

November 8, 2012

Dear Durham Planning Board,

In light of the recent focus on Architectural Design Regulations for the Commercial Core, this citizen-initiated petition, which requires 50 signatures, was signed by 157 registered voters on November 6 & 7. The petition requests that the Durham Planning Board amend our Zoning Ordinance to limit the height of buildings along Main Street, from and including Town & Campus easterly to the end of the CBD, to no greater than 3 stories/35 feet (i.e. the height of Libby's). This petition is a follow-up to the petition submitted to the Planning Board last June which contained the signatures of 360 Durham residents who expressed their concern about building height downtown. We ask that you schedule a Public Hearing so that residents have the opportunity to speak to this issue.

For your convenience, we are including an alphabetized list of petition signers.

Best regards,

Dudley Dudley

Beth Olshansky

**RECEIVED**  
**Town of Durham**

NOV - 8 2012

**Planning, Assessing,  
Zoning & Code Enforcement**

We, the undersigned registered voters of Durham, New Hampshire, request that the Durham Zoning Ordinance be amended so as to help preserve Main Street's small town character. Revised language should state that within the Central Business District buildings along both sides of Main Street, including and situated easterly of the Town & Campus Building, shall be no taller than 3 stories and no higher than 35 feet above grade (as measured under the Zoning Ordinance). We respectfully request that the Durham Planning Board make the following changes:

#### PROPOSED AMENDMENTS TO THE ZONING ORDINANCE

Existing wording to be deleted is shown in this manner: ~~to be deleted~~. New wording is shown in this manner: to be added.

❖ 175-7. Definitions. A.:

STORY - The complete horizontal division of a building, situated at or above ground level, comprising the usable space or room(s) on one level. Each such division is considered one full story, except for the top level when it is under a sloped roof, which is considered a half story. For the purpose of determining the total number of permitted stories, a sloped roof that does not contain usable space (other than crawl-type storage space) is not considered a half story. For the purposes of this ordinance, a basement is considered to be a story if the front exterior wall of the basement rises at least 50% above the finished grade.

❖ 175-41. Central Business District (CB)

A. Purpose of the Central Business District

The purpose of the Central Business District is to maintain the mixed-used, pedestrian-oriented character of the downtown area while accommodating new development, redevelopment, and enlargement of existing buildings in a manner that maintains and enhances the small town character of the downtown. Downtown Durham should be an attractive and vibrant community and commercial center where desirable residential, retail, office, and other nonresidential growth can occur in a clean, safe, pedestrian-friendly environment. The Central Business District is intended to accommodate a range of uses in a manner that encourages fuller utilization of the limited area of Downtown through denser building construction and modified parking requirements. Mixed use development in which the upper floors are used for residential purposes is encouraged.

❖ 175-41. Central Business District (CB)

F. *Development Standards in the Central Business District*

7. Maximum Height of Mixed-Use Buildings – The height of a new or redeveloped mixed use building that pr nonresidential space shall be a maximum of three (3) stories notwithstanding other height limitations. nonresidential. However, if the building contains nonresidential uses on the first floor and one additional maximum permitted height shall be four (4) stories except on the south side of Main Street. If the prop building, the first floor shall be nonresidential and the remaining three floors shall consist of two resident However, no building in the Central Business District on any lot with frontage along either side of Main Tax Map 2, Lot 14-4 to the easterly boundary of the district, shall exceed three (3) stories. This provisio following properties: Tax Map 2, Lot 14-4; Tax Map 4, Lot 7-0; Tax Map 4, Lot 6-0; Tax Map 4, Lot 5-0 Map 4, Lot 3-0; Tax Map 4, Lot 2-0; Tax Map 4, Lot 1-0; Tax Map 5, Lot 1-0; Tax Map 5, Lot 1-2; Tax Map Lot 1-17; Tax Map 5, Lot 1-4; Tax Map 5, Lot 1-5; Tax Map 5, Lot 1-6; Tax Map 5, Lot 1-7; and Tax Map

❖ 175-54. Dimensional Standards Table.

Maximum Permitted Building Height with Planning Board Approval under RSA 674:16:  
Central Business (CB): 50 FT See Note 7

7. No building along the section of Main Street delineated in Subsection 175-41 F. 7. shall exceed thirty-five

F. *Development Standards in the Central Business District*

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❖ 175-54. Dimensional Standards Table.

Maximum Permitted Building Height with Planning Board Approval under RSA 674:16; Central Business (CB): 50 FT See Note 7

7. No building along the section of Main Street delineated in Subsection 175-41 F. 7. shall exceed thirty-five (35) feet in height.

| LEGAL NAME (PRINT) | SIGNATURE               | STREET ADDRESS    |
|--------------------|-------------------------|-------------------|
| SUZANNE K. LODGE   | <i>Suzanne K. Lodge</i> | 38 OXLEY RIVER RD |
| JENNIFER LEE       | <i>Jennifer Lee</i>     | 18 Faculty Rd.    |
| Thomas Newkirk     | <i>Thomas Newkirk</i>   | 40 Mill Pond Rd   |

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LEGAL NAME (PRINT)

SIGNATURE

STREET ADDRESS

Timothy Spang

Joshua Gray

55 Wiswatt Rd

Timothy Herrigan

Timothy Herrigan

7-A Faculty Rd

Philip Gainsbury

Philip Gainsbury

151 Duncannon Rd

November 2012

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LEGAL NAME (PRINT)

SIGNATURE

STREET ADDRESS

CHARLES FORCOT



12 THOMPSON CANYON, DURHAM 03824

Phyllis Heilbronner

Phyllis Heilbronner

51 Mill Pond Rd, Durham 03824

EDWARD W. HARRIS

Edwards W. Harris for Durham River

101 JEFFERSON LANE RT

Rita Freuder

Rita J. Freuder

12 Oyster River

Judith K. Aiken

Judith K. Aiken

104 Madbury Rd Durham, NH 03824

Annamarie Harris

Annamarie Harris

56 Oyster River Rd Durham

Dennis Meadows

Dennis Meadows

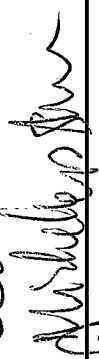
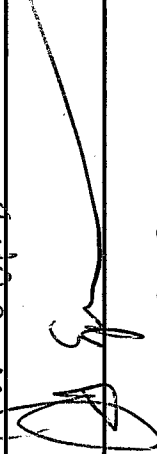
34 Laurel Lane, Durham, NH 03824

John J. Lowry

John J. Lowry

17 Thompson Lane, Durham, NH 03824

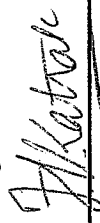
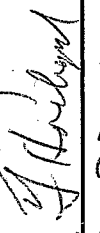
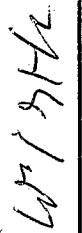
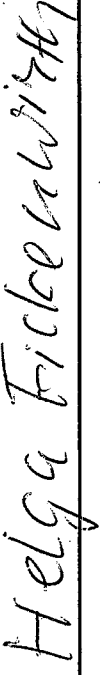
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| LEGAL NAME (PRINT) | SIGNATURE                                                                            | STREET ADDRESS          |
|--------------------|--------------------------------------------------------------------------------------|-------------------------|
| KATHY BUBAE        |    | 40 Dover Rd, Durham     |
| Beth Olshansky     |    | 122 Packers Falls Rd    |
| LINDA TATARCZUCH   |    | 5 Pitt Farm Dr.         |
| Rosemarie Carne    |    | 10 Adams Circle         |
| Michelle Stratton  |   | 23 Pinecrest Lane       |
| Spinney            |  | 3 Weidridge Rd, Durham  |
| Beryl S. Harper    |  | 7 Davis Ave. Durham, NH |
| Dudley Dudley      |  | 25 Woodman Rd.          |
| Emily K Smith      |  | 17 Orchard Dr           |

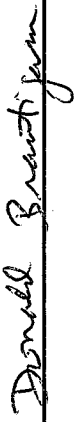
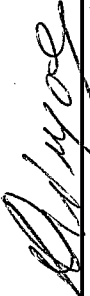
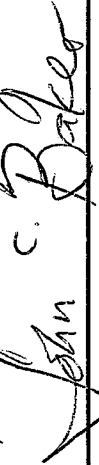
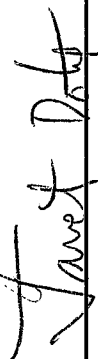
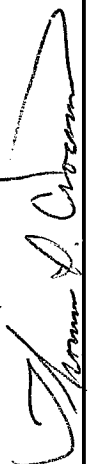
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| LEGAL NAME (PRINT)      | SIGNATURE                      | STREET ADDRESS                    |
|-------------------------|--------------------------------|-----------------------------------|
| Joanna Wickstein        | <i>Joanna Wickstein</i>        | 240 Packers Falls Durham NH 03824 |
| Judith Gardner          | <i>Judith M. Gardner</i>       | 1A Stevens Way, Durham, NH 03824  |
| Emily Poworoznek        | <i>Emily Paworoznek</i>        | 17 Emerson Rd. Durham, NH 03824   |
| Joanne Curren-Celentano | <i>Joanne Curren Celentano</i> | 3 Davis Ave Durham, NH 03824      |
| SUSAN LONG              | <i>S Long</i>                  | 81 MILL RD DURHAM NH 03824        |
| Deborah Hirsch Mayer    | <i>Deborah Hirsch Mayer</i>    | 19 Garden Ln. Durham NH 03824     |
| Charlene Terard         | <i>Charlene Terard</i>         | 17 Woodbridge Rd.                 |
| Kybra Fost              | <i>Sylvia Fost</i>             | 24 Woodridge Rd                   |
| Margorie Wotton         | <i>Margorie Wotton</i>         | 12 Fairchild drive, Durham NH     |

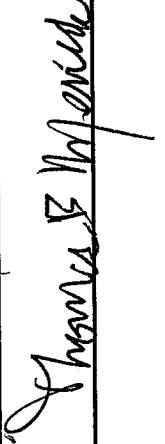
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| LEGAL NAME (PRINT)     | SIGNATURE                                                                             | STREET ADDRESS                       |
|------------------------|---------------------------------------------------------------------------------------|--------------------------------------|
| KATHARINE D. RAINE     |    | 51 Durham St Rd, Durham NH           |
| FIROZE KATRAK          |    | 565 Bay Rd, Durham                   |
| Marie Hall Katrak      |     | 565 Bay Rd, Durham                   |
| FREDERICK G. HOCHGRAFF |    | 9 OLD LANING RD DURHAM               |
| SALLY V HOCHGRAFF      |    | 9 Old Landing Rd Durham              |
| ALLEN B. LINDEN        |   | 6 HORTON DRIVE DURHAM                |
| A. Helmut Fickel       |  | 14 Helmut Fickel 92 Perceps Falls Rd |
| Helga Fickel           |  | Helga M. Fickel 11                   |
| Katherine R. Morgan    |  | 16 Valentine Hill Rd, Durham         |

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|--------------------|---------------------------------------------------------------------------------------|-----------------------|
| Donald Bratigan    |    | 122 Packers Falls Rd. |
| Evangelos Simos    |    | 67 Newmarket Rd       |
| LOUISA SIMOS       |    | 67 Newmarket Rd       |
| Lori K Lamb        |     | 64 Bennett Rd         |
| Aifred L. Boyle    |    | 3 Grosvenor Lane      |
| John C. Baker      |   | 76 Wiswall Rd.        |
| Jane G. Crooks     |   | 28 Fitts Lane         |
| Janet Doty         |  | 12 Adams Circle       |
| Thomas I. Crossman |   | 26 Coe Dr.            |

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|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------|
| SUSAN RIMAN                                                                           |    | 11 Littlebrook Rd   |
| Sally Ann Baker                                                                       |    | 331 Packard Falls   |
| Circely Buckley                                                                       |    | 36 Oyster River Rd  |
| CHRISTOPHER TEGAN                                                                     |    | 16 Littlebrook Road |
| HENRY M. SMITH                                                                        |   | 93 Packard Falls Rd |
|  | Gay Nardone                                                                          | 8 Falls Way         |
| Martin Wilkins                                                                        |  | 8 Falls Way         |
| Richard H. Lord                                                                       |  | 85 Bennett Rd       |
| Thomas B Merrick                                                                      |  | 7 Carey Rd          |

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|--------------------|--------------------|----------------------------|
| JANE M. KAUFMAN    | Jane Kauf          | 19 OYSTER RIVER RD.        |
| RICHARD L KAUFMAN  | Richard L Kauf     | 19 Oyster River Road       |
| Janet Chamberlin   | Janet Chamberlin   | 20 Cold Spring Rd.         |
| Patricia J. Falter | Patricia J. Falter | 7 Constable Rd.            |
| Jennifer Sneirson  | Jennifer Sneirson  | 22 Faculty Rd.             |
| Andrew Kun         | Andrew Kun         | 22 Faculty Rd.             |
| PAMELA H. SHAW     | Pamela H. Shaw     | 101 Madbury Rd.            |
| NANCY WINTERBOTTOM | Nancy Winterbottom | 262 Newmarket Rd.          |
| Edith Levin        | Edith Levin        | 9 Garrison St., Durham, NH |

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LEGAL NAME (PRINT)

SIGNATURE

STREET ADDRESS

Robert S. Kennedy

Robert S. Kennedy

18 River View Rd. Durham

Jocelyn Smith

Jocelyn Smith

246 Packers Park Rd Durham

Joseph M. A. Jean

Joseph M. A. Jean

38 Dover Rd.

Catherine Nadeau

Catherine Nadeau

38 Dover Rd

VIRENDRA K. MATHUR

V. K. Mathur

36 Woodridge

JOAN DRAPEAU

Joan Drapeau

4 Sullivan Falls

Robert L. Gifford

Robert L. Gifford

20 Sunnyside Dr.

Barbier Gresson

Barbier Gresson

2 Bucks Hill

Randy A. H. H. H.

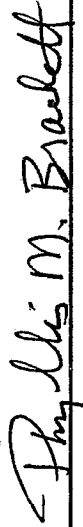
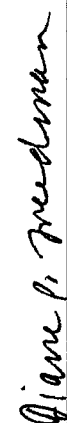
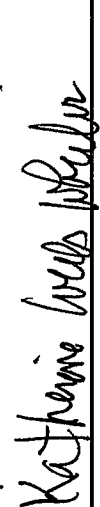
Randy A. H. H. H.

15 Mill Rd.

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| LEGAL NAME (PRINT)   | SIGNATURE                   | STREET ADDRESS       |
|----------------------|-----------------------------|----------------------|
| JOHN W. CARLEY       | <i>John W. Carley</i>       | 10 1985 Fern Drive   |
| Lynn A. Holmes       | <i>(The) Lynn A. Holmes</i> | 10 Meserve Rd Durham |
| Dorothy M. James     | <i>Dorothy M. James</i>     | 85 Dover Rd Durham   |
| Margaret K Smith     | <i>Margaret K Smith</i>     | 100 Piscataqua Rd "  |
| Richard A. Fralick   | <i>Richard A. Fralick</i>   | 9 Fellows Lane       |
| MORGAN DUDLEY        | <i>Morgan Dudley</i>        | 193 PACKERS FALLS RD |
| Carroll Mills        | <i>Carroll Mills</i>        | 12 Cutts Rd.         |
| MARY W. MILLS        | <i>Mary W. Mills</i>        | 12 Cutts Road        |
| Donna Heald McCosker | <i>Donna Heald</i>          | 220 Longmarch Rd.    |

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|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------|
| Sara Dillingham                                                                       |    | 311 Riversedge Apts.   |
| Phyllis Brackett                                                                      |     | 9 Hoff Dr              |
| Diane P. Freedman                                                                     |    | 20 Laurel Ln Durham NH |
|    | WALTER ROUS                                                                           | 50 ADAMS POINT RD.     |
| Ray V. Bell                                                                           |   | 14 DEER MEADOW RD      |
| Sarah Ford                                                                            |  | 433 Bay Rd             |
|  |   | # DW Smallville Dr     |
| William C Buehler Jr                                                                  |   | 4 Adams Circle         |
| Katherine Wells Wheeler                                                               |  | 27 Mill Road           |

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|--------------------|--------------------|---------------------|
| Betsy B. Sandberg  | <i>[Signature]</i> | 49 Durham Point Rd. |
| Diane E. Woods     | <i>[Signature]</i> | 24 Garden Ln        |
| PEGGY ANN LEBECK   | <i>[Signature]</i> | 10 Bucks Hill Rd    |
| MARY J FOREMAN     | <i>[Signature]</i> | 344 Lee Hook Rd.    |
| Sharon Brady       | <i>[Signature]</i> | 4 Museum Ln         |
| Carolyn Churchill  | <i>[Signature]</i> | 100 Wadbury Rd      |
| Pamela Laury Bagg  | <i>[Signature]</i> | 13 Mill Rd Unit 4   |
| EUGENE TILLOCK     | <i>[Signature]</i> | 1 Cutler Road       |
| FRANCES TILLOCK    | <i>[Signature]</i> | 1 Cutler Road       |

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ELLIOT B. BAKER



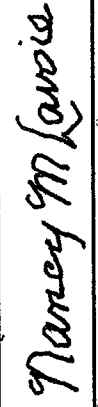
331 PACKERS FALLS RD, DURHAM, NH

L. Eileen LaRocca



10 Britton Lane Durham, NH

Nancy M. Lavoie



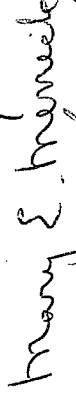
15 Spruce Wood Ln Durham 9976

Thomas B. Merrick



7 Canney Rd

Mary E. Merrick



7 Canney Rd.

Peter S. Smith



100 Piscataqua Rd

Kevin McGowan



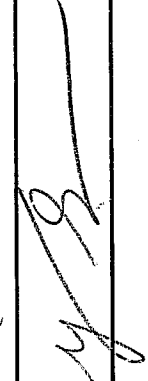
187 Packers Falls Rd

Johanna H. Guinn



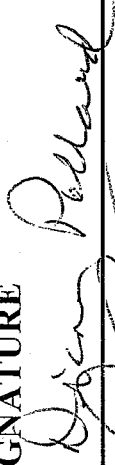
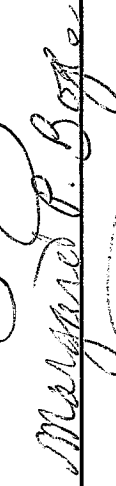
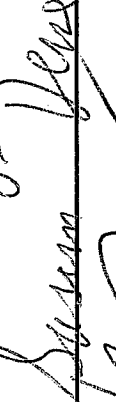
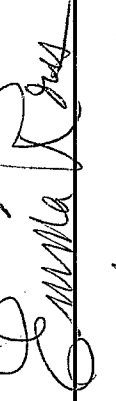
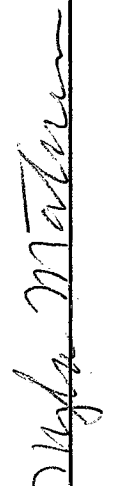
35 Pinecrest Lane Durham

Yvonne M. Grove



91 Packers Falls Rd, Durham

We, the undersigned registered voters of Durham, New Hampshire, request that the Durham Zoning Ordinance be amended so as to help preserve Main Street's small town character. Revised language should state that within the Central Business District buildings along both sides of Main Street, including and situated easterly of the Town & Campus Building, shall be no taller than 3 stories and no higher than 35 feet above grade (as measured under the Zoning Ordinance). We respectfully request that the Planning Board make the changes shown on pages 1 and 2.

| LEGAL NAME (PRINT)    | SIGNATURE                                                                            | STREET ADDRESS     |
|-----------------------|--------------------------------------------------------------------------------------|--------------------|
| DAVE PARLARD          |    | 22 Bayland Rd      |
| Charlyn Singer        |    | 5 Weatheridge Rd   |
| Margaret Powers Bagle |    | 3 Croghan Lane     |
| Katharine G. Fsalick  |    | 9 Fellows Lane     |
| Gale Carey            |  | 49 Oyster River Rd |
| Susan Deese           |  | 35 Garden Ln.      |
| WARREN SMITH          |  | 27 Sandybrook Dr   |
| EMMA ROUS             |  | 50 Adams Pt. Rd.   |
| MYLA Mathieson        |  | 11 colony cove rd  |

We, the undersigned registered voters of Durham, New Hampshire, request that the Durham Zoning Ordinance be amended so as to help preserve Main Street's small town character. Revised language should state that within the Central Business District buildings along both sides of Main Street, including and situated easterly of the Town & Campus Building, shall be no taller than 3 stories and no higher than 35 feet above grade (as measured under the Zoning Ordinance). We respectfully request that the Planning Board make the changes shown on pages 1 and 2.

| LEGAL NAME (PRINT)  | SIGNATURE                  | STREET ADDRESS       |
|---------------------|----------------------------|----------------------|
| Donna M. Bicker     | <i>Donna M. Bicker</i>     | 4 Partridgeberry Ln. |
| PATRICIA M. CRAIG   | <i>Patricia M. Craig</i>   | 139 Lee Rd.          |
| DANIEL L. VALENZA   | <i>Daniel L. Valenza</i>   | 139 Lee Rd.          |
| Elizabeth S. LINSKY | <i>Elizabeth S. Linsky</i> | 10 OLD LAN DIN AVE   |
| ARNOLD S. LINSKY    | <i>Arnold S. Linsky</i>    | 10 OLD LANDING RD.   |
| Leda M. Keefe       | <i>Leda Keefe</i>          | 59 Piscataqua Rd.    |
| Ann m. Calder       | <i>Ann Calder</i>          | 4 FEELE Dr.          |
| Erin Bobo-Caron     | <i>Erin Bobo-Caron</i>     | 17 Davis Ave.        |
| Yell Nell W. Neal   | <i>Yell W. Neal</i>        | 11 River-view Rd.    |

We, the undersigned registered voters of Durham, New Hampshire, request that the Durham Zoning Ordinance be amended so as to help preserve Main Street's small town character. Revised language should state that within the Central Business District buildings along both sides of Main Street, including and situated easterly of the Town & Campus Building, shall be no taller than 3 stories and no higher than 35 feet above grade (as measured under the Zoning Ordinance). We respectfully request that the Planning Board make the changes shown on pages 1 and 2.

| LEGAL NAME (PRINT)      | SIGNATURE                      | STREET ADDRESS     |
|-------------------------|--------------------------------|--------------------|
| Lisa Canfield           | <i>Lisa Canfield</i>           | 63 Wiswall Rd      |
| Michaela Canfield       | <i>Michaela Canfield</i>       | 59 Wiswall Rd      |
| Phyllis Wheeler Bennett | <i>Phyllis Wheeler Bennett</i> | 14 Deer Meadow Rd. |
| Vince Todd              | <i>Vince Todd</i>              | 8 Wiswall Rd       |
| Michael Orr             | <i>Michael Orr</i>             | 9 Fogg Drive       |
| Nancy P. Sandberg       | <i>Nancy P. Sandberg</i>       | 15 Langley Rd.     |
| Andrea Bodo             | <i>Andrea Bodo</i>             | 20 Newmarket Rd    |
| Stephan Buros           | <i>Stephan Buros</i>           | 20 Newmarket Rd    |
| Karen Garrison          | <i>Karen Garrison</i>          | 191 Piscataqua Rd  |

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LEGAL NAME (PRINT)

SIGNATURE

STREET ADDRESS

ADINA EILINDEN

*Adina E. Lunden*

6 HORTON DRIVE, DURHAM

Shianne Farrey

*[Signature]*

8 WATKINS RD DURHAM

175-7. Definitions.

**STORY** – A story is that portion of a building, other than a basement, included between the surface of any floor and the surface of the next floor or ceiling above it. For the purposes of these regulations, a basement shall be counted as a story if the front exterior wall of the basement is a minimum of 50% above the finished grade. A story shall be no greater than 12 feet.

175-41. Central Business District (CB)

A. *Purpose of the Central Business District*

The purpose of the Central Business District is to maintain the mixed-used, pedestrian-oriented character of the downtown area while accommodating new development, redevelopment, and enlargement of existing buildings in a manner that maintains and enhances the small town character of the downtown. Downtown Durham should be an attractive and vibrant community and commercial center where desirable residential, retail, office, and other nonresidential growth can occur in a clean, safe, pedestrian-friendly environment. The Central Business District is intended to accommodate a range of uses in a manner that encourages fuller utilization of the limited area of Downtown through denser building construction and modified parking requirements. Mixed use development in which the upper floors are used for residential purposes is encouraged.

| NAME (PRINT)            | SIGNATURE               | STREET ADDRESS        |
|-------------------------|-------------------------|-----------------------|
| <i>Margie Maltitani</i> | <i>Margie Maltitani</i> | <i>15 Lawrence Rd</i> |
| JOSEPH MALTITANI        | <i>Joseph Maltitani</i> | <i>29 Woodman Rd.</i> |
| Margie Maltitani        | <i>Margie Maltitani</i> | <i>29 Woodman Rd</i>  |
|                         |                         |                       |
|                         |                         |                       |

November 2012

We, the undersigned voters of Durham, New Hampshire, request that the Durham Zoning Ordinance be amended so as to help preserve Main Street's small town character. Revised language should state that buildings along both sides of Main Street from Town & Campus to Madbury Road shall be no taller than 3 stories (35 feet). We respectfully request that the Planning Board make the changes shown on pages 1 and 2.

| NAME (PRINT)    | SIGNATURE              | STREET ADDRESS                           |
|-----------------|------------------------|------------------------------------------|
| DAVE MCCANN     | <i>Dave McCann</i>     | 27 Oyster River Rd. Durham NH.           |
| FRANK D. MCCANN | <i>Frank D. McCann</i> | 27 Oyster River Rd. Durham NH            |
| PETER R. FLYNN  | <i>Peter R. Flynn</i>  | 103 MADBURY ROAD DURHAM NH 03824         |
| LAURA S. FLYNN  | <i>Laura S. Flynn</i>  | 103 MADBURY ROAD DURHAM NH 03824         |
| JOHN NAUGHTON   | <i>John Naughton</i>   | 193 Packers Falls Road, Durham, NH 03824 |
| DANIEL FORD     | <i>Daniel Ford</i>     | 433 BAY RD DUNHAM 03824                  |
|                 |                        |                                          |
|                 |                        |                                          |
|                 |                        |                                          |
|                 |                        |                                          |

November 2012

We, the undersigned voters of Durham, New Hampshire, request that the Durham Zoning Ordinance be amended so as to help preserve Main Street's small town character. Revised language should state that buildings along both sides of Main Street from Town & Campus to Madbury Road shall be no taller than 3 stories (35 feet). We respectfully request that the Planning Board make the changes shown on pages 1 and 2.

| NAME (PRINT)      | SIGNATURE                | STREET ADDRESS        |
|-------------------|--------------------------|-----------------------|
| THOMAS DUDLEY     | <i>Thomas Dudley</i>     | 25 Woodman Rd         |
| DOROTHY STRAUS    | <i>Dorothy Straus</i>    | 33 Mill Pond Rd.      |
| MURRAY STRAUS     | <i>Murray Straus</i>     | 33 Mill Pond Rd       |
| DAUGLAS MACLENNAN | <i>Douglas MacLennan</i> | 31 Newmarket Rd       |
| SUSAN MACLENNAN   | <i>Susan MacLennan</i>   | 31 Newmarket Rd.      |
| Jessie McKone     | <i>Jessie McKone</i>     | 35 Dover Rd.          |
| RONI SWIN PELINS  | <i>Roni Swin Pelins</i>  | 10 BEARDS LAUNING     |
| Ted Ward          |                          | 235 Packers Falls Rd. |
| Kathryn Ellis     | <i>Kathryn D. Ellis</i>  | 26 Coe Dr             |