

To: Durham Conservation Commission
From: Diane Chen, 12 Oyster River Road
Date: December 1, 2020
Re: Mill Plaza WCOD/SPOD Conditional Use Application

Thank you for all your work regarding the complex Mill Plaza application and its associated Wetland and Shoreland Buffer intrusion issues.

I am writing as rain has been falling for hours and (as we've already seen earlier this month) at a rate that will exceed the primary capacity (1-inch storms) of the stormwater treatment system proposed by Colonial Durham for Mill Plaza. (Today, we are predicted to get close to 2 inches.)

I watched (and re-watched) the October 26 and November 23 meetings, and I attended the November 20 site walk. I believe I followed all that was presented and asked by the applicant, Board members, and the public. I especially appreciated the detailed presentation by Professor Wil Wollheim of UNH's Waster System Analysis Group (WSAG), which clearly confirmed the *unusually* frequent and significant flooding of College Brook, far beyond that at most other similar area waterways. I also appreciated Prof. Wollheim's clarification that while there were other impervious area upstream of the Plaza, the Plaza was unique in impervious area directly adjacent to College Brook.

Yet, I remain at a loss regarding any plan by Colonial Durham to address the serious flooding of College Brook, which runs the length of their Mill Plaza site.

Mr. Persechino has described the water treatment program. It's an open question regarding whether the removal of only 51% nitrates is adequate or not. However, in all the CDA explanations, there has been a "not my problem" approach to the flooding of College Brook.

At the November 23 meeting, Mr. Persechino explained at length various flood maps in attempts to deflect CDA responsibility. One can accept that, yes, the Brook has never been a dry channel. But Mr. Persechino also finally addressed CDA's illegal 2002 hillside bulldozing, part of which is clearly in the wetland setback.

Holding aside difficult-to-resolve debates of ratios of impact, simple logic and physics would argue that the Brook flooding would have increased when such a large pervious hillside was removed and made impervious – and never restored. This needs to be addressed.

Moreover, the flooding is not a static issue. Each of dozens of annual flood causes more damage to the waterway, its banks, and to trees and vegetation. No site plan that would allow this impairment to continue for the next century should be approved.