

II. Background

This section of the report serves to provide some historical context for the work undertaken by the town to study the Mill Plaza redevelopment. It includes a brief history of the Plaza, a basic timeline of significant events in the study process, a summary of some reasons to redevelop the property, a copy of a letter from Mill Plaza property owner John Pinto encouraging the study, and the Town Council Resolution that created the Committee.

A Short History of the Mill Plaza

At about the time Julian Smith (a current Town Councilor and our MPSC vice chair) bought a house in Durham in 1965, the property that would become the site of the Mill Plaza went on the market. Dick Houghton told the Mill Plaza Study Committee that although some members of the business community thought the town should acquire the property and establish a town center there, the three selectmen were not interested because there was at that time no pressing need for more space to conduct town business. At that time, the selectmen and various town boards met in the Court House – and the town clerk and police department were also housed in the Court House while the Public Works Department operated in several buildings on what is now the back of the Town Hall parking lot. And in those days, of course, the town library was located in the University of New Hampshire's Dimond Library.

Exactly forty years ago, in 1967, two New Hampshire developers, Sam Tamposi and Ed Lehoullier, began the process of developing a nearly 10-acre parcel east of Mill Road between College Brook and the rear of buildings along Main Street. In their first conceptual plan for the development of the property that would become the Plaza, they proposed two town roads across their property: one running just north of College Brook from what was then and still is the end of Chesley Drive all the way to Mill Road, and a second coming down from Main Street across the Grange property and connecting at a right angle to the extension of Chesley Drive. Nothing came of the plan to build those two proposed town roads – and the first phase of the Plaza development opened in 1969 with a single building containing five businesses, including a grocery, a pharmacy, and a hardware store serviced by a parking lot about half the size of the present lot.

In 1968, at town meeting, that warrant included an article to see if the town would purchase land and buildings located at 29 Main Street, two doors east of the town-owned Grange, “to provide facilities for relocation and expansion of the Town offices.” That article failed by a vote of 360 to 88. In 1969, the board of selectmen, which had expanded from three to five members, decided to buy the two buildings that were later combined to make our present town hall.

Early in 1973, a traffic engineer for the New Hampshire Department of Public Works and Highways wrote to Becky Frost, the chair of the Durham Planning Board, to say that it would be “advantageous” to have additional vehicular access to the Plaza from Chesley Drive on the east and from Main Street via the Grange property on the north.

In 1974, as part of the process for approving and expansion of the parking lot and the construction of a second building on the site, the developers deeded to the town a

right-of-way parallel to the brook connecting Chesley Drive to Main Street with the stipulation that the town would have to vote at town meeting to build that town road within two years and build and accept that town road within five years of that vote. At the Durham Town Meeting in March 1974, Durham voters rejected a proposal put forward by Town Selectmen to extend Chesley Drive as a vehicular route to Mill Road. Instead, voters approved an amended proposal to extend Chesley Drive only as a foot and bicycle path. The vehicular right-of-way became null and void.

Over the years, several attempts to extend Chesley Drive into the Plaza have been defeated – in town meeting votes and in efforts to write the goal into the zoning ordinance and the master plan. Hundreds of residents, both inside and out of the Faculty neighborhood have signed petitions, written letters and attended meetings to voice support for preserving the buffer and wetland between Chesley Drive and the Mill Plaza. This green pedestrian-and-bike friendly corridor is used by residents across town as a gateway between the downtown, the Faculty neighborhood, and the Mill Pond. As a result of a town-wide petition and concerted engagement of the Faculty neighborhood, the town's current master plan calls for its enhancement as a pedestrian gateway to the Mill Pond and further states that Chesley Drive "should be excluded from evaluation as an option for improved access to the Mill Plaza." These sentiments were echoed strongly in the neighborhood focus group hosted in July and in subsequent meetings for this report (For more information, see the Chesley Drive file in the Appendix).

Additionally, as noted in the Executive Summary, AIANH150 designers independently studied opening vehicular access via Chesley Drive and recommended against it for several reasons, among them: 1) it would negatively impact a natural, pleasant feature of the current site; 2) it would pose numerous additional traffic challenges including increased traffic not only on Chesley Drive, but on the roads that lead into it; 3) it might adversely affect College Brook; 4) it would likely require property takings and other difficult actions; and, 5) a second vehicular access at Main Street presents a better design alternative.

In 1983, the original developers sold the two buildings and other improvements (but not the land) to Mr. Pinto, an investment banker doing business as Colonial Durham Associates. Ten years later, in 1993, the original developers sold the land itself to Mr. Pinto. As time passed, the police department moved out of town hall into its own facility on Dover Road – and Public Works moved to Stone Quarry Drive.

In 1995, the town's Community Development Plan observed what had been obvious for some years: "The Mill Plaza makes up a large portion of the Central Business District and is currently not used to its potential." That plan had as a goal: "To actively engage the owners of the Mill Plaza in the improvement of the buildings and open space."

In 1997, the Durham Public Library moved out of the UNH library and began searching for a permanent home. In 2000, Durham's Master Plan established a number of goals you will find quoted in the Mill Plaza Study Committee's draft "Vision Statement" (Found in Section III of this report).

MPSC Timeline

Below is a brief timeline of significant dates and events in the MPSC process. A complete list of meetings, agendas and minutes can be found in the Appendices.

2006

Two important developments in early and mid 2006 sparked the current study process: the town undertook a space-needs assessment for both the town hall and the library – and some members of the Town Council and of the Library Board of Trustees became interested in the possibility of locating a new town center at or next to a redeveloped Plaza. As a result, Neil Niman, the chair of the Town Council, Town Administrator Todd Selig, and others met with John Pinto, the owner of the Plaza, to discuss that possibility.

September 13 – After the Durham meeting, Mr. Pinto wrote a letter to Todd Selig in which he suggested the Town “develop its vision for the future” and “design specifications” that would result in “both an improved tax base and better symmetry between the Town, the University, and [the Plaza] property.”

October 23 – After hearing a presentation by Durham architect Nick Isaak of his concept for redeveloping the Mill Plaza property, the Town Council discusses forming a formal committee to examine prospects for a redevelopment. Minutes of this meeting provide a thorough account of the beginnings of this approach.

November 20 – The Council votes to establish the Mill Plaza Study Committee (Resolution #2006-25) and charged it with “the development of a future vision for the Mill Plaza site.” The MPSC’s efforts blossomed in the collaboration with AIANH and its AIA150 partners.

2007

February 21– Mill Plaza Study Committee holds first meeting.

April 3 – AIANH selects Durham as partner for its AIA150 program.

April 4 – MPSC presents draft vision statement at workshop attended by 75 people at UNH’s MUB Theater I. MPSC and AIANH leaders develop common goals, work plan in weeks ahead.

May 2 – MPSC unanimously adopts its vision statement.

May 29 – MPSC and AIA150 hold public site walk of Mill Plaza with architects, attended by dozens of citizens.

June 6 – MPSC and AIA150 present joint work plan to include parameters report and three rounds of design.

July 18 – MPSC and AIA150 hold a meeting to report on initial efforts to study the Mill Plaza site, discuss the design process ahead, and answer questions. About 90 people attend in MUB Theater II.

August 30 – MPSC compiles its design parameters report.

September 8 – JSA, Durham, and Lavallee Brensinger design teams present Round One design schemes in a workshop at the Oyster River High School. About 100 attend.

October 17 – Richard Gsottschneider presents his financial analysis for Round One designs. The study was jointly paid for by the Town, AIA150 and Mr. Pinto.

November 4 – Design teams present Round Two design schemes in a second well-attended workshop at the Oyster River High School.

November 28 – College Brook Restoration Work Group presents its report conducted for the MPSC.

December 5 – MPSC/ AIA150 design teams set course for final “Hybrid” design round in meeting at the Oyster River High School.

2008

January 16 – MPSC unanimously endorses concept of locating a new Town library in the southeast corner of the Mill Plaza property in the first phase of a redevelopment. The Library Board of Trustees unanimously endorses the concept days later.

February 20 – MPSC and AIA150 host a final public workshop at the Oyster River Middle School with design teams to present “Hybrid” design scheme. More than 100 people attend. Feedback on the design concept – an evolution of Round One and Two designs – is largely positive.

April 16 – MPSC holds final meeting to approve report.

May 5 – MPSC scheduled to transmit final report to Town Council.

Briefly, Why Redevelop the Mill Plaza Site?

The Mill Plaza is an underutilized 9.68 acre site at the nexus of Downtown Durham, a true residential neighborhood and UNH. It holds tremendous potential for improvement – economically, socially and environmentally. At present, the Plaza hosts amenities vital to Durham such as the grocery store, library, ice cream shop and other services that can be reached by car bike or on foot.

Unfortunately, these amenities present themselves as a strip mall, situated on acres of asphalt that turns its back to related activities on Main Street due to the substantial change in grade. The Plaza cannot be seen from the higher elevations of Main Street and Main Street is not visible from the Plaza. Furthermore, the asphalt acreage

becomes a heat sink in the summer, and in the winter, snow is plowed into College Brook. The parking provided in the Plaza is more than adequate for Plaza users, yet it is not available as overflow parking for the rest of downtown. To further illustrate the underdeveloped nature of the site, the table below shows that the Plaza has a development density similar to a standard residential lot.

Present Density:

<u>Square footage of existing Mill Plaza buildings</u>	<u>52,824</u>	= 0.124
6.78 acre site (square feet)	425,430	

Comparative Density:

<u>2,600 square foot house with garage</u>	<u>2,600</u>	= .120
½ acre residential lot (square feet)	21,750	

Consider the increase in assessed value of 47 Main Street (Libby's) relative to its increase in density after it was rebuilt from a one story building into a three-story mixed-use property with a basement. A 200 percent increase in density more than quadrupled its assessed value.

Comparable Example: 47 Main Street (Libby's)

1992 Density (before fire)	<u>9,752</u>	= 1.680
	5,814	
2006 Density (after redevelopment)	<u>20,654</u>	= 3.550 (212% increase)
	5,814	

Copies follow of John Pinto's September 13, 2006 letter to the town and the November 20, 2006 Durham Town Council Resolution establishing the MPSC.



Colonial Durham Associates

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RECEIVED

September 13, 2006

2006
ADMIN. OFFICE
TOWN OF DURHAM

Mr. Todd I. Selig
Town of Durham
15 Newmarket Road
Durham, NH 03824

Dear Todd,

It was very good to have our meeting and subsequent conversation relating to the future growth of lovely Durham, New Hampshire.

Upon reflection, Todd, it appears that the best course of action would be for the Town to continue to develop its vision for the future. In that regard, it is important for your office and others in the Town to develop the plans and specifications for the proposed Town Center. I look forward to working with the Town as it advances upon the vision for both an improved tax base and better symmetry between the Town, the University and our property. In this regard, I would look to the Town to develop the design specifications so that we may then determine how best to participate to achieve the implementation of the vision of the Town leadership.

I look forward to working with you in the future.

Sincerely,

John H. Pinto

RESOLUTION #2006-25 OF DURHAM, NEW HAMPSHIRE

CREATING A MILL PLAZA STUDY COMMITTEE TO DEVELOP A COMMUNITY VISION FOR THE MILL PLAZA IN DOWNTOWN DURHAM

WHEREAS, the Durham Town Council desires to develop a vision for the Mill Plaza (Tax Map 5, Lot 1-1) to be used for the purpose of enhancing downtown Durham for the benefit of the entire community.

NOW, THEREFORE, BE IT RESOLVED that the Durham Town Council, the governing body of the Town of Durham, New Hampshire, hereby adopts Resolution #2006-25 creating a study committee called the "Mill Plaza Study Committee" (hereinafter "committee") comprised of twelve members. The membership of the committee shall be as follows: One member to be designated by the owner of the Mill Plaza; one member of the Library Board of Trustees to be designated by the Library Trustees; one member of the Durham Planning Board to be designated by the Planning Board; one member of the Town Council designated by the Council; two members designated by the Durham Business Association; two members designated by the Durham Landlords Association; one member of the Historic District Commission designated by the Historic District Commission; two members representing the interest of the neighborhoods surrounding the Mill Plaza designated by the Town Council; one member representing the University of New Hampshire to be designated by UNH. The committee shall meet periodically until its charge is fulfilled as determined by the Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Durham Town Council hereby adopts the following charge for the Mill Pond Study Committee:

1. The development of a future vision for the Mill Plaza site. This vision may take into consideration abutting parcels as determined appropriate by the committee. The plan should pay special attention to:

- A) Increasing the taxable value of the Mill Plaza site. This plan may include a combination of retail space, office space, and rental housing stock, or any other combination of offerings, as determined by the committee and permitted by zoning.
 - B) Broadening the variety of, and square footage available for, retail businesses in the downtown area which would appeal to the permanent residents of the Town.
 - C) Creating a community gathering space (such as a village green, park, Public Library, municipal office complex, etc.) in the downtown area for Durham residents, students, staff, and faculty at the University of New Hampshire to interact with one another in positive ways specifically designed to foster a sense of community and place in Durham.
 - D) Determination as to the density and build out possible for the Mill Plaza site under existing zoning regulations.
 - E) Projected traffic impacts on downtown roadways associated with increased density at the Mill Plaza site.
 - F) Projected impact of new development at the Mill Plaza site on surrounding neighborhoods.
2. To work with the owner of the Mill Plaza site to determine what the owner's expectations and goals are for the site and to assimilate these with the goals of the community.
 3. To examine whether there would be potential economic and social benefits associated with the construction of a municipal Library, Town Office complex, and/or parking facility (either publicly or privately owned) in conjunction with the redevelopment of the Mill Plaza site.
 4. Organize focus group sessions as deemed appropriate by the committee to determine resident and business expectations for the Mill Plaza site.
 5. Make requests to the Town Administrator as needed for staff and/or contracted services to assist the committee with its charge. The Town Administrator shall evaluate such requests and make resources available as the Administrator determines appropriate and within budgeted amounts.
 6. Develop a written report and associated visual material reflecting the final recommendations of the committee for review by the Town Council. A recommendation is desired by May 2007.

7. Conduct all activities in accordance with RSA 91-A, the New Hampshire Right to Know Law.
8. Select a chairperson who shall organize and preside over the meetings of the committee, a vice-chairperson who shall preside at meetings in the absence of the chair, and a secretary who shall keep minutes of all meetings and submit these to the Town Administrator's Office for the official file.

PASSED AND ADOPTED this 20th day of November, 2006 by a two-thirds majority vote of the Durham Town Council with Seven (7) voting in favor, Two (2) voting against, and Zero (0) abstaining.

Neil Niman, Chair
Durham Town Council

ATTEST:

Lorrie Pitt, Town Clerk