

James and Kathleen Tucker  
8 Shearwater Street  
Durham, NH 03824  
June 22, 2021

Dear Durham Planning/Zoning Board Member:

As longtime residents of Durham and property owners impacted by the decision of the Planning Board, we join many of our neighbors in writing this letter as a statement of our objection to the proposed zoning changes modifying the zoning for several Durham land parcels from Residence Coastal (**RC**) to Rural (**R**) as proposed by the Durham Agricultural Commission.

We understand that the major difference between RC and R zoning is with the keeping livestock/poultry/goats/etc. for **COMMERICAL USE**.

We also understand that under the current RC zoning designation, the keeping of livestock is permitted *with approval* on a case-by-case basis which gives neighboring property owners the opportunity to weigh in with their concerns and the ability to request conditions/limitations be imposed on specified uses. Under the proposed R zoning the keeping of livestock would be permitted **unconditionally with no approvals needed**. This includes fur-bearing animal livestock which is *not* permitted under the current RC zoning but is unconditionally permitted with R (again permitted and you do not even need to ask for approval).

This change will be affecting neighboring residential property owners who purchased their homes in an established residential neighborhood, not a rural neighborhood. The agricultural commission's response to concerns raised at their May meeting was that the proposed new R zoning is not substantially different from the current RC zoning. As far as we can see, the only real change this re-zoning accomplishes is to limit the rights of the existing neighboring residential property owners.

As discussed in the Agricultural Commission's June meeting, there are no planned **setback** requirements being placed on the lots under consideration for rezoning which allows **livestock fencing** to go **right up to the property line**. A point made at the Commission's May meeting was that the land behind many of our homes along Shearwater Street is currently owned by the NH Fish and Game Commission who has the ability to sell it, thus opening this lot up for **commercial** farming right up to our shared property line. It is our understanding that this land was originally transferred to the Nature Conservancy, who later passed it to NH Fish and Game, by the family who owned it with the intent that it be kept in its natural state.

We do not see any advantage to this change and can imagine several possible disadvantages to us as the existing neighboring residential property owners including but not limited to:

- ***Disruption of local ecosystem (ground water run off with the river/bay so close) and Soil Erosion***
- ***Impact on community well(s) including water quality and supply***
- ***Impacts to local air quality***
- ***Negative Impact on value of neighboring properties due to nuisance issues created by noise, odor, rodents, and visual intrusions***
- ***Negative Impact on peace, privacy & enjoyment of neighboring properties due to nuisance issues created by noise, odor, rodents, and visual intrusions***
- ***Not substantially different than current zoning except for:***
  - ***no need for approval for specified uses***
  - ***no recourse by neighboring property owners for negative impact on property value or nuisance issues created by specified uses***

We ask that you consider the rights and interests of the existing residential property owners abutting these parcels and deny the re-zoning request.

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