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Exhibit A
DP&Z
10/19/16

21 Main Street
Durham, CT 06422

October 14, 2016

VIA EMAIL AND U.S. MAIL
Planning and Zoning Commission
Town of Durham
PO Box 428
30 Town House Road
Durham, CT 06422

Re: Public Safety Complex

Dear Commission Members,

I am writing in regard to the Town of Durham's application to the Planning and Zoning Commission for a special permit for the Public Safety Complex Project at 37, 41, and 51 Main Street. I hope to attend the Public Hearing on October 19, 2016, but I am not entirely certain that I will be able to do so. As a neighbor of the proposed complex, I want to be sure to share by concerns with the Commission.

I live with my husband, Stephen Liss, and our two daughters at 21 Main Street, one property removed from the proposed complex. Our neighbors, Lauren and Rob Bufano, live at 31 Main Street, next door to 37 Main Street. Over the past fourteen years that Stephen and I have lived in our house, we have spent lots of time and money turning our century old house and property into a home that is a lovely, happy place to raise our family. Lauren and Rob are doing the same thing next door.

As you know, pursuant to Section 13.05.01, it is the Commission's responsibility to "evaluate the impact" of the proposed Public Safety Complex "upon neighboring uses and surrounding areas" in deciding whether to grant the Special Permit. Under Section 13.05.04 (1), the Commission shall approve an application for a Special Permit if the proposed use "shall be in harmony with and conform to the appropriate development of the Town and the neighborhood and will not hinder or discourage…use of adjacent lots or impair the value thereof."

As it is currently proposed, the site plan for the Public Safety Complex does not meet the standards for a Special Permit set forth in Section 13.05. In particular, the site plan for the Public Safety Complex proposes that a twenty foot high ambulance garage be built as an addition to 37 Main Street. The garage will be twenty-eight feet away from the house at 31 Main Street. There will be a driveway from the garage, also running close to the neighboring property line, by which ambulances will access Main Street. The garage negatively impacts both our neighbors' home at 31 Main Street, and our home at 21 Main Street in contravention of the standards set forth in Section 13.05.

First, placing an ambulance garage within thirty feet of the residence at 31 Main Street, hinders the use of 31 Main Street as a residential property. Any reasonable person can understand that the ambulances, which respond to emergencies at any hour of day and night, will certainly diminish our neighbors' enjoyment of their property. It is easy to imagine how disruptive ambulances with sirens blaring will be to anyone trying to sleep or enjoy a quiet moment in that house. In addition to the noise, light from headlights and emergency lights, as

well as lights from the garage itself, will travel onto their property. Fumes from idling diesel engines will drift over the property line. The garage will obstruct both the flow of natural light into their house and the view from the house. It is easy to understand how the house at 31 Main Street will be a much less pleasant place to live with the construction of the ambulance garage. Accordingly, the property's use as a residence will be hindered in violation of Section 13.05.04 (1).

Second, not only will the ambulance garage hinder the use of 31 Main Street as a residence, it will also diminish its value, as well as the value of my family's home at 21 Main Street. Prospective buyers are not going to want to purchase a home directly adjacent to the ambulance garage. Accordingly, the value of this property is going to fall. As the value of 31 Main Street diminishes, the value of my family's home at 21 Main Street is also going to decrease.

Third, in addition to making 31 Main Street an unpleasant place to live and diminishing its value, the construction of the ambulance garage is not "in harmony with the...appropriate and orderly development of...the neighborhood." Section 13.05.04 (1). While a public safety complex remedies the blight at 37 Main Street, it may simply be moving the vacant house one property down. As discussed, 31 Main Street is not going to be fit for a residence and its value will be greatly diminished if the ambulance garage is built next to it. If our neighbors move because their enjoyment of their house is too compromised by the ambulances, they are going to have a difficult time selling their home to be used as a residence. However, the only use for 31 Main Street in accordance with the zoning regulations, is as a residence. Prospective buyers are not going to want to live there because of the nuisance of the next door ambulances. Quite possibly, 31 Main Street could be left vacant, much like 37 Main Street is now. If this happens, my family's house will be the only residence between the Dari Serv and 59 Main Street. We do not want to be stranded on to a residential island; I'm sure at that point we would consider moving as well. Instead of remedying the blight at 37 Main Street, the proposed ambulance garage has the potential to create a more widespread problem for the future of a residential neighborhood on Main Street.

The zoning regulations contemplate that at some times the Town's needs may be in conflict with neighboring properties, but allows the Commission to issue a special permit if proper safeguards are taken. Section 13.05.01 provides

> In dividing the Town of Durham into zones it is to be recognized that there are certain uses which may be necessary to the Town, but which may be detrimental to their neighbors is proper safeguards are not taken. The Planning and Zoning Commission must evaluate the impact of such uses upon neighboring uses and surrounding areas and decide whether or not to grant a special exception for such uses.

In this situation proper safeguards are not provided. The only safeguard against a detrimental impact to 31 Main Street proposed on the site plan is a six foot high vinyl fence and an arborvitae border to be built along the property line. As you know, this was only added after the negative impact of the garage was first raised at an earlier Planning and Zoning meeting in August 2016. Unfortunately, this is not an effective "safeguard" against the adverse impact on 31 Main Street. While the fence and shrubs may dim the headlights of the ambulances, the flashing lights on top of the ambulance will still be visible over the fence and through the arborvitae. In addition, it will have minimal to no effect on the noise from the sirens and the engines, and the fumes from the diesel engines. The garage itself will still be quite visible hulking over the fence. Being so close to the house at 31 Main Street, the fence is also going to create an odd, dark alley between the

house and the fence. There will not be any sunlight because it will be screened out by the arborvitae and the garage; as a result, the lush lawn our neighbors currently have on the north side of their house will likely die. The fence and arborvitae border is not an adequate safeguard; rather it is a hastily thought up token attempt to address inherent flaws in a poor design. The only way to not have a highly negative impact on 31 Main Street is to not build the ambulance garage in such close proximity to a house.

While the currently proposed site plan does not meet the criteria set forth in Section 13.05.04, it seems that the town should be able to develop a plan that meets both the Town's needs and those of the neighboring properties. For example, as you may be aware, an earlier iteration of the Public Safety Complex plan placed the Resident State Trooper's office at 37 Main Street. This would have a much less drastic impact on 31 Main Street and would seem not to hinder the use of 31 Main Street as a residence. Another alternative is perhaps expanding the garage at 41 Main Street to house ambulances, while renovating 37 Main Street for ambulance corps sleeping quarters and conference rooms. Again, this would remove the noise, lights, and fumes of the ambulances from 31 Main Street. Essentially, if the Town can keep its ambulance garage away from the residential neighbors of the Public Safety Complex, it will have a plan that meets the needs of both neighbors and the Town.

I am eager for the Town to develop a workable and neighborly plan for the Public Safety Complex that satisfies the criteria for a special permit. However, the current version of the site plan does not do this. I respectfully submit that the Planning and Zoning Commission should reject the Town's application for a special permit because the negative impact of the proposed public safety complex on the neighboring properties would be too severe.

Thank you for your time and consideration.

Very truly yours,

Maya Perry Liss

Exhibit B
DP&Z
10/19/16

October 15, 2016

Stephen Liss
21 Main Street
Durham, CT 06422

VIA EMAIL AND U.S. MAIL

Planning and Zoning Commission
Town of Durham
PO Box 428
30 Town House Road
Durham, CT 06422

Dear Commissioners Members,

Unfortunately I will be unable to attend the Planning and Zoning Commission meeting scheduled for October 19th. I understand at that meeting the Commission will once again consider an application by the Town of Durham for a special exception under Section 13.05 of the Town of Durham Zoning Regulations. That exception would allow for the construction of a Public Safety Complex on Main Street. I am co-owner of 21 Main Street and have lived there happily for over 14 years. Because the garage that is proposed for 37 Main Street I am writing in opposition to the granting of that special exception.

I fully recognize the benefits of having Durham Fire, Ambulance, and Police resources brought together in a single location. I have no objection to this concept and I think it would provide a long term benefit to the town. I do, however, object to the location of the ambulance garage on the most recently submitted site plan. Unless that is changed you should not approve the requested special exception since a special exception would be inconsistent with the existing zoning regulations.

13.05.04 sets out 8 requirements that must be satisfied for a special exception to be granted. The mandatory nature of these requirements is a critical point and bears repeating. As drafted, 13.05.04 prohibits the Commission from granting a special exception unless it determines the application satisfies the eight requirements of 13.05.04. I do not believe the current application satisfies requirements (1), (4) or (5).

13.05.04(1) reads, "The location, type, character and size of the use and of any building or other structure in connection therewith shall be in harmony with and conform to the appropriate and orderly development of the Town and the neighborhood and will not hinder or discourage the appropriate development and use of adjacent lots or impair the value thereof."

1. The size and location of the proposed garage is not in harmony with the neighborhood.
    a. The south end of Main Street is a residential neighborhood. We bought our home at 21 Main Street almost 15 years ago and are raising our two daughters there. Our neighbors are expecting their first child any day. We may be a small neighborhood, but we exist and we are an important part of this town.

b. The site plan calls for an enormous garage added to a tiny historic house. If you look at the homes on the east side of Main Street, a garage of this size is not in harmony with the neighborhood.
c. The garage in question will be within 15 feet of the property line. It will loom over its neighbor, #31 Main Street. That is not in harmony with the neighborhood.
d. Adding 100+ feet of vinyl fencing is not in keeping with the historic district, nor is it in harmony with the neighborhood.
e. The only thing remotely equivalent on Main Street is a fence that runs next to the old superfund site, and I don't think anyone can say that creating more properties like the superfund site is appropriate to the orderly development of the Town or my neighborhood.

2. P&Z cannot grant this special exception because it will impair the value of the neighboring homes.
    a. The addition of the proposed garage to #37 will effectively change it into an industrial property and result in #31 and #21 Main Street being an island of residential use sandwiched between the Public Safety Complex and the Durham Dari-Serve. Currently the fire station is the only property breaking up the run of residential properties, even if two of those properties are town owned and unoccupied.
    b. If #37 Main Street is converted from residential use into industrial use by adding this massive garage, the value of #31 Main Street and our home at #21 Main Street will be reduced. If #37 was simply used as office space for the Resident Trooper or for the Ambulance that would not be the case, but the scale of the proposed garage changes the character of #37, and that will negatively impact the value of our whole neighborhood.
    c. The 100+ foot long vinyl fence that been proposed will also negatively impact the value of #31 Main Street. People who buy historic homes do not want massive vinyl fences down the property line.

13.05.04(4) reads, "The lot on which the use is to be established is of sufficient size and dimension to permit conduct of the use and construction and maintenance of buildings, structures, and facilities, including sanitary facilities, in a manner that will not be detrimental to the neighborhood or adjacent lots."

1. The size of the lot does not permit construction of the proposed garage without detrimentally impacting its neighbor (#31 Main Street) and the neighborhood (being the east side of Main Street).
2. #31 Main Street is in the historic district. People buy homes in the historic district because they value the charm and unique character of a historic home. The ability of our neighbors to enjoy their historic property will be harmed if they are forced to look at a 100+ foot long vinyl fence every time they enter their backyard. I will be forced to look at that fence as well, and my property will be detrimentally impacted as a result.
3. Again, converting a residential home into an industrial property through the addition and location of this garage will impact our neighborhood. #31 and #21 Main Street will become a residential island surrounded by commercial properties.

13.05.04(5) reads, "The architectural design and style of all buildings and other structures to be erected on the lot shall be such as not to conflict with the architectural design and style of adjacent properties."

1. A 100 foot vinyl fence will conflict with the architectural design and style of adjacent properties.
2. A garage of this size will conflict with the architectural design and style of adjacent properties. It's simply not appropriate for the historic district.

As I said earlier, I understand the value a Public Safety Complex can bring to Durham, and I do not oppose the idea. I would suggest the garage for the Ambulance Company be relocated behind the fire station. It can be built on a portion of the existing paved parking lot. If that were the case and #37 was simply converted into offices for either the Ambulance Company or the Resident State Trooper I could envision supporting this project. For the moment, however, I do not believe the application satisfies the requirements for a special exception and I would urge you to reject the application.

Very truly yours,

Stephen Liss