

October 12, 2015

To the Planning Board:

On October 8, 2015; the Conservation Commission reviewed the plans for Harmony Homes at the Durham Business Park, looking specifically at impacts on areas in the shoreland setback and wetland setback areas.

We found that there will be incursions into the wetlands setbacks for trails, gravel wetlands, driveways, access roads and accessory structures (trash platform, generator, transformer). The activities in the setback are permitted uses (175-71). In our review of the plans, the Commission found that the proposed site plan meets the four criteria necessary for the approval of a Conditional Use Permit (175-72).

Specific comments about the four criteria are included below:

**1. No feasible location outside the District is available.**

The purpose of the trails is to view the river and shoreline, and there is nowhere to site the trails out of the shoreland setback. The site is severely constrained due to wetland set backs, and the non-trail uses are designed to minimize incursions into the wetlands.

**2. The amount of soil disturbance will be the minimum necessary.**

The trails are designed to be for low impact activities (walking, etc.) and are the minimum width necessary. The gravel wetlands are placed in reasonable locations to control, treat, and release water from the site.

**3. Detrimental impacts will be minimized and mitigation activities will be undertaken.**

The paths are designed to minimize potential runoff and mitigation steps during construction and after construction are included in the site plans. The large amount of land included in the conservation parcels A and B are significant mitigation to the reasonable impacts in the setback areas.

**4. Restoration will leave site as close to original condition and grade as possible.**

The site plan includes detail that would leave the disturbed areas around the path as close to pre-construction condition as possible.

One area the Planning Board may want to look into is the siting of the manure pile at the horse barn. This was not included in the plan.

Overall, our review found that the project is reasonable in scope and detail and it meets the criteria for approval of a Conditional Use Permit.

Sincerely,

Ann Welsh, Chair  
Durham Conservation Commission