

Subject:Zoning Amendments

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From:Jay Michael <refinedwoodworking@comcast.net>

To:pnrasm@yahoo.com

To: Paul Rasmussen, Chair of Durham Planning Board

First, I would like to thank the committee for tackling a difficult and often prickly subject in Durham. I am co-owner of 50 - 54 Main Street, two, older, single story buildings. I am generally in support of the amendments, and appreciate the towns interest in helping the commercial property owners reach some goals which I believe could be beneficial to both the owners, and townspeople.

While Councilor Larson was giving his history of zoning in the CBD, I wasn't struck by how much building had gone on with the 2008 change, but by how many times the regulations had been changed since that date. It's difficult to have an ever moving target for someone wishing to develop their property. There was also the omission of the Town Council led initiative, in 2016, to restrict residential development to 55 year olds, or older in the CBD. One of the proponents of that change zoomed in to the last meeting stating that she now doesn't think that anyone except students would want to live downtown. What a difference four years makes, and I don't believe that's true.

Last year, I had a building estimate done for my property, with no variances, but pushed to the

limits of what would be allowed. The cost/return just wasn't a good risk, and now, I doubt it would be any more favorable. The addition of a fourth floor is a positive tipping point, as well as trading commercial for green space. On both of those notes though, I don't feel that conditional use is truly a zoning change. It's still up to an individual Board member whether they happen to believe that the fourth floor meets a yet to be determined standard, or whether the green space benefits their interpretation of the amendment. Tough way to plan. It is unclear to me about the setback requirements for the fourth floor. Would I have to set back ten feet on both Main Street and Jenkins Court should I choose to add a fourth floor to that corner lot. That is a lot of square footage to lose.

On the Issue of Drive-Through Facilities, I am mixed. It was unfortunate that the RiteAid Drive-Through was turned down, as it seems all of that building could have been updated, if memory serves me. I also wonder whether a drive-through for Dunkin Donuts using Durham Village Garage, wouldn't give us a safer traffic situation than we have now, at the Rt 108 lights. With that said, I wouldn't expect or want to see many other locations in town. It's hard enough getting around during the morning, midday, and evening commutes.

On a related topic, I was pleased to recently hear Todd Selig speak about the Town possibly purchasing 66 Main Street and that a parking structure would be considered. If we are able to develop more of the downtown, added parking will be needed for employees, tenants, and customers. The part about the Town/ Elliott Sidewalk partnership is a little concerning though, as it could put current businesses at a disadvantage. Time will tell about that.

In closing, there is a comment that Beth Olshansky made, at the Oct. 14th meeting, that I agree with. She said, and I'm paraphrasing, that none of the changes proposed were necessarily going to benefit the town, if we were only providing more student housing. Well, perhaps a tax base, but not improving the town we wish to see.

I don't know what the Hopkins Family will do with the Wildcat/ Sammy's Market block, or what will become of the Franklin Block, but I do believe that nothing is going to happen without a little more incentive to help owners with development challenges. My hope is that condominiums and apartments would create a more diverse, adult living community, and thusly support the added commercial enterprises we would like to see in town. I hope that you continue to hone these amendments, and receive a wealth of public opinion.

Respectfully submitted,
Jay Michael