# Downtown Durham Soundscape: Mill Plaza vs. Main Street & Beyond

Are the noise differences really only Subtle and Subjective?

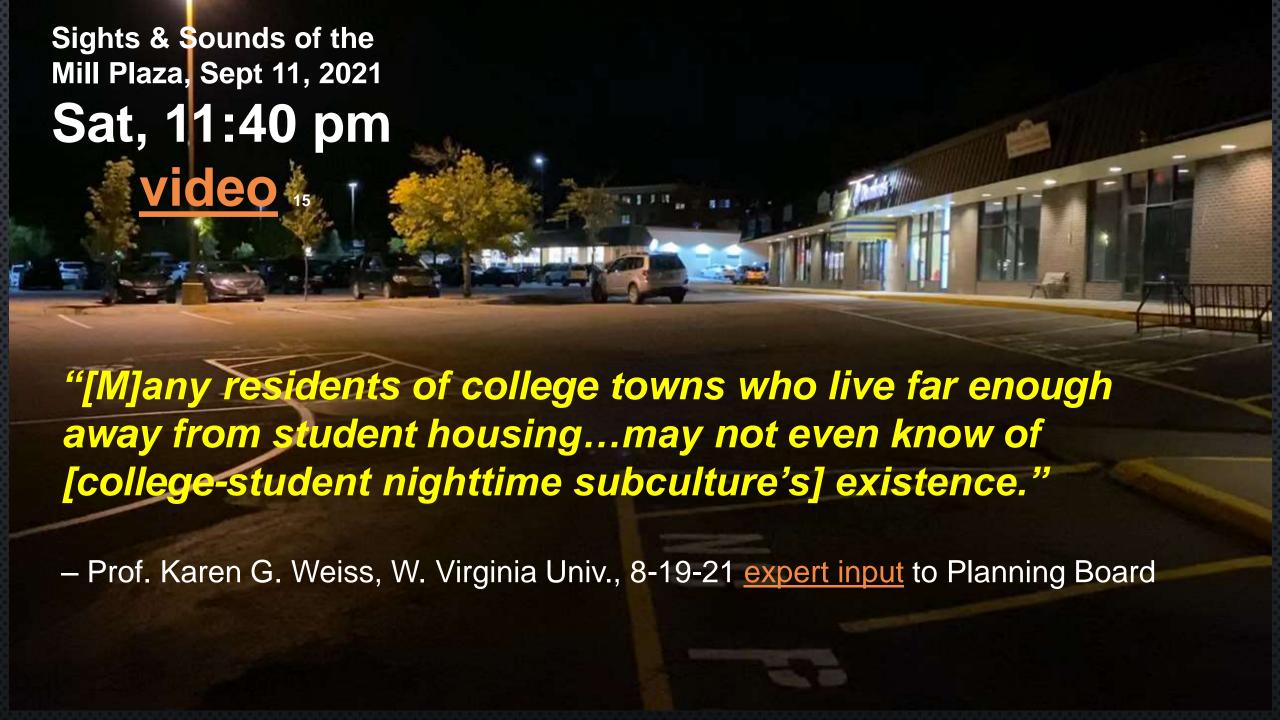
Submitted to the Durham Planning Board, December 30, 2021

Expanded from presentations to the Durham Town Council, Nov 15, 2021, 7:29:12p (video) and to the Durham Planning Board, Dec 8, 2021, 8:34:28 (video)

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### The Mill Plaza has long been a sound buffer for family homes from student nightlife 50-yr old 1-story Student night hotspots now cluster on St, Madbury Rd, & Garrison Ave bldg to remain **Downtown Durham** Hannaford Paved ramp to Rite Aid Main St to Mill Plaza **Brookside** become stairs Commons 1.1-acre hill 55+ housing → to be blasted away to fit in Bldgs B & C **Impaired** College **Faculty Rd** Brook -> family homes' backyards **Church Hill Woods** separate owners turned into Foot/bike path to Chesley Plaza-tenant parking Marsh & Faculty Neighborhood ->





Are SOUND
differences from
Plaza to here
(& beyond)
really only

Subtle & Subjective?

"It's interesting how the music from that outdoor venue right up the hill, you can't hear it in the Plaza. I'm fascinated by that."

—Kitty Marple, Chair, Town Council, Nov 15, 2021, 7:34 pm

What could come to Mill Plaza, with student housing followed by a bar.

This action is fine where it is now – but next to senior condos & family homes?

Same time, same night: from Path to Main St Sept 11, 2021

Sat, 11:43 pm video 35

30 secs of supposed "Peace & Quiet" Colonial Durham promises from a "Professionally Managed Site"\*

Madbury Commons Aug 28 2021

Sat, 11:37 pm

video 30

Not that problematic here, because NOT near senior condos & single-family homes

\*See word-for-word matches:

CDA's 2021 Property Management Plan Overview and Madbury Commons 2014 Property Management Plan Overview.





"worse than the loud music, is when [the students] just stand and yell at random intervals for no reason, like dogs barking at the moon."

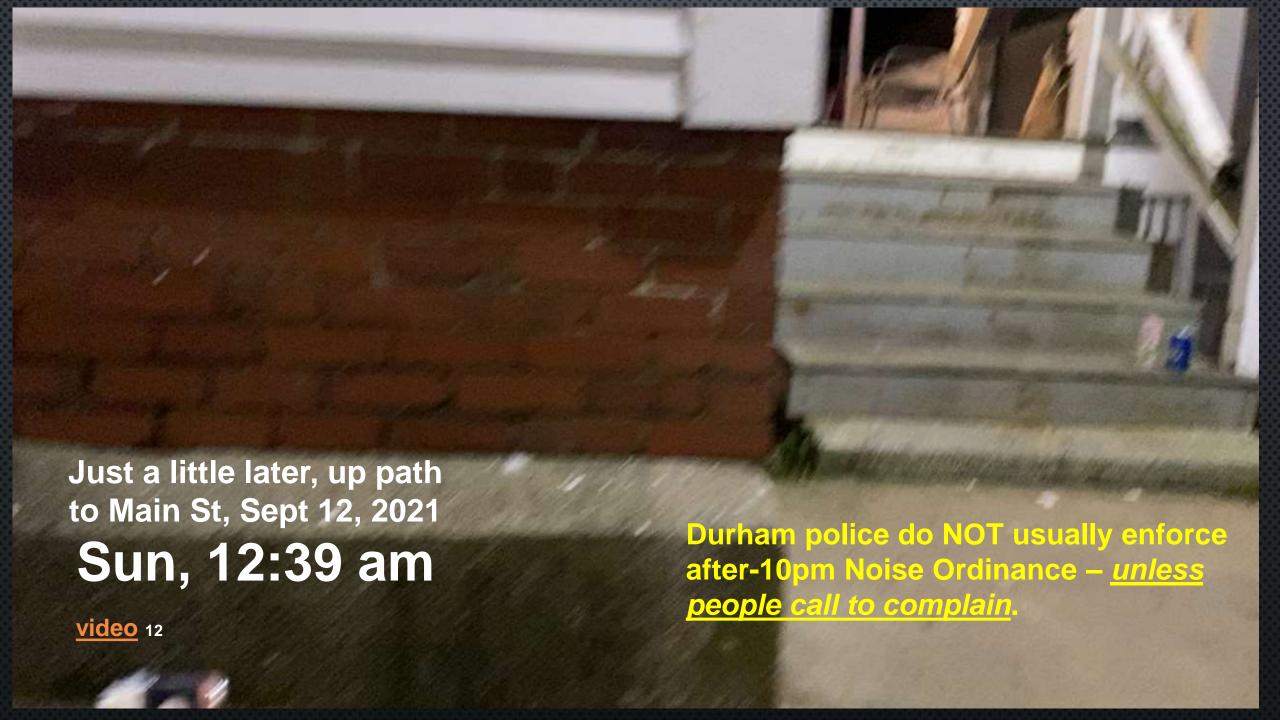
- Expert Prof. Weiss, interviewee comment

Not problematic here because NOT near family homes



Mill Plaza, Sept 12, 2021 Sun, 12:10 am

But up on Main Street



"It's essentially delivery only I believe I don't even know if they have pick up."

—Durham Code Enforcement Officer, Sep 5, 2021\*

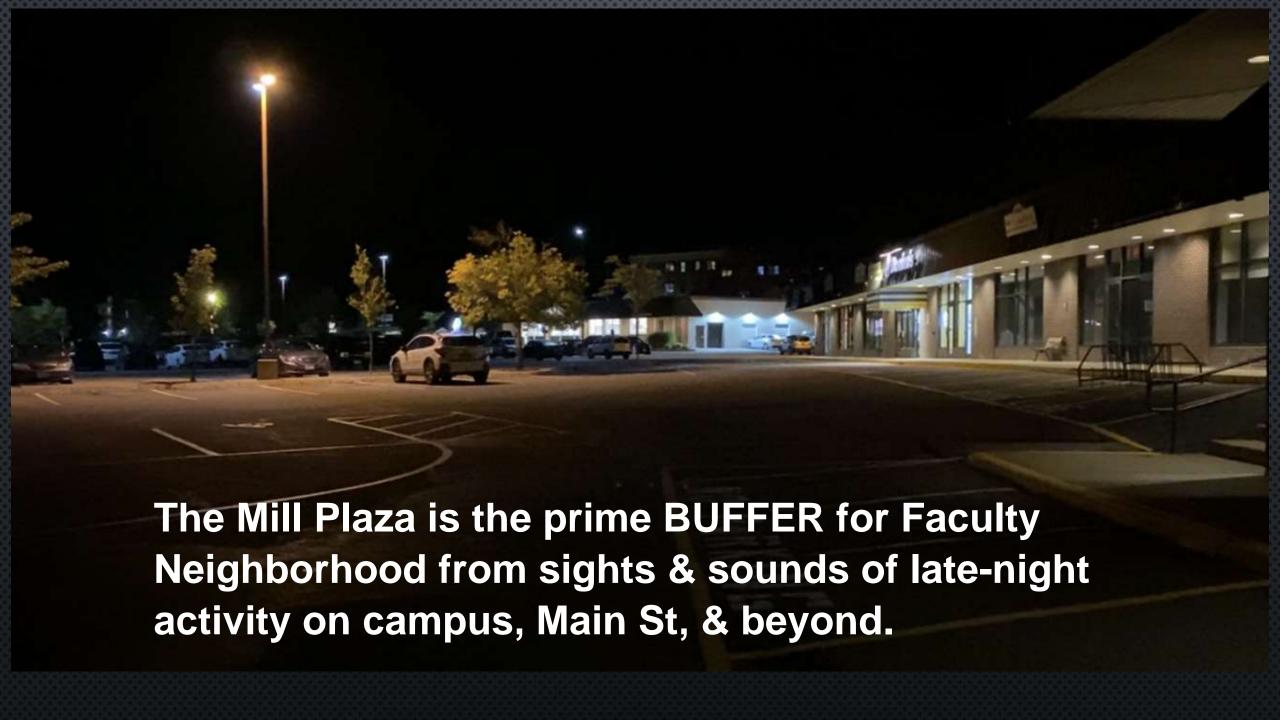
Fry'd "Ghost Kitchen"
Madbury Rd, Sept 26
Sun, 12:41 am
open to 2am

video 42

Not problematic here because NOT near family homes. But it in PLAZE

\*After I sent her this 42-sec video, she replied:

"I'm so glad to see they are doing well! I think the assumed activity such as shown in this video is the reason the food truck requesting a spot in Mill plaza got denied recently." –Nov 15, 2021



Per Prof. Karen G. Weiss, West Virginia Univ., expert input 8-19-21

Neighborhoods adjacent to new large-scale college-student housing experience increase in:

"property damage, noise, litter (e.g., beer bottles, condoms, paper cups), verbal harassment, and a variety of other crimes and violations that can include vandalism, arson, fights and public urination."

### Geographer Blake Gumprecht in The American College Town

## **Boundaries** in College Towns enhance tolerance of different populations

Acceptance of typical college-student behavior is dependent on college towns being "highly segregated residentially."

A "residential mosaic" is essential for a successful college town.

Family neighborhoods near student housing can become "battle sites in an undeclared but unresolved civil war."

"Student behavioral issues cannot be divorced from the geography of housing in college towns."

## Durham Police Sound Alarm re: Potential NEW Late-Hour Gatherings in Plaza

Dep. Police Chief David Holmstock, Aug 31, 2021, re: Plaza Food Truck application

"Faculty Development...affected by noise generated by late night crowds...increased foot traffic....vandalism...littering."

"A gathering of intoxicated people in a large open space is not a good recipe for maintaining the peace."

"most certainly increase the need for <u>additional patrols</u> in that area due to the inevitability of altercations between intoxicated [students]."

Quality of neighborhood life concern & Police Budget Issue!



### The most effective sound buffer in the Plaza is targeted for destruction by CDA

"It's interesting how the music from that outdoor venue right up the hill, you can't hear it in the Plaza. I'm fascinated by that." – *Kitty Marple, Chair, Durham Town Council, Nov 15, 2021, 7:34 pm* 



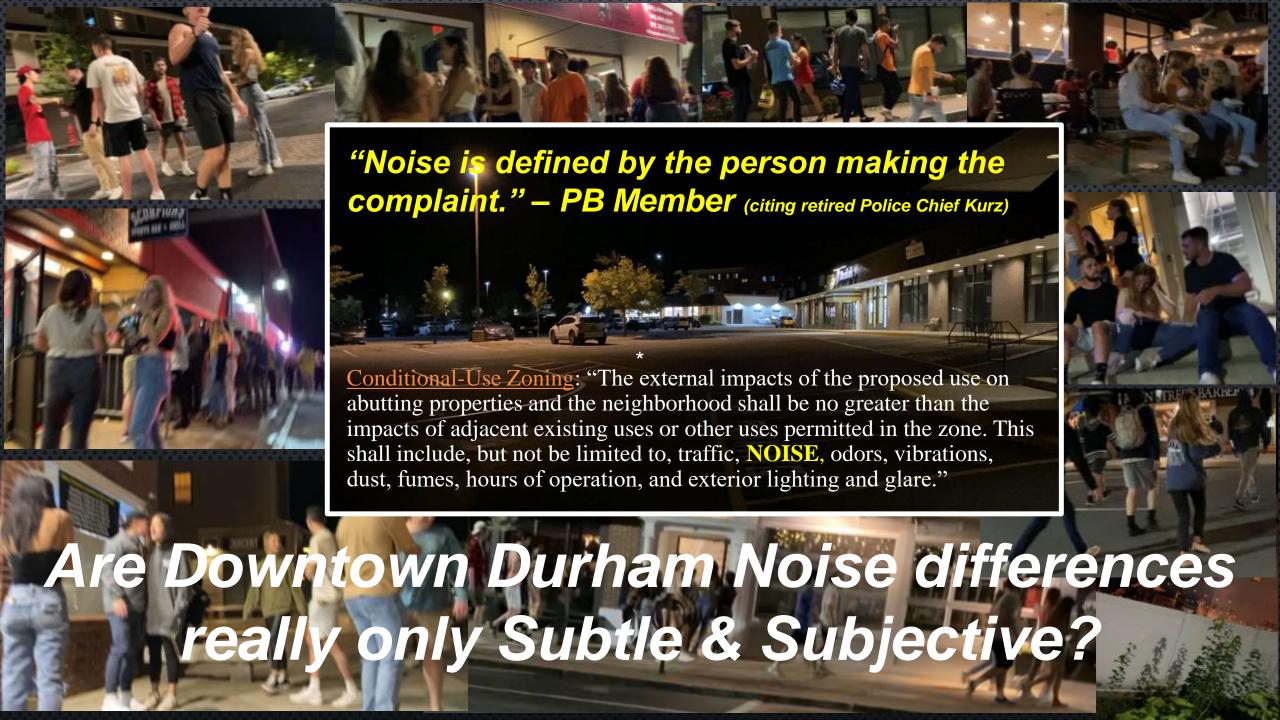
### **CDA offers NO meaningful "Degrees of Control" on Plaza NOISE**

Planning Board Member Richard Kelley (9:35pm, video, emphasis added): "...So, when we look at Conditional Use, there is a special degree of control to make such uses consistent with or compatible to other existing or permissible uses in the same area. And I wonder...what that special degree of control would entail regarding impacts, such as noise, to the surrounding community."

CDA's Attorney, Ari Pollack: "...With respect to the residential abutters and the single-family homes in the neighborhood: You've got a waterway that breaks a buffer, you've got, again, some restored areas that create a buffer, you've got landscaping within those areas, you've got a sidewalk that's gonna provide connection for people who aren't even originating from the Mill Plaza but using it as a conduit to other parts of town. That's a service provided to some of those folks who, frankly, take it for granted today. And, I guess my whole point is, you've got to look at Conditional Use in the context of what's there and what's being proposed. It would be wonderful if this was a completely blank canvas and we were proposing nothing but a fully conforming project, but that's just not what the reality is. What you've got there now is a project that doesn't drain well, it doesn't park well, it doesn't lease well, it doesn't look good, it doesn't function well. And, you've got a significant, and, again, I hate to beat it, but a once-in-a-generation opportunity to improve upon that. And it's somewhat a leap of faith, I grant you. The easy thing to do is to look at that petition of 1,000 signatures and say, nope, nobody wants this, why should I? The reason you should do it is because you're on a board that's sworn to uphold the regulations of the town, and the ordinances of the town. So that's what we're asking you to do."

### RK: "So there are no special degrees of [noise] control that you might offer?"

AP: "We've offered! We have offered on-site management. We've offered security. We've offered no residential parking on the property. We've offered a contribution to the restoration of the waterway. I mean we've covered these things. You know what they are as well as I do. I'm happy to continue to summarize, but ultimately it's a recognition that we've got a compliant proposal on the table and we are entitled to a vote."



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See also "Crucial Conditional-Use Zoning Variables: Buffers, Distance, Scale, Hours of Activity, and *Type* of Tenants," <u>Joshua Meyrowitz 8-19-21</u> and "Interconnected threads of input on Mill Plaza proposal's impact on the Neighborhood," <u>Joshua Meyrowitz 12-29-21</u>. (vn)