



CAPE COD COMMISSION

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Harwich Local Comprehensive Plan Certification July 27, 2000

Summary

The Harwich Local Comprehensive Plan (LCP) has been reviewed by the Cape Cod Commission's (Commission) Planning Committee for final certification pursuant to the Commission's Local Comprehensive Plan Regulations. The purpose of this report is to provide the Commission with the comments and recommendations of the Planning Committee. The Planning Committee's recommendations are based on the criteria in Section V.A.2.c of the Local Comprehensive Plan Regulations.

The Harwich Planning Board, acting as the Local Comprehensive Plan Committee (LCPC), has invested considerable time and energy into developing the Harwich LCP. With assistance and support of the Town Planner, Sue Leven, and former Town Planner, Michael Pessalano, the LCPC has gone to great lengths to develop a plan that is both consistent with the goals and standards of the Commission's Regional Policy Plan (RPP) and provides a blueprint for sustainable growth and development in Harwich and Cape Cod.

Procedural History

In early 1999, the LCPC developed a "progress draft" of the Harwich LCP. The draft plan submitted for informal Commission staff review on June 14, 1999 was intended to address Planning Committee concerns relative to previous draft plans. With the oversight of the Planning Committee, Commission staff reviewed this and subsequent drafts of the LCP for consistency with the RPP and prepared a staff report dated August 17, 1999.

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The staff report provided general recommendations for refining the plan, as well as specific comments for ensuring consistency with the RPP.

Throughout the fall of 1999, the Local Comprehensive Planning Committee worked continuously with Commission staff and other local boards to revise and enhance the plan. During this period, the LCPC conducted special meetings and workshops for the purposes of receiving public input on the LCP. As part of its efforts to ensure optimal input, the LCPC disseminated copies of the plan throughout town and advertised the broadcast proceedings of its public meetings on the plan.

At the May 2, 2000 Special Town Meeting, residents unanimously voted to approve the final draft of the Local Comprehensive Plan 2000, dated March 31, 2000. In conjunction with this meeting, the Harwich Planning Board voted to submit the final draft plan to the Commission for Preliminary Certification Review.

The Commission accepted public comments from adjacent municipalities until June 5, 2000. In accordance with Section V.2.b. of the Local Comprehensive Plan Regulations, the Planning Committee met on June 5, 2000 to review the final draft LCP. On June 12, 2000, the Planning Committee approved the Preliminary Certification Report for consideration by the full Commission. On June 22, 2000, the Commission voted to amend and transmit the report to Harwich. At this meeting, the Commission determined that the final draft of the Harwich LCP was consistent with the goals, Minimum Performance Standards, and town actions of the RPP. Therefore, the Preliminary Certification Report did not recommend any specific changes to the final draft LCP.

As required under the Local Comprehensive Regulations, the Planning Committee held a hearing in the Town of Harwich on July 24, 2000 to finalize public input on the plan. No substantive changes to the plan were recommended. The Final Plan is brought before the Commission for Final Certification on July 27, 2000.

Findings

1. The Cape Cod Commission finds that the Town of Harwich Local Comprehensive Plan is consistent with the goals, Minimum Performance Standards, and town actions of the RPP.

2. Through the LCP, the Town of Harwich proposes an ambitious growth management plan to ensure that future development is consistent with the Town and region's carrying capacity. The plan includes a variety of growth management tools aimed at limiting the build-out population to 15,000 residents; these tools include an aggressive land acquisition program, a limited system of transferable development rights, mandatory clustering and zoning incentives to encourage development outside of greenbelt areas.

General Provisions

1. The Cape Cod Commission shall continue to apply all of the Minimum Performance Standards in the Regional Policy Plan to projects reviewed as Developments of Regional Impact within the Town of Harwich. However, the LCP goals, recommendations and implementation actions shall be considered by the Commission during any DRI review.
2. Pursuant to Section 9(c) of the Cape Cod Commission Act and Section VI(C) of the Local Comprehensive Plan Regulations, in order to maintain certification of the LCP, the Town of Harwich shall ensure that its development by-laws and regulations are consistent with its LCP within two years of the date of certification of this Plan. This period may be extended at the discretion of the Commission where the Town has made a good faith effort to comply with this requirement. Two years following the date of certification of the Plan, the Town shall provide the Commission with a written report on the status of implementation of recommendations contained in the plan, including the status of proposed revisions to the bylaws and regulations.
3. Pursuant to Section VI (A) of the Local Comprehensive Plan Regulations, the Harwich Board of Selectmen is responsible for implementation of the actions and recommendations contained in the LCP. This authority may be delegated to another board or commission in accordance with the LCP regulations.
4. Pursuant to Sections 9, 14 and 15 of the Cape Cod Commission Act, the Town of Harwich may enter into development agreements and may impose impact fees as long as the Town has a certified LCP.
5. The Town of Harwich shall review and update its LCP within five years of certification of the LCP. In the event of amendment of the Regional Policy Plan, the

LCP must be brought into conformance with the amended RPP pursuant to the Act and LCP Regulations.

- Any revisions or amendments to the LCP must be reviewed and certified for consistency with the RPP in accordance with the Act and LCP Regulations.

Conclusion

With the provisions above, the Cape Cod Commission hereby certifies the Harwich Local Comprehensive Plan.

for Elizabeth Taylor, Vice Chair 7-27-00
Frank Shephard, Chair Date

COMMONWEALTH OF MASSACHUSETTS
Barnstable, ss.

Subscribed and sworn to before me this 27th day of July, 2000

Katharine K Peters
NAME, Notary

My Commission Expires _____

