

From: [John Hart](#)
To: [Karen Edwards](#); [Rick Taintor](#); [Durham Town Council](#)
Subject: Mill Plaza impacts
Date: Wednesday, February 02, 2022 8:54:47 PM

TO: Durham Planning Board, Rick Taintor, Karen Edwards, Town Council
FROM: John L Hart, 13 Mill Road #9, Durham NH
DATE: February 2, 2022
RE: Mill Plaza redevelopment plan of October 8, 2021

I'm a direct abutter to the aging Mill Plaza strip mall. I'm in favor of redevelopment of this site, along the lines demonstrated by the award-winning charrette of 2008, "A New Village Center": A vibrant community work and play space, sustainable, heavily vegetated, conserving College Brook, enhancing our natural resources, serving well both the community and the property owner.

However, since 2014 I've been moved to write several letters and speak in public session in opposition to ten (!) proposals by Colonial Durham Associates (CDA) for redevelopment of Mill Plaza. The project indisputably violates numerous criteria of Durham's Conditional Use regulations. And still the project marches forward. Unbelievable.

But I want to take a step back from the Plaza and onto my property: How will this project in its current form impact me and my co-residents at Brookside Commons, a senior housing community? Perhaps this has little to do with your deliberations, but it has everything to do with our lives in very direct and personal ways.

The main concern is the wholesale change of neighborhood cultural characteristics. The addition of 258 "beds" and likely more than that number of bodies in dormitory-style apartments, along with an additional 30,000SF of commercial space, will significantly increase pedestrian and vehicular traffic, noise, trash and litter, light pollution, police calls, and other quality-of-life nuisances. These negative effects will be amplified by the "beds" being occupied by students. (And by the way, even the developer CDA at one point identified these units as student apartments.) These regrettable outcomes are not suppositions, they will happen. In this regard it is telling that a recent request for a food truck in the Plaza produced a fair outcry from Planning Board members, the Durham police, and the Town Manager, for all the reasons noted above. The CDA project dwarfs a food truck and will have orders of magnitude more negative effects. It's also worth noting that, per settlement agreement, the buildings and housing in particular were supposed to be at the northern (Main St) part of the site, as far as possible from my residence and the faculty neighborhood.

I will be looking out my living room and bedroom windows at three- and four-

story buildings, massive in scale for the faculty neighborhood of single-family residences and unrelated to the architecture of the neighborhood or that of New England. In my opinion (and I'm the one who will be seeing them every day), they are utterly unattractive and without character. They have been compared to typical modern motels in Anywhere USA. They will be, for all practical purposes, in my backyard. Please ask yourselves, How would you feel if ten houses around your house were converted to a high-rise dormitory? Would your life be affected?

I moved to Durham in part because it was a forward-thinking community. The Durham Master Plan is a great document, espousing principles of natural resource conservation, greenways, sustainability, community. As many have pointed out, the CDA plan for Mill Plaza largely ignores and in numerous ways opposes Master Plan directives. While the Master Plan is not law, I would hope that a development of this magnitude would at least attempt to adhere to its principles. Likewise, I would hope the Planning Board would actively steer projects to aim toward that vision. The current strip-mall Plaza has been here for fifty years; the redevelopment will be here for fifty more. Fifty years is a long time to live with and regret a poor development in the center of town that ignores the Master Plan, as well as many of the Conditional Use criteria.

While I speak for myself here, I am not alone. I was one of the 1,008 citizens of Durham who signed a petition to the Planning Board (8/25/21) requesting that the CDA application for development be denied. This is a sizable proportion of the population of the town. While none of us has a vote on this project, it does suggest significant deficiencies in the CDA's plan for our town center.

As a long-time UNH employee, a 14-year Durham resident, and a thirteen-year abutter to Mill Plaza, I have observed the Mill Plaza landscape for 37 years. I am personally concerned about CDA's ability to maintain their property. Again, this is not one of the Planning Board's criteria for approval, as I understand the process, but CDA's stewardship or lack thereof should help mitigate any feeling of angst about denying the project on legal grounds. Their record is abysmal. Required (1977) landscaping and walkway along College Brook were put off for many years; they continue to illegally rent parking spaces; they illegally tore into the forested hillside and added asphalt (2002); applications of salt continue to run through sewer drains into College Brook; sand runoff has silted in and eliminated a pond on Brookside Commons' property, which I have specifically asked them in Planning Board meetings to correct; many landscape trees in the parking areas have died, are dying, or are malformed; dead trees, invasive species and poison ivy comprise their wetlands buffer along the Brook. While they have submitted a management plan for the proposed development, any rational person would have very good reason to doubt that such a plan will be followed. As an abutter who has spent significant time and money to begin restoration of wetlands and shorelands on our side of the Brook, their negligence on the Mill Plaza side is a huge concern. Again, this is not the direct

purview of the Planning Board, but it does suggest that the Planning Board take measures with other town officials to see that the CDA landscaping actually gets installed and that they maintain the infrastructure (sewers, raingardens, bioswales, detention facilities, landscape vegetation) that they build.

Meanwhile, I continue to look for housing elsewhere. As detailed in the letter to you (12/2/21) from Matthew Meskill, an expert in the local real estate industry, my property values are expected to fall significantly as a direct result of the redevelopment as proposed in the latest plan (10/8/21) – the tenth plan in a seven-year series of poor plans which have largely ignored input from abutters, local citizens, the Planning Board, the Conservation Commission, the Town Council and settlement agreement, and a number of experts in planning, hydrology and water quality, ecology, forestry, and natural resources. Unfortunately, due to the hyper-inflated local real estate market, I am unable to move. While I enjoy my home and my life in Durham, my life will be upended by this development. When the real estate market stabilizes, I will be unable to sell my place for a fair market value.

Finally, as noted in detail in my earlier letters, and by many other letters from Durham citizens and from experts, this plan fails to meet most of the criteria for Conditional Use permitting, which is under your direct purview. As presented, the CDA plan will have substantial “external impacts” on the neighborhood, the “character of the site development” has no relationship with existing neighborhood character, the “buildings are out of character” and out of scale with the neighborhood, the plan does not aid the “preservation of natural, cultural, historic, and scenic resources” of the area, and it is likely to negatively “impact property values” of abutters in particular.

Based on the plan’s failure to satisfy numerous Conditional Use criteria – where failure to meet only one of the criteria requires denial of the application --I would ask the Planning Board to deny this application.

Signed,

John L Hart