

August 3, 2022

**Re: 19-21 Main Street – Building on a hill *without* extensive fill is possible!**

Dear Members of the Durham Planning Board,

I attended closely to the July 27, 2022 deliberation regarding the proposed parking lot to be paved on top of a massive artificial berm on what is now the steeply sloping, wooded Church Hill. Several members seemed to conclude that it is almost “necessary” to ignore our Site Plan Regulations (specifically, 8.2.1 “Extensive grading and filling **shall** be avoided.”) because, they said, if that regulation were to be enforced “nothing could be built” on the site. That same position was also expressed at the July 13, 2022 meeting.

This statement is absolutely not true and should not be used as the rationale for ignoring our site plan regulations. In any case, our regulations are not to be tossed aside when they would prevent the very changes in topography they are designed to forbid.

I attach photographs I took last week as evidence to back up my statement. These photographs of a home in Barrington offer just one example (and you have already been sent others) where a building has been built *following the natural contours of a steep slope*. Using a design that respects the topography, no fill was required.

Note that the front of the house appears to be a single-story ranch while the back of the property reveals a 2½-story structure. The construction of this house follows the natural contours of the land, which is precisely what our Site Plan Regulations require.

While Toomerfs are proposing to build a parking lot, not another type of structure such as one or more residences, senior housing, or office buildings (all permitted by right), the PB’s assumption that “nothing can be built” without ignoring our regulations that “extensive grading and filling shall be avoided” is simply not true.

Please consider this during your continued deliberations.

Beth Olshansky  
122 Packers Falls Road

P.S. Even though I live over four miles from the Toomerfs’ project site, I care about what happens downtown. Our Conditional Use article is designed to assure that projects “have a positive... environmental, aesthetic, and social impact on the town.” The current project fails on all those criteria.



ADDRESS

