

December 8, 2021

Dear Members of the Durham Planning Board,

We live in a relatively small community. Members of this board and others are our friends, neighbors, and associates. I believe that those who volunteer to be on a town committee or board do so with the best of intentions, to contribute to the betterment of our community.

We are also a progressive, highly educated community. We value open, honest, transparent communication. I want to thank the PB for your recent decision not to limit public comments. Public comments help the Board see issues from many perspectives, and I believe this is valuable given the purpose of our ZO is to protect the health, safety, welfare, and convenience of the community.

I was confused by the decision to remove the word "student" from all documents submitted by CDA. I hope this was not an attempt to whitewash the CU process by pretending the "258 beds" were not going to be inhabited by young people maintaining lifestyles that are not compatible with the adjacent neighborhood.

Nancy Miner's testimony to this Board on October 22, 2014 is very telling. The minutes state: "She said they were lovely apartments [in Grange], but said they were impossible to live in, in conjunction with the students. She said it wasn't feasible to call the police every night and said if there were any students living in the proposed development at Mill Plaza, no one else would want to live there." Perhaps Sally's son or Heather's daughter might like to give it a go. I know from talking to students during voter registration that several students told me they were going to move out of Madbury Commons because the walls were so thin, it was hard for them even to sleep.

You can erase the word student, but you cannot remove the word "beds" as that is how these rentals will be handled "by the bed." The only other residential housing beside student housing that rents by the bed is likely nursing homes. I don't think CDA is planning to provide skilled nursing.

Paul has stated that our Town Attorney says the PB must review CU based on the USE, not on who will live there. In our college town, MIXED USE = STUDENT HOUSING. This is documented throughout our Master Plan and across decades of discussions and zoning amendments geared toward trying to control the impact of large numbers of students on our family neighborhoods. Beyond the 2013 decision by the Town to make Mixed Use conditional in the CBD in order to have more legislative tools available when reviewing a Mixed Use proposal downtown (i.e. student housing), you might recall that just a few years ago, Jim Lawson proposed an amendment to no longer permit Mixed Use in the CBD. Period. Why? It was an effort to try to correct the imbalance of our downtown becoming swallowed up by student life and student-oriented businesses and behaviors.

This brings me to another point. The proposed plan has a very large space reserved for a restaurant in Building B. Given the 258 young people living in Buildings B and C, what type of restaurant do you think would be interested in that site? Likely one that caters to students; likely one that serves alcohol; likely one that stays open late, because let's face it, businesses are market-driven. That is problematic.

Building B has been moved 25 ft. closer to the Faculty Neighborhood in order to accommodate 31 additional parking spaces that are not required by our ZO. 1) This should not be allowed. It runs counter to the Settlement Agreement which requires housing to be at the north of the site. (Why? Because we all know students will be living there!) and 2) It brings the noise and the restaurant closer to the neighborhood. Councilor Hotchkiss noted that removing the 31 spaces behind Building B would bring us just about to the number of spaces required by the Town.

CDA claims "its tenants" want more spaces. I would not be surprised if Hannaford was not pleased that CDA is currently renting 150 spaces in front of its building. Perhaps that is why they feel they need more spaces? CDA's relationship with Hannaford should not impact our decisions at the PB.

Removing those spaces and moving Building B back would also make more room to move the road out of the 75' wetland buffer. I hope you will take seriously Dennis Meadow's vision and generous offer to contribute toward a 75' buffer by creating a park along the brook. Whether or not the land is owned and maintained by the Town or by CDA is less important than the fact that we would be complying with our zoning, the Settlement Agreement, and creating an important amenity for the community. Right now, the current plan offers very little for community members but a new restaurant that will likely cater to students and promises to create a lot of noise late at night, severely impacting the adjacent neighborhood.

CDA's Attorney has stated several times that this is an "opportunity of a lifetime." I would like to complete that thought. This PB, you, have the opportunity of a lifetime to drive the final nail into the coffin for any hope of regaining a balance between residents and students downtown, and for protecting the Faculty Neighborhood from unnecessary noise, litter, and general assault to the family lifestyle. A lot rests on your decision. I hope this Board will deliberate carefully and with full transparency during the CU process, recognizing the serious negative impacts this project will create on the Faculty Neighborhood and the community as a whole.

Sincerely,
Beth Olshansky
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