

September 16, 2020

Dear Planning Board Members,

I write as a 45-year Durham resident and former member of the Town Council (1998-2001) living at 76 Madbury Road. I have long been proud of Durham's reputation for inviting and acting on public input. Therefore, I have been very distressed to see that the Planning Board has thus far almost completely ignored years of public input with regard to review of Mill Plaza proposals. Indeed, even worse than that, the Board has been dismissive and disrespectful to those residents who have attempted to offer public input during this year's Public Hearings. Board members have even explicitly said that resident input is preventing the Board from getting its "business" done. Instead, the Board has repeatedly urged members of the public to submit written comments – and yet, there is scant evidence of the Board even acknowledging the substance of the many resident letters, let alone acting in accordance with what are well-documented facts and overwhelming public opinion.

The Planning Board has exhibited tunnel vision in marching forward in keeping with the NYC-based *developer's desires*, as in presently scheduling architectural design (even color choices) during this August and September, without responding to the public's repeated concerns about fundamental problems with the proposal. Durham's residents are being railroaded.

As just one example: In her letter to the Planning Board (PB) on May 20, Robin Mower (former Town Councilor) noted that residents were not allowed to offer public comments in the so-called "Public Hearing" on May 13, which means that the motion debated and voted on was illegal. The Board did not respond.

Unfortunately, this pattern of ignoring the public and violating procedure is ongoing. Robin Mower wrote again on June 2, 2020 requesting an independent FIA (Fiscal Impact Analysis and Request for Economic Impact Scenarios). Again, no response. I beg the PB to reread and address her suggestions below.

Then isn't it incumbent upon the Board to requisition a professional evaluation of the economic impact of this proposed redevelopment not just in the immediate future but as its impacts on the community might play out? This is what Councilor Lawson suggested at your May 13 meeting and was opposed. We must address the question of what could happen in the broader community given: (1) the potential for newer housing in a prime location to draw tenants from outlying and/or older housing; (2) the ensuing likely lower occupancy and deterioration of those exited properties, with likely requests for property tax abatements—which could lead to a vicious cycle: lower revenues, lower reinvestment in maintenance and improvements, lower occupancy; and (3) COVID-19 driving some potential tenants to make other choices; and (4) the likely further deterioration of the

Hannaford building, constructed in 1969 (51years ago), if “redevelopment” does not encompass renovation or replacement of that building as well.

Yet, even after four months, the Board’s promise to revisit that May 13 FIA vote in light of the improper vote and the many resident and attorney letters has not yet been fulfilled.

Subsequently, CDA submitted an “appraisal” offered by Brian White, which contains one demonstrably absurd claim after another. I read the many logical responses from Faculty Road families, describing the obviously negative impact on them and Faculty Neighborhood neighbors of added light, noise, trash, and commotion from a 258-bed dormitory. But it’s much worse than that: the current plan would be detrimental to all of us in Durham. Adding massive dormitory buildings to our shopping center would also have a claustrophobic effect on the entire town. Town residents (and those who have work and shop in Durham) would think twice about entering such a densely populated student residential space for our shopping and pharmacy errands. The Board needs to realize that Mill Plaza planning goes far beyond a Not-In-My-Back Yard issue. I request that the PB reread all the resident and attorney letters, revisit the motions for both an independent FIA and an independent appraisal, and also take to heart the Conditional Use Zoning that was applied to the Plaza in 2013 to prevent the type of development now being reviewed.

Also in our recent history, our very able Town Planner, Michael Behrendt, was taken off this project for giving his well-founded professional opinion on one terrible plan. He was replaced by a yes-man, Rick Taintor. Apparently, the town administrator was unwilling to risk a lawsuit by upholding our zoning for this mixed use project. Please bring back Behrendt, author of a book on historic buildings in Rochester, NH, who has the wide knowledge to steer us to a tasteful New England town shopping center.

In October 2018, the Board voted (against Mr. Taintor’s suggestion) not to continue review until there is a Hannaford-approved plan. Hannaford’s most recent letter from August 10, indicates that they do not approve of the current plan. It’s time again for a pause. Yet, remarkably, Mr. Taintor, who is paid by the hour, did not even refer to the new Hannaford letter (and related public requests for a “pause”) in his Planner’s Review for the August 26 meeting. Moreover, the public was once again not permitted to speak at that “Public Hearing.” Instead, insults to the public continue with an invitation for public input at a Saturday morning Zoom session, strictly limited to comments on “color palette” choices for an inflexible plan.

Over the decades, hundreds of citizens have worked on proposals for how to develop an attractive shopping center, with the consistent theme that plans must emerge from and make sense to members of the community. The thousands of hours of invited community input are being ignored. Please respect Durham’s traditions and bring the community back to the table.

Respectfully submitted,
William R. Woodward, 76 Madbury Rd (since 1975)