

Town of Wallingford, Vermont  
Development Review Board (DRB) Public Hearing Minutes  
February 5, 2016

**Re: Application #16-01, Cumberland Farms, Inc. (CF)**

**DRB Members in Attendance:** Nathan Astin (Chair), William Brooks III, Jillian Burkett, Carol Ann Martin, Derek Farmer

**Others in Attendance:** Jeffrey Biasuzzi, Zoning Administrator (ZA), Jon Anderson and Keven Thatcher (applicant's representatives), Public

Nathan Astin opened the public hearing at 7:08 p.m. J. Biasuzzi introduced the DRB members. Attendees giving testimony were sworn in.

Jon Anderson (attorney for CF) opened the discussion by explaining that certain street designs had recently been changed to accommodate Vermont Agency of Transportation requirements. He also supplied graphic representations of exterior night lighting of the facility.

James Pickett asked the applicant's agents to address the issue of trash/litter generated by store traffic and going onto neighborhood properties. J. Anderson stated that a recent letter to neighboring ownerships had requested such input to CF and noted that proper placement of trash receptacles may be one solution. W. Kelly supported the trash collection idea, and suggested an aesthetic mesh-style fence may help contain litter on CF property. K. Thatcher stated that CF has serious commitments to their major capital investment. J. Anderson suggested employee protocol for regular maintenance of grounds. J. Burkett asked how store maintenance may be improved long term, especially with staff turnover being common to convenience stores. J. Anderson added that the store's design include durable materials and facilitating maintenance. J. Pickett suggested using real stone in the store front façade.

Sharon Nimitz inquired about proposed hours of operation. J. Anderson replied that CF requested a 24-hour schedule. S. Nimitz expressed opposition to a 24-hour operation and suggested 5:00 a.m./6:00 a.m. to 11:00 p.m. as open hours.

W. Brooks asked that the applicants first complete their presentation of the CF project before addressing specific issues. K. Thatcher proceeded to describe the new facility, including (1) new pump islands and fuel storage tanks; (2) traffic patterns; (3) truck delivery approach (a circular route) and parking (receiving area on south side of

property). V.A.O.T. has requested some revisions to the street design, including sidewalk extensions to/across Maple Street. J. Pickett questioned discrepancy in benchmark elevations. K. Thatcher agreed to check the survey information.

J. Burkett asked about the drainage (trough) along the north property line. K. Thatcher stated that the drainage system was to be retained as is.

D. Farmer asked what security measures the new store would have to discourage robbery. A. Jarrosak asked about (video) cameras on the sides of the building. J. Anderson requested neighborhood input for solutions. The audience agreed that cameras everywhere would be a crime deterrent. J. Anderson stated the facility would have “state-of-the-art” lighting and camera systems, but extraordinary measures would need approval by CF management.

J. Pickett asked that the soils would be “certified contaminant free.” He complained that his bordering trees had been dying and wanted the soils on the south side of the CF parcel (adjacent to his property) be “certified clean.” J. Anderson answered that soils disturbed in construction would be examined. If contaminated, there is VT Petroleum Fund in place to cover major clean-up costs, and that clean up could extend off site as necessary.

J. Pickett asked about snow removal and did not want drainage going on his property. K. Thatcher described the planned drainage collection plan and stated that excessive snow may have to be trucked off site on occasion. J. Anderson suggested having snow removal/drainage a permit condition.

J. Brown (on behalf of his mother’s abutting property--owner to the west) asked for details on the proposed retaining wall. J. Biasuzzi noted that discussions with CF included a fence on top of the retaining wall for safety and security issues.

J. Biasuzzi asked if the store was going to serve food prepared on site (as a diner or restaurant) to be consumed on site. J. Anderson replied the food was to be like that in other CF stores, generally prepackaged and take-out. The picnic tables (sited on north side of store) would have a gate enclosure. Alcoholic beverage consumption would not be permitted on the premises.

S. Nimtz asked J. Biasuzzi if ZA knew of proposed operation hours. He answered that 24 hours had been discussed but not detailed in the application. C.A. Martin asked if CF had studied the issue of 24 hours for this location. J. Anderson stated that CF preferred a minimum of regulated hours, but would certainly work with the town, and

cautioned that any conditions be entitled to future review and change, as “permanent language” may have legal issues.

J. Anderson will relay the concerns identified to the CF management. He stated that CF will consider all solutions to avoid problems with the neighborhood and deter criminal activity. W. Kelly suggested hiring a subcontractor to address trash and site maintenance.

N. Astin asked for any last questions and comments. D. Farmer asked about local communication with CF. J. Anderson suggested posting contact signs on the premises and offered his own contact information to the attendees.

J. Biasuzzi suggested that the DRB continue (rather than close) the public hearing. The continuation would allow review of new details from VTRANS and this meeting’s input to go to CF for possible revisions.

D. Farmer made a motion to continue the hearing until 7:00 p.m. on Friday, February 19, 2016, to allow introduction of further testimony. W. Brooks seconded. All approved. Motion passed.

N. Astin made a motion to enter deliberative session. D. Farmer seconded. All approved. Motion passed.

N. Astin made a motion to exit deliberative session. D. Farmer seconded. All approved. Motion passed. The Zoning Administrator was informed that special session of the DRB, to continue deliberative session (and not open to the public), would convene at 6:30 a.m. on Friday, February 12, 2016.

The next DRB Public Hearing on the application will be at 7:00 p.m. on February 19, 2016, at the town office.

The meeting adjourned at 9:45 p.m.

Respectfully submitted by:  
Jeffrey Biasuzzi

Minutes Approved: 02/19/16

