

Land Use

Draft Rev. 03/15/03

1. Land Use

Overview

By 1900, the land use pattern in Chatham was well established, with the Town Center east of the Oyster Pond where it remains today, and neighborhood centers along Route 28. Hotels were built off Shore Road and Cottage colonies developed near Nantucket Sound. Widespread residential development eventually claimed the majority of land. Single family homes occupy most of the land. Half of the houses are used only part of the year.

Preservation of open space was a focus as the town experienced a building boom in the 1980s. The Town chose to purchase numerous packages of underdeveloped lands for conservation and watershed. Today, over 1,000 acres on the mainland (approximately 12% of the total mainland acreage) are owned publicly or privately as conservation lands. In addition, another 1,000 acres remain undeveloped, primarily in small parcels. Every effort must be made to preserve this green space and to add more in the next few years.

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, conserving open space, protecting embayments, ponds and other sensitive areas, while providing an economic base for Chatham's year-round residents. All these efforts must be conducted with an understanding of the town's carrying capacity and wastewater management plan.

Goals & Policies

1.1 Goal

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.

Policies

To reach these goals, amend the Zoning Bylaws to:

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. These criteria should be designed to maintain the unique and current character of each neighborhood center while considering growth consistent with that character. Adopting a District of Critical Planning Concern for Route 28 could be a useful means of reaching this goal and implementing these policies. (LU1)
2. Density limits (dwelling units per acre) should be established, consistent with the character of each neighborhood center. A limit on commercial density/intensity should also be set. (LU2)
3. Change present zoning along Route 28 outside the new Neighborhoodcenter limits from small business to residential to control density and lessen traffic along Route 28. Non-conforming commercial entities will have to follow specific criteria that maintain or minimize the intensity of development. (LU3)
4. Revise the review criteria for hotels, motels, and inns governing new development and changes to existing establishments in order to control intensity and to ensure neighborhood compatibility. (LU4)
5. Establish a zoning designation and regulations allowing mixed residential and limited business use along Stony Hill Road. (LU5)
6. Maintain the present boundaries of industrial areas except that expansion of the district into adjacent lands may be recommended to Town Meeting by the Planning Board provided that the land is found to be suitable for industrial use and that detrimental impact to adjacent properties can be adequately mitigated. (LU5)
7. Evaluate current single family residential areas as to lot size and other dimensional characteristics to determine if changing dimensional requirements to reflect more closely as-built conditions in specific areas is feasible. (LU6)
8. Detail specific requirements for land use buffers in the site plan portion of the Zoning Bylaw. (LU7)
9. Review local bylaw provisions affording protection to pre-existing non-conforming lots beyond what the state requires on grandfathering. (LU8)

Amend the Land Use sections of the Zoning Bylaw concerning prohibited, permitted, special permit, and special condition uses to reflect the provisions of this plan, including:

1. Zoning bylaws should be created to limit the expansion of non-conforming residential units and to prevent increased non-conformity. (LU9)

Establish design standards for apartments accessory to non-residential buildings and for apartments created in converted non-residential buildings to require amenities such as usable yard space, landscaping, reserved parking near entrances, and to require visual screening of parking, retention of mature trees, views and privacy in site planning. (LU10)

For any new industrially zoned land, increase lot size and dimensional requirements from those presently in force to provide ample room for circulation, buffers, parking and adequate setbacks. (LU11)

Review all uses which are allowed by right, by special permit, and by special condition in all districts and amend where warranted to ensure that future land uses are compatible with all provisions of this plan. (LU12)

Establish a system for regulating home occupations.

Allowing by right those home occupations which are compatible with residential neighborhoods.

Prohibiting those which are patently incompatible within residential areas.

Requiring special permit review for those which may be compatible in a residential setting. (LU13)

Review all special permit applications for new, changed or expanded uses in light of the plan's goal to maintain and preferably minimize intensity. Any expansion or intensification of non-conforming commercial uses outside of Neighborhoodcenters and other commercial districts should be discouraged. (LU14)

To preserve open space, the following steps are to be enacted:

Encourage Open Space Residential development in all zoning districts with minimum lot sizes appropriate to each district. Require residential subdivision developers to submit Open Space Residential plans as an alternative to a standard subdivision. (LU15)

The Town should establish and fund a master plan to acquire property to create and maintain open space. Private entities also should acquire property to preserve it as open space. Both entities should consider purchases, easements, leases or other legal means. (LU16)

Land shall be selected for acquisition by the town, through the Land Bank Committee, Community Preservation Trust Fund or any other entity so created, if its purchase furthers the goals of this plan. Land meeting one or more of the following criteria shall be considered for purchase:

Is contiguous with other preserved open space.

Contains unprotected natural resources.

Supports plant and wildlife habitat.

Represents open space in highly visible locations, such as along major roadways.

Provides a link for existing or potential walking or biking trails.

Could provide public access to great ponds or other water bodies.

Provides or expands public recreation opportunities, including scenic vistas.

Has high development or redevelopment potential and is on a major roadway outside a Neighborhoodcenter.

Would provide benefit to the general public rather than an individual neighborhood.

Looks suitable for village greens within Neighborhoodcenters.

Encourage the purchase of vacant lots by neighborhood associations for open space by providing information to residents concerning such properties. (LU17)

The Town should seek outside funding and grants where possible to maximize its ability to achieve the goal of acquiring land for open space. (LU18)

1.2 Goal

To preserve existing Neighborhoodcenters by limiting their boundaries based on the collective needs and desires of each specific neighborhood's residents. Maintain a concentration of commercial, residential and mixed use in these neighborhoods, including affordable housing, beneficial retail and service uses as needed.

Policies

The following Neighborhoodcenters exist in Town where a mix of business and residential development is located:

South Chatham	The Cornfield	Downtown
West Chatham	Crowell Road	North Chatham

Establishment of Neighborhoodcenter boundaries, regulation of future land use, public improvements, and the character of development shall be guided by provisions of this plan for the individual Neighborhoodcenter. Decisions on site plans and

special permits shall be strictly guided by the plan's first land use section goal. (LU19)

Common criteria for all Neighborhoodcenters shall be determined to maintain a mixture of uses - residential, commercial and offices - in a compact, pedestrian-oriented center where people live and work. Affordable housing in Neighborhoodcenters shall be encouraged.

Enhance present Neighborhoodcenter's identity. (LU20)

Consider the needs of pedestrians with respect to sidewalks, safe crosswalks where necessary, and bus stops. (LU21)

Reduce the number and width of entrances and exits to businesses in a Neighborhoodcenter to cut down on multiple and dangerous turnings, improve the safety of intersections, and provide cross-access between commercial properties where desirable. (LU22)

Provide convenient parking areas and traffic circulation, encourage shared parking and cross-access among businesses. (LU23)

Encourage attractive streetscapes by locating parking to the rear and sides of buildings, require green areas in front of buildings, upgrade the appearance and efficiency of parking areas through landscaping and reconfiguration. (LU24)

Encourage compatible and appropriate architecture and site use by instituting dimensional requirements appropriate to the specific Neighborhoodcenters, review architectural changes and new construction in light of local styles and character, require site plantings and screening of unattractive features. (LU25)

The unique nature of each Neighborhoodcenter should be preserved. The following concepts shall guide bylaw revisions, permitting decisions, and other actions pertaining to individual Neighborhoodcenters:

South Chatham

Location: Roughly from west of Morton Road to east of Post Office Square along Rte. 28.

Description: South Chatham is a quiet, rural neighborhood with very limited commercial activity. The predominant land use is residential. The center is zoned Small Business (SB).

Neighborhood Elements: Residential, small restaurants, post office, hardware store, church, village hall, branch library, fire station, public transportation (Hyannis-Orleans bus).

Issues: Preservation of rural character and residential setting, lack of crosswalks, poor condition of sidewalk, lack of sidewalk on north side, appropriateness of SB zoning.

Assets: Well established neighborhood identity; small, neighborhood businesses in keeping with character; village hall and library provide focus; architectural consistency.

Policies/Actions: Preserve neighborhood character; limit business to small, neighborhood establishments; prevent expansion of commercial area; improve pedestrian safety. (LU26)

West Chatham

Location: Along Rte. 28 (Main St.) roughly between George Ryder and Barn Hill roads.

Description: West Chatham is the second most important commercial area in Chatham after Downtown. There is a developed commercial area (Zoned GB-3) along the south side of Rte. 28 and on the north side at the intersection of George Ryder Rd. Low density residential uses are located on the north side of Rte. 28 in the area now zoned SB and Flexible Overlay.

Neighborhood Elements: Post office; businesses with accessory apartments; retail stores; offices; convenience/gas station; restaurants; proximity to proposed bike path, Samuel Hawes Park, and to public conservation land; public transportation (Hyannis to Orleans bus and Chatham Area Transit summer shuttle).

Issues: Highway “corridor,” strip development appearance, designed for automobile with poor conditions for pedestrians, hazardous intersections and business entrances, lack of landscaping, no focal point or sense of “place,” lack of public green space, lack of architectural coherence.

Assets: Proximity to proposed Cape Cod Rail Trail spur and Samuel Hawes Park, established commercial identity, sidewalk along north side, located on bus route.

Policies/Actions: Limit commercial development and redevelopment to the existing commercial areas of the neighborhood. Restrict area now zoned Small Business to residential use. Reduce the “strip commercial” orientation, upgrade the appearance of public facilities and encourage upgrade of commercial properties, improve vehicular safety, and improve public amenities and conditions for pedestrians. (LU27)

The Cornfield

Location: Along Rte. 28 roughly between Pond View and Uncle Albert’s Drive.

Description: The Cornfield is an area of residential and commercial mix that sprawls along Rte. 28 with little cohesiveness. A sidewalk runs along the north side of Rte. 28. There are no major intersections in this area. There is one parcel of vacant land (10 acres).

Neighborhood Elements: Mix of commercial and residential uses; restaurants, specialty shops; service businesses; offices; public transportation (Hyannis to Orleans bus).

Issue: Lack of focal point and public green space, lack of sidewalk on south side of Rte. 28, poor condition of sidewalk on north side, no crosswalks, highway “corridor” appearance, traffic congestion and turning movement problems, highly visible utility poles and wires on both sides of Rte. 28, inadequate space for parking, sidewalk, and landscaping along north side of Rte. 28.

Assets: Landscaped areas along south side of Rte. 28, cross-connections between parking areas of businesses on north side of Rte. 28, sidewalk along north side, adequate room for sidewalk on south side, located on bus route.

Policies/Actions: Future development and redevelopment should emphasize varied residential uses and limit commercial uses to serve the neighborhood. Aesthetics, traffic safety, and pedestrian amenities should be improved. (LU28)

Crowell Road

Location: Along Rte. 28 from west of Heritage Lane to the Rotary and along Crowell Road from Rte. 28 to Tip Cart Road.

Description: The Crowell Road area is Chatham's cultural, public facilities, and recreation center. The intersection of Crowell Road and Rte. 28 is the commercial center of the neighborhood. Commercial and residential uses are interspersed with cultural and public facilities through the neighborhood.

Neighborhood Elements: Post Office, Depot Rd. Elementary School, police and fire stations, public recreation (ballfield, playground, tennis courts, community center), former Main St. School, neighborhood conveniences (grocery, drug store, retail, restaurants, barber shop, banks, church, convenience, gas), art galleries, and residential uses (single family and apartments), public transportation (Hyannis to Orleans bus and Chatham Area Transit summer shuttle bus).

Issues: Poor conditions for pedestrians at Crowell Road intersection and along south side of Rte. 28, congestion and lack of parking at post office, traffic congestion and turning movement problems, lack of street trees, competing uses and limited space on town-owned sites.

Assets: Public recreation facilities, connection to proposed Cape Cod Rail Trail spur, sidewalk along north side of Rte. 28 and west side of Crowell Rd., located on bus route, signalization of Crowell Rd. Intersection.

Policies/Actions: Allow a mix of multi-family residential, cultural, recreational, public facilities, and neighborhood commercial. Encourage affordable housing. Improve conditions for pedestrians, aesthetics, and identity of center. Focus commercial uses around Crowell Road intersection. Focus cultural and recreational uses between Crowell Road and the rotary and along Crowell Road. (LU29)

Downtown

Location: Along Main street from the rotary east to 400 Main St.

Description: The downtown is Chatham's main business center. Its characteristics reflect the traditional areas of Cape Cod, with a compact mix of residential and business uses, pedestrian orientation, and small scale of buildings.

Neighborhood Elements: Mixture of residential and business uses, churches, banks, government offices, public parks, inns, restaurants, public parking areas, library, public transportation (Hyannis to Orleans bus at rotary and Chatham Area Transit summer shuttle bus).

Issues: Spread of businesses eastward, inadequate parking, traffic congestion, growing tourist orientation of businesses, impact of business expansion on architectural integrity, inadequate pedestrian lighting on west end, need for upgrade of sidewalks.

Assets: Represents most traditional Cape neighborhood characteristics; pedestrian orientation; small businesses; eclectic, unplanned appearance; historic structures.

Policies/Actions: Limit businesses to neighborhood area; maintain variety of architecture, small scale of buildings, lack of uniformity; improve conditions and amenities for pedestrians while preserving the character of the street scape; explore ways to reduce congestion and parking problems; continue to explore options for removing overhead utilities. (LU30)

North Chatham

Location: Along Rte. 28 (Orleans Rd.) roughly between Misty Meadow Lane to south of Stony Hill Rd.

Description: North Chatham is a small, relatively low-key commercial area serving the residents of North Chatham. The southwest side of Rte. 28 is primarily commercial, and the northeast side is a mixture of commercial and residential uses.

Neighborhood Elements: Post office, convenience store, offices, retail, restaurants, gas station, single family houses and apartments.

Issues: Scattered businesses along highway, post office not centrally located, high speed of traffic, passing zone within neighborhood, hazardous intersection at Stony Hill Rd, limited parking on small commercial lots, low visibility of businesses at Nickerson Corners, no sidewalks or crosswalks, public transportation (Hyannis to Orleans bus), large asphalt expanse at Northport.

Assets: Located on bus route, residential areas within walking distance of center, green area along Rte. 28 At Northport.

Policies/Actions: Encourage mixed use and residential uses within the neighborhood. Improve the focus, compactness and identity of neighborhood to reduce appearance of scattered businesses along Rte. 28. Slow traffic through neighborhood. Link business areas to the residential areas with sidewalks and crosswalks. (LU31)

D. Future land use, public improvements, and the character of development between designated Neighborhoodcenters shall be guided by the following general policies.

1. **Commercial land use:** Discourage commercial uses between designated Neighborhoodcenters through appropriate zoning district designations and land use regulations, strict regulation of home occupations, and careful management of special permits for expansion of non-conforming uses. (LU32)
2. **Residential land use:** The predominant land use between Neighborhoodcenters shall be single family residential. Multi-family may be permitted in appropriate areas, provided the overall density is maintained. Allow the conversion of existing houses and non-residential buildings for multi-family use within density limits. Institute site development requirements for multi-family buildings to ensure privacy and amenities for residents. (LU32)
3. **Appearance:** Continue efforts to improve the appearance of business properties through sign and architectural review. Develop dimensional requirements for multi-family buildings, including density limits, building size, setbacks, and site layout guidelines to ensure consistency with traditional patterns of development. Develop architectural guidelines for new construction and conversions to ensure compatibility with existing development. (LU32)
4. **Public Improvements:** Provide sidewalk connections with nearby neighborhood centers. Provide street plantings and pedestrian rest areas where appropriate. (LU32)

