

August 8, 2021

TO: Durham Planning Board

CC: Durham Town Council, Administrator Selig

FM: Nancy and Malcolm Sandberg

RE: "Proposed Rezoning of Area from Residence Coastal to Rural"

Dear Planning Board Members,

What has been missing from the PB's discussion of the proposed change in zoning from Residential Coastal (RC) to Rural (R) is an acknowledgment of why the RC zone was established in the first place. The issue of runoff from the land to the Great Bay Estuarine System, including the Oyster River, is of great concern. It is for this reason the Town Council approved the establishment of the RC Zone.

The purpose of the Residence Coastal District (RC) in Durham is **"to protect the water quality of the community's principal surface waters and to preserve the rural character and scenic beauty of these coastal areas including the view of the shore as seen from the water..."** (Durham Zoning Ordinance, 175-41, A).

Our property, like many other properties in the RC zone with excellent soils and conditions for agriculture, sits on the Oyster River, part of the Great Bay Estuarine System. That system is particularly vulnerable to runoff from fertilizers, pesticides, petrochemical, and animal waste.

All Principal Agricultural Uses can be permitted in both the R and RC zones, with only one exception, that being the keeping of "furbearing animals". (Table of Uses, at Article XII.1, 175-53). It is with acknowledgment of the Purpose of the RC Zone that additional scrutiny by the Zoning Board of Adjustment of proposed "Principal" agricultural uses in the RC zone is imperative, given the potential for hazardous runoff of fertilizers, pesticides, animal waste, etc. The existing requirement to have "Special Exception" approval is not to inhibit agricultural use, but is to protect the surface waters potentially affected by agricultural uses.

It is not enough for the Town to rely solely on understaffed and underfunded NH state officials to oversee land use practices in Durham. We owe it to ourselves to do what we can to protect our environment and to allow and encourage sustainable land use practices.

The proposed changes cannot be viewed through the agricultural lens alone. In addition to the impacts noted above, we believe allowing "excavation and/or mining" as a Conditional Use, in what is currently the RC Zone, may have serious consequences to the natural landscape that will impact aquifers and the way runoff enters the estuarine system.

We urge the Planning Board to **reject the proposed changes** to the Durham Zoning Ordinance in that the Zoning Ordinance, as currently written, better serves the interest of the community with respect to this issue.

Respectfully,

Nancy and Malcolm Sandberg, 15 Langley Rd, Durham NH 03824