

**From:** Malcolm Sandberg [mailto:mal.sandberg@comcast.net]

**Sent:** Sunday, August 15, 2021 10:55 AM

**To:** Michael Behrendt

**Subject:** Ag. Comm's zoning proposal

*Michael, I regret that I am unable to attend the 8/18/21 PB meeting. Perhaps you could read it aloud for the record. Is that possible? Mal*

August 15, 2021

To: Durham Planning Board.

Fm: Malcolm Sandberg

Re: Proposed change of zoning for certain properties from RC to R

I hope these further comments will reinforce my argument that the current Agricultural Committee proposal should not move forward to the Town Council at this time. The following are just a few areas of concern:

1. A zone change from RC to R will not minimize the potential impact of residential development in the RC zone. 150,000 sq ft minimum lot size applies to both zones. Housing will be permitted in any event in both zones. An increase in minimum lot size could decrease potential negative impact on agricultural potential.
2. A close examination of the Table of Uses is in order. For example, apiaries probably are not a threat to water quality, but kennels should not be permitted on the waterfront, in my opinion,

because sound carries over water and wastes need to be contained to protect the land and water quality.

3. Specified setback restrictions in the RC zone could be used to protect rivers and streams as a function of topography.
4. The keeping of large animals might require specified numbers of animals per grazing acre, for example.
5. Some soil types may protect aquifers better than others. Conditional use restrictions regarding soil types for certain uses would serve to avoid groundwater contamination or limit runoff to surface water.
6. What is so special about the particular lots affected by this current proposal that justify the proposed change? The term "spot zoning" comes to mind. There is substantial undeveloped RC acreage along the shores of the Bay, rivers and streams that should remain RC as should the acreage affected by the current proposal.

We must keep in mind that zoning changes go with the land, not just with current owners. There is more work to be done. Well reasoned, unambiguous guidelines need to be developed for property owners to follow when proposing regulated land uses.

I urge the Planning Board to take the Agriculture Committee proposal under advisement. I believe we can encourage sustainable agriculture and protect vulnerable surface and ground water with clear requirements that will simplify the process for both applicants and board members.

Again, thank you for your consideration.