

To: Members of the Planning Board  
Michael Behrendt, Town Planner  
Karen Edwards, Assistant Town Planner

Date: August 17, 2021

Re: Proposed Parking Lot on Church Hill.

As you move toward final consideration of the proposed Parking Lot on the currently wooded Church Hill in the heart of the historic district, I ask you to exercise common sense and think about the common good as you deliberate. The “common good,” includes not only the residents of Durham, but the good of the planet.

The recent report by the Intergovernmental Panel on Climate Change (IPCC) that the planet is warming at a far faster rate than previously understood, brings into sharp focus the seriousness of the consideration which must occur when any development project makes significant changes to terrain and to vegetation as this proposed development does. Not only do you need to take a hard look at what is being destroyed, you must look at what is taking its place.

Anyone who walked the site on May 26th during an unusual heat wave for late May, could tell you that there was a marked change in temperature from the asphalt at the end of Chesley Drive and the temperature in the middle of the forest. These cooling islands must be saved, to help maintain the habitability of our towns and cities. Planting trees is one of the foremost ways to help heal the planet. Paving over a forest is one of the worst things to do at this important tipping point.

Approval of this proposal hinges on the Planning Board’s determination of whether or not it meets the requirements of Conditional Use. The following is my read-out of how I would apply the CU standards after having walked the site and listened to the applicant, his engineer and his landscape design person.

In short, the proposal, which has to meet all criteria does not meet the following CU criteria:

1. Site Suitability, section c: “The absence of environmental constraints (floodplain, **steep slope**, etc.)” In my view, the “etc.” includes increased contaminated run-off into Chesley Marsh and College Brook, increased impermeable heat-generating surface, decreased habitat for birds, insects and wildlife and decreased absorption of Carbon dioxide. The Forester’s report indicates that the Ash trees on the site are likely to die over the next five years. But what no one has said in public, is that the next sentence indicates that ”Sugar Maples are positioned to gain the dominant canopy position.” In addition, there are two increasingly rare Butternut trees, which are in good health. Fifteen trees from 70 to 90 feet in height grow along sections of the perimeter. Must we lose these buffers against climate change for a PARKING LOT?
2. External impacts: “The external impacts of the proposed use on abutting properties and the neighborhood shall be no greater than the impacts of adjacent existing uses or other uses permitted in the zone. This shall include: traffic, noise, odors, vibrations, . . .fumes, hours of operation, and exterior lighting and glare.” **HOW CAN THE BUILDING OF A PARKING LOT FOR 156 CARS NOT CAUSE ALL OF THE LISTED PROHIBITIONS?** With or without the 20 ft. retaining wall, the “location, nature, design and **height of the structure**

**and its appurtenances, its scale with reference to its surroundings ... shall not have an adverse effect on the surrounding environment nor discourage the appropriate and orderly development and use of land and buildings in the neighborhood.”**

CONSIDERING THAT THE REAR OF THE LOT WILL BE ON LAND ARTIFICIALLY RAISED 17 FEET WHICH PLACES IT AT THE LEVEL OF THE URSO'S BACK YARD, AND CARS WILL BE PARKING LITERALLY FIVE FEET FROM THEIR BOUNDARY, I believe it RENDERS THEIR HOME UNINHABITABLE. This is a small, New England town, not an overdeveloped urban area in, say, New Jersey. The Murphys say this parking lot won't have any more effect on the surroundings than any of the other parking lots in the area. Really? The only other comparable parking lot within the immediate area is the one at Mill Plaza and that one is usually empty after the stores close at 9:00 pm aside from some students who rent space there. This one will have cars which may come and go at any and all hours of the night. The so-called "Traffic Study," studied the current traffic in and out of the parking lot which houses 43 cars with sometimes 2 more illegally parked there. Many, if not all of the cars belong to students who reside nearby. There is no traffic study that can extrapolate what the traffic will be like for a net gain of 140 cars parked there, whose owners do not necessarily reside in the Toomerf's properties on Main Street.

5. Preservation of natural, cultural, historic, and scenic resources:” This proposal doesn't preserve and in fact destroys the following: **“significant wildlife habitat, mature tree lines...scenic views and viewsheds.”** THIS IMPACTS NOT JUST SMITH PARK LANE, BUT ALSO THE CHESLEY DRIVE AND FACULTY NEIGHBORHOODS. What will the view be without the trees, from Mill Plaza? From the Community Church? From the Church Hill Apartments? Walking uphill along Main Street? Does anyone really know?

6. Impact on property values. Though Pete Murphy argues that if anything, the parking lot will enhance the value of the Smith Park Lane properties, I think most reasonable people would agree that losing the forest that currently buffers your house from the downtown shopping plaza and trading it for an asphalt parking lot with cars aiming their headlights directly at your house along with 16 feet tall lights on after dusk (possibly turning on and off with motion), is likely going to make it much harder to sell your house. This doesn't take into account the loss to all of us of the forested area which is visible from Chesley Drive, the path through Faculty neighborhood and all of the views I mention in the previous paragraph.

Finally, a developer has the right to develop his property. But the Planning Board has the right and the obligation to reject a proposal based on its failure to meet just ONE of the Conditional Use requirements. Conditional Use exists to offer the Planning Board the opportunity to refuse a proposal that doesn't meet the standards of current Town policy, or ordinances or the values, the character and the common good of the citizens of Durham. We depend on you to do just that in the case of this proposal.

Respectfully submitted  
Kay Morgan  
16 Valentine Hill Rd.