

April 23, 2014

To: Durham Planning Board

From: Michael Finnegan

I am Michael Finnegan and am writing on behalf of Ted and Liz Finnegan, owners of 15 Madbury Road. I'd like to make a few points in response to some of the concerns that have been expressed about the house's impending sale.

First – we certainly appreciate that everyone who owns property in Mathes Terrace has rights, including the abutters of the Finnegan house. We have every reason to appreciate abutters' rights, since the Finnegans, too, were abutters of the two businesses in Mathes Terrace for many years. Traffic issues did repeatedly come up, due to the daily flow of drivers arriving for dental and other appointments. That flow of traffic certainly had not characterized the neighborhood when the Finnegans bought their home back in 1958. But they understood that, like all neighborhoods, theirs could not remain unchanged forever. All they asked was that the changes be managed appropriately. So they requested speed bumps in the interests of safety; and nothing more.

Appropriately managed change will happen once more at Mathes Terrace, if the developer who seeks to purchase the house is allowed to proceed with the design he has submitted. We would like to remind the planning board that the developer and his agents have worked extensively with the town to refine the architecture and delimit the scope of the project. We'd also like to note that the design requires no variance whatsoever in filling existing lots. In the family's judgement, the design is quite tasteful. It is, in fact, quite modest -- certainly in comparison to some other recently-constructed structures in the area.

There has been considerable discussion of the historic value of four-square, family houses. We find this sudden concern with maintaining the "historic" character of the neighborhood somewhat puzzling – and entirely ahistorical. Mathes Terrace has not been a residential or family neighborhood for many years. The truth is that the Finnegans were the last actual family to reside there, and they left some 18 months ago. In fact, the truth is that the entire area had shifted to business usage and transient (i.e., student) occupancy decades earlier than that; the Finnegans had lived, uncomplainingly, with the consequences of those changes long before leaving. It seems to us, frankly, discriminatory to try to block the sale of our family home at this point, when similarly strenuous objections were not made to, for example, the extension of fraternity row along Madbury Avenue, or to the Golden Goose property.

We would like to note, finally, that the property does not belong to the town, or to the abutters. It belongs to Ted and Liz Finnegan – and they, too, have legal rights. So far, it seems to us that the town has heard a great deal about everyone's rights except the owners'. We, however, are fully apprised of those rights, and intend to defend them just as vigorously as have our opponents defended theirs. We hope the town will consider our position, as well as theirs, in its resolution of the question before it.

Michael Finnegan

