

October 25, 2020

Conservation Commission
8 Newmarket Road
Durham, NH 03824

RE: *Conditional Use Permit review for Wetland Conservation and Shoreland Protection Overlay Districts related to proposal for the Mill Plaza, described on Planning Board agendas as “review of application for site plan and conditional use for mixed use redevelopment project and activity within the wetland and shoreland overlay districts. Colonial Durham Associates, property owner. Sean McCauley, agent. Joe Persechino, Tighe & Bond, engineer. Emily Innes and Sharon Ames, Harriman, project designer. Ari Pollack, attorney. (Rick Taintor is serving as the Town’s Contract Planner.) Central Business District. Map 5, Lot 1-1.”*

Greetings,

A quick follow-up to my length letter dated October 21 seems in order, now that I have reviewed again the applicant’s “Buffer Coverage Plan,” most recent revision dated 10/20/20, no doubt provided to the Commission directly but also posted online.

This “plan”—sheet C-701—provides an “existing conditions” and “proposed conditions” comparison, highlighting in green areas that I infer are to be considered part of the “buffer coverage.”

Please note: The parking row endcaps shown in green reduce impervious cover and are good low-impact design measures.

However, they should not “count” toward an “increased natural buffer,” as required in the 2015 Town of Durham-Colonial Durham Associates Settlement Agreement, for various reasons (they are not contiguous, they are not extensions of the natural buffer but rather artificially landscaped, likely with nonnative species).

I do not know whether they are included in the table titled “Summary of Existing and Proposed Impervious Cover” (at the lower left on the sheet.) That is a question for the applicant.

As I stated in my October 21 letter, I recognize that the Agreement is not under your purview, but I want to make clear the above distinction to head off confusion.

Sincerely yours,

Robin