

Volume VIII Issue 3 Winter, 2007

Old Village 10th Anniversary Celebration Members Raise a Glass to the Past with an Eye to the Future

With an Old Village Association banner hoisted above and balloons bobbing about, the Old Village Association on August 26, celebrated its 10th anniversary in style, complete with champagne, cake, cookies and chocolate covered strawberries from the Candy Manor. About 60 members raised a toast to past accomplishments. But, in traditional Old Village style, the party was accompanied with a more serious business meeting and panel discussion on "Preserving Today's History for Tomorrow."



At a short annual meeting, Nancy Koerner and Debbie Aikman were reelected as president and vice-president, respectively. Mary Ann Gray will continue as treasurer (with the help of Mary Olmsted as assistant treasurer). Ann O'Connell is returning to the Board as secretary after a two year hiatus.

After the business was out of the way, the panel presented information on a variety of preservation issues. John Whelan discussed the importance of preserving our shore line, using the experiences of Old Village waterfront property owners after the 1987 breakthrough as "valuable lessons" for owners in North Chatham who are facing

similar issues. Mary Ann Gray lectured on the appropriate methods for preserving old letters, photographs, books and materials, which, without special care, will deteriorate beyond repair. (See article, p. 7) Lisa Edge then provided information on the Association's oral history project and urged people to participate in this ongoing effort to preserve Old Village stories and voices.

Don Aikman talked about the preservation of historic houses in the Old Village, a National Register of Historic Places site, and differentiated between the rules that apply in the Old Village under the Cape Cod Commission Act and those that involve other historic properties in Chatham, under the Demolition Delay Bylaw and in the Historic Business District. Debbie Aikman, the panel's moderator, summed up with a plea to all members to work together to protect and preserve the neighborhood and its assets.

A short written retrospective of the first 10 years of the Association was handed out to all guests. Any members who did not receive a copy in the mail should contact the Association, Box 188, Chatham, MA 02633. There is no charge.

Aikman and Walsh Appointed to Charter Review Committee

Congratulations to Old Village Association board members, Debbie Aikman and Bob Walsh, whom the selectmen at their November 6 meeting, appointed to the Charter Review Committee. The Committee will study the present town charter and make recommendations for additions or changes, as appropriate.

The Chatham Charter is a State approved document which sets forth rules on how our local government is to operate, including the powers of the selectmen and the town manager, the organization of town departments, boards and commissions, financial matters and town meeting procedures. The Charter is reviewed on a regular basis, and must be approved by a town meeting vote.

2007-2008
Old Village Association Officers and Directors

| | |
|--------------------------|---------------|
| <i>President</i> | Nancy Koerner |
| <i>Vice-President</i> | Debbie Aikman |
| <i>Treasurer</i> | Mary Ann Gray |
| <i>Assist. Treasurer</i> | Mary Olmsted |
| <i>Secretary</i> | Ann O'Connell |

Board of Directors

Debbie Aikman, Mary Ann Gray, Nancy Koerner,
David MacAdam, Ann O'Connell, Mary Olmsted,
Carol Pacun, David Veach, Bob Walsh, John Whelan

EDITORIAL A Balancing Act

Norm and I have been working on an assortment of preservation issues since we moved to Chatham full time in 1987. That's a lot of preservation, so a couple of times a year we try to get away from it all. Europe is a perfect destination. No one knows your name. Nor do they speak your language. However, this fall we drove down the coast of Croatia, where to our delight (or dismay) everyone we met spoke English. Here we were in a beautiful vacation spot, surrounded by views, tourists and a bustling economy. (sound familiar?) Naturally, we could not stop ourselves from reverting to type.

We knew that the story of the Dalmatian coast would be unique. Croatia has spent the last decade recovering from a devastating civil war, which destroyed lives and property – and tourism. Now, for the first time, tourists are back and people are seeing the benefits of a growing economy. What do they think about their new life? [Of course, we asked.] The responses from a wide variety of people were similar: *good, but...* For example, our Dubrovnik cab driver was excited about his future. He had a well paying job, and a new house in the suburbs near a school for his kids. But, he also said he had moved because he could no longer afford to live in the old town of Dubrovnik. Likewise, the owner of an antique shop near the plaza was largely satisfied with her business, but worried about the growing cost of rentals, land and goods. "We all know there are trade-offs in tourism," she admitted with a rueful smile. Similarly, a hotel manager on the island of Korcula was happy to be busy. However, she had been a leader in forcing cruise ships to leave port in front of her hotel at midnight because the endless noise from their engines was driving away her guests. Having hundreds of visitors pour out of those ships might be a good thing, she offered, but there has to be some balance.

Chatham is not Croatia. Certainly we have had a relatively peaceful past (if you don't count town meeting brouhahas), with little real hardship. Yet we, too, continue to deal with this issue of "balance." Economic growth, especially unbridled, is not all positive. There are trade-offs. With the masses of people who pile into Chatham to shop or sun-bathe come parking problems and porta-potties. Huge new houses create loss of vistas, overcrowding and diminishing green space. In an effort to preserve our town and our own quality of life, we are struggling to find that balance between growth and preservation. This is the central issue that confronts the Planning Board as it tries to rewrite the zoning bylaw. The Chamber of Commerce's new ideas about more economic growth highlight the necessity for serious questions. What, exactly, is an appropriate economic model for Chatham? More business? More shops? More



From the President

We're off to a wonderful start in our new OVA year! The 10th Anniversary party was perfect and I'm delighted so many of you were able to attend. The Annual Meeting is such a pleasant time to gather, chat, conduct our business, and, this year, to celebrate our 10 years as an association. As I look forward to a new year I see a lot of exciting activities. George Olmsted is monitoring property ownership changes so we can welcome newcomers and keep an accurate list of our local residents. Lisa Edge continues to do oral histories including one by telephone. Carol Pacun and Deb Aikman will continue gathering information about proposed major renovations to properties in the village and notifying abutters of the details. Other on-going committees will continue to "keep an eye" on things for us. Our volunteer base is small, especially of year-rounders, so let one of us know if you can take part in our projects.

Nancy H. Koerner, President

housing? More hotels? More restaurants? More tourists? And, the ultimate question: when is enough enough? We can only guess at the unexpected outcomes and trade-offs that will result in any economic initiative, especially if one is nebulous and ill-defined.

Certainly, these questions and concerns cannot be answered by the Chamber of Commerce alone. To achieve balance requires the active participation of people with varying points of view. Most agree that the present governmental structure is tilted toward "economic development," however it is defined. The selectmen must begin to even the playing field, and citizens need to raise their voices and demand to be heard. Broad citizen participation has been the goal of the Old Village Association since its inception. Nothing has happened in 10 years to make us change our minds.

Carol Pacun, editor



Association President Nancy Koerner (center) with ex-presidents Carol Pacun and Debbie Aikman

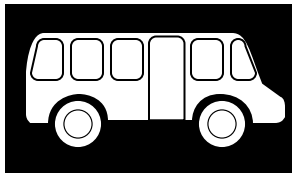
Coming Attractions for 2008: Issues You Love to Hate

*Round Two: Another Go at the Parking Mess
Wastewater Management Report
Zoning Bylaw Rewrite (A New Beginning or Déjà vu All Over Again?)*



Round Two: Another Go at Solving the Parking Mess

As reported in the Chronicle, the U.S. Fish and Wildlife Service is sponsoring a grant of \$100,000 to study traffic and parking issues at the Morris Island refuge. Although this grant is meant to deal primarily with the refuge, problematic parking near beach areas, notably the overlook/Bridge Street and the Morris Island dike road will be included. The study will be conducted by the Volpe National Transportation Systems Center, working with the RTA (Regional Transportation Authority) staff and the Cape Cod Commission. The thrust of the study will be the viability of extending the Flex Bus system, which currently provides service on the Cape, into Chatham, with some local stops. If the project is approved and money allocated by another federal grant, the federal government would set up the system, specify routes and pay for the buses. The operating expenses would be the responsibility of the state (75%) and the town (25%).



Ron Bergstrom, Chatham's representative to the RTA advisory board, welcomed using Flex buses to alleviate parking and traffic problems both at the Morris Island dike and along Bridge Street. He added that these vehicles would not be trolleys. Although no decisions have been made about the route, he does not anticipate that the buses will be making multiple stops, nor would they honor individual requests for special pickups (as the current Flex buses do). He plans to talk with the Chamber of Commerce, but he does not think it would be practical to make stops downtown for shoppers.

This program has the possibility of affecting parking along Bridge Street. For three years, homeowners have expressed concerns about congestion and unsafe conditions resulting from largely unregulated parking

along the road. Most would like to see a program which would substitute parking with a viable alternative for beachgoers. "We want people to use the beach," Bridge Street resident Nancy Bak, commented, "but, unless there is some effort to steer people toward the bus and away from parking, I cannot see that a bus will solve anything. What would you rather do, park on Bridge Street and walk to the beach or take a bus from a remote location?" Clay Schofield, transportation engineer for the Cape Cod Commission, said that the use of buses from satellite parking would have to be accompanied by some measures that would discourage street parking. The choices might include banning parking, setting parking time limits, or limiting parking to residents – all with appropriate enforcement. Bergstrom said that the selectmen, who have authority over local roads, have allowed beach parking on Bridge Street and in some parts of the Old Village, but they would probably revisit that decision after the study is complete.

There can be log jams with projects involving federal funding, Schofield said. However, if everything goes as expected, the study could start in the summer of 2008, with a solution in place by 2009. He anticipates that the process will be open and transparent, and that the public will have opportunities to participate. For Nancy Bak, timing is an issue. If the study starts next summer, Bridge Street will be inundated with parking for yet another year. To help with the crunch, she urged the selectmen to search for a viable short term solution. For example, the town could work with Bill Eldredge of the Eldredge garage to make full use of his parking lot and taxi service. "There are a lot of spaces there," she said, "with the choice of walking to the beach or hopping in a private taxi. Every little bit helps."

Wastewater Management Report – November 2007

Town Officials Say the Time for Action is Now

What's the Committee Been Doing Since May?

Copies of the four volume preliminary Draft Comprehensive Wastewater Management Plan (DCWMP) were distributed to members of the Citizen's Advisory Committee (CAC) for review and comment in August. Members submitted questions and comments in writing over the next month. Oral responses to these were given by town officials at a televised meeting in mid-September. These responses were followed in October with written responses prepared by town officials and Sterns and Wheler, the town's consulting engineers. In late October there was a meeting at which CAC members were given an opportunity to comment on these responses. That meeting has been continued to early November. Following the November meeting a final draft of the CWMP will be prepared by the consultant for the various regulatory agencies.

Is the Plan Suggesting that We Sewer Everything?

There are few surprises in the DCWMP, which calls for a town-wide collection and wastewater treatment system. The treatment facility must be state of the art in order to produce the necessary high quality effluent. Construction will take place over a 20 to 30 year period, with the treatment facility upgrade coming first. One viable alternative to town-wide collection and treatment was considered, but rejected, with the comment that the only way to achieve the high levels of nitrogen removal (TMDLs) stipulated by regulatory agencies is to remove it at a hi-tech centralized treatment facility.

Do Questions Remain?

Questions still remain in the minds of some on the CAC, in particular regarding numerical data on which plan details are based. The arguments came down to just how much detail do the CAC members need to know (review) and just how much faith should the CAC have in the scientists and engineers who work out the plan details. Regardless, town officials have decided that the time for study is over and the time for action is upon us.

And the Costs to Taxpayers?

Cost was a secondary consideration after degree of nitrogen removal. Yet cost will be on the minds of citizens and taxpayers, especially as our economy comes under increasing stress from larger issues centering on climate change, resource depletion and environmental degradation on a bigger scale than excess nitrogen in Chatham's embayments. This is not a reason not to go forward with the proposed solutions. But it is reason for the voters to consider the economics of construction of a centralized town wastewater system in the context of anticipated future economic stresses as manifested locally.

Where Can the Public Access the Plan?

The preliminary DCWMP is available for the public at http://www.chatham-ma.gov/public_documents/ChathamMa_CWMPlan/CWMP



However, the plan was written for regulators and engineers, and only incidentally for citizens and taxpayers. It is not the purpose of the plan to make the case for sewers to the ordinary citizen and may be tough reading.

Is There Another Choice?

Less formal fliers and workshops making the case for the plan to the citizen/taxpayer are anticipated. More importantly, there will be local public hearings on the plan in coming months at which comments and questions will be most welcome. The final plan will respond to both the public's and the regulator's comments.

What is the Time Frame for Approval?

Final approval will come from the Mass. Secretary of Energy and Environmental Affairs, the Mass. Department of Environmental Protection, and the Cape Cod Commission. Present thinking of town officials is that citizen approval of the plan will come in the form of Town Meeting approval, with yearly appropriations for the implementation of the plan as construction proceeds. Some even see the positive vote for treatment facility design funds at last year's (May 2006) Town Meeting as preliminary approval of the plan.

*David MacAdam
Old Village Representative to the CAC*

Zoning Bylaw Rewrite

(A New Beginning or Déjà vu All Over Again?)

Like the proverbial tortoise, the Zoning Bylaw Rewrite is inching forward, but some of the changes that are being considered are interesting enough (at least to the Old Village) to give you an update.

A New Tack. Following the Planning Board's decision at the end of last year to totally withdraw the proposed Bylaw prepared by the former consultant, John Connery, the Board reorganized with Vice-Chair Len Sussman stepping up to the chairmanship and with four new members. Starting this summer, Sussman then embarked on a new tack:

- To phase out the so-called "White Papers" on zoning law being prepared intermittently by the building commissioner, Kevin McDonald.
- To forego rewriting the entire Bylaw and to concentrate on rewriting only Section V, which covers so-called Nonconforming Buildings, Lots and Uses (including nonconforming single family residences).

Since perhaps 80%-90% of Chatham properties are nonconforming for one reason or another (i.e., they don't meet present zoning requirements, parts of the building are within the setback area, etc.), Section V is what is most often turned to by builders and developers in order to obtain permission to construct an addition to a building or to change the existing use. This section also provides authority for the building commissioner to determine what changes or additions to a residence can be done "as of right," and what needs to be sent on to the Zoning Board of Appeals for specific relief (i.e., a special permit). A recent legal decision from the State Supreme Judicial Court (*Brantsford v. Edgartown Board of Appeals*) has impacted many of these issues.

A New Formula? Much preliminary discussion was held by the Board on what changes should be allowed to nonconforming properties. Sussman urged the Board toward a philosophy of what he referred to as "gradualism" – to allow "by right" *some* increases in house size even on nonconforming lots without going through the ZBA process. Note: by law, further nonconforming changes could be banned entirely by the Town, but this is highly unlikely to be approved by the voters. Preliminarily, Sussman put forward the following four-part proposal:

(1) Treat nonconforming single family residences differently under the bylaw from all other nonconforming structures and uses. *(This approach is allowed under Massachusetts law, it makes good sense, and it would seem*



to be more easily understood by the average voter.)

(2) Create a comprehensive list of what can be done by the homeowner "as of right" on a nonconforming property, with everything else automatically required to be reviewed by the ZBA. *(This provision did not sit well with many Board members, who questioned whether it was possible to make*

a list which was that specific. The Building Commissioner had his own reservations since ultimately he would have to pass on all of these applications.)

(3) Include in the "as of right" category one or more "formulas" which would allow expansion of a nonconforming single family house by up to an additional 10-25%, so long as the changes are conforming as to lot coverage, setbacks and height, even where the lot is "undersized" – i.e., less than 20,000 sq. ft. in an R-20 zone. *(This is based on the argument that a town is allowed to pass such a bylaw, which is debatable. Either way, expansions of nonconforming properties in excess of the 10-25% formula would still need a special permit from the ZBA.)*

(4) Change or redefine the specific criteria that the ZBA uses when it evaluates special permit requests. *(As we go to press, this is on the list of things to discuss but has still not been covered.)*

What Do These Changes Mean? At least some of the above changes would be rather revolutionary for Chatham, and the Board has spent a fair amount of time trying to see if they can come to a consensus amongst themselves.

The easiest issue (**Item 1**) was in recognizing that nonconforming single family houses need to be treated differently than nonconforming multi-family buildings or commercial structures, but what that "treatment" should be was far more difficult to determine.

Even the building commissioner seemed taken back when Sussman offered up a "global list" of changes that can be done "as of right" (**Item 2**), since everything else – whatever that might be – would automatically end up before the ZBA. *(The ZBA has asked the Planning Board for a joint meeting to discuss this, as well as other proposed changes, so perhaps they, too, are a bit concerned as to the scope of the proposed change.)*

The most far-reaching potential change, however, was **Item 3**, which seemed to recognize – for the first time in Chatham – that expansion of existing nonconforming houses should require a Special Permit if they go beyond a

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Zoning - continued from page 5

recognized threshold, whether it be 10% or 25%. This was generally supported by the building commissioner, who indicated that size of houses does matter and that offering nonconforming homeowners a means by which they can expand somewhat needs to be explored. He urged the Board to do the “hard work” of coming up with one or more appropriate formulas. For example, some towns include Floor Area Ratios (see definitions) or allow greater expansion of the existing footprint in exchange for a reduction in height. Sussman suggested a radically different approach of his own: calculating the average gross floor area of residences in the “neighborhood” and allowing a property owner to expand within 25% of that, irrespective of the size of their lot. The immediate issue here is, of course, how to determine where a “neighborhood” begins and ends. Whether any of these formulas are really “gradualism” or whether this approach is a deft way of getting around the current law and simply allowing individual residences to expand by 25% “as of right,” perhaps repeatedly, is the question. Most importantly, in its discussions, the Board has yet to address the fundamental issue of regulating “McMansions” and maintaining or minimizing density, but never maximizing it, as set forth succinctly in the first land use goal of the Comprehensive Plan.



How Would This Affect the Old Village? Since a great many of our lots are undersized, we need to pay very careful attention to any change which would allow so-called conforming expansions of up to 25% to be done “as of right” – this would mean that building permits could be issued without any notice whatsoever to abutters! Those property owners who are not here except in the summer could well be greeted with a rude surprise when the views and vistas they had lived with over the years were now blocked by a neighbor’s 25% expansion, but without their even knowing that such an expansion was taking place.

Of course, any actual revisions to the zoning bylaw will require a Town Meeting vote (by a 2/3 majority). In the meantime, you can watch the Planning Board sessions live on Ch. 18 from Chatham, or by access them over the internet (the Town of Chatham web site/archives). We will continue to monitor the meetings, and welcome your thoughts or questions. Yes, zoning issues can be a bit numbing, but it pays to stay informed. The future of your (and your grandchildren’s) property is at stake!

Norm Pacun



The Planning Board usually discusses
bylaw revisions every other
Tuesday evening at 7:00 pm. Due to the holiday, the next
session will be on Tuesday, November 27.
Local TV coverage on Channel 18.

WHAT ARE THEY TALKING ABOUT? ZONING DEFINITIONS

“As of Right” – those changes/additions/renovations which can legally be made under the Zoning Bylaw without further approval of regulatory boards, i.e., you can be issued a building permit simply by filing your application.

“Building Coverage” – the part of the building lot that is covered by the “footprint” of the total of the main building plus all accessory buildings. In each zoning district, there is a maximum number of square feet that is allowed to be covered, subject to obtaining a special permit from the ZBA.

“Nonconforming” – buildings and lots which do not meet the current requirements of the Bylaw. This can be because (1) the residence was built before the Bylaw was enacted in Chatham, or (2) after the building was legally constructed, the Bylaw was amended to change the size of the zoning district or to revise other provisions of the Bylaw.

“Undersized Lot” – A lot which has less square feet than what is required in the zoning district. For example, if you live in an R-20 District, you need a 20,000 sq. ft. lot to build a residence; however, if you already have a residence on such a lot, then the lot is nonconforming, and you may need special approval for any additions or expansion.

“Special Permit” – If you are making changes to your house which do not conform to the Bylaw, such as building within the setback area or exceeding the height restriction, you need to get a Special Permit from the Zoning Board of Appeals. (People often refer to this incorrectly as a “variance,” but that is a stricter requirement than a Special Permit.)

“Floor Area Ratio” – The ratio of the total covered floor area of a building on a certain location to the size of the land of that location. A Floor Area Ratio of .20 would mean that the total floor area of the building can not exceed 20% of the gross area of the lot.

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Saving Historic Materials: The “Other” Preservation Issue



Over the years, the Old Village Association has emphasized the importance of the preservation of historic homes and streetscapes. This effort is of prime importance, but we should not forget other historic assets, notably the papers, letters, photographs, books and clothing from years gone by. With its new state-of-the art archives, especially built to store such materials, the Chatham Historical Society has created a new enthusiasm for preserving these items and handling them correctly. The Society’s archivist, Mary Ann Gray, and Priscilla Dalrymple of the costume and textile committee, have sent along some professional advice for would-be preservationists. The staff of the Society is always willing to answer questions and offer sources for materials suggested in this article.

Storing Documents

The most important goal in storing documents is to keep them in an acid-free environment where heat and humidity are controlled. (NOT IN THE BASEMENT OR THE ATTIC!) The enemies of paper are light, heat, humidity, acids, plastics, adhesives, pollutants and pests. To fight the good fight, you have some choices:

- organize and file documents in acid-free folders, and store them in an acid-free box
- place documents in an archivally safe plastic sleeve, separating one from the other with acid-free paper, and keep them in an album or binder
- encapsulate (not laminate!) a document between two sheets of polyester film.

Special rules. Newspaper is particularly fragile. Photocopy articles on acid free paper so you will have the information in them for future research. For items which have been rolled and are now brittle, a process called humidification can be used. This means softening the paper by putting it in a humid environment and once it is flexible, unrolling it with great care. (This might be the time to talk with one of the experts at the Society!)

Photographs

The above rules also apply to photographs, with some special options:

- Select an archival album, with acid-free components such as scrapbook pages or picture-pocket pages made of one of the safe plastics. Stay away from “magnetic” pages, which are dangerous for photos. If you are sticking pages into albums, use removable tape only.
- Use acid-free boxes designed to store large quantities of prints. These come with envelopes and sleeves for negatives.

- Encapsulate in polyester film, just like paper documents.

Special Rules: Many old photos are already glued in black paper albums. To get the photos out of the album into a better environment, the recommended approach is to lift the photos off with a small spatula (officially, a microspatula), moving it back and forth very gently. Again, there is an element of danger here, so it is best to take care. If you cannot move the pictures, cut away the paper around them. If there are photos on the other side of the page, at least separate the pages with acid-free paper and store the album in an acid-free box. You can also photocopy or scan the pictures.

Books

Many of the same conservation rules apply to books, with humidity, dampness, overheating and too much light the prime destructive forces. Here are some precautions that can be taken to preserve books for the long haul:

- Handle with care. Holding onto the spine, ease the book out of the shelf. Never pull it out from underneath a pile; rather remove the top items first.
- Do not photocopy pages on a regular printer, which requires the spine to be flattened.
- The ideal way to store books is on baked enamel steel shelves. If wooden bookshelves are used, they should be painted (raw wood exudes a harmful acid) with an acrylic or vinyl-acrylic paint. A layer of Tybec can also be put on the shelves underneath the books to act as a barrier.
- Most books should be stored vertically. Large volumes should be laid flat. Rare books can also be kept in special slip cases and flat boxes.
- Keep books clean, and keep an eye out for mold. A good dusting is never wrong, but consult experts if you feel you need more aggressive measures. What you do depends a great deal on the makeup of the book, its age and its value. (Yes, you can vacuum books, but take care not to suck up pieces of the pages. Cheesecloth over the throat of the brush attachment can avoid disaster)
- For repairs, ask an expert – particularly if the book is old and valuable.

If you are like this editor, with artifacts –historic and not – piled up everywhere there is space, all this information may be daunting. But, taking a little at a time, you can begin to save meaningful mementoes for future generations.

To come in the next newsletter:

Storing Vintage Clothing & Accessories



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*Happy
Holidays*

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Saving Historic Materials: The "Other" Preservation Issue

Keep Informed

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Stay Involved

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Make a Difference

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Renew your
membership in
The Old Village
Association