Ruffer

From: info@peoplegis.com
Sent: Wednesday, December 04, 2013 2:27 PM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '40'
date = Dec 04, 2013
name = 'John Hausner'
email = 'johnhausner@outlook.com'
comments = 'Phil: Good response to the negativity folks last night at the end of the meeting. One thing I think you should do is to put up all the reponses and comments you get, both positive and negative, rather than just post f.a.q's. I went to the site hoping to bone up on public input in advance of the meeting but couldn't find anything re: comments. Maybe you haven't had many - if so - that's disappointing. Let me know, and keep your chin up - John'
phone = ""
address = ""
city = ""
state = ""
zip = ""
question = ""
quest_link = ""

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=760ee9ddc3fd60ccaa08a9f2a1609c47

Deanna Ruffer

From: info@peoplegis.com
Sent: Monday, December 02, 2013 4:20 PM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '39'
date = Dec 02, 2013
name = 'Deanna Ruffer'
email = 'druffer@chatham-ma.gov'
comments = 'On November 21st, Mr. Payson asked a question about who and how the "net lot area" was calculated. The project team assumes Mr. Payson is referring to the Route 28 Visioning Buildout Report. The Town's GIS parcel and wetland layers were input into the build-out software. The software then subtracted the wetlands areas in the district.'
phone = ""
address = ""
city = ""
state = ""
zip = ""
question = ""
quest_link = ""

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=5867529512285010a9ddd92423f63c57

Deanna Ruffer

From: info@peoplegis.com
Sent: Wednesday, November 27, 2013 11:30 AM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '38'
date = Nov 27, 2013
name = 'JOHN PAYSON'
email = 'jpayson1@yahoo.com'
comments = 'Figure 13 Proposed Zoning Map shown in Visioning Project Draft Report seems to reflect the comment in PRIMARY RECOMMENDATIONS that the proposed neighborhood center boundaries follow the general description in the Comprehensive Plan .
In view of the short period of time remaining in the comment period, we need know, without any delay, specifically what individual parcels, both wholly and split, are currently included in each of the four neighborhood centers shown in that map.
That list should include AV_PID, NEW_TAXMAP, ST_NAME AND ST_NUMBER.
An expedited reply is respectfully requested. Many thanks.'
phone = "
address = "
city = "
state = "
zip = "
question = "
quest_link = "

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=c7abf14a1f64518d092199b9753f8fe8

Deanna Ruffer

From: info@peoplegis.com
Sent: Wednesday, October 23, 2013 2:54 PM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '36'

date = Oct 23, 2013

name = 'Deanna Ruffer'

email = 'druffer@chatham-ma.gov'

comments = 'We appreciate the comments that have been submitted and value the expressions of opinion. We continue to encourage people, particularly when expressing disagreement with an element of the project process or the work done to date, to offer constructive alternatives.

We offer the following responses to the questions posed in comments submitted since September 1, 2013.

Split lots â€” during the course of the public process for this project, it has come to the project teamâ€™s attention that there was a minor misapplication of a formula in the baseline buildout analysis conducted for the project. This occurred in the South Chatham area and affected calculations for parcels in the study area on the north side of Route 28 between Morton Road and Route 137. When the buildout was conducted for these parcels, the formula for the R-20 zoning designation was incorrectly applied to the rear of the properties, rather than the R-60 zoning designation formula. This has been corrected; the build-out and sewer flow reports have been revised. The incorrect application of the formula affected 13 parcels, or 4% of the build-out parcels. The revisions results in a slight (1%) reduction in the number of dwelling units project in two of the scenarios.

Historic Business District â€” the boundaries of the Historic Business District are the commercially zoned districts in effect as of September 9, 1985, amended per Article 20, Annual Town Meeting May 10, 2010.

Opportunities Map â€” the map entitled â€œOpportunities Mapâ€ which is posted on the project website is one of the planning tools developed by the project team to aid the team in understanding the contextual relationship of the study area to land use characteristics, such as bike paths, beaches, historic sites, etc., in the surrounding area.

Town staff â€” During this planning process, staff from the Cape Cod Commission have met with and talked to staff from the Townâ€™s Community Development and Health and Environment Departments to review local bylaws and regulations that may impact land use in the corridor and to answer questions the Commission staff has had regarding these bylaws and regulations and how applicable local appointed boards and commissions have historically interpreted specific bylaws and regulations. Staff involved has included but is not limited to the Department Directors and the Building Commissioner.

Parcels included in build-out analysis â€” The study area includes 352 parcels. For the purpose of the build-out several land use types were considered either undevelopable, or unlikely to be developed. These include protected open space with conservation restrictions, municipally owned properties such as cemeteries and church properties. As a result, only 318 were subject to the analysis.

Acre â€” for the build-out analysis an acre is 43,560 square feet.

Lot size â€” the FY11 Assessors data and the Townâ€™s Zoning Map were the sources of data input to a layer of the Townâ€™s GIS program which was used as the data source for lot square footage and zoning.

Appendix B, Build-out Analysis Report â€” The columns entitled â€œSpatial Build-Out and Spacial Build-out Areaâ€ are features of the software which were not used for this analysis. The column entitled â€œFloor Areaâ€ is a ratio used within the software that estimates the square footage of non-residential building space that can be developed.

The Town appreciates the communityâ€™s interest in this project and welcomes questions about the materials that have been prepared. We will continue to answer these questions to the best of our ability.'

Deanna Ruffer

From: info@peoplegis.com
Sent: Thursday, November 21, 2013 9:24 AM
To: Deanna Ruffer
Subject: A record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form'

The following record has been submitted in the form 'Route 28 Corridor Visioning Project Public Comments & Inquiry Form':

com_count = '37'
date = Nov 21, 2013
name = 'JOHN PAYSON'
email = 'jpayson1@yahoo.com'
comments = 'The revised September report advises that the Chatham bylaws require that only upland area be used for lot area and so for the purposes of calculating development potential all wetland areas in the district were subtracted from the gross lot area..
Who calculated the net lot area and how, very specifically, did they arrive at the net figure?'
phone = "
address = "
city = "
state = "
zip = "
question = "
quest_link = "

The record can be viewed at the following URL:

http://www.mapsonline.net/chathamma/forms/template_select.php?id=717632525&jump=2a78f9e1e1aaa0807d44b71050930df2

Chatham Planning

From: Theodore Streibert <tp.streibert@verizon.net>
Sent: Tuesday, December 31, 2013 7:05 AM
To: Chatham Planning
Subject: Route 28 Visioning for Chatham

Attn: Phil Dascombe :

As a resident of property adjacent to Rte 28 and an owner of an SB business and an owner of property on which a non conforming grandfathered business, I am particularly concerned about protections for these existing Rte 28 businesses and their future ability to thrive in an environment which might be continually constricting.

While support the Comprehensive Plan which intends for "Village Centers" separated by residential uses, I do not agree that this is the total Comprehensive Plan message. In the document there is language which supports existing businesses in the SB district. The principal thrust of the plan is not to discourage the existing businesses but to support the village centers and encourage growth and changes.

The village centers should look more like thriving retail and restaurant areas which attract new customers who are willing to park remotely and to wander about from store to store — more pedestrian activity. To accomplish this, the appearance of strip malls must be discouraged, with businesses expanding toward the street. The space must be closed down with more street trees and pedestrian friendly landscaping and amenities.

The SB district is an essentially a residential business. Since the inception of this zoning district and the Limited Business district before it, there have been no new business of the type that are allowed by the zoning bylaw. I would add that very few new residences have been built there either. If residences are to be encouraged then new types of residences, two family for instance should be encourage as well as certain multifamily, not exceeding groups of four.

These new zoning initiatives will not be simplistic, because our world is too complex and just the right balance of restriction to maintain a Chatham flavor and zoning type bonus to encourage the look and feel of Route 28 must be studied carefully and then enacted.

Sincerely,

Theodore P. Streibert
73 Linden Tree Lane, also owner of 1005 Main Street, site of Agway

and

Theodore P. Streibert, AIA, Principal,
Streibert Associates - Architects
15 Linden Tree Lane, Chatham, MA 02633
508-945-1459

Chatham Planning

From: Susanna Morgan <smorgan6@rochester.rr.com>
Sent: Friday, December 27, 2013 10:24 AM
To: Chatham Planning
Subject: Rte 28 Vision Process

Ms Ruffer:

I strongly object to this on-going process of our Chatham's Community Development Office having outsiders (Cape Cod Commission so-called experts) usurp the important planning aspects away from our Chatham residents—people who have much more knowledge and (more) important vested interest in how this community of Chatham will evolve towards its own future. Cape Cod Commission has bureaucrats that may or may not be earnest with anything other than their own future personal direction. Chatham's future should be firmly in the hands and minds of people who live in Chatham. Your office and yourself need to be held in check by the words composed in the Comprehensive Long Range Plan: future changes in each neighborhood center shall be from the direction of those who live in and around the center in question; and not from experts from elsewhere.

David E. Burns, MD.

WEST CHATHAM VILLAGE and BUSINESS ASSOCIATION

Balancing Environment Economic Development Historic Preservation



Comments to Chatham's Planning Board

We thank the Planning Board for this opportunity to comment on the report and on the future of Route 28 in Chatham. The Commission's report addresses public concern for today's development patterns on Route 28 and confirms public support for Chatham's long range *Comprehensive Plan*; a plan that limits development on Route 28 put together by a committee of Chatham citizens, endorsed by Chatham Selectmen, approved by town meeting.

Almost all of Route 28 today is zoned for business development. The report notes that future development could be as much as two or three times existing development. Seven of ten Chatham residents polled said this does not fit their vision of Chatham's future. The report's recommendations to reform our bylaws reduce substantially, up to 50% in some areas, the potential for future development on Main Street. Existing businesses on Route 28 will continue indefinitely until a change of use is desired by the property owner. But with bylaw reform, over the next generation Main Street will become mostly single family homes with more open space and pockets of traditional small scale businesses kept in neighborhood centers. The threat that Route 28 will become a sprawling strip of development – the kind of strip development that harmed neighboring communities -- becomes a memory. Of the 352 parcels on Main Street, not all are affected. Compared with over 7500 parcels in all of Chatham, zoning reform affects a small number of Chatham property owners; less than 5%.

Tweaking the town's bylaws has a disproportionately large and beneficial effect on the town as a whole, including Route 28 property owners. Development is in accord with the *Comprehensive Plan's* mandate to minimize development; not maximize development. This mandate is important to keep in mind when evaluating the benefits of zoning reform. Some reforms will concentrate development, such as small stores and homes including apartments in traditional compact neighborhood centers. Other reforms will reduce development between centers, for example, office buildings, fast food restaurants and apartment buildings.

The report is referred to as a land use planning study. In reality, the report and its recommendations are an historic preservation plan, an economic development plan, an environmental protection plan. Very substantial ecological and environmental benefits accrue to Chatham from reducing development and the number of parking lots on Route 28, reducing harmful storm water run-off that pollutes our fresh water ponds, wetlands and salt water estuaries. Open space, natural resource protection zoning will help protect environmentally sensitive areas located along Route 28.

The reports great strength is that it offers a straight forward path to implementing Chatham's *Comprehensive Plan* for Route 28. The report's recommendations for reforming Chatham's bylaws are few and present a regulatory framework uncluttered with unnecessary and arcane regulations. In keeping with this straight forward approach, we have limited our comments to just four of the twelve recommendations. We suggest that the draft report's recommendations be amended in accord with the *Comprehensive Plan* as follows:

- Recommendation #4; Property owners between neighborhood centers should be given the option of choosing between open space development and conventional development in the new *R20 Residential* zone. Open space development protects private property rights and the ecology of environmentally sensitive areas by creating open space as opposed to land consumptive conventional subdivision. Second, limit residentially scaled businesses located in the new *R20 Residential* zone to already existing businesses. Allow no new residentially scaled businesses in the *Residential* zone so as not to further intensify development there.
- Recommendations #1 and #9 go together; As a means of compensating for reduced development between centers, concentrate development in the new *Neighborhood Center Overlay* zones. The type and concentration of development in neighborhood centers and in close proximity should be those prescribed in Chapter 5, Historic Preservation, of Chatham's *Comprehensive Plan*. Prohibit undesirable uses.
- Recommendation #8; Adopt flexible building placement in the new *Neighborhood Center Overlay* zones. We suggest maximum and minimum front setbacks of from zero to twenty feet found in traditional village centers on the Cape including downtown Chatham. Limited, flexible setbacks offer a more pleasing streetscape to pedestrians and motorists, define the road edge, slowing traffic and benefitting businesses.

We suggest the Planning Board adopt priorities and package the report's recommendations into two or more packages for voter consideration at separate town meetings. The highest priority should be assigned to recommendations one through five plus recommendation eight that achieve the minimized development and historic preservation goals of Chatham's *Comprehensive Plan*. These six recommendations are closely related and can be understood by informed voters as a package of zoning reforms that preserve Chatham's historic character and protect Chatham's ecological environment. Workshop participants understood this.

The task now is to inform the wider public; the hundreds of voters that come to town meeting but couldn't attend the workshops. These voters can be informed through the press, public speaking engagements, committee hearings and mailings. There is precedent for this with the waste water initiative. The essential task between now and a future town meeting is to reach out to the broader community. Time spent by your Board and others hearing public comment was very substantial; it's time now to reverse the process and inform voters.

The Route 28 initiative has implications for the broader community; and opportunity for mutual gain. With this Cape Cod Commission report comes opportunity to engage Chatham's Historical Commission, Conservation Commission, Economic development Commission, Historic Business District Commission and other interested and influential groups including the highly respected Association to Preserve Cape Cod. Far from being divisive, this initiative unites our community. Informed voters of all stripes will support an initiative that prevents Route 28 from becoming a sprawling strip of development.

Rick Leavitt, Chairman
December 3, 2013

P.O. Box 155, West Chatham, MA 02669

Chatham Planning

From: Richard Gulick <richardjgulick@gmail.com>
Sent: Tuesday, November 12, 2013 11:22 AM
To: Chatham Planning
Subject: Comments on Draft Report

Great report-----two typos:

1. On page 8, 3rd line from the bottom: should be Historic Business District *Commission*, not Committee.
2. On page 13, *Future desires and changes*: the map store is in West Chatham, not in South Chatham.

I hope these changes are helpful.

Richard J. Gulick

P.O. Box 737

West Chatham, MA. 02669

508-945-1239(H)

508-237-3073©

richardjgulick@gmail.com

To the Chatham Planning Board
Re: Cape Cod Commission's Visioning Study
Cc Chatham Board of Selectmen
Deanna Ruffer
December 2, 2014

For about a year the Cape Cod Commission has been holding a series of outreach meetings regarding the Route 28 corridor, the nature of the villages of Chatham, possible rezoning and other changes to solicit information from the community. Many suggestions are based on the *Town of Chatham Comprehensive Plan* of a decade ago.

The Planning Board and the Board of Selectmen are now considering the Cape Cod Commission's Visioning Study and asking for public comments. It is important that our South Chatham association make comments.

- We strongly support the protection of the rural neighborhood character of the South Chatham Village area.
- We support the rezoning of the RT 28 corridor between village centers to R20 residential. The existing small businesses would be grandfathered. This is to discourage sprawl.
- We support making smaller the village center to include area between Pleasant Street and Mill Creek Road, which has been the village in recent history. This is the area for small neighborhood businesses, not commercial establishments.
- We support doing away with the flexible overlay districts that allow much more housing density than is appropriate in Chatham. For us in South Chatham, that is the area from Rt. 137 east to include the Schoolhouse Ice Cream shop.
- We do not support allowing formula stores (like CVS, Dunkin Donuts, other chain stores) in South Chatham Village Center as they are inconsistent with the rural characteristics and ask that the Zoning Bylaw be adjusted to prevent them.
- We support setbacks and massing that are consistent with the rural nature of the South Chatham neighborhood.

John J. Driscoll
44 Cockle Drive
South Chatham
978-475-7095

President of the Cockle Cove Meadows Assn.

To: Chatham Planning Board

December 2, 2013

Subject: Cape Cod Commission Visioning Study

Cc: Deanna Ruffer, Board of Selectmen

The directors of the South Chatham Village Association have reviewed the CCC Route 28 Visioning Report and have comments to make on behalf of our membership. These are organized in the same order the primary recommendations were presented to you and the board of selectmen on November 19, 2013.

1. Creation of unique overlay districts for each neighborhood center.

The study confirms the Comprehensive Long Range Plan's (CLRP) primary objective for South Chatham of retaining its rural neighborhood village character. Any overlay district here should limit business to small neighborhood establishments and prevent expansion of the commercial area. Further, we support the study's recommendation that the neighborhood center be reduced in size from that in the CLRP and recommend the limits be established as the area East of Pleasant Street and West of Mill Creek Road, the area historically defined as our village.

2. Direct formula based businesses to areas zoned GB and adjust the uses table of permitted uses between centers.

We do not support formula businesses along Main Street within the borders of South Chatham because they are inconsistent with the primary objective cited above in #1 of retaining South Chatham's rural village character. We do support adjusting the permitted uses along Main Street, as many allowed today are undesirable.

3. Adopt zoning to encourage mixed use in neighborhood centers.

South Chatham already has a significant number of mixed use properties including home based businesses, private houses with attached rental apartments, post office square with retail and apartments and many other examples. There is no need to encourage more mixed use.

4. Create zoning between centers to allow residentially scaled businesses or change zoning between centers to R20.

We strongly support changing zoning between neighborhood centers to R20 as recommended in the CLRP. This is consistent with Goal 1.A.1 to “Prevent Route 28 from becoming a sprawling strip of small and general businesses allowed under present zoning”. Existing businesses are protected under state grandfathering laws and should retain the right to appeal for a change of use.

5. Remove flexible development overlay districts.

We strongly endorse eliminating these districts as they are in conflict with the Goal cited in point 4 above.

6. Review zoning provisions for pre-existing, non-conforming structures and uses.

This is a complex area and it is too soon for us to weigh in on what is intended.

7. Retain the historic business district review procedures and policies.

We support this recommendation.

8. Add design standards and guidance re building placement, parking and setbacks/buffer zones.

We favor exploring this area, but reserve comment until the details are known.

9. Limit scale of development, massing, orientation and building shape to protect town character.

We believe this should include limits to residential as well as commercial buildings and development. Many houses on Main Street in South Chatham are located on deep lots lending them to tear down and replacement with high-density residential development such as has occurred along other parts of the Main Street corridor.

10. Re-use of existing buildings should be encouraged through incentives.

We support this recommendation and point out it requires permitting changes of use that support the reuse of existing buildings.

11. Incorporate links between open space via bike trails, between neighborhood centers and enhance green space.

We endorse this recommendation and believe that more open space should be required in multi-unit developments.

12. Clarify unclear or inconsistent parts of the bylaw.

We support this recommendation as the current bylaw has been in need of revision for a long time and the installation of sewers along much of the corridor makes revision of the bylaw an urgent priority.

We appreciate the opportunity to weigh in on the Commission's valuable report and urge the Planning Board, Board of Selectmen and town staff to place a high priority on implementing many of the recommendations quickly, Otherwise the corridor could become a victim of the unintended consequences of sewer expansion cited in the state's approval of the town's waste water management plan.

John F. Sweeney
President, SCVA

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JAMES M. NORCROSS

PLEASE REFER TO
FILE NO.

Via Electronic Mail and First Class Mail

December 30, 2013

Mr. Peter Cocolis, Chairman
Town of Chatham, Planning Board
261 George Ryder Road
Chatham, MA 02633

Re: Route 28 Visioning Project – Cape Cod Commission

Dear Mr. Cocolis,

I am writing on behalf of several of my clients to comment on the Route 28 Visioning Project submitted by the Cape Cod Commission. As local builders and businessmen, these individuals would like to provide a different perspective on the proposed changes than that offered during your December 3rd public forum.

While they are encouraged by the Commission's proposed objective of creating several neighborhood centers along Route 28, there is a key component missing that would enable the actual creation of a true neighborhood center. The concept of density is often looked at in a negative fashion in Chatham but, in order to facilitate the creation of a neighborhood center with sufficient commercial and residential options, there needs to be a provision in the zoning bylaw that allows for greater density in these areas. This is a necessary element in order to not only create the 'look' of a neighborhood center, but also to provide the mechanism, from a financial perspective, for an individual or company to undertake such a project.

Additionally, my clients understand that there is debate about what the boundaries for these neighborhood centers will be and who will set those boundaries. This is a crucial topic and one that is worthy of more discussion with your Board. They believe that the long range vision for

these neighborhood centers must be taken into consideration when creating such boundaries. I would urge you to include business owners, builders, and developers in this discussion as they will have valuable insight into determining boundaries which will allow the desired revitalization of these areas to be achieved.

As a corollary, provisions for greater density within the neighborhood centers will provide for the ability to construct new affordable housing in the form of accessory residential apartments. Clearly individuals who argue for neighborhood centers with no greater density, removal of the flexible overlay district and conversion of Route 28 into an "R-20" Zone have no desire to see affordable housing within the Town. Any statements to the contrary are simply lip service.

Finally, Recommendation No. 8 appears to be a positive initiative as it would allow for greater design flexibility within the neighborhood centers. Bringing structures closer to the road and placing parking behind or to the side will only improve the aesthetics of these areas.

My clients and I would welcome the opportunity to speak with the Planning Board at an upcoming meeting to discuss our thoughts in more detail. Thank you for the opportunity to comment on this draft report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William F. Riley". The signature is fluid and cursive, with a long horizontal stroke at the end.

William F. Riley, Esq.

Minutes
Chatham Board of Selectmen
November 19, 2013
Town Hall Annex Meeting Room
261 George Ryder Road

Attending for Board of Selectmen: Tim Roper, Chairman; Len Sussman, Vice Chairman; Florence Seldin; Sean Summers. Jeffrey Dykens, Clerk, absent. Attending for Planning Board: Peter Cocolis, Chairman; Cory Metters, Vice Chairman; Katherine Halpern, Clerk; John Hausner; James Norcross. Richard Gulick and Robert Dubis, absent. Also attending: Jill Goldsmith, Town Manager; Dr. Robert Duncanson, Director of Health & Environment; Deanna Ruffer, Director of Community Development.

Chairman Roper called the meeting to order at 4:01 p.m.

I. Minutes

November 12, 2013

Motion: by Florence Seldin to accept.

Second: by Len Sussman.

Vote: 4-0

II. Public Forum

Dr. Robert Duncanson, Director of Health & Environment, said the sewer construction work on the intersection of Cedar Street, Cross Street and Stage Harbor Road that was scheduled for Nov. 19 was delayed due to inclement weather and was now planned for either Nov. 21 or Nov. 25. This sewer connection work will close the intersection. Dr. Duncanson said an update will be issued as the date is confirmed.

Norma Avellar, South Chatham, asked when the public might comment on the proposed plan for the West Chatham corridor. Mr. Roper said the item was not on the agenda for today's meeting. He said the public comment period was open and the Board would not be discussing the item again until a future meeting.

III. New Business

A. Committee Update – Historical Commission

Historical Commission Chairman Frank Messina provided the Board with a report of the Commission's activities for the past year. Mr. Messina explained the demolition delay bylaw for the benefit of the public. He reviewed the number of applications for demolition in 2011 and 2012 and year to date.

Mr. Messina said a bill pending in the Massachusetts legislature would allow for the appointment of alternate members to the Commission. He said this would be beneficial for new members on the learning curve before serving as full members.

Mr. Messina recapped the ongoing programs and projects of the Commission and discussed the new initiatives which include working more closely with the Zoning Board of Appeals and the Historic Business District Committee and reviewing the Commission's policies and procedures to make the process of working with the Commission easier for the public.

Ms. Seldin asked about the ongoing maintenance of the Godfrey Gristmill. Mr. Messina said the Gristmill is under the jurisdiction of the Park & Recreation Department and that the Director of Park & Recreation, Dan Tobin, was working with the contractor who performed the restoration work to submit an estimate for annual maintenance services. Mr. Messina said grant money would be sought as Community Preservation funds cannot be used for maintenance. He said he would work with Mr. Tobin on this and report back to the Board.

The Board took no action.

B. Renewal of MOA; Pleasant Bay Resource Management Alliance

Carole Ridley, Coordinator, Pleasant Bay Alliance, said the Alliance consisted of the towns of Chatham, Harwich, Orleans and Brewster. The Pleasant Bay Resource Management Plan was adopted by the Towns in 1998 and has been updated and adopted at the 4 towns' Annual Town Meetings every five years. The third update to the plan was approved in Chatham in May.

The Memorandum of Agreement (MOA) between the four towns was now due to be renewed. There are no changes to the MOA except the term.

Ms. Ridley named the Chatham Representatives to the Alliance's Steering and Technical Committees. Dr. Robert Duncanson, Renee Gagne, and Ted Keon all serve on the Technical Committee while Jane Harris and Charles Bartlett serve as Chatham's representatives to the Steering Committee.

Ms. Ridley said the current agreement will expire on Dec. 31, 2013. The Harwich Board has already approved and signed and Orleans will consider it on November 20, 2013.

Ms. Seldin asked if the Steering Committee appointments were for a set term. Ms. Ridley said she would verify how Chatham appointed their representatives. She said there had been some turn over in Chatham's representatives to the Steering Committee since the Alliance's inception.

Mr. Summers asked about the status of dredging in the area of Fox Hill. Ms. Ridley said the updated Pleasant Bay Resource Management Plan includes a zone of potential

improvement dredging within the Area of Critical Environmental Concern (ACEC) and that is due to be approved by MA DEP. Concurrently there are also MA DEP regulation changes that have gone through public review and are next to be considered for approval by the DEP Secretary. If the plan and the regulation changes are approved then if the Town applies for a permit for improvement dredging within in the zone of potential improvement dredging that work would be considered in compliance with the plans and the regulations. Dr. Duncanson described the boundaries of the zone of potential improvement dredging.

Mr. Summers said that Town landings are under pressure from an increase in people accessing the water at a decreasing number of access points. He asked if there was a process for expanding ramps or landing infrastructure within the ACEC. Ms. Ridley said a Chapter 91 license application (required for any structure below mean high tide) would have undergone public discussion and review by the Conservation Commission prior to submission to MA DEP. MA DEP would ask the Alliance for comment on any application.

Dr. Duncanson said that the Alliance is not regulatory. He said the ACEC set the bar for approval at a higher level. He said the presence of staff on the Alliance Technical Committee allows for any proposal from the Town to be in compliance with the Resource Management Plan.

Ms. Seldin asked about the length of time of time a dredging permit application would take. Ms. Ridley said it is a lengthy process. Dr. Duncanson said that the process of gathering background data had begun in anticipation of approval by DEP of the Resource Management Plan and the DEP regulation changes.

Motion: by Sean Summers to sign the Memorandum of Agreement for the Pleasant Bay Alliance.

Second: by Florence Seldin.

Vote: 4-0

C. Levi's Path 40B Requested Amendment; Change of Location for Affordable Unit

Deanna Ruffer, Director of Community Development, said the Board had approved an 8 unit development in South Chatham that contained 2 affordable units. This request was for a change of location within the development for one of the affordable units. The Board's approval for this change is required prior to submission for the State's approval. Ms. Ruffer said both the Zoning Board of Appeals and staff have reviewed and approve of the change and recommend that the Board also approve.

Motion: by Sean Summers to support the change.

Second: by Len Sussman.

Vote: 4-0

D. Rte. 28 Visioning Project Draft Report – Joint BOS and Planning Board Discussion with Cape Cod Commission (Phil Dascombe, CCC Project Manager)

Deanna Ruffer, Director of Community Development, outlined the goals for the joint discussion between the Board of Selectmen and Planning Board on the Route 28 Visioning Project draft report.

Phil Dascombe, Cape Cod Commission, reviewed the 12 recommendations made in the draft report.

Mr. Roper invited the Board members to give their initial impressions of the draft report.

Peter Cocolis, Chairman of the Planning Board, said the recommendations were consistent with the Long Range Comprehensive Plan (LCP). He said the current zoning regulations did not allow the implementation of the LCP. He said the recommendations give the Town a path to the LCP.

Cory Metters, Vice Chairman of the Planning Board, said that prioritizing the recommendations will be a chore. He has particular concerns about recommendation #6 regarding pre-existing, non-conforming structures.

Mr. Dascombe said the Planning Board would need to decide how in depth they wanted to take recommendation #6. He said it would be a step forward to educate the public on the complexities of the issue.

Katherine Halpern, Planning Board Clerk, said the recommendations were consistent with the LCP. She said the implementation of the recommendations would allow the implementation of the LCP. On the question of zoning the areas in between the village centers, she said the LCP language is very specific that is should revert to residential. She said recommendations 1-5 could be accomplished fairly easily and part of recommendation #8 could be included in a package as well. She felt the other recommendations would be longer-term projects.

Mr. Cocolis asked if the in between areas were to be zoned as a modified small business zone if there would be a way to limit the number of businesses allowed.

Ms. Seldin suggested that the comments be kept to initial impressions at this time and not be allowed to get into specifics of any one recommendation.

John Hausner, Planning Board, said the recommendations were consistent with the LCP and noted that he believed the ability to move forward on the recommendations hinged on the definition of the boundaries of the 4 village centers. He also recommended further study of the 4 proposed village centers would provide adequate commercial opportunities in both summer and winter.

James Norcross, Planning Board, said the draft report was consistent with the LCP.

Mr. Summers said the current zoning along the Rte. 28 corridor encourages sprawl. He said he supports the concept of village centers but that those centers would need to be zoned with a high enough density allowed to actually make them village centers. He said the property owners would need to be involved early in the process so they understand the benefits these changes would have for them. He said any zoning articles brought to Annual Town Meeting would need to be written clearly and concisely.

Ms. Seldin agreed that the draft report is consistent with the LCP. She thought it would be important to not try to pass too many changes at one Town Meeting.

Mr. Sussman said the recommendations are the link between the goals of the LCP and the future. He agreed that they should not be too ambitious in taking articles to Town Meeting and he expressed that it is important for the Planning Board to get a win at Town Meeting.

Mr. Roper agreed that the implementation of the LCP is the goal. He agreed said that passing a few of the highest priority would build enthusiasm. He asked the Boards if the report missed anything.

Mr. Sussman said there were two approaches moving forward. He said either those recommendations that are easiest to pass could be pursued or the recommendations that address the biggest problems could be pursued. He cautioned the Boards to consider the complete removal of the flexible overlay district without further consideration as this district allows higher density necessary to multi-family housing and congregate housing which are important for both affordable and elderly housing. He said that having the in between areas zoned for small business would detract from the goal of concentrating businesses in the village centers.

Mr. Cocolis did not find the report lacking in any obvious area. He said it may be too ambitious to plan to take any article to 2014 Town Meeting as this is only a draft report. He said he would be in favor of packaging recommendations 1-5 for 2015 Town Meeting.

Mr. Metters felt that the public needed to be heard from before prioritizing the recommendations. He said there would also be short and long term goals. Mr. Cocolis felt the public should be made aware of the Boards thoughts on priorities.

Mr. Sussman said the Boards should act as leaders in moving the process forward.

Ms. Seldin agreed that short and long term priorities. She said there had been little to no demand for the type of development allowed in the flexible overlay district. She said the removal of formula businesses from the small business zone would be easy to take up quickly. She said it was important to keep commercial businesses in order to keep the Town vibrant and to prevent it from becoming primarily residences for summer visitors.

Mr. Hausner said he would like to hear from other Town boards such as Affordable Housing and Economic development, about their take on the impact of the changes. He

also said they should hear from developers and merchants. He said this would take some time.

Mr. Summers said there have been attempts to involve the public in the LCP for 10 years. He said there is a danger of analysis paralysis. He agreed with Mr. Sussman's comments that the Boards should be leading the way. He said staff should be writing the bylaw amendments so the Planning Board should not be concerned about that. He said he was in favor of going after the broad issues first.

Ms. Halpern agreed with that approach and said recommendations 1-5 made sense when taken together to create a basic structure for the concept of village centers with residential only zoning in between. She added that changing some design standards would also be easy changes.

Mr. Dascombe reviewed the two options for the areas in between the village centers. She said Option 1 would allow for a modified small business zone with residentially scaled commercial businesses like Marion's Pie Shop. Option 2 is for residential only zoning in between village centers. Mr. Dascombe said it was not clear from the workshops that were held which option was preferred.

Mr. Summers said without down zoning in between village centers the threat of sprawl remained. He recommended changing to residential only zoning in between village centers.

Mr. Sussman agreed and said businesses need to be encouraged to locate in the village centers. He stressed that the small businesses that are already in the areas in between village centers would be allowed to stay.

Ms. Ruffer and Mr. Dascombe said existing businesses would be grandfathered in the zone and could remain small businesses even if sold as the use remains with the property. They said if a building was converted from a small business to a residence and remained one for two years it would not be able to revert to small business. Ms. Ruffer noted that a business that was sold could change the business type within the same category of business.

Ms. Seldin said she agreed the areas in between should be re-zoned as residential only.

Mr. Cocolis said it would be important to conversely ensure that the mixed-use village centers not become too residential in nature but allow the properties to be commercial.

Mr. Hausner agreed with the residential-only consensus but reiterated the need to clearly define the boundaries of the village centers.

Ms. Ruffer thanked the Board for their guidance and said further refinement would come as the public is heard.

Mr. Dascombe said the density of the village centers would remain as they are as they are already higher in those areas. He said if the flexible overlay district is removed, language that allows multi-family or congregate housing could be added in somewhere else.

Ms. Ruffer added that the option of a 40B development for affordable housing would remain.

Mr. Sussman noted that the highest allowable densities in Town were still lower than in most communities.

Mr. Dascombe said the LCP lays out the general areas of each village center but the actual line does need to be drawn on the map. He said the exception is in South Chatham where the LCP describes a larger area for that village center than is being recommended by the draft report.

Mr. Roper said the Planning Board would be holding a meeting specifically to hear public comment on Tuesday, December 3.

Gloria Freeman, Chatham, read a letter (attached to these minutes) from Dr. David E. Burns, West Chatham Association, Inc.

Paul Kelly, West Chatham, asked the board to consider the effects of Article II of the Water & Sewer Regulations on Development. Mr. Roper said that was not on the agenda and would not be addressed this evening.

Both the Board of Selectmen and the Planning Board agreed by general consensus that the areas in between the village centers should be re-zoned R-20, residential.

Motion: by Florence Seldin to adjourn the Board of Selectmen.

Second: by Len Sussman.

Vote: 4-0

Motion: by Cory Metters to adjourn the Planning Board.

Second: by John Hausner.

Vote: 5-0

The meeting adjourned at 6:07 p.m.

Respectfully submitted by Shanna Nealy.

WEST CHATHAM ASSOCIATION, INC.
P. O. Box 291
West Chatham, MA 02669

November 19, 2013

Town of Chatham Selectmen:

The West Chatham Association is currently studying the complex Route 28 Visioning Project Draft Report and will be providing written comments within the allocated timeframe. We wish it to be known that we view this report with great concern for the West Chatham neighborhood center, West Chatham residents, other neighborhood centers along the Route 28 Corridor, and for the citizens and taxpayers of the Town.

While the Report recognizes the importance of the Comprehensive Long Range Plan, it often suggests changes, modifies, or misinterprets the Plan. We will present two examples:

- 1) While the Report admits that the Comprehensive Plan is "explicit" that the area between neighborhood centers is to be only residential, it then does a 180 degree turn and suggests a proposal for a new Corridor Residential District which is very similar to the Small Business District. Part of this new proposed district is "residentially-scaled businesses", but there is no explanation of why such businesses are needed or what they would be. Attendees at the workshops strongly disagreed with the concept of this proposal. Also the Report seems to suggest that existing businesses could be forced out, which is incorrect, implausible, and certainly not supported by us. We strongly support the Comprehensive Plan's stated goal to restrict areas between neighborhood centers to residential use.
- 2) West Chatham is recognized as the second most important commercial area in town, and the Report states that the West Chatham neighborhood center should focus on commercial and not on residential uses, which can be allowed, however, only "if mixed with commercial uses". It also states that the boundaries should be focused on the GB3 zone. The Comprehensive Plan does not say this – that residential is to be secondary to commercial. Is this what the residents want, and, if not, how do the residents make their wishes known? The Comprehensive Plan specifically provides residents with the right to limit their neighborhood center's boundaries.

We believe that numerous West Chatham residents would like their neighborhood center to be a modified Small Business zoning district and not zoned as GB3 with its inherent uses that are inappropriate for a neighborhood center: for example GB3 uses such as a sanatorium, a kennel, light industry and manufacturing,

and tent, trailer, camping vehicle and mobile home use. The list is long and worrisome and while some of the inappropriate uses require a special permit, we are all aware that about 95% - maybe more – of all special permits that are sought are approved.

Finally, we urge all Chatham citizens to be aware of the recommendations in the consultant's Report. The same dangerous suggestions could be applicable to your neighborhood and are certainly applicable to the Crowell Road area, the Cornfield, West Chatham, and South Chatham.

Sincerely,

David E. Burns, M.D. on behalf of the West Chatham Association, Inc. Board of Directors

Chatham Planning

From: Jane Patterson <clamfetcher@comcast.net>
Sent: Friday, December 27, 2013 3:05 PM
To: Chatham Planning
Subject: Route 28 West Chatham Visioning Study

To: Cape Cod Commission

My family owns property on Main Street (Route 28) in West Chatham. In your Corridor Visioning Study, you have proposed Corridor Residential District zoning for that property. I do not wish to see our land zoned anything but Residential 20. It has been used for single family homes and that is our plan for the future. Please understand that we do not want our land to be part of the neighborhood center. While we prefer not having to oppose zoning proposals that might come forward as a result of your study, we are willing to do so if our land is not zoned as outlined above.

We are also concerned about the West Chatham neighborhood center. The Flexible Overlay District should be abandoned and our local businesses should be protected from the intrusion of chain stores. We want our neighborhood center to be limited in size and scale.

Thank you for the opportunity to comment on what is to us an important issue.

**Jane Patterson
Judy Patterson
Post Office Box 242
119 Vineyard Avenue
West Chatham, MA 02669**

To: Chatham Planning Board
From: Deborah Ecker
**Re: December 3, 2013 meeting to hear comments about the "Route 28
Visioning Project Report 10/29/2013"**

My principal message to your Board is to ask you to consider the Visioning Report as strong confirmation of Chatham's Long Range Comprehensive Plan's Goal A.1.: "Prevent Route 28 from becoming a sprawling strip of small and general businesses allowed under present zoning. To do this, zoning shall be changed to limit the size of some neighborhood centers to keep development contained therein, change existing small business districts to residential zoning, and create specific criteria unique to each neighborhood center."

Currently, the Route 28 Corridor is vulnerable to changes of use and density that would prevent the Comprehensive Plan's principal goal from ever being achieved. It is up to your Board to initiate corrective actions to see this does not happen. Until you do, the Corridor is open to uses and densities that are far from what those of us had in mind when we as a town adopted the Plan a decade ago; or as participants in this Visioning Project expressed in their working sessions.

Please take notice that it only takes three of five members of the Board of Selectmen to allow any amount of increase in sewer flow. Town Counsel has told them they are permitted to do this under the authority of the economic development policies they created for the Sewer Bank. What this means is that between now and the time you move forward with corrective zoning bylaw changes, the Board of Selectmen have the potential to make decisions about proposed developments that could undercut what citizens have said they want for this Corridor by their unanimous adoption of the Comprehensive Long Range Plan and in their participation in the Visioning Project.

An example of a change of use that could cause the Comprehensive Long Range Plan's Goal A.1. to be unachievable is the allowable conversion of single family residences to multiple residences with a waived requirement for minimum lot size when the property is connected to a sewer. This is just one provision in our bylaw which in combination with no effective limit on allowable increases in sewer flow, would result in use and density of the Corridor that both the Flow Neutral regulation, also adopted unanimously, and the Long Range Plan did not intend.

I also recommend your considering changing all GB districts to SB. That change, relatively simple to accomplish, and one that is consistent with the Visions expressed in the working sessions, would remove undesirable uses now allowed under GB zoning.

In concluding, I commend to your attention these statements in the Visioning report which endorse the primary goal of Chatham's Long Range Plan.

Page 10 - "The plan's policies direct the town to limit commercial development and redevelopment to the existing commercial areas, improve the strip development character of the area, and restrict the area zoned SB to residential uses."

Page 13 - "Concerns: Sewer impacts - increased density and development; Flexible Zoning District; tear downs/ alteration in South."

Page 15 - "There is a relatively high residential development potential in commercial zones and the flexible development district, under certain assumptions."

"There is a potentially high non-residential development potential in the small business zone under certain assumptions."

"Growth potential is generally high outside the neighborhood centers."

"70% of people at the first workshop indicated that the buildout picture didn't match their vision for the future."

"While it is un-realistic to think that all the parcels in the corridor will redevelop as in the buildout scenarios, if development of the size allowed under buildout happens in one or two places than the character of the area may change."

Page 18 - "No group identified multi-family in large buildings as a desired land use."

"Small commercial uses were focused in the neighborhood centers."

Page 25 - Workshop 3: "Non residential uses should be focused in the neighborhood centers."

"Almost 70% of the opinions cast wanted to see residential density stay the same as current, or be lowered."

Page 26 - Same workshop: "In the areas between the neighborhood centers, very few people indicated that they wanted to see stand-alone businesses, but home occupations and small businesses within a residence seemed supported."

Page 29 - Re: buildout. Flexible Overlays and Small Business Commercial potential: The split lots "effectively increases the area available for commercial uses in the SB District, because the space needed for land consumptive parking is accommodated on areas zoned for residential uses. This provision could allow as much as 150,000 square feet of additional non-residential development in the corridor than would be allowed if commercial uses were limited to commercially zoned areas."

Page 40 - "There does not appear to be a desire in the community for additional 'stand alone' commercial in these 'in between' areas."

"The Comprehensive Plan explicitly states that these areas be re-zoned to R 20."

"Therefore the town should create a new zoning designation specifically tailored for the area that includes appropriate scale and use standard" "...the recommended new zoning designation called Corridor residential that is unique to the area...."

Page 41 - Very good suggestions about buffers that should be moved forward in 2014.

Page 49 - "Incorporate specific front setback landscaping requirements into all districts in the corridor. "

Page 51 - Place additional limits on size of structures. Use measurement of mass not FAR.

Please note: On Page 5, there is an incorrect date for adoption of the bylaw provision for Flexible Overlay Districts. The correct year is 1997. This is one of two uses of the date 1987.

Chatham Planning

From: Gloria Freeman <freeannie@comcast.net>
Sent: Monday, December 30, 2013 10:38 PM
To: Chatham Planning
Cc: Cocolis Peter
Subject: Route 28 Visioning Project Draft Report
Attachments: Route 28 Visioning Project Draft Report - submission to Cape Cod Commission and Planning Board.docx

Attached is a copy of my statement to the Planning Board on December 3, 2013. Since many of my comments are included in the West Chatham Association Inc's submission made earlier today, I am providing only the prepared statement used on 12/3/13. I eliminated some sections when I spoke at that meeting so that I was not providing duplicate information. Information that was provided extemporaneously is not included in the statement.

I hope that everyone has been enjoying this holiday season, and I send wishes for a Happy New Year for all.

Gloria Freeman

STATEMENT TO PLANNING BOARD
Route 28 Corridor Visioning Project Draft Report
December 3, 2013
Gloria M. Freeman

This is a complex document. It is well put together, but there is so much in it that is not fully explained. In many respects it appears contrived with the purpose to deliver what the consultant was hired to do.

At your meeting on Nov. 12, you went through the Draft Report's recommendations rapidly, and I say this with all due respect - you seemed more concerned about which recommendation to implement first rather than the entire content of the recommendations and whether they are in the best interest of the town. It sounded as if you were ready to move forward without due consideration for the recommendations themselves. That might be because the consultants' words seemed professional, reasonable, and believable so that your response was almost automatic. Few people have read this report - in part or in whole. I believe that most of the town does not have a clue how far reaching it is. If they did, they might be here tonight.

While the consultant claims to be providing a framework for achieving the vision of the Comprehensive Plan – and I believe you all seemed to agree that the recommendations are in conformance with the Comprehensive Plan – I was a member of the Long Range Comprehensive Planning Committee when the Plan was unanimously approved at Town Meeting in 2003. I believe I understand the Plan's intent and content. I was the Planning Board's representative on the Committee for several years before the Plan was brought to Town Meeting – and after. Paul Kelley and Vic DiCristina – who are present - were also on that Committee.

Initially I have several concerns, but none more than the realization, as stated in your Draft Report, that zoning changes are being proposed based on Figures 6 through 10. I was at all the workshops, and I do not believe the results of the piling on of yellow or green dots provided any basis for changes in our zoning bylaw, or even recognition. Some people had dozens of yellow dots which would surely skew the results and render this charade useless.

In the "Sewer Regulations" section of your Report, I believe that the purpose of Article II (often referred to as the Flow Neutral regulation), has been misinterpreted. This Article, as well as the Board of Health Regulations, and the Protective Zoning ByLaw complement each other and one should not supplant the others. The Massachusetts Secretary of Energy in certifying the Town Comprehensive Wastewater Management Plan warned of unintended growth within areas planned for sewerage and encouraged growth controls, regulations, and policies "...prior to the construction of any new sewer connections". This directive was ignored and the Route 28 corridor is vulnerable to changes of use and density not envisioned when the Comprehensive Plan was approved unanimously in May 2003.

Your Report recommends a review of Sewer Regulations to allow transfers of additional flow capacity into neighborhood centers without mention of the existing Moratorium on Transfers of Sewer Flow, and the negative impact such dealings in a public resource could create. Your Final Report should eliminate this recommendation.

As to the primary recommendations in the Draft Report:

1) The first recommendation calls for creating four unique neighborhood center overlays. That is not found in the Comprehensive Plan.

The Plan does state that specific criteria should be created and designed to maintain the unique and current character – the nature of each neighborhood center - and this can be done through a description of what the residents of each neighborhood want for their community, specifically permitted uses, density limits, preservation and conservation protections, and the like. But why overlays? My reading is that certain words have been utilized to give the impression that this is recommended by the Plan. It is presented skillfully, but it is incorrect.

The only mention of “overlays” in the Comprehensive Plan is to dispose of the existing flexible overlay districts. It doesn’t say to trade the existing flexible overlays for another kind. The flexible overlays have been such a threat to neighborhoods that I admit I cringe when I think about trading one overlay for another unless I know all the specifics.

I believe it is important to know the particulars and the underlying regulations before agreeing to move forward with this recommendation, and also to ask who is going to establish the criteria. I also believe that any overlay district should prevent expansion of commercial activity, as cited in the Comprehensive Plan. Planning these overlays is not going to be a simple job. One would hope that residents of the neighborhoods in which the overlays are to be established will want to have their desires heard and acted upon, and so it is important for you to go to the residents to ask what they want in their neighborhood center. What they like and don’t like. Citizens have been attending meetings for many, many years. They have said what they want and what they don’t want again and again. Sadly, they have not been listened to.

Another issue not found in the Comprehensive Plan is the recommendation that West Chatham should focus on commercial and not residential uses; and that residential can be “allowed”, “if mixed with commercial uses”. I think it should be made clear that the low-density residential uses on the north side should be designated as residential and not Corridor Residential. Nor should what is now the flexible overlay on the north side be part of the neighborhood center, which I’ll get to later.

2) Number two on your list is to “direct formula-businesses - CHAIN STORES - into the neighborhood centers” - if they are GB-3. No need to explain to me that formula businesses – if armed with Site Plan approval and a Special Permit – can be allowed. Norm Pacun explained our reasoning for writing the zoning bylaw the way we did when we brought a petition article to Town Meeting. As he said, townspeople overwhelmingly

did not want formula businesses – of course banks, and service stations, and even shops like McLaughlin’s are acceptable and that’s why we did not want to make the zoning bylaw so restrictive that Chatham could not host such businesses. But you know what? I believe that had we brought a restrictive bylaw regarding chain stores, it would have passed overwhelmingly. I doubt that any amendment directing formula businesses into neighborhood centers zoned GB3 – which is Crowell Road, the Cornfield, and West Chatham – will ever pass.

As a result, I believe that a careful review of the permitted uses in the various zoning districts is important. For example, in the GB-3 districts, expanded uses such as sanatoriums, kennels, bus terminals, dormitories, and adult use establishments that are currently listed should be revised to eliminate those uses which are not desirable or appropriate.

3) Adopt zoning provisions to encourage mixed use in neighborhood centers:

Mixed uses are important in neighborhood centers and are in conformance with the Comprehensive Plan. West Chatham already has mixed uses, and what is being recommended seems somewhat rigid to me. I think it is more important to contain commercial development to what currently exists, as the Comprehensive Plan recommends in the Plan’s Overview. After all, there are empty spaces and buildings in the existing neighborhood centers.

4) Create a new zoning designation in place of SB Districts in areas where low density residential and residentially scaled businesses are desired.

The Comprehensive Plan is clear and I believe that most of you agree – as did several of the Selectmen – that areas between neighborhood centers should be zoned residential. I attended all of the workshops and I believe that message was clear. Townspeople want to protect existing businesses located between neighborhood centers, and they will be protected through grandfathering. I hope that decision – to conform to the Comprehensive Plan’s directive to establish the areas between neighborhood centers as residential - is made soon so that we can move forward. I do want to say to you that there should not be any increase in density in neighborhood centers as a result. There are only two goals in the Land Use Section of the Comprehensive Plan and the first one includes the statement that “Bylaws and regulations should be created to ensure that intensity is maintained or minimized – never maximized.”

5) Remove Flexible Development District

I strongly agree with this – and I believe most townspeople will too. An important part of this though is how these areas will continue to be zoned and the uses that will be permitted.

6) Review Town's zoning provisions for pre-existing, non-conforming uses and structures.

This needs a lot more time than I've had to give to it. I am going to pass on this for now.

7) Ensure the HBDC review continues. Every time I pass Dunkin' Donuts in West Chatham and see the faded orange awnings and the enormous signage, I think that it was the HBDC which approved it. Numerous – many – townspeople spoke against the signage and the uncharacteristic adornments. The HBDC needs to reconsider their regulations, strengthen enforcement, and not bow to pressure to approve proposals that are not in keeping with the town's special character.

Also the HBDC is State Legislation and does not cover a good portion of Route 28 which is zoned R-20. However, if it wanted to exercise the authority it has and revise its regulations, the members could certainly do more to make the area attractive and in keeping with the character of the town.

8) Add design standards and guidance to zoning and review criteria, especially on building and parking setbacks and landscape buffers.

This will be an interesting exercise – what the design standards will be and who will enforce them. I am going to pass on this one as well for now.

9. Adopt zoning provisions to limit the scale of development. Sounds good. This will be another interesting exercise, and I hope that it includes residential as well as commercial development. But I think that Floor Area Ratios should not be dismissed so readily.

10) Adopt zoning provisions to encourage re-use of buildings. Again, sounds good and is in conformance with the Comprehensive Plan. Look at the 1736 House and the Cape Cod Commercial Fishermen's Alliance headquarters. Unfortunately the report seems to be recommending density bonuses or increased building coverages which should be eliminated in your Final Report.

11) Incorporate existing actions in the Open Space & Recreations plan and build/enhance on green and non-automobile connections in and around the study area. Townspeople should support green and open space, but I am going to pass on this until I hear some details. We are seeing ridiculous bicycle accommodations in the West Chatham neighborhood center – removing the turning lane so that what they call head-down bottom up cyclists can race – for 1200 feet and then the bike lanes end.

12) Clarify areas of the bylaw that are unclear, or inconsistencies between sections in the zoning bylaw. We certainly need a full revision of the Protective Zoning ByLaw – we all know that. Your efforts to bring about a broad consensus that will pass Town Meeting are important.

Thank you for allowing me to run through these recommendations. I look forward to future discussions and finally to a Town Meeting vote.

END OF STATEMENT

Chatham Planning

From: Gloria Freeman <freeannie@comcast.net>
Sent: Monday, December 30, 2013 2:49 PM
To: Chatham Planning
Cc: Burns, M.D. David; Tuxbury Bill; Cocolis Peter
Subject: Rte. 28 Visioning Project Draft Report
Attachments: WCA - Rte. 28 Visioning Project - WCA Statement on Draft Report 12-30-13.docx

Dr. David Burns, WCA President, is out of state. He asked that I submit this memorandum in his name in order to conform with your deadline.

Best wishes for a Happy New Year!

Gloria Freeman, Secretary, West Chatham Association, Inc.

To: Cape Cod Commission
Attn.: Phil Dascombe

The directors of the West Chatham Association, Inc. (WCA) have reviewed the Route 28 Visioning Project Draft Report and have comments to make on behalf of our membership, some of which are in greater detail than what was previously presented to you by Director Bill Tuxbury in his comments on December 3, both spoken and, as submitted more recently, in writing.

At the outset we wish you to know that we are mainly addressing, in the same order as presented to the Board of Selectmen and the Planning Board on November 19, 2013, your primary recommendations, although we must mention our concern regarding your interpretation of the Long Range Comprehensive Plan (LRCP); existing Sewer Regulations and Board of Health Regulations, each of which limit development; and the Historic Business District Act and Regulations. We refer you to the December 30th analysis of Norman Pacun on these items, as well as Mr. Pacun's comments on your Land Use Plan Buildout with which we are in full agreement. Our comments are not restricted to West Chatham. From its inception, the WCA was formed to provide a voice for citizens throughout the town of Chatham and indeed our membership includes many individuals from all parts of Chatham.

- 1) Create four unique neighborhood centers, tailoring the boundaries to create areas where similar land use is desired.

The LRCP Land Use section recommends preserving "...existing neighborhood centers by limiting their boundaries based on the collective needs and desires of each specific neighborhood's residents". Your Report fails to mention that it is the residents who should make any decision regarding the boundaries. This will be a major zoning change and should be acknowledged in your Final Report. Additionally, West Chatham residents are deeply aware that the smaller the neighborhood center, the less development that is possible. We will also be watchful that West Chatham is not given greater density and intensity than other neighborhood centers. For example, while your Draft Report stated that the proposed neighborhood center boundaries follow the general description in the LRCP, in fact you have proposed that the South Chatham neighborhood center be reduced to one intersection. We look forward to learning in greater depth the desires of West Chatham residents in regard to their neighborhood center, but we are certain that they clearly want density minimized or maintained; a careful review of the uses allowed; more green space; protection of historic assets; and that they do not want the face and character of West Chatham changed to something it has never been and is not wanted to be.

It is our view that the details of this plan could result in unintended consequences for one or more neighborhood centers, and that such proposals will be met with great resistance when and if the zoning bylaw is revised.

In the West Chatham neighborhood center, you recommend focusing on commercial/business activity. The LRCP states that “The primary growth management challenge facing the town today is to keep Chatham as it is now – preserving the unique character of each neighborhood, maintaining and minimizing commercial development (emphasis mine), conserving open space...”, which clearly indicates the importance of containing commercial development to what already exists. There are few residents who want to see expansion of commercial/business uses beyond what exists.

Townpeople take pride in the historic Harding land on the north side of Main Street. That property should not be included in the neighborhood center or in an overlay district, but should be included in the R-20 part of the corridor because such is the desire of the family who owns it, and residents agree.

There are very few bicyclists who use Main Street/Rte. 28. Bicyclists should be encouraged to use the bike path constructed for this purpose.

- 2) Direct formula-business activity into the neighborhood centers currently zoned GB3.

It appears that you have totally misunderstood the Formula Business Establishment ByLaw (FBEB) and townspeople’s aversion to having additional formula businesses. We would strongly oppose any future zoning amendment “directing” chain stores into neighborhood centers zoned GB3, which is Crowell Road, the Cornfield, and West Chatham and doubt that it would pass at any Town Meeting. However, we would support a more restrictive FBEB.

- 3) Adopt zoning provisions to encourage mixed use in neighborhood centers.

Mixed uses are important in neighborhood centers and are in conformance with the LRCP and already exist in West Chatham. This proposal though seems far-reaching in allowing “mixed use development” as a permitted use; allowing the “mix” to be left up to the property owners; and encouraging “design guidelines” when the HBDC has extraordinary authority already.

- 4) Create a new zoning designation in place of the Small Business District in areas where low density residential and residentially scaled businesses are desired.

This proposal is baffling. You admit that the LRCP is explicit that the area between neighborhood centers is to be only residential, but then propose, instead of R-20, a new Corridor Residential District - with “residentially-scaled businesses” - which is very similar to the Small Business District. There was no outcry for this drastic change to the LRCP’s recommendation and we strongly oppose it. Existing businesses have and will continue to be protected and your suggestion that they could be forced out is incorrect.

5) Remove Flexible Development District.

The removal of Flexible Overlay Districts is in conformance with the LRCP and in keeping with the desires of the overwhelming majority of citizens who do not want the higher density currently allowed and who reject the dimensional standards that are permitted. We strongly support the elimination of all of these Districts, although there is concern about the dimensional requirements and allowed uses that will replace Flexible Overlay District requirements.

6) Review Town's zoning provisions for pre-existing nonconforming uses and structures.

The majority of our directors attended every workshop and we cannot recall any discussion at any one of them indicating any complaints that "...local rules and practices governing non-conformities are at odds with state provisions".

Your Final Report should include recommendations for the limitation and reduction of special permits, as well as limits on the extension of non-conforming uses and additions, as cited in the LRCP. Specifically, the Plan calls for the review of all special permit applications "for new, changed or expanded uses in light of the plan's goal to maintain and preferably minimize intensity". It also cites "Any expansion or intensification of non-conforming commercial uses outside of neighborhood centers and other commercial districts should be discouraged". Importantly, the LRCP's Land Use section states quite clearly: "Decisions on site plans and special permits shall (emphasis mine) be strictly guided by the plan's first land use section goal, which is:

"To permit only that growth and development that is consistent with the carrying capacity of Chatham's natural environment in order to maintain the quality of life in our Town. Chatham should retain its small town and seaside resort character and any development should maintain that, not minimize or destroy it. Promote the re-development and reuse of existing developed property rather than the development of vacant land. Bylaws and regulations should be created to ensure that intensity is maintained or minimized - never maximized." (Emphasis mine.)

While the Draft Report refers to "...the palette of landscape and streetscape improvements", which presents a pretty picture, there are few details as to how existing non-conforming structures would be treated. We ask that your Final Report contain more information in this regard.

- 7) Ensure the Historic Business District review continues to apply along the corridor, even if zoning is changed.

While recognizing that the “HBDC plays an important role in preserving historic buildings and protecting the character of the corridor”, and recommends the continuation of this role even if zoning is changed, there is no mention of the dire need of stronger enforcement by the HBDC when making decisions. West Chatham, very unfortunately, has Dunkin’ Donuts in its neighborhood center – a constant reminder that the HBDC needs to use its authority and not bow to pressure to approve proposals that are not in keeping with Chatham’s special and historic character.

- 8) Add design standards and guidance to zoning and review criteria, especially on building and parking setbacks, and landscape buffers.

While we support stronger enforcement to ensure projects that are in keeping with Chatham’s special and historic character, we hope that your Final Report will provide additional details. Also, there is no mention of who would make such determinations. Chatham’s HBDC has extraordinary authority and yet in practice often does not provide the protections available to it.

- 9) Adopt zoning provisions to limit the scale of development.

While your Draft Report refers to public dislike of the general appearance of the corridor, in truth, at the workshops, there was little spontaneous discussion of this item with the exception of more green space and better landscaping. Most attendees favored parking in the rear or on the sides and in fact the LRCP suggests this; however, especially in West Chatham, residents prefer the roadway to continue to offer the two-way turning lane and they oppose roundabouts. While you have quickly suggested that this element of the neighborhood center is not part of your study, it should be, as it is at the heart of what residents want for their community.

We favor further discussion of this recommendation to limit the scale of development which is in conformance with the LRCP. We advocate for more careful site plan reviews and grants of special permits as well as a strengthening of the HBDC review, but not a wholesale teardown of areas of the corridor that have served the community well. There is no blank canvass on which to achieve some of your recommendations; nor is one desired.

We believe this limitation should include residential as well as commercial buildings and development, and that FAR should not be so quickly dismissed.

- 10) Adopt zoning provisions to encourage re-use of buildings.

We support encouraging re-use of buildings, which is in conformance with LRCP recommendations, but see no reason for “by-right” use and density bonuses. Stronger application of existing HBDC regulations regarding demolition of historic structures should be implemented.

- 11) Incorporate existing actions in the Open Space and Recreation plan and build/enhance on green and non-automobile connections in and around the study area.

Citizens have always supported more green and open space. However, this needs to be carefully reviewed particularly with respect to bicycle paths.

- 12) Clarify areas of the bylaw that are unclear, or inconsistencies between sections in the zoning analysis.

We have strongly recommended a full revision of the Protective Zoning ByLaw for many years, particularly now when the installation of sewers makes such a revision a necessity. However, we believe that any plan for development must be managed with great care and in conformance with the Land Use Section of the LRCP.

Thank you for the opportunity to comment on your Draft Report. We look forward to the Planning Board’s open and transparent review of your and the public’s recommendations. We hope that any review will be respectful of what citizens want for their neighborhood. Recently there seems to be autocratic decisions by town officials that do not in any way reflect what the citizens and taxpayers want. Over many years – both before and after unanimous approval of the LRCP at the 2003 Town Meeting - townspeople have spoken again and again in regard to their vision for their neighborhood and for Chatham. As quoted in the LRCP’s Community Vision Statement, “There is great concern that Chatham not fall victim to development forces which would deteriorate its uniqueness and turn it into Anyplace, USA.” It also states that “...the overriding concern is for Chatham to hold onto what it has and ward off changes which could undermine its character and beauty.”

Most sincerely,

David E. Burns, M.D. for the West Chatham Association, Inc. Board of Directors

Chatham Planning

From: Norm Pacun <clamknife@comcast.net>
Sent: Sunday, December 29, 2013 9:26 PM
To: Chatham Planning
Cc: clamknife@comcast.net
Subject: Route 28 Visioning Project Draft Report

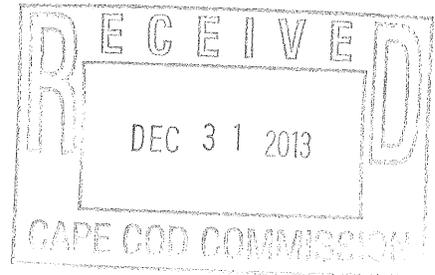
Cape Cod Commission:

Att: Phil Dascombe

This will confirm that I mailed my comments on the Draft Report to you today by U.S. Mail.

Norman Pacun
14 Sunset Lane
Chatham, MA 02633
clamknife@comcast.net

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December 30, 2014

Cape Cod Commission
3225 Main Street
PO Box 226
Barnstable, MA 02630
Attn: Mr. Phil Dascombe

Re: Route 28 Visioning Project
Public Comment

To the Cape Cod Commission:

Thank you for the opportunity to offer public comment on your Draft Report of the Route 28 Visioning Project and its recommendations for land use and development patterns along this vital corridor into the Town of Chatham.

For ease of review, I have divided my comments into the following parts:

- A. Summary of your Draft Report and its Contents
- B. Specific Review of your Overall Recommendations, Primary Recommendations, Supporting Recommendations, Administrative Recommendations, and of your interpretation of the Town Sewer Regulations.
- C. Review of your Buildout Analyses.
- D. Key Points of your Draft and our Final Conclusions.

A. Summary of your Draft and its Contents:

1. Your Draft Report is 63 pages long (plus Appendices) and contains maps, charts, tables, and figures. Clearly, it is the most important single set of information regarding the Route 28 Corridor into Chatham, how the Corridor has been developed to date, and how it can and should be developed and regulated in the future.

2. The Draft includes a series of Recommendations divided into categories from Primary to Administrative. In addition, you have described other tools of land use planning such as Buildout, Floor Area Ratio ("FAR"), pre-existing non-conforming uses and structures, and the role of the HBDC. Analyzing each of these and how they operate is critically important in searching for solutions to the problems associated with the existing Route 28 Corridor and trying to determine if your Recommendations, based on these tools and on the other information contained in your Report, are valid.

3. The Report also relies, to a great extent, upon your analysis and interpretation of the Town Comprehensive Plan and of our existing Sewer Regulations and Board of Health Regulations which limit development, along with our Protective Zoning ByLaw, the Historic Business District Act and regulations, and other legislative enactments. Similar to the other land tools referred to above, all of these must be considered fully if we are to understand how the town has presently regulated development along the Route 28 Corridor, and what will be necessary to do in the future in order to go forward with the recommended changes---- if that is what the townspeople want to do.

4. The Report includes and describes the three Workshops which were held with the public and the issues and opinions that you state were “identified” as part of these workshops and how these fit into your Recommendations.

5. Overall, the Draft Report is professionally done, and its conclusions should be carefully considered. Its support of the Comprehensive Plan and its section on Land Use are welcomed, especially after ten years of neglect by the Chatham Planning Board and the Board of Selectmen. However, there are significant portions of the Report that are not correct, ultimately leading to Recommendations that are wholly or partially inaccurate. Accordingly, the Draft needs to be redone before any action is taken by the town which would improperly rely upon its contents.

I will now try to comment upon some of the most important items in your Draft while following its structure and beginning at Page 29-30 (Sewer Regulations).

Your Interpretation of the Sewer Regulations (Pages 29-30):

1. Your Draft states that the primary purpose of your review of the existing Sewer Regulations was to “clarify whether zoning **OR** sewer regulations play a greater role in controlling development/growth.” (Emphasis Added).

Comment: This is a false premise. Zoning AND Article II of the Sewer Regulations AND the Board of Health Interim Nitrogen Loading Regulations complement each other. The adoption of each of these regulations was never an “either-or” concept. This is substantiated by language of the Town Comprehensive Waste-Water Management Plan and by the Certification of such Plan by the Massachusetts Secretary of Energy, who stated as follows:

“Sewering and Growth Management

The FEIR/Final CWMP includes a discussion of the potential future build-out of the proposed Phase I and Phase 2 sewer areas and the consistency with Executive Order #385 which discourages unintended growth within areas planned for sewerage. In May 2005, the Town passed a new section of the Town of Chatham’s Rules and Regulations of the Sewer Department designed to limit growth that might occur in newly seweraged areas of Chatham. As

described in the FEIR, the Town has adopted a 'flow-equivalent' regulation that would limit the development or redevelopment of existing properties by restricting the number of bedrooms allowed to the number of bedrooms the property is currently allowed under Title 5 and local zoning.

I encourage the Town of Chatham to consider additional growth control by-laws, regulations, and policies...The Town should adopt any proposed growth by-laws, regulations, and policies prior to the construction of any new sewer connections."

2. Your Report claims that sewer regulations do not allow for more development than allowed by zoning.

Comment: *This statement is also incorrect. Additional sewer flow is specified by either Title V or by Chatham's zoning bylaw (such as the flow needed for a certain number of seats in a restaurant or to operate a laundromat or for forms of multi-family housing). Your Draft actually admits that sewer flow affects "intensity". In a single-family residence limited by the Board of Health Regulations, only a certain number of bedrooms are allowed, but residences presently connected to the sewer system are not so limited (except as set forth in Article II of the Sewer Regulations).*

3. Your Report states that it is not considering whether one-bedroom residential units are "economically feasible".

Comment: *Your Draft should have recognized that one-bedroom units make no sense economically and this should have been taken into account.*

4. Your Report recommends that the town should review the Sewer Regulations to allow Transfers of additional flow capacity into neighborhood centers where additional flow "is needed".

Comment: *Your Draft completely overlooks the fact that the Sewer Regulations incorporate a Sewer Bank Policy which imposes a complete Moratorium on Transfers of Sewer Flow, which has been in effect since at least 2003. This recommendation fails to address the adverse effects of transfers of sewage flow from one landowner to another—trafficking in a public resource and withholding its use as if it were a property right are just a few. (There is no legal support for the claim that sewer flow is a private right which can be bought and sold.) This recommendation is without support and should be withdrawn in its entirety.*

Your Overall Recommendations (Page 31):

1. The Draft acknowledges the need for “achieving the Comprehensive Plan vision”, but states that “sweeping zoning changes are not necessary to accomplish this goal.”

Comment: We agree with the need to achieve the vision of the Comprehensive Plan which is vital to restoring the health of the Route 28 corridor. However, your specific Recommendations (see below) do not always do so and very often seek to change or modify the Plan and do so without acknowledging that changes or modifications are being sought. Further, the statement that “sweeping zoning changes are not necessary to accomplish this goal” is highly optimistic and inaccurate: the simple fact that almost all of the corridor is presently developed and that such development is non-conforming and contains many non-residential uses will in and of itself make it difficult to get this done.

Your Primary Recommendations (Pages 31-37):

1. Create four unique neighborhood centers by setting boundaries with similar land use. This would be done by creating four specific overlay districts with underlying regulations for each.

Comment: Doesn't this change the Comprehensive Plan? Doesn't the Plan specifically provide that each center will have boundaries determined by the residents of each neighborhood? Further, doesn't this require a major zoning change! Fixing exact boundaries of each center will itself be a huge undertaking with lasting economic and social effects. Coupling this with the crafting of new regulations for an overlay district will only exacerbate that undertaking. These centers appear to be the only areas along Rt. 28 where additional “Stand Alone Commercial Uses” would be permitted, which we support. Why is it necessary to have overlay districts? Would it not be easier to change the zoning along the corridor by prohibiting new stand-alone commercial uses and restricting the issuance of new special permits to expand or change existing commercial entities which we believe is clearly permissible under the State zoning law. Lastly, we are also very concerned that the creation of new overlay districts, with the likelihood that the Planning Board would have discretionary authority to approve “the structures and businesses that go into such districts, would be similar to the existing Flexible Overlay Districts and become a means to create additional density which is not intended under the Comprehensive Plan.

2. Boundaries are to follow the “general description in the Comprehensive Plan”, but “minor changes” may be needed.

Comment: Changing the boundaries is not a minor change of the Comprehensive Plan. Calling it “minor” doesn't make it so. We

believe that the Plan should be followed, and surely any change to the Plan such as this should require the approval of Town Meeting.

3. Recommendations on each of the four centers are as follows:

A. Crowell Road: You note that some of this area is beyond the study area of the Project, but you still recommend that its neighborhood center should focus around Route 28 only and leave its GB3 area untouched.

Comment: Why? Is the area along Crowell Road to Tip Cart Road “secondary” in terms of “gateway feel”? We do not believe this is correct. Your final Report should consider fully the effect on the corridor portion of the neighborhood center of leaving the Crowell Road/Tip Cart area unchanged.

B. Cornfield: *No comments.*

C. West Chatham: Your Draft describes this center as the second most important commercial area in town. Your recommendation says that this neighborhood center should focus on commercial and not on residential, which can be allowed “if mixed with Commercial uses.” Your Draft claims that boundaries should be focused on the GB3 zone.

Comment: Does the Comprehensive Plan say this-- that residential is second to commercial? We do not believe that this is the case. Is this what the residents want and, if not, how do the residents make their wishes known? (See “Results” in App. D.) The likely effect of having this center focus on commercial uses would be to create greater density/intensity which is exactly what the Comprehensive Plan warned against. (“Bylaws and regulations should be created to ensure that intensity is maintained or minimized— never maximized.”)

D. South Chatham: You recommend that the neighborhood center shown in the Plan is too long (.5 mile along Rt. 28) and that it should be limited to the area at the intersection of Morton Road and Route 28. “The remainder of the center described in the Plan” could continue “to support small commercial -business uses” but “would not allow new stand-alone commercial uses”. Major focus in this area should “encourage small scale development”.

Comment: This would become a neighborhood center with two distinct parts and appears to be a change from the Comprehensive Plan. The Report should have admitted

that its recommendations differ from the Plan, not try to claim that the Plan doesn't make sense. Also, the Report suggests that "existing non-residential uses in this area should be allowed to stay." In fact, there is no way for them to be removed under the law, and it was never the suggestion in the Plan that they be removed. All in all, however, the residents of South Chatham may favor these recommendations, and we would support a center that meets the views of these residents.

4. (P. 37) Your Draft recommends that Formula Businesses be directed into the neighborhood centers currently zoned GB3. The Report refers to the existing zoning bylaw on Formula Business; indicates which businesses "appear to meet the definition"; specifies where such Businesses can be located under the bylaw; and concludes that "there does not seem to be strong support for allowing this use anywhere in the Corridor"; but then suggests that they be channeled into the neighborhood centers.

Comment: This is a total misunderstanding of the law as well as the sense of the town regarding Formula Businesses ("FB"). The 2009 Town Meeting voted to exclude FB unless a SP and Site Plan approval were obtained from the ZBA and PB, respectively. All of the FB in the Corridor (other than CVS which is a special situation) antedate the bylaw. App. D (Public Participating Session) reconfirms the distaste of Chatham residents for FB, for example, fast food restaurants and "shoe warehouses". It is a misstatement to mildly say that "there does not seem to be strong support for allowing this use anywhere in the corridor". So why is it recommended that they be directed into the important neighborhood centers rather than further restricted? Example: If the Box Office Café in South Chatham were to be sold to McDonald's, this recommendation would have the effect of approving this FB in a neighborhood center!

5. (P.38-39) The Draft recommends that zoning provisions be "adopted" to encourage mixed uses in a neighborhood center. It then seeks to clarify what is meant by "incidental use". The Report urges the town to change the zoning so that there be "guidance" through its bylaws and design guidelines. Examples include listing a "mixed use development" as a permitted use; requiring that commercial uses occupy some portions of the lower levels and prohibiting residential on lower levels and also prohibiting solely residential development. But it then says that the final decision on just what the "mix" should be left up to the property owners.

Comment: The Comprehensive Plan does not appear to address this broad issue. The Historic Business District Commission ("HBDC") has extraordinary authority to establish design guidelines and should be encouraged to strengthen these and additional regulations and enforcement mechanisms; however, the HBDC is omitted here,

perhaps inadvertently. *Question: did the workshops show “strong support” for a mix of residential and businesses in the neighborhood centers? (It certainly did not in App. D.) Lastly, leaving the final decision in the hands of the property owners themselves is not an effective zoning bylaw or an HBDC regulation.*

6. (P.39-41) Your Draft recommends that there be a new zoning district in place of the SB in areas where residential “and residentially scaled businesses” are desired--you claim that there is support for the “existing non-residential uses to remain in these in-between areas.” (i.e., home occupations/antique shops/gift shops). You then recommend the creation of new Corridor Residential District “similar to SB” but excluding stand-alone commercial.

Comment: Nothing in the Comprehensive Plan supports increased non-residential use in the SB District. The Plan says it should be turned into residential—period. Your Report reluctantly recognizes this, but then promotes a Corridor Residential District. We strongly disagree that people at the workshops wanted this. Also, your Report seems to suggest (see p. 41, for example) that existing businesses could be forced out, which is simply incorrect and implausible. The suggestion that such “corridor residential uses” can be accepted and designed better misses the point: the Comprehensive Plan is explicit on the subject that the SB Districts between neighborhood centers be changed to residential.

7. (P.41) Your Report recommends that the Flexible Overlay Districts be stricken from the Zoning ByLaw. These Districts allow very high density and confusing dimensions. The public found the Flexible Districts to be inconsistent with the intent of the Comprehensive Plan. Very little development has occurred in these Districts in the last 25 years. Note that two of the Districts are outside of the Corridor and have not been studied. Deletion of the existing Flexible Districts in the Corridor could create new non-conformities, but removal would reduce the potential density by as much as 50%.

Comment: The Report inadvertently fails to specifically state that the Comprehensive Plan wants these deleted. The Report also fails to note that the provisions of our ByLaw give the Planning Board extraordinary power to allow building within the Flexible Districts to bypass regular zoning and essentially create a non-conforming use. We strongly support the complete elimination of these Districts.

8. (P. 43) The Draft recommends that there be a thorough review of the town’s “non-conformity” situation and the applicable state law which the public does not seem to understand. This study should start immediately and run concurrently with the proposed land use revisions.

Comment: The Draft should mention that the Comprehensive Plan strongly urges a limitation and reduction on the granting of special permits and on the expansion of non-conforming structures and uses. The

Report should also refer to and consider the role of the ZBA in all of the existing zoning and proposed revisions and how they may effectively alter what is being proposed for the Corridor unless the bylaw changes are strictly drafted and applied and the ZBA authority restricted.

Your Supporting Recommendations (Page 44 -56):

9. (P.44) Your Draft wants assurance that the Historic Business District review continues along the Corridor, even if zoning changes. It notes that existing HBDC review applies to all business districts in effect on 9/9/85 (including those in the Corridor regardless of use). It also recommends that the HBDC review process be strengthened and that revised dimensional standards be consistent with HBDC goals.

Comment: It is important to note that the Historic Business District includes municipal properties in the District on 9/9/85. It also is important to note that the HBD is state legislation and that any revisions of the Act (and possibly the Regulations) require State Legislature approval. Your earlier and later recommendations that the corridor have "its own design standards" would be in potential conflict with the actions of the HBDC which may well "trump" the town zoning bylaw. Finally, it is also important to note that the area between Uncle Zloty's Road and Colonial Drive is NOT a business district (R-20) and HBDC does not govern it, so that there presently is no design review at all and that a change of law is required here. Subject to a strengthening of the HBDC guidelines and regulations, along with enforcement, we would support this recommendation..

10. (P.45) Your Draft recommends that design standards and guidance to "review criteria" be added especially as to building and parking setbacks and landscape buffering. It cites to public dislike of the general appearance of corridor; supports SB requirement of placing parking to side and rear, but notes that in GB3 Districts parking is forced to the front; recommends special parking setbacks in proposed neighborhood center overlay districts which would bring buildings closer to street while still having parking to side and rear; and also recommends that existing front landscaping buffers be strengthened either through Site Plan Review criteria or by including specifically within zoning requirements.

Comment: The Draft fails to note that building and parking setbacks and landscaping review in the HBD along the corridor are presently "shared" between the PB and HBDC in GB3 Districts; but that the PB does not exercise Site Plan Review for single-family residential buildings. To the extent that any decision is "discretionary", who would make such determination? (In GB3 Districts it would be the HBDC, but in the R-20 District it would have to be another entity unless the HBD legislation were revised.)

Front landscaping requirements should receive strong public support, but the Report fails to mention existing non-conforming structures and how they would be brought into “the palette of landscape and streetscape improvements” and who would pay for this. The Report should make it clear that only new building or additions/changes would cause such properties to be subject to any revised zoning bylaws that would alter or improve their landscaping or appearance.

11. (P. 51) The Draft recommends that the “scale of development” somehow be limited as suggested in the Comprehensive Plan. (“intensity of development should be ‘maintained or minimized---- never maximized”). It recognizes that the height limit contained in the zoning bylaw does not limit the bulk of structures. It discusses Floor Area Ratio (“FAR”) but then dismisses it as not controlling bulk and mass. It recommends several alternatives to FAR including limiting the building footprint; requiring a certain amount of “articulation” in the building facades; and by including “design guidelines” as to how the structure orients to the street.

Comment: Further limitations to the scale of development along the corridor, as set forth in the Comprehensive Plan, should be strongly supported by the public. However, the Report gives short shrift to FAR— this can include further limitations by addressing the issue of bulk and by requiring or favoring articulation. Further and unfortunately, the Report fails to consider the role of the HBDC here and the need for them to strengthen their review process (HBDC has power to deny approval, subject only to appeal to the Selectmen which itself is limited under Massachusetts case law.) If not the HBDC, then who would review or apply these “guidelines”? The Report does not say.

12. (P. 53) The Draft recommends adopting zoning provisions to encourage “re-use” of buildings in neighborhood centers. This could include requiring additions to the rear or below existing ridge height and incorporating these provisions into the HBDC Regulations, but examples refer to by-right and density bonuses or increased building coverages.

Comment: The Comprehensive Plan favors re-use over demolition and new development in neighborhood centers, which should be supported by the public. However, use of “by-right” and density bonuses is troublesome, especially where developers claims to have “re-used” but actually have gutted the structure, which is common. Isn’t being allowed to develop within a neighborhood center--- where competition is being limited--- enough of a bonus? The HBDC already can deny approval of demolition to any structure which is of historic importance to the HBD as a whole, and its regulations could be

revised to encourage reuse of buildings in neighborhood centers, but without creating greater density.

13. (P.54) The Draft recommends adopting an Open Space Connections Plan to complement the Town Open Space and Recreation Plan. This would allow the open space and recreational areas adjacent to the Corridor to “connect up” and can be done outside of zoning through town departments, boards and committees. This would include improving bicycle connections; improving pedestrian connections; prioritizing open space acquisitions; and incorporating further landscaping into zoning; providing a “gateway feel” at Rt. 137 and Rt. 28.

Comment: The addition of bicycling paths and sidewalks need to be looked at carefully in individual locations to the extent that these can adversely affect neighbors and residents and existing streetscapes. Generally, however, open space additions like those set forth in the Comprehensive Plan should be favored by the public so long as there are protections included.

Your Administrative Recommendations (Pages 57-58):

14. (P.57) The Draft recommends that we clarify inconsistent or unclear sections of the zoning Bylaw. Examples include whether Multi-Family is allowed in GB3; Lots in More than One District; Home Occupations and Retail Sales; and whether the term “acre” is intended to mean a “builder’s acre” (40,000 sf) or a full acre.

Comment: Clarifying the zoning bylaw is commendable, provided that it can be done without favoring further development which is not in accord with the Comprehensive Plan. Note also that a number of special “multi-family” type dwellings (i.e., congregate living facilities) are allowed in the GB Districts and in the Flexible Overlay Districts by special permit. Eliminating these completely would decrease the potential for greater density/intensity as to which the Report otherwise expresses its concerns.

Your Land Use Plan Buildout (Residential and Non-Residential (Pages 58-63):

(P. 58). The Draft has completed a series of Buildout Analyses so as to compare the development potential allowed under the existing Zoning ByLaw and that which would be made using the recommended zoning changes in the Report.

Comment: Many of the recommended zoning changes (e.g. a Residential Corridor District) do not appear to be contemplated by the Comprehensive Plan. Nor are some of the other assumptions clear enough to comment on sufficiently (e.g. Revisions to buildout results by scenario). Of greater importance, however, is that the Draft does not take into account the continuing and increasing activity of the ZBA in hearing and granting special permits to allow non-conforming structures and uses to further add and expand substantial dimensional non-conformities. Two recent cases (each

subject to appeal) have ruled against the interpretation of Massachusetts law used by the ZBA to grant such special permits. The public has been informed that approximately 70% (or even up to 90%) of the structures and properties in town are non-conforming, so that the failure of the Report to consider this aspect of “buildout” (which has gone on for many years) is troublesome. Moreover, the Comprehensive Plan is definitely concerned by the continued use of special permits and has recommended that they be tightened or eliminated where possible. Under all of these circumstances, therefore, the Buildout Analyses needs to be reconsidered and should not be included in the Report in its present format.

D. Key Points of Your Draft and Our Final Conclusions:

- 1.** Your Draft misinterprets the purpose of Art. II of the Sewer Regulations: it is not to override zoning but rather to complement and supplement it. It is another tool to protect the town from overdevelopment, as recognized and strongly endorsed by the Massachusetts Sec. of Energy.
- 2.** The Report recognizes the importance of the Comprehensive Plan, but then often changes, modifies or misinterprets it, which is incorrect.
Examples: Wanting to make “minor changes” to neighborhood center boundaries.
 Changing the SB District along the Route 28 Corridor to “Corridor Residential”.
- 3.** You claim that sweeping zoning changes won’t be needed. This is incorrect— even establishing the boundaries of the neighborhood centers and the zoning within will be difficult, given that townspeople have not had the opportunity within the past ten years to approve major changes to the zoning bylaw.
- 4.** You recommend that the neighborhood centers are the only places where new stand-alone commercial activities should be allowed. We believe that this is urged by the Comprehensive Plan, and we support this.
- 5.** You suggest that the West Chatham neighborhood center should focus on commercial— not residential---- but this is not in the Comprehensive Plan.
- 6.** The Draft would limit the boundaries of the South Chatham neighborhood center to the Morton Road intersection, but allow further “small scale development” within the existing area at Post Office Square, which appears to be what the residents want.
- 7.** The Report misunderstands the Formula Business Bylaw and the Town’s aversion to having additional Formula Businesses such as fast food restaurants and”shoe warehouses”. There is nothing within the Comprehensive Plan that supports the recommendation that they be “directed” into the neighborhood centers.
- 8.** You want better design review along the Corridor, but seem to often disregard the role of the HBDC, and that as state legislation it may supercede local zoning bylaws.

9. The Draft admits that the Comprehensive Plan is explicit that the area between the neighborhood centers is to be only residential---- but then comes up with a proposal for a new Corridor Residential District (which is very similar to the present SB District).

10. You recommend elimination of the existing Flexible Overlay Districts in the Route 28 corridor for excellent reasons, and we support this. However, we do not support the use of other overlay districts in the neighborhood centers. These are not necessary and would continue the grant of extraordinary powers to the Planning Board or a similar town agency to increase density/intensity of use.

11. You recognize that non-conforming requirements and how they are applied in Chatham are confusing, and urge that a review be done immediately. However, the Draft does not refer to the role of the ZBA and the recent court cases, nor that the Comprehensive Plan recommends limits on special permits and extension of non-conforming uses and additions. This needs to be corrected.

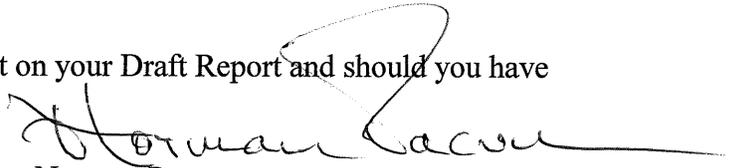
12. You want to see the HBDC remain in the corridor even if zoning is changed, but you fail to refer to the need to strengthen the HBDC in its guidelines, regulations and enforcement, as well as noting that a large area in the corridor is not in the business district.

13. Your Draft wishes to have stronger design review along the corridor, including landscaping and setbacks, and placement of parking in the rear and to the sides. But the Draft fails to state that most of the corridor is already developed and that existing structures can not be forced to relocate or to spend money on new landscaping unless they are seeking approval for outside additions. This is important so that the people understand what legally can be done and how long it will take to do it.

14. You would like to limit the “scale” of development, but the Report is against Floor Area Ratio (“FAR”). Yet you later recognize that more articulation can reduce bulk and mass of structures. It is our understanding that articulation can be incorporated into FAR, so that the Report should not have eliminated it so quickly.

15. The Buildout Analyses contained in the Draft need to be reviewed and revised so as to consider certain issues which were overlooked: the role of the ZBA in issuing special permits for substantial additions to non-conforming structures and uses, as well as your recommendations which would change future Buildout but which are not in accord with the Comprehensive Plan.

We appreciate the opportunity to comment on your Draft Report and should you have any questions, please let us know.


Norman Pacun

cc: Chairman, Planning Board

Chatham Planning

From: david bixby <dbixby@nycap.rr.com>
Sent: Friday, December 27, 2013 10:34 AM
To: Chatham Planning
Subject: Rte 28 corridor study

I hate the idea that formula businesses (franchises) will be allowed or encouraged in the West Chatham neighborhood center. Particularly I do not want fast food franchises. I think they would be awful for West Chatham and would cheapen and deteriorate the unique character and quality of this area.

I am also absolutely opposed to any outdoor activity (dining) that would allow music or otherwise infringe on the peace and quite of neighboring residences.

Thank you.

David Bixby

24 Geranium Drive, West Chatham

Chatham Planning

From: cotnamchatham@comcast.net
Sent: Sunday, December 29, 2013 4:08 PM
To: Chatham Planning
Cc: Barbara Cotnam
Subject: Comments on Draft Report - Route 28

John and I attended the Dec 13 Annex visioning report meeting. Our comments follow: **1.** Prefer three lanes designed as narrow as state guidelines will allow - in a small tourist based village. At prior meetings we learned that according to state roadway design regulations when there are three lanes narrower shoulders are called for – bottom line less asphalt. **2.** We would like to see the use of brick pavers for crosswalks where they were shown on the plan. Also recommend the use of brick pavers for sidewalks. Keep sidewalks as narrow as possible 3’ on the south side and 5’ shared walk/bike on north. **3.** Use of small 60’ rotary at George Ryder N. & S. area (explained by Chatham resident - Dr. Michael Tompsett). **4.** Keep flashing light at Barn Hill but relocate to center of Rt. 28 and change to red flashing light instead of yellow - install onto a small brick paver circle surrounding the flashing light – signage leading up to the flashing light (right side of road heading west) indicating turn for - Barn Hill Road – with arrow. Maintain turns into Shop Ahoy and Dunkin Donuts. **5.** Narrow Bike Path to shared sidewalk/bikeway - what is planned is not needed – use the space for street trees/ green space/ streetlights. Only one mock traffic flow image was shown with a rotary at George Ryder Road – It showed a nice steady flow – but what about when traffic is backed up to a standstill – also no-one asked about easy Post Office access – a frequent turn year around.

John and Barbara Cotnam

Chatham Planning

From: Bill Tuxbury <wtuxbury@comcast.net>
Sent: Friday, December 27, 2013 1:15 PM
To: Chatham Planning
Subject: December 3 statement for West Chatham Assn, inc.
Attachments: WCA - Rte. 28 Visioning Project statement on Dec 3-2013.docx

Phil:

Attached is the statement I gave on December 3, 2013 at the Visioning project meeting in Chatham on behalf of the West Chatham Association, Inc.

Bill Tuxbury

I am Bill Tuxbury and I am speaking on behalf of the directors of the West Chatham Association Inc.

Let me first say that this Report has some good things, but there are other things that are troubling.

The most important comment I can make tonight is to suggest that you invite citizens to tell you what they want and don't want in their neighborhood center – and to listen to them. People are travelling now or just getting back from family gatherings. Don't base interest on the number of people here tonight.

The directors of the West Chatham Association, Inc. on behalf of its members will be responding by December 30th in more detail than I will go into tonight, but I do have a few comments.

1. While the elimination of the Flexible Overlay Districts is good, the overlays that are suggested to replace them could be a major concern for some neighborhood centers. The devil will be in the details and they will need a lot of attention and outreach to the public. We hope that you will take one step at a time and start by eliminating the Flexible Overlay Districts.
2. While there seems to be some agreement both on the Planning Board and the Board of Selectmen that the areas between neighborhood centers should be zoned Residential, we definitely support R-20. Included in the recommendations is the option of Residential zoning, as directed in the Comprehensive Plan, or the proposed modified Small Business zoning called Corridor Residential. I believe that your initial impression to support Residential 20 is the right one. It is in conformance with the Comprehensive Plan.
3. The definition of the boundaries of the West Chatham neighborhood center need to be resolved. Again, West Chatham residents need to be heard on this. The smaller the neighborhood center, the less development.
4. We also believe that the zoning bylaw must be clarified – revised. It has been a long time in coming.

I want to leave you with one thought. Instead of worrying how you are going to get the Town Meeting votes for any zoning changes brought forth as I heard your chairman mention, just pay attention to the people's vision which includes low density on the north side; who do not want chain stores; who appreciate their historic buildings; and who want to protect the businesses in the area. For several years, the people have spoken about their vision – to maintain the unique character of West Chatham without a lot of changes. If the zoning changes are based on what they have said over and over again, you will get your two thirds vote.

Thank you.

12/3/2013