**Public Planning Board**

Carol Ridley Joan Kozar

Karen Hall Jim Atkinson

 Al Atkinson

Board of Selectmen

Linda Cebula David Spitz

Joan Kozar (JK) provided a brief introduction, noting that the current issues that have an impact on the East Harwich Subcommittee (EH Subcom) drafts of the proposed zoning bylaw amendments are wastewater, the need for affordable housing, and not more retail (hence a mixed district of residential and business).

David Spitz (DS) presented the thoughts that he had sent around in an email to the EH Subcom prior to the meeting. For more details the text of that email is attached to these minutes (Appendix A). DS summarized these as being:

* A Village Residential (VR) district with up to 50% lot coverage
* A Village Mixed use (VM) district with up to 70% lot coverage
* A base of 40% lot coverage throughout the current Commercial Zone

Al Atkinson (AA) noted that during the introduction JK pointed to the current moratorium on natural gas expansion in the Lower Cape, which may cause some development to stagnate. It could be up to 10-12 years before development (residential or commercial) can grow. In addition, there is the issue of whether or not to sewer East Harwich, and whether there needs to be a designated area for the recharge if Harwich and Chatham agree to share the Chatham facility.

Jim Atkinson (JA) agreed with DS plan as outlined. It requires more thought, and then the EH Subcom should take it back to the full Planning Board (PB) for its review. There should be an honest discussion with the Board of Selectmen. The Board of Selectmen should provide approval and support before any plan can go before the Town Meeting. After the Selectmen give their imprimatur, we should continue an education process with the town about the substance of the current plan, its impact, and what are the costs or issues with doing nothing.

AA recommended that we leave the Northwest Quadrant alone, and concentrate on the VM in the center.

Linda Cebula (LC) remarked that the current build-out estimates of 600-700,000 sq ft. would amount to 1.4 million sq. ft as envisioned under these plans.

Carol Ridley (CR) said that the focus should be on total growth in this area, and the offsets that are required for any growth. More detailed clustering requirements would also be good. She continued to speak up against any changes in the Six Ponds DCPC area, saying that the Town would lose leverage by increasing the total lot coverage to 40% instead of the current 15-30%.

JA talked about the proposals to create offsets by using conservation restrictions on land already owned by the town (but that could be sold for development), and the need to clarify all the “owners unknown” parcels that could add up to a significant amount.

DS agreed that improved clustering would be a necessity in the Six Ponds district.

LC asked if clustered area “open space” could be made available to the public. DS replied that it would be tricky to add this type of zoning, and JA raised the issue of who would control or maintain this “open space.”

JA then said that he had two priorities he wanted to concentrate on:

* The need to define usable open space, with enforceable guidelines
* Traffic mitigation. From the December 2014 traffic study, it is clear that three sites on Rte. 137 need work. He asked if we should consider incorporating an impact fee to the developers’ costs for new building of any kind. The State will have to be involved in any event, since it is a Massachusetts State Road.

Back to the issue of lot coverage and incentives, the group agreed that we are talking about standards and requirements regardless of lot coverage.

Adopted: 09.22.2015

APPENDIX A:

E-mail from David Spitz to the East Harwich Subcommittee

**East Harwich - Tomorrow's Meeting**

(Sent to Joan Kozar, Jim Atkinson, Al Atkinson, David Harris)

Hello All,

At last month’s meeting, the subcommittee heard a difficult traffic report and decided to consider several options for next steps.  Options range from leaving existing zoning unchanged to proceeding on the current track while finding ways to mitigate traffic concerns.  After having conversations individually with Jim and Joan, I would like to suggest an intermediate direction.

There is continued concern by East Harwich residents about too much development potential.  I continue to argue that the only way to have pedestrian-friendly development in a concentrated area is to allow higher lot coverage (along with good site design).  The key question becomes – how large should the “concentrated area” be.

The existing CH-2 zoning district in East Harwich is approximately 105 acres.  The “incentive area” from the subcommittee proposal is approximately 66 acres.  I now believe we should reduce the “incentive area”.  The simplest way to do so would be to return to the Village Mixed Use district from the 2011 EHVC Handbook prepared under the direction of the East Harwich Collaborative.  That district is approximately 30 acres.

If the subcommittee accepts this direction, the base for the new zoning proposal would become the EHVC Handbook rather than the subcommittee March 2014 draft proposal.  Most dimensional standards, permitted uses and design standards in the VM district are reasonably similar to the subcommittee proposal.  However, changes should be considered in other districts notably VR and NRP.

The proposed Village Residential (VR) district, with approximately 30 acres, covers most of the undeveloped commercial land in East Harwich.  It requires a minimum of 75% of each building in that district to be residential.  At the time, many people felt this reduced commercial development opportunities too much.  Several options may be considered including reducing the residential requirement from 75% to 50% and allowing a mix of residential and commercial uses in this district.  Joan feels strongly (and I agree) that retail uses should be fairly limited in the VR district.

The most controversial part of the EHVC Handbook was the Natural Resource Protection (NRP) district.  I recommend against using the NRP proposal of 5-acre average density with higher density incentives that may be difficult to achieve.  As part of the subcommittee’s work, it has been shown that open space acquisition and protection have been quite active in Harwich over the past 20+ years.  Zoning for the East Harwich commercial area and protection of open space through acquisition and other protection efforts are two separate elements that should proceed side-by-side in Harwich’s planning efforts.

Another proposed change is to establish 40% as the base for commercial zoning prior to any incentives.  This would require removal of the Six Ponds Overlay (15% and 30% lot coverage) from the northwest quadrant of the current CH-2 district.

A few other changes to the EHVC Handbook may be needed, but I believe the above items are the most important.

David