

**From:** [Kyle Urso](#)  
**To:** [Karen Edwards](#); [Michael Behrendt](#)  
**Subject:** Citizen Comment 19-21 Main St proposal  
**Date:** Friday, July 22, 2022 10:02:25 AM

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**Good Morning**

**Please see that my comment is posted to citizen comments for 19-21 Main Street application.**

**Thank you.**

**Dear Town of Durham Planning Board,**

**I listened to the July 13 planning board meeting over the proposal at 19-21 Main Street and was in shock by deliberations questioning my parents property's value at 5 Smith Park Lane. I am unsure why a discussion of the style and finishings of a home are relevant when the only variable up for discussion is the construction of a 61,000 sq ft parking lot ~50 ft from their property. Should it matter if the property was featured on the cover of Architectural Digest or even a home that is yet to be built? The planning board needs to account and debate the percentage change from market value today to market value at the projects completion. Town Planner, M. Behrendt, summed it up best trying to frame the discussion around the opinion of a home buyer today and some time in the future when the project is complete.**

***Article 175-23.A Conditions of Approval states "The findings of fact and conditions of approval shall be supported in the records of its proceedings. The criteria enumerated in Subsection C are required to be met in any matter upon which the Planning Board is required to pass under these regulations. A mere finding or recitation of the enumerated conditions unaccompanied by findings of specific fact shall be deemed not to be in compliance with these regulations."***

**Based on the Jim Rice letter it seems that findings of specific fact are limited. The applicant should be required to do/fund the research into a property where a similar project was built and see how that affected abutting property values.**

***"B. Burden on applicant. The applicant shall bear the burden of persuasion"***

**It is not feasible for me to take on this responsibility.**

**Additionally, at the last planning board meeting Sally Tobias stated, a parking lot is the "best use". This statement of personal opinion introduces bias and subjectivity to what should be an objective and fact based process. What's best is in the eye of the beholder; however, the task of the planning board is to analyze the proposed plan against the conditional use criteria to avoid confirmation bias. (*The tendency to seek out information you already believe.*)**

**The last statement I'll make is along what Mr. Meyrowitz has stated many times. The proposal occurs on legally distinct lots and the planning board seems unsure of why drafters of the zoning ordinance would allow an at-grade surface parking in the Church Hill District under Conditional Use. Is it possible that the drafters of the ordinance did not assume that lots would be combined to make a massive out-of-scale parking lot? If this proposal is not out-of-scale with the neighborhood then how many more lots could be combined to actually make it out-of-scale?**

**I appreciate your time and attention on the matter.**

Kyle Urso  
31 Captain Parker Dr  
Lee, NH