



Chatham Beach Watchers in Action Taking the Measure of Chatham's Newest Town-Owned Beach

At last May's annual town meeting the Andrew Hardings Lane Beach (AHLB) officially became town property. Since then, under the direction of Ted Keon, Director of Coastal Resources, the county dredge, in the process of maintaining the channel for the fishing fleet entering Aunt Lydia's Cove, pumped dredged material from the channel all the way to AHLB, amounting to 10,000 yards of sand. However, this is not the end of the story.

Since Chatham Harbor is the valve through which all of Pleasant Bay tidal waters must flow, the currents of AHLB are strong on both flooding and ebbing tides. Those currents can both erode and accrete the beach. Ted and Jim O'Connell of the Woods Hole Oceanographic Institution have had a great interest in monitoring the condition and any shoreline changes at AHLB. In 2002, Ted called the Friends of Chatham Waterways to see if volunteers could be recruited to measure the beach on some regular schedule. "Chatham Beach Watchers" was born soon after, and the group has been measuring the beach four times a year. However, now that dredged material has been put on the beach, Ted and Jim want to do the measuring every month, 12 times a year, to assess the success or failure of the nourishment program.

George Olmsted has collected a group of enthusiastic volunteers from the neighborhood and trained them to do the measuring. After the work on the beach is complete, the data will be collected and compared with previous profiles to calculate surface changes, shoreline changes, accretion and erosion. Volunteers include Debbie and Don Aikman, Mary Ann Gray, Bill and Nancy Koerner, David MacAdam, Donna Molander, Ann and Brian O'Connell, George and Mary Olmsted, Carol Pacun, Phil Pratt, Dick Towne and Nancy Whelan.

George Olmsted made a major contribution to this article. The Association wants to thank George for his enthusiasm, energy and expertise in recruiting and training the volunteers.

What's Up in Chatham? ZONING, ZONING, AND -ZONING And the Old Village is suddenly in the mix

Zoning has been the topic of the year for Chatham. On November 14th, The Old Village Association took its turn when Wayne Jostrand, Chairman of the Planning Board, sat down with OVA Board members to discuss zoning as it relates to the Old Village. Before talking about the neighborhood, Wayne outlined the status of the project. He said that the zoning rewrite is well on its way, under the direction of the Planning Board and its consultant, John Connery and Associates. Their work with neighborhoods and local citizens is progressing along Route 28, starting with South Chatham, through West Chatham, downtown Main Street, the Old Village and finishing up in North Chatham. Each area has been and will continue to be consulted about problems to be solved, and the rewrite will identify specific needs and create usage statements for each neighborhood center. Although this is an individualized process, Wayne

Confused?
Special Zoning Bylaw
Insert
see pages 3-4



added that there are some issues – like affordable housing and building dimensions – which will have to apply to the community as a whole.

He then asked a specific question, "How should we (the Planning Board) handle the Old Village?" The immediate response from those present was that any change from present residential ("R") zoning to any form of business or multiple use designation would not be approved, either by the Board or by the widest majority of Association members. In addition, OVA Board members present emphasized that further communication with members would be necessary before any final recommendations could be made to the Planning Board concerning the rewrite. *continued on page 3*



From the President

It is amazing to see all the construction going on in our neighborhood, as we gear up for the holidays. The garage at the Coast Guard station has been demolished, and the bank along Silverleaf Avenue has been partially taken out for a wider entrance. There is a cement footing in place that is ready to accept the new structure. They hope to complete the construction in May, with The Old Village Association helping to plan the landscaping along the road. Any questions on this project can be addressed to Carol Pacun.

Two houses are in the process of being lifted for a new basement by B & B Houselifting, and another on Main Street awaits its turn. Altogether, there are six reconstructions taking place, and three more in the works. I know of only one potential demolition, and it is a non-contributing structure. Thankfully, our National Register District seems to be doing its job.

I counted 15 properties that have changed ownership recently. We look forward to meeting all the new owners and we'll certainly be inviting them to join the OVA.

The Board of Directors joins me in wishing you a joyous holiday season and let us all hope for peace in the New Year.

Debbie Aikman, President



In Memoriam 2004

Philip Belliveau, School Street

Barbara Dell, Main Street

Harry Ellis, School Street

Anne Rogers, Eliphamets Lane

Dorothy Snow, School Street

Charles Weidman, Hallett Lane



“Iced Tea and Cool Conversations” Held in July

Last July, The Old Village Association held two “Iced Tea and Cool Conversation” programs to give members an opportunity to discuss Chatham’s “hot issues” in an informal setting. For the first session, held in Jane and Bill Vaughn’s lovely, cool backyard on Silverleaf Avenue, the Association had invited, as special guests, officers of the newly formed West Chatham Association (WCA) and the South Chatham Village Association (SCVA) with the thought that the three neighborhood associations in Chatham should get to know one another and explore ways of working together.

David Burns, President of WCA, began the program by describing his organization and the issues facing West Chatham today, particularly the traffic along Route 28 and the increased commercialization and density throughout the area. The WCA lists as a priority for 2004 – and beyond – the planned rewrite of Chatham’s present zoning bylaws. Gloria Freeman, a current member of the Planning Board, has been meeting with members of SCVA about their goals for the rewrite. She outlined South Chatham’s efforts to limit the spread of commercial growth along their segment of Route 28. West Chatham resident, John Payson, who serves on the CAC Wastewater Management Committee, reiterated the inevitable problems that will face Chatham as it copes with more and more people, with a limited amount of resources. He said it is imperative for citizens to decide how many people the town can actually sustain and to begin to make some realistic, hard choices.

In the discussion that followed, those present expressed frustration with the quality of information provided by the local paper. Mike Brown suggested that the three Associations issue a bulletin about town issues. This was enthusiastically endorsed by all those present. Hopefully, a joint Newsletter will be issued early in the new year.

Honoring “Batch”

The second “Iced Tea and Cool Conversation” meeting was held at George and Mary Olmsted’s home, deliciously air-conditioned, with a standing room only audience who came to thank Richard Batchelder – “Batch” – for his decades of work in preservation – in particular, his chairing of the Long Range Planning Committee, which in itself involved many years of hard work. His efforts were rewarded when Town Meeting unanimously approved the Plan in 2003.

With the help of Don Aikman and Norm Pacun, Batch reminisced about the “good old days” (when only 30 people attended Town Meeting and had some pretty bizarre suggestions about improving life in Chatham) and discussed present day issues, which he sees of momentous import in regard to the preservation of Chatham as we know it. The Old Village Association owes Batch many thanks for his support of the Association from the very days of its inception. Somehow the huge frosted cake, no matter how delicious, seemed a minimal acknowledgment for his ongoing advice and service.

The Talk of the Town: Oral History Project in Progress

With the help of Fran Greenhalgh, Marty Fairbanks and Ann Ellis, the Association’s oral history project is well underway. At a recent meeting, the Oral History Committee, which also includes Debbie Aikman and Carol Pacun, sat down to discuss the process involved in getting down on tape Old Village home owners whose families have had a long history in the Village and who are willing to share their memories. Each Committee member will conduct interviews, which will then be transcribed and stored at the Archives of the Chatham Historical Society. The Newsletter will feature excerpts from the interviews, and if there is enough interest, a possible pamphlet will be compiled.

The Committee sees the project as a long-term effort, extending over a considerable period of time. This year, the Old Village experienced the loss of many “old timers” (see *In Memoriam*) whose stories are gone forever. Hopefully, this project will give future generations a varied and vibrant picture of life in the neighborhood through the years.

A Short Manual on Zoning for the Uninitiated . . .

TWO IMPORTANT ZONING ISSUES FOR THE OLD VILLAGE

Conversation with Wayne Jostrand continued from page 1

During the meeting on zoning held with Wayne Jostrand, the Association Board members explored two issues of special interest to the Old Village: (1) the present section of the bylaw that deals with non-conformity, which seems to be encouraging larger structures on small lots and (2) the possible commercial creep in the small area between 400 Main Street and the edge of the “R” residentially zoned district (331 Main, south; 342 Main, north). This strip is presently listed as General Business (GB). Each one of these issues is very complicated and resulted in a lively discussion among the group. The general consensus was that zoning restrictions should be clear, specific and fair; that proper enforcement of bylaws is essential; that density, gradual loss of vistas and green space is not good for the Old Village, and that there should be some buffer between the Main Street business district and the residences along east Main Street – what

David Veach referred to as a “transitional area, where business tapers off.” On David MacAdam’s suggestion, the Board decided that it would meet again and explore what exactly the Old Village “wants rather than what it does not want” and that the Board would continue to keep members informed and be actively involved in the process. As requested, the Board supplied Wayne with information on the National Register District to ensure that any new bylaw does not interfere with the Cape Cod Commission review process.

The Board thanked Wayne for his time and interest in involving specific groups in the decision-making process. It looks forward to working with the Planning Board to find solutions for some of the issues facing the Old Village – and Chatham as a whole. Following is a detailed explanation of zoning designations and non-conformity.

ISSUE ONE

USE REGULATIONS IN THE PRESENT CHATHAM ZONING BY LAWS

The core of the Old Village is in a Residential “R20” zoning district. Currently, certain uses are automatically allowed, while others are allowed by special permit or under special conditions. Since the town is rewriting its zoning bylaws, there is no reason why some of these uses cannot be eliminated or changed in the future (some uses are mandated by state law). Definitions of uses are contained in the bylaw itself, which is available at the Annex.

Present Residential Use

Standard Permitted Uses: agricultural use, conservation, fishing use, low intensity recreation, one-family dwelling, public education use, religious and municipal use, roadside stand as well as accessory uses such as barn, boathouse, garage, swimming pool, tennis court, residential garage.

Special Condition Uses (must meet certain qualifications): boarding or rooming house, guest house, home occupation, tent, trailer, camping vehicle and mobile home, tourist home.

Special Permit (requires Zoning Board of Appeals – ZBA – approval): group dwelling, kennel, marina, private educational use, private not-for-profit club, public utility building and facilities.

Present General Business Uses

The small stretch of land between 400 Main Street and the beginning of the “R” district (331 Main, south; 342 Main, north) is zoned General Business (GB1) and General Business 2 (GB2).

Standard Permitted Uses: agricultural, bank, fishing, low intensity recreation, marina, outdoor vending machine (except GB1), personal and household service, private educational use, professional office, public educational use, religious and municipal use, retail sales and service (antique shop, art gallery, gift shop etc.), roadside stand.

Special Condition Uses: boarding, guest or rooming house, conversion of existing dwelling to multiple dwelling, lunch room, restaurant, tent, trailer, camping vehicle and mobile home, tourist home.

Special Permit (requiring ZBA approval): adult use establishment (also special condition), animal hospital, apartment incidental to a commercial use, arts and crafts production, bar/tavern, bus terminal, clinic, commercial entertainment establishment, commercial recreation facility, dormitory, flexible multiple-family development (in overlay districts), gasoline station, guest house, hospital, sanatorium, nursing home, kennel, light industry, lumber and feed establishment, medical clinic, motel, hotel, inn, new and used car sales, private club, public utility building, radio/tv broadcasting, wholesale businesses or storage, group dwelling, one-family dwelling, commercial garage/parking lot.

Note: Obtaining a Special Permit has not in the past been difficult. A large proportion of all Special Permits is customarily approved.

continued on page 4

ISSUE TWO

NONCONFORMITY: THE ZONING BYLAW NO ONE UNDERSTANDS

There are two kinds of lots and structures in Chatham: conforming and nonconforming. The conforming lots and structures are “legal” within the standards of the present zoning laws in Chatham. For example, the properties are far enough away from the lot lines (set-backs), the lot is big enough (under the lot coverage provision) for the buildings presently on it and the lot meets the minimum size allowed (in the Old Village, 20 thousand square feet).

Nonconforming is a word used to describe a structure (or lot) or use that does not meet one or all of the above specifications. Why? Usually because the building or buildings were already on the property before zoning took affect (or at the time when changes in zoning were approved). In historic neighborhoods like the Old Village, most of the buildings are in the nonconforming category. The lots are too small, the houses too big and often too close to the street or the neighbors’ lot lines. In order to be fair to those on nonconforming lots, towns were allowed to set up bylaws which, by special permit, would allow people to renovate, add on, replace or reconstruct nonconforming houses on nonconforming lots. The idea was a good one (otherwise nobody in the Old Village would be able to do much of anything) but the results have been mixed. Not only do those on conforming lots complain that they have to meet higher standards, but as nonconformity on individual lots grows with new, larger buildings closer to lot lines, neighbors are finding their privacy invaded, and scenic views have been disappearing along with green space and trees.

Local attorney Peter Farber, an advocate of revising the current town practice concerning nonconforming structures, writes “there is no reason why the owner of a structure that is 14 feet (nonconforming) from a property line operates under

one set of rules, while the owner of a structure 15 feet (conforming) from a property line operates under a different set of rules. Under present practice in Chatham, the owner of a conforming residence cannot put an addition on his house that intrudes into the setback area without obtaining a variance (more difficult to get, than a special permit). However, the owner of a nonconforming residence can put the same addition on by way of a special permit. That does not make sense, and state law certainly does not mandate it.”

This is a difficult, controversial topic. Any changes to the present bylaw will be difficult to hammer out. Some of the choices for a new bylaw that have been offered are:

- allow changes in nonconforming properties providing the changes themselves are conforming;
- require all changes on nonconforming lots to go to the Zoning Board of Appeals and abutters notified, even when the Building Inspector feels the changes are permissible;
- strengthen and clarify the language of the bylaw, which now states that work done must be approved “unless it is substantially detrimental to the neighborhood” (discretionary wording that is a lawyer’s dream!).

More suggestions will be forthcoming, as well as arguments against any changes. However, no one in the process wants to prevent all building on nonconforming lots. There is a general feeling among those working on the issue that some of the special privileges owners of these nonconforming properties have been receiving may – in 2004 – be inappropriate and harmful to neighbors and neighborhoods.

Your thoughts on this matter are important. Write the Board of Directors at Box 188, Chatham, MA 02633 or email the Association at oldvillageassociation@yahoo.com.



Television Alert

At the urging of Selectman Debbie Connors, the Board of Selectmen has directed the Planning Board to televise its meetings on possible changes to the present zoning bylaw. These sessions are scheduled for twice a month and will be shown on Channel 18 at various times. The schedule will be posted on the channel. This is a unique opportunity to check the progress of the rewrite, to listen to arguments about nonconforming, along with other issues, and to become a truly informed citizen – all from the comfort of your armchair. As an advocate of open government, The Old Village Association wants to extend its heartfelt thanks to Debbie for making this happen.

ZONING TELEVISED The Cast of Characters

Planning Board

Wayne Jostrand, Chairman; Tommy Doane,
Gloria Freeman, Skip Kendrick, Lynn Pleffner,
Bill Southwick, John Storey, Len Sussman

Town Planner

Paul DeCoste

261 George Ryder Road, Chatham 02633

Consultant

Connery Associates; John Connery, Judi Barrett

Memories of Good Walter

By George Ganaway

This article is taken from a thank-you letter that George and his wife Elzada ("Z") sent to The Old Village Association for our efforts to protect the beach at Andrew Hardings Lane.

The Avola cottage at 24 Andrew Harding's Lane was built by my great uncle Good Walter Eldredge in the early 1900s, and my grandmother Esther Kendrick was born and raised in the Kendrick family home next to us, now owned by the Longnecks. Esther's mother, Addie Eldredge Kendrick, was married to my great grandfather, Collins E. Kendrick, son of Captain Collins Kendrick, who was master of the bark Avola in the early to mid-1800s. This is why my father named our cottage next to the Kendrick family home after the Avola. The Kendricks lived at "Kendrick Place," as the sign on the Lane used to say, from sometime in the 1800s to the mid-1900s, when the last of my great uncles, Chester Kendrick, sold it to retired Hingham attorney David Ovens.

"Good Walter" was Addie's younger brother, and lived above the Kendrick house garage while building the cottage we call the Avola on property he purchased from Heman Harding. My Kendrick relatives told me the property was the former site of a fire kindling manufacturing shop. Our cottage was built starting with the wall of an old barn from somewhere up Hallet Lane that Walter and a friend transported intact down to AHL on wheelbarrows. He framed the rest of the cottage around it. He also built another cottage just across the driveway to the east, later purchased by the Roland Aston family from New Jersey. It was the last home on the Lane to be lost to the sea during the No Name storm (later named "The Perfect Storm") in the fall of 1991.

Walter went on to build his famous Shipwreck House on the dunes east of the Kendrick house around 1919, and lived there until he died in 1955. The Shipwreck House was then burned and cleared away by the Town, since he had been a "squatter" on that beach land. Walter said he had incorporated some lumber from shipwrecks on North Beach into our house, but he really got carried away with that idea in building the Shipwreck House sometime later. Among other items salvaged, he floated an entire deckhouse from a wreck across the harbor to AHL beach atop dories in order to use it in building the second story of his last home.

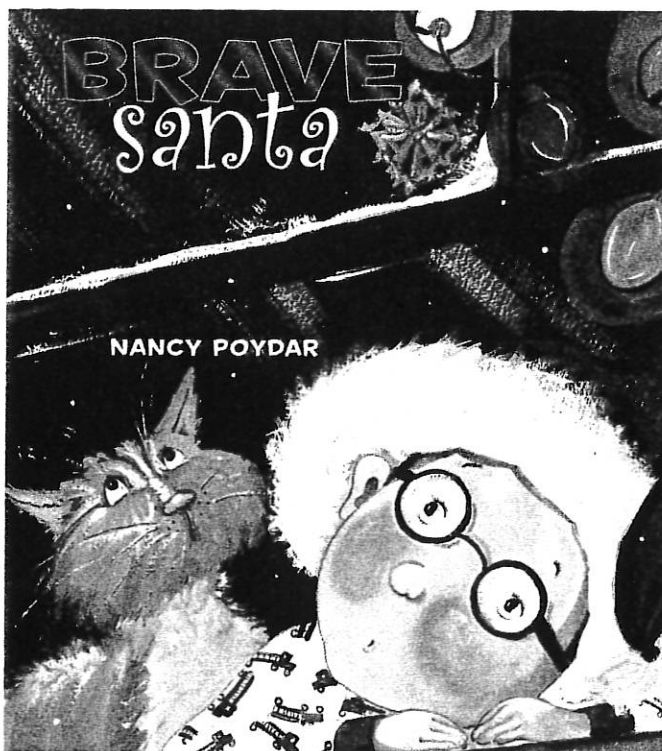
You can see why maintaining what's left of Andrew Hardings Lane and Kendrick Place is so important to us.

ANOTHER OLD VILLAGE ARTIST: NANCY POYDAR Author-Illustrator of Children's Books

Nancy Poydar, who with her husband Hank owns a house on Ivy Lane, has had a rich career in art and teaching. She studied art at the DeCordova Museum and the Boston Museum School, but for 14 years she taught sixth grade in Concord, Massachusetts. However, her love of illustration, reaching all the way back to her childhood when she was an avid reader of Little Lulu comic books, never abated. She used art as a stimulus for learning, encouraged creative projects, and invited author-illustrators into the classroom for inspiration. The person most inspired was Nancy herself, who eventually put together a portfolio and launched a new career writing and illustrating children's books.

The cottage on Ivy Lane was another source of inspiration. She wrote much of *First Day, Hooray!*, a book about the anxiety and joy of the first day of school, in the cottage, and named the character Ivy after Ivy Lane. A new book, *Last Day, Hooray!*, also featuring Ivy, was in local bookstores this summer. One summer in Chatham she painted the pictures for her story "Cool Ali". She writes that the oversized dining table, reportedly made from old house boards when the house was restored in the early 80s, was perfect for laying out the 15 "spreads" needed to make a picture book. She has always felt that her little "studio," which is the house's original borning room, brought her good luck in creating literature for children.

Nancy continues to create. Her latest book, *Brave Santa*, was published just in time for this Christmas holiday. Recently, her husband surprised her with a gift of old Little Lulu comic books. Nancy writes that they sit between her drawing board and computer, serving not only as an inspiration, but also as a reminder of where it all began. Note: Nancy will be signing her books at the Yellow Umbrella on December 11 from 1-3 pm.



Editor's note: Much to our regret, the very day we finished our book, The Creative Spirit: Art and Artists of the Old Village, we found yet another creative spirit right on Ivy Lane. Perhaps this is the first artist to be featured in volume two!

SPECIAL ZONING INFORMATION
INSIDE

The Old Village Association, Inc.
Box 188
Chatham, MA 02633



Harold Dunbar
(courtesy of Isabel LaPorte Lamberg)

*For Christmas, give a bit
of Old Village history*

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