

— *HOURS OF OPERATION (REFERENCE LIST)*

February 3, 2022

Planning Board
8 Newmarket Road
Durham, NH 03824

Mill Plaza Redevelopment. 7 Mill Road. Continued 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....Central Business District. Map 5, Lot 1-1.

Dear Members of the Board,

As Beth Olshansky recently reminded the Board ([Beth Olshansky 1-18-22](#)), according to our zoning ordinance, Conditional Use permit approvals (175-23. Approval Criteria, D. Conditions of Approval):

“shall be subject to appropriate conditions where such conditions are shown to be necessary to further the objectives of this ordinance and the Master Plan.”

I urge the Planning Board to take this under advisement if and when setting Conditions of Approval.

This letter addresses one such condition:

7. Limitations on the number of occupants and methods and times of operation.

I urge the Planning Board to take this under advisement if and when setting Conditions of Approval. As noted by several residents, CDA’s proposal would dramatically change both the use onsite from purely commercial to commercial-plus-residential, and the intensity of use. **Among the changes would be the amount and type of activity occurring at significantly later hours, some activities well into the “wee” hours of the morning.** Young people often continue to socialize even after the bars close at 1 AM, and, as former Chief of Police Dave Kurz would say, “bad weather is our friend.” Good weather supports outdoor socializing—as would likely occur at the outdoor patio on the south side of Building B.

Beth’s recent letter also reflected comments by numerous residents (see abutter letter [Ward Family 6-24-20](#)) expressing concerns about noise likely to increase due to the redevelopment. The key difference between the Mill Plaza and any other large construction project built in downtown Durham is that it **abuts a nonstudent (“family”) residential neighborhood.**

Note also:

- (a) Brookside Commons 55+ apartment complex is an immediate abutter with almost no intervening sound buffering; and
- (b) the large, uninterrupted expanse of existing pavement will carry sound

On the next pages I provide data on existing relevant Durham business hours of operation as evidence that establishments not intended to cater to late-night.

Regards,

Robin

Current Mill Plaza business latest closing hours:

- Allegiant Physical Therapy: weekdays to either 3:30 PM or 6 PM
- Works Bakery Cafe: 8 PM
- Hannaford Supermarket: 9 PM
- Rite Aid: 9 PM
- Cleary Cleaners: weekdays to 6 PM, Saturdays to 2 PM
- Uppercut Hair Salon: some days to 5PM
- Appledore Family Medicine: weekdays 8 AM to 5 PM
- Domino’s Pizza: Sun to Thurs to 1 AM; Fri & Sat to 3 AM
- Durham Chiropractic: weekdays to 6 PM
- Mei Wei Asian Restaurant: 11 PM or midnight (unclear)
- First Seacoast Bank: weekdays to 5 PM; Saturdays 9am to noon
- Sheehan Real Estate (management office for the Plaza)

Current hours of operation for other Durham businesses serving food and/or alcohol

Business	Latest close	Address	Hours in general
Aroma Joe’s	9 PM	72 Main Street	daily 5:15am to 9pm
Bamee / Azure	8 PM	12 Jenkins Court	weekdays 11am to 3pm and 4pm to 8pm; Sat noon to 8pm (603-397-5378
Big Bean Cafe [alcohol]	10 PM	8 Jenkins Ct	Wed to Sun 9am to 10pm; bar open until 10pm (603-815-4965)
Breaking New Grounds	6 PM	50B Main Street	daily 6am to 6pm or earlier (603-868-6869)
Campus Convenience [alcohol]	2:30 AM	32 Main Street	Th, Fr, Sat to 2:30am; 1:30am otherwise
Ciao Trattoria & Wine Bar [alcohol]	9 PM	56 Main Street	Dine in: Wed-Sat: 5pm - 9pm; Sunday Brunch 10am-3pm Sunday Dinner : 5pm - 8pm CARRYOUT: Wed-Sat: 5pm - 9pm Sun: 10am-3pm & 5pm - 8pm (603-868-2426)
Circle K Market [alcohol]	24/7	4A Dover Road	no beer after 11:30 PM; usu 24/7 (603-868-1634)
Clark's American Bistro [alcohol]	9 PM	48 Main Street	Tues-Fri: 11:30 to 9pm (inside & outside); Sat-Sun: 9 a.m. – 9pm (inside & outside) (603-397-5053)
Dunkin’ at Irving Station	7:30 PM	4 Dover Road	(603-868-5627) 7 AM to 7:30 PM
Durham House of Pizza	2 AM	40 Main Street	Sunday: noon to 9pm; Mon to Wed: 11 am to 10pm; Thurs to Sat 11am to 2am (603-868-2224)

Business	Latest close	Address	Hours in general
Franz's Food	3 PM	46 Main Street	8am to 3pm (603-868-3800)
Freedom Cafe	10 PM	37 Main Street	Mon to Wed 7am to 4pm; Wed 6pm to 10pm; Thurs & Fri 7am to 5pm; Sat & Sun 8am to 2pm (603-815-4916)
Fry'd	2 AM	3 Madbury Road	10 PM to 2 AM Friday and Saturday (as of 2/2/22)
Hannaford [alcohol]	9 PM	7 Mill Road	closes 9pm
Hop & Grind [alcohol]	8 PM	7 Madbury Road	daily noon to 8pm (603-397-5564)
Juicery, The	5 PM	30 Main Street	daily 8am to 5pm (603-815-4164)
Libby's Bar & Grill [alcohol]	10 PM or 1 AM	47 Main Street	currently: 4pm to 10pm, closed Sundays; but prior to Covid open until 1am (603-868-5542)
Mei Wei Restaurant [alcohol]	midnight? unclear	7J Mill Road	unclear; pre-COVID? until 10pm except midnight FR and SAT, 11 on Sun (603-397-3363)
Moe's Italian Sandwich Shop / convenience store [alcohol]	9 PM	7 Old Dover Road	6am to 9pm (603-868-2337)
Pauly's Pockets	7 PM	51 Main Street	weekdays 11am to 7pm (603-868-3110)
Ravi's Market / Sammy's Market [alcohol]	11 PM	5? 7? Madbury Road	Sun to Wed 10am to 10pm; Thurs to Sat 11am to 11pm (603-868-2121)
Rise & Grind	4 PM	17 Madbury Rd	weekday 7am to 3pm; 7am to 4pm Saturday and Sunday (603-815-4962)
Rite Aid [alcohol]	9 PM	5 Mill Road	closes at 9pm
Scorpion's Bar & Grill back deck; heaters to extend season [alcohol]		43-45 Main Street	CALL: (603-389-9084) Facebook page says "always open"
Subway	6 PM	72 Main Street	daily 10am to 6pm; (603-397-5355)
Thai Smile [alcohol]	9 PM	13 Jenkins Ct	daily 11am to 9pm
University Market [alcohol]	1 AM	14 Jenkins Ct	9am to midnight; weekends 9am to 1 am (have also see Thurs to Sat 9am to 2am; Sun to Tues 9am to 1am) (603-397-5342)
Village Pizza [alcohol?]	10 PM	43-45 Main Street	daily 11:30am to 10pm (603-868-5500)
Wildcat Pizza	10 PM	3 Madbury Road	Sun noon to 9pm; Mon 11am to 8pm; Tues to Thur 11am to 9pm; Fri 11am to 10pm; Sat 11am to 9pm (603-868-5530)
Works Bakery Cafe	8 PM	5 Mill Road (Plaza)	daily 6am to 8pm (603-868-3500)