



January 8, 2013

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Harwich Planning Board
Town Hall
732 Main Street
Harwich, MA 02645

RE: Planning Board's East Harwich Zoning Proposal

Dear Members of the Harwich Planning Board:

The Association to Preserve Cape Cod (APCC), the Cape's leading nonprofit environmental advocacy and education organization, provides the following comments regarding the Harwich planning board's proposed zoning bylaw for East Harwich.

In the more than four decades since it was established, APCC has been highly engaged in local, regional and state efforts relating to zoning and growth-related issues, and has extensive experience working with, and reviewing, countless zoning bylaws, model bylaws, and proposed bylaws from Cape Cod, from elsewhere in Massachusetts, and from across the nation. After careful review, it is our conclusion that the bylaw proposed by the Harwich planning board is one of the most problematic and potentially most harmful to a community—and to a region—that APCC has ever seen.

APCC supports planning strategies, endorsed by the American Planning Association and other professional planning organizations, that create a thoughtful framework for development and that serve as a predictable guide for sustainable, balanced growth. Unfortunately, the proposed East Harwich bylaw rejects widely-accepted modern planning concepts and throws open the gates to the type of old, failed development patterns from which communities on Cape Cod and across the nation are working hard to escape.

The proposed bylaw allows more than double the commercial development that is allowed now under current zoning, and it does so without any regulations or incentives that would guide growth with any certainty toward a desirable vision for the area. In fact, this bylaw does not offer a vision for the community. Instead, it provides what could be described as a "wild west" scenario that gives developers wide latitude to build whatever they want, and in development patterns that could be completely unrelated and incompatible with abutting development. It lets

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developers, instead of the residents of the town, dictate how this region will look in the future.

Perhaps most troubling of all from APCC's perspective, this proposed bylaw would earn Harwich the distinction of being the first and only town on Cape Cod, or anywhere else that APCC is aware of, to willfully roll back existing environmental protections in sensitive natural resource areas. It dismantles large areas of the Six Ponds District of Critical Planning Concern, and allows substantially more residential development in these sensitive environmental areas than what was allowed even before the residents of Harwich adopted the DCPC a decade ago.

It is APCC's position that this proposed bylaw is not just a wrong choice for the town; it is a significant step backward from existing zoning, which nearly everyone agrees is flawed in its own right. This proposed bylaw is an invitation to sprawling development, big box stores, and drive through fast food restaurants, and will result in more traffic, more expensive municipal infrastructure, higher costs to taxpayers, and an alarming and unprecedented erosion of environmental protections and community character.

APCC must therefore oppose this bylaw.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don Keeran", with a long horizontal flourish extending to the right.

Don Keeran
Assistant Director

cc: Harwich Board of Selectmen
Harwich Board of Health
Harwich Conservation Commission
Harwich Real Estate and Open Space Committee