

From: [John Carroll](#)
To: [Michael Behrendt](#); [Todd Selig](#); [Richard Reine](#); [April Talon](#)
Cc: [Karen Edwards](#)
Subject: The Liability of the Gerrish Access
Date: Friday, July 16, 2021 10:34:02 PM

To the Planning Board,

Since the town has said it does not want to take responsibility for the Gerrish Access due to the high future costs involved, we know that those future costs will be substantial, as admitted by the town's action. Therefore, how much money will the homeowner's association need to set aside to cover expected and unexpected costs and expenses, in addition to routine plowing and mowing and ordinary road maintenance? To protect the town from high future expenses, and social problems from dilapidated housing if the development deteriorates, the Planning Board should set this figure high enough to accrue sufficient capital to cover the cost. The town needs to protect itself, as well as the property values of nearby and vulnerable neighborhoods.

We are continuing to see 100-year flood statistics being swept away all over the world, most recently (and disastrously) in Germany this week. It is clear we can no longer rely on such statistics. Perhaps we should convert the 100-year flood planning to 20-year flood planning. The 100-year flood statistics being used by the developer for the Gerrish Access, and by his competent and experienced engineer, through the town-owned Gerrish wetlands are no longer reliable as we can expect that flooding from the three conjoining streams will arrive much sooner, especially with the loss of the water storage capacity of those eliminated wetlands through elimination of all the trees and so much wetland vegetation. The developer and the developer's engineer are going with that now out-of-date 100-year flood measurement - we, the town, should not be. The expense of repair/replacement for the wetland and stream crossings involved is potentially very considerable, according to our own Town Public Works Director and our Town Engineer, both of whom have studied it and both of whom have rejected town ownership because of that very great expense. In fact, our Public Works Director has stated publicly that this is an "over million-dollar road". (Some believe it could be as high as a million and a half.) So, perhaps the Public Works Director and Town Engineer should be involved in reviewing the homeowner's association monthly fee to see that it yields sufficient revenue to cover these considerable long-term repair and replacement costs. For there is a good chance that the future homeowners in this development will not otherwise be able (or perhaps even willing) to pay for it. What then? If that happens, does the town leave the people stranded? Or, alternatively, does the town insist that an alternate and perhaps simpler access route from Bagdad be considered and at least studied to the level that the Gerrish Access be studied? Serious damage to the single access road within a few decades, to its complicated engineering design, should that occur, would easily diminish if not erase any tax advantage that Durham could receive from those few houses.

John

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