

**From:** [J.R.Smith](#)  
**To:** [Karen Edwards](#); [Rick Taintor](#)  
**Cc:** [Michael Behrendt](#)  
**Subject:** statement regarding the Mill Plaza redevelopment application  
**Date:** Friday, August 20, 2021 3:18:19 PM

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Dear Ms. Edwards and/or Mr. Taintor:

Please forward the statement below to the Durham Planning Board before their August 25th meeting.

Thank you,

Julian Smith

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Dear Members of the Durham Planning Board:

As a Durham resident and property owner in the 1960s, I witnessed the demolition of historic homes and buildings along Mill Road and Main Street as well as the bulldozing of a wet meadow to develop the first phase of the Mill Plaza shopping center. Over the next decade, I witnessed the second phase in the form of a new building and more parking on the east side of the Plaza.

During my two terms on the Board of Trustees of the Durham Public Library from 2004 to 2010, I occasionally advanced the notion that the Plaza was the most convenient location for the town library and that an expanded library in the Plaza would benefit both the Plaza and the public, but that notion was not popular with the other trustees (or with John Pinto, the owner of the Plaza).

In addition to serving on the Durham Town Council from 2005-2015, I also served on the Durham Planning Board in 2002-2003 and off and on between 2007 and 2015—and was vice chair of the Mill Plaza Study Committee in 2007-2008.

On May 19th of this year, I sat silently in the front row of the Council Chamber during a public hearing on this application and listened patiently without speaking. I cannot remain silent and must now raise my voice in print.

That said, I have a simple question for you: how do the Colonial Durham Associates plans for redevelopment of the Mill Plaza shopping center comport with relevant state and local ordinances?

--Please consider the "Purposes of Zoning Ordinances" enumerated by New Hampshire RSA 674:17: how do the CDA plans "lessen congestion in the streets", "promote the . . . general welfare", "prevent the overcrowding of land", or "avoid undue concentration of population"?

—Please consider section 175-3 of the Durham Zoning Ordinance: how do the CDA plans protect the "convenience and general welfare of the residents of the Town of Durham", "promote the orderly growth of the Town of Durham", "protect natural and scenic resources from degradation", and "ensure that development is commensurate with the character and physical limitations of the land"?

Please do not dismiss these purposes as merely aspirational precepts. Instead, please let them guide you as you answer these questions:

--How does evicting tenants from the second building on the site and demolishing that building conserve the value of that building to the owners, the tenants, the customers (both current and future), and the community?

--How or why is student housing the most appropriate use of the eastern portion of the Plaza site?

--How does bulldozing a natural hillside on the northeast side of the Plaza or cutting down mature trees in what was Hamilton Smith's garden and hauling in hundreds of truckloads of fill give "reasonable consideration . . . to the character of the area involved"?

Please consider this: the Mill Plaza shopping center was permitted and built in the 1960s and expanded in the 1970s because the Durham Planning Board members back then believed that creating and expanding a convenient place to park and shop was of benefit to the entire community, including staff, faculty, and students at UNH and merchants in other parts of downtown Durham.

Please also consider this: since buying the two buildings and other improvements from the original developers in 1983 and then buying the land under those buildings and improvements in 1993, Colonial Durham Associates has done nothing of significance to improve the two buildings or the parking lot--or to protect College Brook.

In conclusion, please tell Colonial Durham Associates that they are wasting their time and yours as well as the time and patience of the Durham community with this ill-conceived redevelopment scheme and Conditional Use application.

Sincerely,

Julian Smith  
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Saint Simons Island, GA 31522  
912 771 9119

PS: I am still a property owner and tax-payer in Durham