

1/5/2022

Dear Planning Board,

Thank you for your considerable service to this community. We appreciate the significant time commitment the Planning Board requires and the difficulty of the decisions before you.

As Durham residents, abutters on Faculty Road, and patrons of the Mill Plaza, we enthusiastically support its re-development. Re-development is an opportunity to reinvigorate this critical property, expand commercial opportunities, enhance the attractiveness of the town's core, improve stormwater management, and significantly reduce the negative impacts of the current plaza on water quality. We also support increasing the residential density of the downtown area to create a vibrant downtown, protect open space in other areas, and reduce reliance on cars.

We noted these positions in our letter of November 29, 2017, which some of you may not have seen. That letter detailed concerns that remain today. The current Mill Plaza redevelopment proposal dated December 1, 2021—four years later—still does not adhere to key terms of the settlement agreement reached between the Town and the applicant.

Housing location violation results from not redeveloping the Hannaford building

The settlement agreement includes a provision requiring that the bulk of the residential beds be put on the northern half of the property, i.e., the Main Street and Mill Road edges of the site—not packed next to the homes on Chesley Drive and Faculty Road. As abutters to the Mill Plaza, we assumed that this requirement was to reduce the impact of the redevelopment on our neighborhood, so it is particularly discouraging to see this requirement continue to be ignored in the current plan.

The consistent weakness in Colonial Durham's plans that makes meeting this requirement impossible is their insistence on not redeveloping the existing building that houses Hannaford. That location would be appropriate for much of the residential housing proposed by the applicant. Failure to re-develop this building exacerbates the external impacts of the redevelopment by pushing the bulk of the residential beds to the edge of the Faculty neighborhood instead of near Main Street where they should be.

We understand that Hannaford is resistant to the redevelopment of their building, but the neighborhood's interests should not be sacrificed because of Colonial Durham's failure to make their redevelopment plans appealing to Hannaford.

Wetland setback violation undermines our efforts

We appreciate that the new plan shows improvement in reducing the impervious surfaces in the wetland setback, but the Town specifically required in the settlement agreement that no building or road be within the wetland setback such as to require a variance. This requirement is still not met in the December 1 plan. It is not as though it is impossible to do so, but clearly

the applicants would rather the Town abandon its requirements for surface water protection than that the footprints of their buildings be decreased.

In 2012, we purchased the forested one-acre lot along the pedestrian path between Faculty Rd. and the Mill Plaza. We recently worked with an attorney to put into place conservation deed restrictions to protect this important buffer along College Brook into perpetuity. Given the considerable personal expense we assumed in protecting this buffer, it is hard for us to understand why Colonial Durham would be allowed to violate the setback requirements and the settlement agreement by including a road and parking in what is supposed to be a buffer on the opposite side of the brook from our protected buffer. Approving their plan would undermine our personal investments in protecting the brook's southern buffer.

As landowners with considerable frontage along College Brook, we enthusiastically support Dennis Meadows' vision of a greenway along the brook. It would be an asset to the community and enhance the commercial value of the Mill Plaza in addition to protecting water quality and buffering the Faculty neighborhood from the plaza's impacts.

Property values

When evaluating the impact of this project on the abutters' property values, as required by the conditional use permit criteria, we ask that you keep in mind that the value of our home to us is primarily its livability, not its re-sale value. We love our home and our neighborhood, plan to stay here, and do not want to see our neighborhood succumb to the noise, light pollution, and litter that have plagued other neighborhoods when they are adjacent to dormitory-style housing.

A better plan would address these concerns

We don't believe that the Planning Board should be in a position of choosing between the interests of Colonial Durham and the community. Rather, we believe that a better-conceived plan that is consistent with the settlement agreement, conditional use criteria, and wetland regulations and that, by necessity, would incorporate the Hannaford building, could meet all parties' interests by providing downtown residential development and more commercial space while minimizing impacts to College Brook and the neighborhood.

We hope to one day be able to publicly express our support for such a plan, since we believe it is in the interests of the community and Colonial Durham for the Mill Plaza to be re-developed in a manner that is thoughtful and respectful of current regulations and agreements.

Thank you for your efforts to protect our neighborhood and our waterways from negative impacts of the proposed redevelopment.

Sincerely,

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