

February 8, 2022

Planning Board
8 Newmarket Road
Durham, NH 03824

Dear Members of the Planning Board,

Two months ago, on December 8th, I spoke during the public hearing on the Mill Plaza application. I thought it was about time you heard from a new voice. However, I've discovered that my comments are not fully reflected in the official minutes, and I know that two members were absent, at that meeting, so I'd like to provide a written record that more closely captures what I said:

I live at 9 Meadow Road in Durham. I have lived in Durham for 42 years.

What I want to speak to you about tonight is NOT to make a decision for you whether you should approve this project or not. But I just want to add one more thing for you to think about, and that is, when it comes to the Conditional Use part about the effect on the adjacent neighborhood and what it means to have a project like this at this particular location..

Again, I'm not asking you to make a decision, "No, we're not going to do it." I'd like to see what you can do to mitigate the problems that I'm going to discuss.

In the 42 years I've been here, I've been able to see a number of problems that occur differently from what we have now downtown with Madbury Commons or with Orion. Those are not adjacent to a residential neighborhood.

The first example I'd like to use is 99 Madbury Road. Some of you may remember: that's just north of Edgewood Road on Madbury Road. It was used as a party house. It's abandoned and there was going to be a project that was proposed there. When that didn't happen, young people who drink heavily -- I'm not going to call them anything other than that -- young people who drink heavily were there all the time. And all the party-goers who came there walked by families living on Edgewood Road and Madbury Road. I did not live there at the time. I had moved to the other end of the street on Meadow Road, but many people that I knew well lived on Edgewood and Madbury.

My former neighbors were bothered night after night at 2 or 3 o'clock in the morning with people screaming and yelling, because those young people were in a state of inebriation, as they went to and from that house at 99 Madbury Road. And you might say, "Well, we have a noise ordinance that we passed. Ten o'clock: They can't do that. You call the police." But anybody who's been down there at that time knows, that you call the police, who come -- but those young people have walked away. They're still walking, and they're still screaming, but just farther away someplace else. So that's example one.

The other example is, even one that's relatively controlled by management, is Davis Court on Madbury Road. We hear that noise there even on Meadow Road, 2 or 3 o'clock in the morning,

same thing, on certain nights, mostly the weekends, but generally from Thursday through Sunday. A neighbor of ours whose bedroom faces that has called the police numerous times. Again, by the time the police get there, those young people creating a disturbance may have walked past. But they're going back and forth to those places.

So I want you to consider the fact that there's going to be a group of young people coming from the Faculty area into a project in the Plaza and from the Plaza into the Faculty area through the Chesley Road path.

And I can guarantee you what will happen, as I will explain with a third example: Young Drive and the adjacent family neighborhood Bayview Road.

There were many documented calls to the police from Bayview residents night after night, as young people walked between their houses, urinated on their property, swore, at 2 or 3, 4 o'clock in the morning. And the police couldn't do anything about it. They tried to put a fence up. That didn't work. By the time the police would get there, the people that were causing the problem had left. Young Drive has changed. The groups of young people are no longer there and the police don't hear a peep from Bayview Road anymore. There's no young people drinking late at night, early in the morning.

So I'm just thinking of the path going from Chesley to the Plaza and from Faculty to Chesley. What can be done about it? I'm not asking you to make a decision, but I want you to think carefully: Is there anything that CAN be done about it?

Can you put extra security on the Plaza site itself?

Well, that's not going to do any good for people walking through the adjacent neighborhoods to come in. People coming in who are inebriated -- I can't imagine the security person saying, "Sorry, you can't come into the parking lot here."

So that's all I wanted to say. I just want you to think about that, when you get to that point with Conditional Use, will you think about the effect on neighbors. Thank you very much.

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I think you should also be aware of the statement that Chair Paul Rasmussen then made to me:

"So, I'm not sure I'm catching your point, because the examples you provide are situations where you have people who are living in, say, your neighborhood, who are going someplace where there's a big party going on late at night. And, from what I've seen so far, that's not what this application's providing. What they're providing are more residences, which would cause places like Young Drive to empty out, and, actually, by being there is going to reduce the traffic coming from Faculty Neighborhood in."

I responded: "Oh, boy, that's a really convoluted discussion from somebody who's obviously trying to make a decision, one way or another, about this project. And, frankly, I'm really surprised that you can argue during the Public Hearing in a different way from what I am

saying. Aren't you supposed to just listen? And then talk about it afterwards and make a decision?"

Paul Rasmussen: "I'm trying to understand your point."

So I responded: "No, what you are trying to do is tell me that I'm wrong in what I'm saying. If you have that choice, wait 'til the decision comes on, and you can talk to your fellow members. But don't, I noticed this before, when you were sitting up here. Somebody says something, you rebut it. You're not the one who can rebut it. The applicant should rebut it. Thank you very much.

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Sincerely Yours,

Jay Gooze,
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