



TOWN OF DURHAM
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Town Planner's Review
Wednesday, April 26, 2023

- IX. **Public Hearing - Amendments to WCOD and SPOD.** Amendments to the Wetland Conservation and Shoreland Protection Overlay Districts proposed by the Conservation Commission and modified by the Planning Board.
- I recommend that the board hold the public hearing and then consider the proposed amendment.

Please note the following:

The board can handle the proposed amendment as it sees fit after holding the public hearing: 1) Initiate the amendment as written; 2) Modify the language and initiate the amendment now provided the modifications are minor; 3) Continue the public hearing and discussion; or 4) Make significant modifications now and schedule a new public hearing; 5) Not make any changes in the current ordinance.

The Wetland and Shoreland Committee (designated by the Conservation Commission) reviewed the proposed changes at its meeting on April 20. The committee and I recommend these changes in the proposed amendment:

Change proposed new subsections under 175-61. Conditional Uses in the WCOD. B. 4. and C. and proposed new subsections under 175-72 Conditional Uses in the SPOD. B.4. and C. to read as follows:

B. 4. The proposed project will not have substantial adverse impacts to rare species, rare habitats, water quality, aquatic connectivity, or wildlife corridors. Applicants are not required to provide supporting documentation for this criterion unless the Planning Board has good reason to believe that this criterion applies.

C. Ecological value is defined as the environmental functions performed by all lands and waters to support the variety of habitats and the abundance and diversity of all flora and fauna.

I think these changes are minor and consistent with the intent of the current proposed changes, so if the board wants to incorporate them I think the ordinance can be initiated now without scheduling a new public hearing.