

Memo To: Durham Planning Board
From: Theresa Walker, Chair, Durham Agricultural Commission, theresawalker@comcast.net
603-534-3913
Date: July 22, 2021
Re: Rezoning Proposal

The Durham Agricultural Commission is proposing a change in the zoning for several lots in the vicinity of Piscataqua Road (Route 4) from Residential Coastal (RC) to Rural (R). The purpose of the rezoning is to continue aligning planning efforts with the Durham Master Plan, which includes the goal of encouraging more local food production. The proposed zoning change will enable meeting this goal in a part of town - Emery Farm, Wagon Hill Farm, Sunrise Bay Farm – where it is possible to most effectively leverage existing knowledge and community strengths in agriculture and aquaculture and provide opportunities for further food production activity on favorable agricultural soils.

The basis for this proposal is the Durham Master Plan, specifically the Goals and Recommendations section of the Agricultural Resources chapter, including:

- Goal – Encourage agricultural activities and development that foster a working landscape characterized by actively managed gardens, farms, and forests throughout the town, including UNH land.
- Recommendation – Increase opportunities for local agriculture through zoning adjustment and land conservation by ensuring that local policies do not create unreasonable or unintentional barriers for existing and potential farmers and the freedom to farm.

The rezoning would complement the new Agricultural Ordinance, which permits the more flexible regulations of agriculture as a principle use in the R zone.

The Agricultural Commission worked with Town Planner Michael Behrendt to identify lots to rezone. In April, Michael mailed letters to the owners of these lots, as well as owners of lots abutting the proposed new R zone boundary, to notify them of the proposal. The Commission held a public information session on May 10th to present the proposal and receive feedback, which we did receive, both in person and via email. Several residents in the Shearwater subdivision expressed concern with the proposal. There are also residents impacted by the rezoning that support the proposal.

At the July 12th meeting of the Agricultural Commission, we talked with residents concerned with the proposal and discussed changing the boundary of the rezoned area. Commission members were nearly equally divided between keeping the boundary as originally proposed, in keeping with the Commission's mission to advocate for increased opportunities for local food production and changing the boundary to remove the lots surrounding the Shearwater neighborhood, in recognition of the concerns expressed by neighborhood residents. We look forward to discussing these options with the Planning Board.

In consultation with Michael, the Agricultural Commission is also recommending a change in the Table of Uses to not allow excavation and mining in the R zone. Excavation as an accessory or incidental use to development or road construction would still be allowed.

The Agricultural Commission values the opportunity to talk with the Planning Board about the rezoning proposal on July 28th.