

1954

COMMONWEALTH OF MASSACHUSETTS
TOWN OF CHATHAM
PROTECTIVE BY-LAW

SECTION 1. ESTABLISHMENT OF DISTRICTS:

In accordance with Chapter 40, General Laws, Sections 25-30B and all amendments thereto, the Town of Chatham is hereby divided into three (3) Districts herein designated as:

- (A) Residential
- (B) Business
- (C) Unrestricted

(A) The Residential District shall include the following areas of the Town:

- A-1 All that area Northerly and Easterly of a line from the Harwich-Chatham Town line and running Easterly by Queen Anne Road to Old Comers Road, to the Massachusetts State Highway, to Shore Road and to Main Street, terminating at Water Street as extended to Chatham Harbor.
- A-2 All that area Southerly of Water Street, and Water Street extended East to Chatham Harbor and West to Mill Pond.
- A-3 All that area Northerly of Water Street, and Water Street extended West to Mill Pond, Westerly and Southwesterly of Main Street and Queen Anne Road, Southerly of the State Highway to a point opposite George Ryder's Road 1100 feet West of Barn Hill Road, and Southwesterly from a point opposite George Ryder's Road to the Easterly line of Town owned Beach at the end of Ridgevale Road; EXCEPTING those sections designated as Business Areas B-1, B-4 and B-6 of Section 1 (B).
- A-4 All that area Northerly of Main Street, Westerly and Southerly of Shore Road, and Easterly of Old Harbor Road; EXCEPTING that Section designated As Business Area B-1, of Section 1 (B).
- A-5 All that area Westerly of Old Harbor Road, Southwesterly of Orleans Road, Southerly of Stony Hill Road, Easterly of Crowell Road, Northerly of Depot Road; EXCEPTING those sections designated as Business Areas B-3 and B-5 of Section 1 (B).
- A-6 All that area Westerly of Old Harbor Road, 200 feet in depth, between a line 200 feet Southerly of Depot Road and a line 3.73 feet Southerly of a Massachusetts Highway Bound at the start of the curve at the intersection of Old Harbor Road and Main Street.
- A-7 All that area in South Chatham Southerly of the State Highway, Southwesterly and Southerly of Mill Creek Road, and Westerly of Mill Creek; EXCEPTING that section designated as Business Area B-7, of Section 1 (B).

- A-8 All that area in West and South Chatham Southerly of the State Highway, Westerly of a line from a point opposite George Ryder's Road, running Southwesterly to the Easterly line of Town owned beach at the end of Ridgevale Road, and Easterly of Mill Creek Road and Mill Creek.
- A-9 All that area in South Chatham extending Northerly 600 feet from the State Highway and Westerly of Meeting House Road (Route 137).

(B) The Business District shall include the following areas of the Town:

- B-1 CHATHAM: Both sides of Main Street from Stage Harbor Road, and Old Harbor Road, to a point 500 feet Easterly of Homestead Lane, with a depth of 150 feet on each side of Main Street.
- B-2 CHATHAM: Southerly of Main Street for a depth of 150 feet, from the intersection of Main Street with Stage Harbor Road, Westerly to the intersection of Main Street with Queen Anne Road opposite Crowell Road. Between Main Street and Depot Road, Old Harbor Road marking the Easterly line of this area; EXCEPTING that section designated as Residential Area A-6 of Section 1 (A).
- B-3 CHATHAM: Northerly side of Depot Road, with a depth of 200 feet, from Old Harbor Road to Crowell Road; EXCEPTING that portion of the Seaside and Methodist Cemeteries as is included herein.
- B-4 CHATHAM: Both sides of State Highway for a distance of 700 feet measured Westerly from Crowell Road, with a depth of 200 feet.
- B-5 CHATHAMPORT: Southerly side of the State Highway, from a point 300 feet Easterly of Stony Hill Road and extending Westerly to a point $\frac{4}{10}$ miles West of Stony Hill Road, with a depth of 400 feet.
- B-6 WEST CHATHAM: Southerly side of the State Highway from a point 200 feet Easterly of Barn Hill Road and extending Westerly to a point 1100 feet Westerly of Barn Hill Road, with a depth of 200 feet.
- B-7 SOUTH CHATHAM: South side of State Highway, between Pleasant Street and Mill Creek Road, with a depth of 200 feet.

(C) The UNRESTRICTED DISTRICT shall include all remaining areas of the Town.

SECTION 2. USE REGULATIONS

- (A). In Residential Districts, no buildings, structures or premises hereafter erected or altered may be used for any purpose except:
- a. Detached one or two family dwelling, with privilege for renting of rooms to guests, but shall not extend to include public restaurant service.
 - b. The use of a room or rooms in a dwelling may be permitted for a customary home occupation or profession conducted by a resident of the premises.
 - c. Church.
 - d. Library
 - e. Municipal Use.
 - f. Educational Use.
 - g. Non-profit recreational purpose.
- (B). In Business Districts, buildings, structures and premises may be used for any lawful business, service or public utility, except junk yards, second hand machinery, equipment and material yard storage or raising, breeding or storage of any and all livestock, and in addition any use permitted in the Residential District.
- (C). Requests for variance in Business or Residential Districts may be submitted to the Board of Appeals, under provisions of Section 4 (B).

SECTION 3. GENERAL

- (a) In Business Districts all buildings hereafter erected shall extend not nearer to the street line than twenty (20) feet, except in Section B-1 the area between Old Harbor Road and Stage Harbor Road and Chatham Bars Avenue.
- (b) In Residential Districts all buildings hereafter erected shall extend not nearer to the street line or way than twenty-five (25) feet and at least fifteen (15) feet from any abutting property.
- (c) The minimum area of lots in all future subdivisions shall not be less than 10,000 square feet, unless a parcel of land presently owned shall contain more than 10,000 square feet and less than 20,000 square feet, in which event the owner may subdivide into not more than two lots upon approval of the Planning Board.

- (d) Any building or structure hereafter erected or altered in any Business or Residential District shall provide a minimum area equal to a building 20 feet by 24 feet outside dimensions; the foregoing restriction shall not apply to a building used principally for garaging of automobiles or workshop for private use.
- (e) For the purpose of this By-Law, a trailer used for living quarters shall be considered as a dwelling and not allowed to be used for that purpose in any district except those districts which are unrestricted under Section 1 (C).
- (f) In Residential Districts, not more than two (2) signs, each incorporating a maximum area of twelve (12) square feet, other than those which are attached to and are part of the architectural design of a building or structure, shall be permitted on each of the premises.

SECTION 4. NON-CONFORMING USES:

- (a) Continuation of Non-Conforming Uses: Any lawful building or use of a building or premises or part thereof at the time this By-Law or any amendment hereto is adopted, may be continued, rebuilt if damaged or destroyed, even if not in conformity with the provisions hereof, providing such use has not been discontinued for a period of three consecutive years.
- (b) Change or Extension of Non-Conforming Uses: The Board of Appeals may permit any Non-Conforming use to be changed to any specified use, or building enlarged, if not substantially different in character or more detrimental or objectionable to the neighborhood.
- (c) The pursuit of fishing and/or shellfishing as the same has been heretofore conducted in the Town of Chatham shall not be restricted in any of the Districts of the Town under the provisions of this By-Law.

SECTION 5. ADMINISTRATION:

- (a) Board of Appeals: There shall be a Board of Appeals of five members, appointed by the Selectmen, said Board to act in accordance with General Laws, Chapter 40, 25-30B and subsequent amendments thereto.
- (b) This By-Law shall be administered by the Board of Selectmen.

(c) The invalidity of any Section or provision of this By-Law shall not invalidate any other Section or provision thereof.

A true copy, ATTEST:

This By-Law is effective as of June 12, 1954 by reason of the failure of the Attorney General to act within 90 days in accordance with the Acts of 1952, Chapter 337.

Levi T. Denson,
Town Clerk of Chatham.

Edwin F. Eldredge
Charles P. Moody
Louis A. Webster
Selectmen of Chatham.