

To: Durham Planning Board / From: J Meyrowitz, 7 Chesley Dr / Re: The jig is up! / May 5, 2022

Toomerfs' Admission of NON-PERMITTED USE

Their proposals are not – by current Zoning definitions – “at-grade” parking

On April 15, 2021, a day after the formation of a Planning Board subcommittee to revise parking zoning definitions in Toomerfs' favor, Toomerfs' Timothy Murphy suggested an additional zoning revision that would (*if it had been made*) help the Toomerfs override the negative April 13 ZBA decision:

From: Timothy Murphy [<mailto:timpatmurphy@yahoo.com>]
Sent: Thursday, April 15, 2021 4:34 PM
To: Michael Behrendt
Subject: Re: Planning Board recap and preliminary agendas ***

“At grad” needs some work too--for example, our proposal is “at grade” from the front, but not the back, and any lot with a retaining wall around any of it’s border potentially could be called not at grade.

Email acquired via RTK request; typos original

The Zoning redefinition effort was paused (details [here](#)) and, as this Toomerfs' email confirms: **None of their parking plans is permitted in the Church Hill District. Only “at-grade” Surface Parking is allowed for principal-use lots (and only by Conditional Use).**

Moreover, their 2022 site plans propose the most dramatic change in grade ever!