

Submission to the Durham, NH Planning Board
in relation to the proposed Mill Plaza Redevelopment
Dennis Meadows; December 8, 2021

Recently Colonial Durham Associates (CDA) submitted an updated set of drawings for its proposed redevelopment of the Plaza. It is important to put them in perspective by looking at another project with some similar features.

On March 16 this year Thomas and Erin Daly proposed to build their family home. It would lie partially within one of Durham's most remote wetland conservation areas along the Piscataqua River at 190 Piscataqua Road.

Two abutters commented on the application, and they were in favor of it.

The Conservation Commission commented on the proposal. They pointed out that the Daly's construction plans attempted to balance environmental concerns.

The proposed project had no significant effect on any other Durham residents.

The Daly application was denied

Now CDA is proposing to build a road, parking lot, and other structures. They will lie partially within Durham's most central wetland conservation area along College Brook at 7 Mill Road.

Over 1000 Durham residents have commented on the proposal, and they were against it.

The Conservation Commission also commented on this proposal. They recommended that the Mill Plaza Redevelopment be re-designed to restore a 75-foot vegetated wetland buffer with no impervious surface.

The proposed project would have negative effects on thousands of Durham residents.

This CDA application should also be denied.

I know that CDA has told you that you do not have any alternatives. This point was explicitly made four times in a recent Planning Board hearing on the the CDA project.

At 54:10 in the hearing, "And I can't tell you when you may have another opportunity if you don't seize this one."

At 56:31 in the hearing "it may very well be the only opportunity for a very long time."

At 2:33:41 "don't know when you're ever going to have this opportunity before you again,

At 2:37 "you've got a ...once-in-a-generation opportunity to improve upon that.

If you repeat a false statement often enough, it becomes more plausible, but it does not become more true.

It is not true that you have no alternatives. I have friends with very extensive and very successful experience investing in commercial real estate. They would tell you that the Plaza is almost unique in the Northeast. Its monopoly as a large property at the center of a wealthy, community across the street from a large university allows it to generate enormous profits for its owner. CDA knows that. Why else do you imagine the CDA team has been willing to put up with a lot of frustration and abuse for years while trying to get approval to increase their investment?

Everyone wants the Plaza property to be redeveloped. It will be redeveloped. Nature abhors a vacuum. Developers abhor unrealized profits. The plan before you tonight is not your last chance, and it is definitely not your best choice. Even Rick Tainter characterized it as "a marginal improvement from a 1960s shopping center, a strip mall kind of thing, just taller buildings."

You believe you cannot bargain with CDA to get a better proposal. But all it takes is for three members of the Planning Board to decide that this plan does not satisfy the requirements for conditional use approval. Do that and suggest you might have a different opinion if CDA decided to fully respect our zoning and honor the principles it agreed to in 2015. Either CDA will

come back with a revised project we could all be more happy with, or it will sell the plaza property to someone that can. It is definitely possible for a plaza owner to make an appropriate profit of this land in a way that improves the quality of life in the center of our town.

On December 2 CDA submitted a new set of plans for essentially the same old project. It must have cost them tens of thousands of dollars to generate all those 40 sheets. I was surprised they would incur that expense before you have even approved their plan. I guess they are trying to make you feel guilty and thus more likely to grant approval.

Don't feel too guilty. I believe their costs were small even when compared with the income CDA gets just from renting out its parking lot for student parking.

CDA has effectively offered to pay Durham \$25,000 if it will ignore the Conservation Commission recommendation, overlook Durham's own zoning code requirements, and forget the principles CDA agreed to in the 2015 Settlement Agreement.

On November 22nd I offered to pay Durham \$35,000 if it will respect the Conservation Commission recommendation, fully enforce Durham's zoning code, and expect that CDA honors its agreement.

The details of my proposal are posted in the Citizens Comments section of the Durham website devoted to the Plaza project. Please read them. I won't elaborate them here except to say that they show one way you still have the chance to guide this project in directions that would bring enormous benefit and pride to Durham. I hope you will take it.