



Tropic Star Development, LLC

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Michael Behrendt:
Director of Planning & Community Development
8 Newmarket Road
Durham, NH 03824-2898

Dear Michael,

Please allow this letter to serve as our formal notice to withdraw our application for the former Cumberland Farms located at 3 Dover Road. We have done so as a result of the Planning Board being unreasonable and making excessive requests for a development of this scale.

For a building that is only 2,450 square feet (smaller than most homes in Durham) on a small lot, we were proposing to make good use of this property. We were proposing to make aesthetic and functional improvements to the corridor as well as make significant improvements to the area via a much less intensive use. Our proposal was an allowed use in this district and far less intensive than the prior use, a gas station with convenience store.

The Planning Board has, in our eyes, way overstepped their boundary asking us to set up an architectural review committee to review a 2,450 sf building. The board was also requiring us to do an onsite circulation plan as well as a traffic impact study. An automotive repair facility is one of the lowest traffic generators that can be found in the ITE Trip Manual. The board has imposed costs on the project that have made the development no longer viable. There is certainly no way to recoup these costs from a tenant for such a small building.

We are very disappointed in the Town's lack of foresight and the cooperation of the Town Planner. The Town Planner's job is to work to facilitate the development and work with the developer to achieve mutual benefits to both parties, which was not done in this case. As a significant property owner in the Town of Durham, I can't tell you how disappointed I am that the Town has missed the opportunity to clean up this property. The property has been vacant for nine years with no one willing to step up and go through this process. I now understand why this area of town looks the way that it does.

I encourage the town to review their planning process and take into consideration the implications of the requirements that they are imposing on developers and how this is negatively impacting the future of the Town.

Thank you for your time,


Scott Mitchell