

**CHATHAM PLANNING BOARD
LEGAL NOTICE**

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 5, the Chatham Planning Board will hold a Public Hearing on Tuesday, April 10, 2012 at 7:00 p.m. in the Town Offices Annex - Large Meeting Room, 261 George Ryder Road, Chatham, MA to take public comments on the following proposed amendment to the Protective (Zoning) By-Law:

Petition Article for Special Town Meeting

To see if the Town will vote to amend, **Section IV., Overlay Districts**, Subsection A. **Conservancy District**, Paragraph 6. **Procedures**, Subparagraph c. **Private Piers (Commercial and Residential)** of the Protective (Zoning) Bylaw by adding the following language to the end of the text for the first bullet as follows:

c. Private Piers (Commercial and Residential)

The Zoning Board of Appeals may authorize a Special Permit for the construction of a private *pier* if it is found that the proposed *structure* will not be detrimental to safety on waterways, preservation of water quality, ease of access to and on waterways, equity of interest in utilizing waterways, the protection of the natural environment, and the protection of the aesthetic values of the Town. The Zoning Board of appeals shall; consider, in assessing the potential impact of a proposed *pier* or pier extension, the distance of the *pier* and its approach area from designated or customary navigation channels, from designated or customary mooring areas, from areas traditionally used for sailing, and from public swimming areas. The Zoning Board shall also consider whether the proposed *pier* or pier extension is consistent with locally adopted plans, including the comprehensive plan, any applicable harbor plan, and any applicable resource management plan. The construction of private piers or the extension of existing piers shall be specifically prohibited in the following locations:

- In Pleasant Bay from the Town line at Jackknife Harbor to the southerly property line of 4 Minister's Lane, including Crows Pond, Ryders Cove, Frost Fish Creek, and Bassing Harbor; however, all properties which had amnesty applications pending between October 1990 and October 1996 with the Massachusetts Department of Environmental Protection Division of Waterways for the restoration of previously existing piers as of the date of adoption of the prohibitions against the construction or extension of private piers shall be excluded therefrom and
- In Chatham Harbor from the southerly property line of 4 Minister's Lane to Cow Yard Landing.

Or take any other action in relation thereto.

Explanation: the purpose of this Article is to allow the Conservation Foundation to apply for the restoration of a previously existing pier at 197 Strong Island Road.

(Citizen Petition)

Copies of the text for the proposed amendment is available in the Community Development Department, 261 George Ryder Road, Chatham, MA 02633 and the Town Clerk's Office, 549 Main Street, Chatham, MA 02633 and may be inspected during normal business hours or viewed online at http://www.chatham-ma.gov/Public_Documents/ChathamMA_CommDev/Public_Notice.

Cory Metters, Chairman

03/22/12 and 03/29/12 (Cape Cod Chronicle)