

From: [Michael Behrendt](#)
Subject: Durham Point Rd. CU - email from Karon Walker
Date: Friday, April 01, 2022 9:14:25 AM

To the Planning Board and Conservation Commission,
Please see the email from Karon Walker below.

Please note that general conditional use criterion 6) regarding impact on property values is minimally applicable, if at all, to conditional uses in the WCOD. The 8 general criteria apply only to the specific proposed action requiring the conditional use: i.e., placing a driveway within the wetland buffer, not the driveway itself nor the location of the proposed house.

Michael Behrendt

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From: Karon Walker <karonswalker@gmail.com>
Sent: Friday, April 01, 2022 9:02 AM
To: Michael Behrendt <mbehrendt@ci.durham.nh.us>
Cc: Scott Boudreau <scott@boudreauls.net>; Peter Howd <peterhowd@gmail.com>; Michael Graf <michael@michaelgrafarchitect.com>
Subject: Durham Point Rd. CU - letter fro McNitt

Dear Mr. Behrendt:

Thank you for forwarding to us Mr. McNitt's correspondence. We would appreciate it if you could convey this e-mail to the members of the Conservation Commission, the Planning Board and Mr. McNitt.

We were surprised to read Mr. McNitt's exposition, particularly his speculation about our diligence process in connection with the acquisition of the lot. Like his description of our March 23 meeting with him to hear his grievances, these

are inaccurate. Even if it were accurate, however, the content of Mr. McNitt's letter is largely, if not entirely, irrelevant to the conditional use application in consideration by the Conservation Commission and the Planning Board.

We plan to build a home that not only represents us, but also preserves the natural characteristics of the lot, respects applicable local zoning and state protections and processes, and complies with restrictions (and rights) contained in the deed and the approved subdivision plans of record. We believe that the proposed driveway not only satisfies conditional use requirements, but also allows us to meet these goals.

We fail to see how building a single-family residence on our lot would diminish the value of the lot Mr. McNitt holds in common with his sister. If the limited ability to further subdivide that lot affects its value, that impact, positive or negative, occurred when the subdivision and lot line adjustment took place in the 1980s, and when the relevant portions of the zoning ordinance took effect, both significantly predating our purchase. Clearly, our intent to put our lot to a permitted – and thoughtful – use consistent with the neighborhood, the Durham Zoning Ordinance and applicable State laws has no effect on the market value of Mr. McNitt's interest in the adjoining property.

We are happy to answer any more specific questions from you, the Conservation Commission or the Planning Board.

Karon Walker