

February 2, 2022

Dear Durham Planning Board,

My name is Aldo Santillana Chebar and I am the excited new homeowner of 18 Garden Lane. My spouse Emily Friedrichs grew up in Exeter, and we moved here after nearly a decade together in Buenos Aires, Argentina because we both love this region. We chose to come to Durham for two principal reasons: the walkable downtown and the available access to conservation lands for recreational purposes. We are both thrilled to be joining this community and excited to help strengthen the town's fabric and assets.

While the current Mill Plaza is underutilized and I would love to see it redeveloped, I want to share my concerns that the current Mill Plaza proposal does not meet all requirements for a Conditional Use permit.

First I am concerned that the impact of flooding causes the proposal to fail to meet several criteria (Criterion #2 – External Impacts, Criterion #5 – Preservation of natural, cultural, historic and scenic resources, Criterion #6 – Impact on Property Values):

As acknowledged by the HW peer reviewer at the December 8 Public Hearing and in the chart for HW on Peak Rate of Stormwater Discharge in CFS, evidence suggests that the proposed development does not include sufficient water mitigation for anticipated storms. While the proposed plan will decrease the current developmental footprint into College Brook, the overall impermeable surface will increase.

The proposed increase in wetland area is likely insufficient to offset the resulting increase in waterflow. Currently, flooding occurs where College Brook meets Mill Pond, which means the baseline is not zero: even an increase in wetlands *proportionate* to an increase in impermeable surface would guarantee continued flooding at Mill Plaza. If not addressed by the developer now, flooding will be a burden on the town and on taxpayers to fix.

That is the situation this year, but storms are becoming more extreme. Our plans must account for increased water flow during future storms because we are in the early stages of climate change. Any water mitigation plans that the town accepts today must take into account the likely exponential increase in flooding over the next few decades. Given what we already know, it is extremely unlikely that the current plan's proposed water mitigation is sufficient for even the near future, let alone its design lifespan.

I also urge you to not consider the project in isolation, but to consider it in the context of the impact on the downtown's future. If the current plan maxes out the water-carrying capacity of College Brook, and the included parking proves to be insufficient for the number of additional residents and businesses, where can additional parking be added? Will the proposed development be adaptable in the future, or is it already maxing out the site's capacity?

Additionally, the current proposal is not in keeping with the terms of the 2015 settlement which explicitly (please refer to Exhibit a.1-2 which was overlooked in the 10/6/21 email from the town attorney) states that all buildings and roads will be outside the shoreland and wetland buffers and that the buffers will be maintained by the property owner.

Secondly, I am concerned that noise and vehicular traffic could also cause the application to fail to meet the necessary conditions (Criterion #2 – External Impacts, Criterion #5 – Preservation of natural, cultural, historic and scenic resources, Criterion #6 – Impact on Property Values): If the Plaza's tenants, as proposed, will not use the Plaza parking lot, then Faculty Road and Chesley Drive could become frequent car pick-up and drop-off spots. Proceedings so far have not sufficiently addressed the level of noise (particularly at night) and potential for litter in this area from students returning home or leaving large gatherings at the proposed Plaza buildings.

Finally, an influx of housing dedicated to students in the downtown could alter its current character and functioning, which is a dramatic external impact that affects cultural resources and property values. While the presence of students and of UNH is a huge asset for our town, it's also important for Durham to maintain its own, independent town identity. This is what drew my spouse and me to Durham and what draws other families and retirees not otherwise connected to UNH.

The proposed buildings' blocky massing and sheer number of residential units threaten to dwarf Main St and could amount to over-development of student housing for this corridor. Rather than having the intended outcome of creating dense, walkable and multigenerational neighborhoods, it could drive the downtown to become an extension of campus. This would hurt our downtown's diversity, its ability to serve the needs of the community as a whole, and Durham's ability to be seen as a destination community.

The current proposal, with its emphasis on student housing rather than community use, negatively impacts the stated goals of our town's Master Plan (Conditional Use Criterion #2 – External Impacts). The Durham Master Plan embraces higher density housing in the downtown area but in a way that continues to feed our vibrant community by promoting social interactions through chance encounters downtown. Similar nearby towns, such as Exeter, have thriving centers because as they have grown, they have incorporated connected public spaces to create a town center that serves all ages. The current Plaza proposal does not include enough public space for non-tenants that will draw them in for pleasant and interesting experiences, nor are there gathering places for events that would serve the public of all ages. As a result, the character and function of the downtown would change if this site were to be developed as proposed.

I know that the Planning Board takes its service seriously to protect the interests of Durham residents. Please make sure that your deliberations are based on hard evidence that conditional use criteria are met and, when additional information is necessary to reach a sound conclusion, do not accept excuses such as "this is too hard," "this is not what we looked at," "that's not what is usually defined as traffic," and "this matter is in the eye or ear of the beholder." These are not

valid excuses. The Planning Board can appoint a special master at the cost of the applicant to answer these questions.

If the applicant is not willing or able to provide the necessary information, then the Planning Board needs to deny the application based on well-reasoned doubt. The burden of proof is on the applicant, not the Planning Board, nor the public.

Thank you for your service to Durham and for considering these points.

Sincerely,
Aldo Santillana Chebar
18 Garden Lane, Durham