

October 20, 2022

From: Marti Mulhern

To: The Durham Planning Board, Chairman Paul Rasmussen, Town Planner Michael Behrendt

RE: Gerrish Drive Extension

The October 26, 2022 Planning Board meeting agenda is ambitious and our project is the last item of the evening. In the interest of time and fairness, we respectfully request that Chairman Rasmussen implement the following rules, from the Planning Board's Rules of Procedure updated on March 10, 2021, to assure that the planning board takes final action on our project as quickly and efficiently as possible.

1. In past meetings those who oppose our project have strategically "run up the clock" in order to delay decision making. At the Conservation Commission meeting on September 19th, one objector was allowed to speak for nearly 20 minutes. We find this to be an unfair practice. Therefore, we request "The chair may ask in advance for a show of hands of those who intend to speak during a given hearing, in order to gauge whether instituting a time limit, such as for 5 minutes for each speaker, would be advisable." Personally I believe that a 5 minute limit should be the norm in order to allow everyone's voice to be heard equally.
2. The coordinated campaign of the opposition has been to flood the Planning Board with misinformation that is unsubstantiated by facts or expert opinion. At the Conservation Commission meeting mentioned above, we were not given an opportunity to refute any speakers' unsupported claims. Therefore, we ask that after everyone has spoken who wishes to, we, the applicants, are given time to respond to questions and comments raised by members of the public. To deny us this right interferes with due process and contradicts your Rules of Procedure.
3. Objectors to our project amplify their voices by emailing letters to the Town Planner and then reading them aloud during the public hearing portion of meetings. Your Rules of Procedure do not address this issue, which I believe is an oversight and should be addressed. However, you do have a posted deadline for public input that is repeatedly ignored. On Tuesday, October 11th two emails were pushed to the Planning Board although according to your Rules and Regulations, "Any correspondence or document that is pertinent to a decision that the Planning Board is expected to make at the upcoming Wednesday meeting must be received by the Planning Department by the prior Monday at 5:00 p.m., or the board will consider the submitted material only at its discretion." We ask that you adhere to the outlined deadline so that Planning Board members have adequate time to read all documents before the meeting. Furthermore, it is unfair to expect applicants to review and prepare responses to last minute submittals, especially if consultation with, or input from, experts is required.

Thank you for your time and consideration,  
Marti Mulhern

