From: **Joshua Meyrowitz** <prof.joshua.meyrowitz@gmail.com>
Date: Mon, Nov 4, 2019 at 3:59 PM
Subject: Church Hill Application & College Brook flooding
To: Michael Behrendt <mbehrendt@ci.durham.nh.us>

Hi Michael, You may recall that some years ago you alerted the Planning Board to the videos and still images that I had shown you of what College Brook looks like during heavy rain and snow melt–ever since the Mill Road Plaza manager (at that time, Dave Garvey) bulldozed the rear hillside of the Plaza near my home in 2002 without permission. (Your comments about flooding are mentioned in my Mill Plaza History.)

There has been thousands of dollars of damage to vegetation along the Brook and to expensive landscaping I had invested in for my daughter's 2009 wedding. Whole areas of the bank have disappeared, along with a number of trees, shrubs, and many perennial flowers, etc. And the brook rages (with an extra channel) looking like white-water rapids, as well as flooding the whole area between my home and the pedestrian bridge across from the Chesley Marsh, with the wooded footpath to Faculty Road. The brook channel runs within 10 feet of my home, and is also close to others downstream.

Attached, you can see still photographs of the brook (from my study window), on both dry days and wet ones. Also see, for example, these two videos at the following links:

42-second video of College Brook flooding from January 2016
https://www.dropbox.com/s/8x71p9af2aw0ewz/IMG_0282.MOV?dl=0
32-second video of College Brook flooding from November 13, 2018
https://www.dropbox.com/s/3tm472plkithut0/IMG_6779.MOV?dl=0

A few years ago, when touring my property and the Brook, Town Engineer April Talon promised to see that any Mill Plaza redevelopment would entail a reversal of that stormwater flow and a halting of further flooding damage to those of us downstream.

Now, we face an application to tear out the trees and vegetation on Church Hill lots that slope toward my property and to the College Brook. That permeable forest land is now a light-buffering, noise-buffering, fumes buffering, and – most significantly in this context – a storm-water absorbing hillside. I can only imagine the major increase in flooding a parking lot on that hill would lead to! Town maps I saw at your office on Friday seem to indicate that College Brook is in a FEMA flood zone.

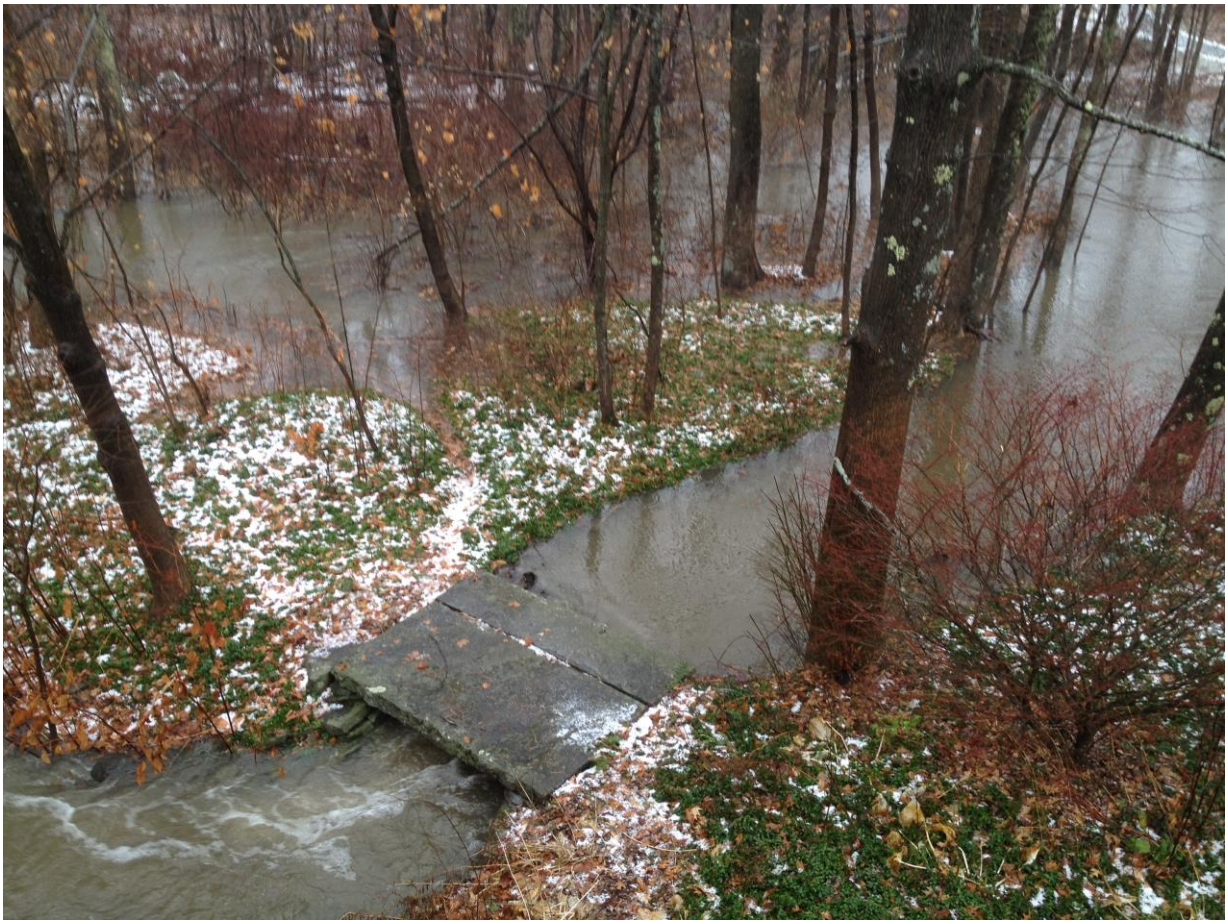
Conditional use criteria, indicate (among other things) that: "**The proposed use of the site, including all related development activities, shall preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat, stonewalls, mature tree lines, cemeteries, graveyards, designated historic buildings or sites, scenic views, and viewsheds."** My "Core Excerpts" from CU criteria are posted here: www.dropbox.com/s/rd7puegu8s1u45w/CORE%20EXCERPTS%20042318m--%20Durham%20Conditional%20Use%20Criteria%20--%20Zoning%20ARTICLE%20VII.docx?dl=0 With full Conditional Use ordinance here: www.ci.durham.nh.us/sites/default/files/fileattachments/planning_and_zoning/page/21491/article_vii.pdf

A developer neighbor indicated to me that, by his estimate, offsetting the increase in storm-water flow from a large parking lot on Church Hill would entail constructing a retention basin the size of about 20 or more parking spaces. Yet, I see no such basin on the designs submitted.

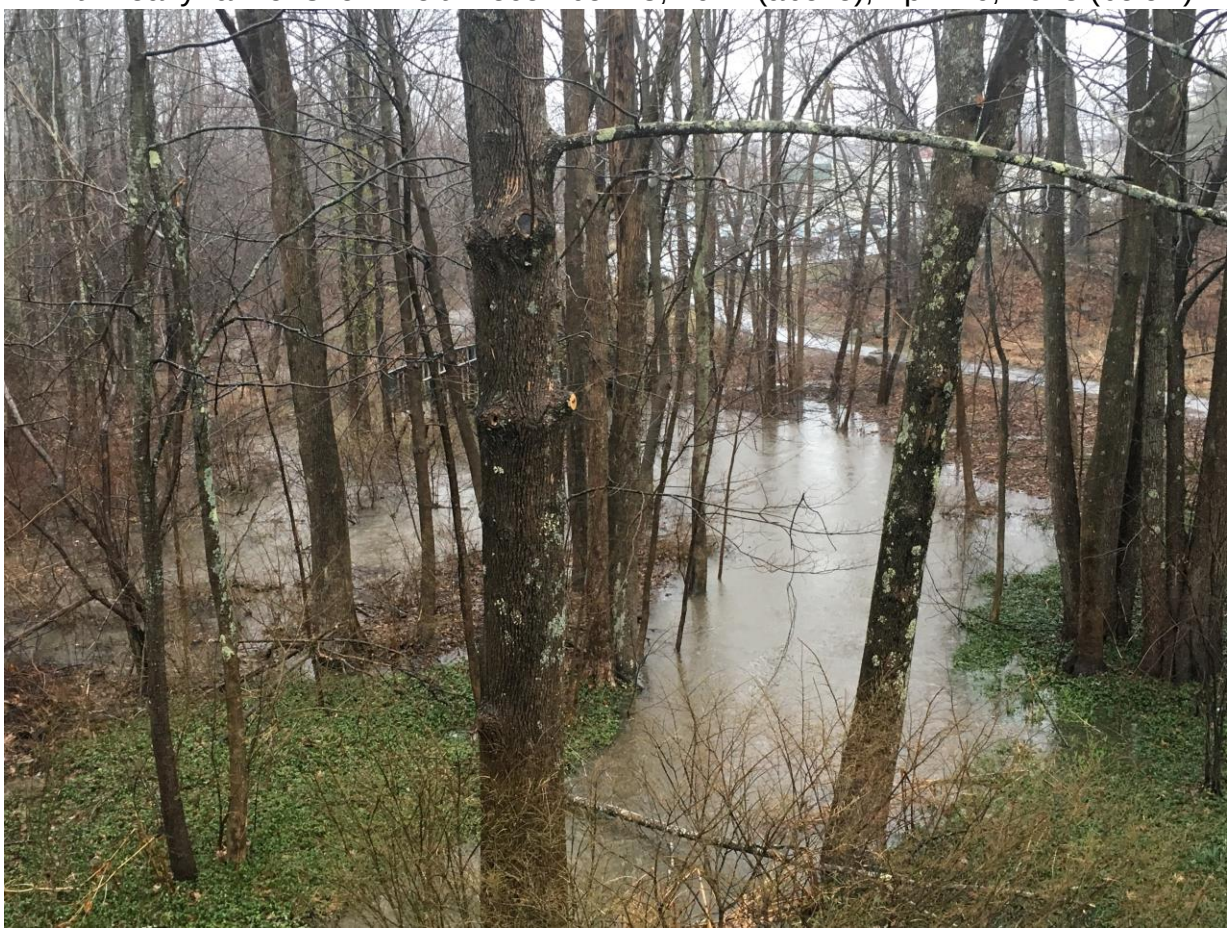
I hope that the Town will not allow further increase in flooding and other degradation of the downtown.

Thank you for all you do to keep Durham livable and improve our lives.

Best, Joshua



With heavy rain or snow melt: December 18, 2012 (above); April 16, 2018 (below)



No rainfall or snow-melt: February 24, 2013

No rainfall or snow-melt: October 30, 2012