

Development Review Board  
Town of Wallingford, Vermont  
Public Hearing Minutes  
February 19, 2016

**RE: Application #16-01, Cumberland Farms Inc. (CF), for 309 N. Main St., Wallingford**

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

**DRB Member(s) Absent:** Carol Ann Martin

**Others in Attendance:** Jeffrey Biasuzzi, Zoning Administrator (ZA); Jon Anderson & Kevin Thatcher (Applicant's representatives); refer to Attendance List.

Nathan Astin opened the Public Hearing at 7:08 p.m. The meeting was electronically recorded. N. Astin introduced the DRB members to those in attendance.

N. Astin requested the DRB review the Minutes of the meetings of 2/5/2016 and 2/12/2016.

W. Brooks made a **MOTION** to approve the minutes for both meetings as written. N. Astin seconded, all approved and the Motion carried.

N. Astin discussed the purpose of the Hearing; a continuation of the Public Hearing first opened on 02/05/2016 to consider Application #16-01 by Cumberland Farms Inc.; to demolish their existing facility at 309 North Main Street in Wallingford Village and rebuild a new convenience store and gasoline station. N. Astin swore in all in attendance that intended to participate in the Hearing.

J. Anderson (CF attorney) introduced new testimony and revised site plans, stating these were a result of input from the initial meeting and subsequent suggestions by town residents. This new testimony included a revised set of Site Plans (CHA Project # 30384, 19 pages), dated 02/19/2016; an exterior lighting representation of four different illumination patterns; a letter from the Law Firm of Burak, Anderson & Melloni, dated 02/19/2016 and signed by Jon Anderson that included an eight (8) item list of changes to the project application; a Letter from Cumberland Farms Inc., dated 02/17/2016 and titled "Trash Maintenance Plan"; a copy of a letter from VT Agency of Natural Resources to Cumberland Farms Inc., dated 05/05/1999, relaying the SMAC designation following soils testing. In addition to describing the information in these documents, Mr.

Anderson discussed sign details; stating no signs were to be on the fueling island canopy.

J. Biasuzzi submitted into testimony, as a resident, a list of comments and suggestions on the Application, dated 02/17/2016.

J. Pickett referred to the SMAC letter, stating that the 1998 underground tank update occurred on the north side of the parcel. He noted a long history of gas station use of the site, including the south portion of the property.

D. Farmer asked if the soils would be routinely tested during excavation. J. Anderson responded that the new tanks would be located on the south portion of the property, and if the excavation suggested contamination (from odor or presence of oil) the soils would be tested. K. Thatcher (CF site engineer) stated that soils were not usually tested unless site work revealed contamination. J. Anderson stated that if “any sense of a problem results while excavating” then soil testing would be done.

D. Farmer asked if CF’s practice was to protect the environment. J. Anderson replied that CF owns 700+/- stations, has its own Environmental Protection division, and has a good history in this matter.

N. Astin asked if all the blacktop would be replaced; and J. Anderson replied “yes.”

D. Cornell stated that the project was going to impact the entire property, that any contaminated soils discovered would involve VT laws & protections; and felt this issue had been discussed long enough.

J. Pickett reiterated his belief that the south portion of the property would be contaminated.

J. Burkett had three requests of CF:

1. She submitted a front sign exhibit (taken from the CF website) that used just raised lettering and requested this style be installed, instead of the sign design proposed. J. Anderson agreed to forward the request to CF management.
2. For a side walk along the northern perimeter of the parking area; to discourage pedestrians from cutting across the site traffic area to the entry door. J. Anderson requested this issue be reviewed after the facility was in place.
3. That the present air pump be reinstalled, and for a bicycle rack.

R. Rogers asked for an increased curb area on the northeast corner of the property; to prevent pedestrians from cutting the corner to get to Maple Street. He also asked for measures to prevent truck parking along either side of Rt. 7, in front of the facility.

Ann Jarrosak felt that trash receptacles should be placed at the corners of the property and near the sidewalks; especially if specified by the DRB.

M. Pramuk asked if the enhanced facility increased traffic. J. Anderson replied that convenience store traffic may be estimated, using engineering practices that consider store size, number of fuel pumps, current vehicle traffic statistics. He stated that the projected increase was so small that there was not even a requirement for a traffic study.

M. Pramuk mentioned the traffic “blind spot” at the corner of the property & Maple Street. J. Anderson replied that traffic concerns had been reviewed by VTRANS, who was “very close” to issuing their letter of intent; and noted that the proposed design is much better than the existing one.

D. Cornwell and J. Burkett both felt that the new design improved traffic efficiency.

Ann Jarrosak asked about fencing. K. Thatcher described a six foot high solid- vinyl panel fence system that would be installed along the south and west perimeters. Security gating would restrict access behind the store.

S. Nimitz commented on the lighting proposal, and K. Thatcher described night lighting options. M. Pramuk noted the new store was a major improvement, and the design addressed a lot of concerns. S. Nimitz felt that the present operation had not been good neighbors in the past; but appreciated the design and effort being given by CF for this new store. J. Anderson suggested that the residents be in communication with CF management whenever there were concerns. R. Rogers expressed support for the new store; noting that store management needs to be more attentive to issues.

Chairman N. Astin asked if there were any additional questions. Hearing none; he made a **MOTION** to close the Hearing to Testimony and enter Deliberative Session. W. Brooks seconded the Motion, all approved, the Motion carried, and the Public was asked to vacate the room.

After deliberation, N. Astin made a **MOTION** to come out of deliberative session and adjourn the evening’s procedures; but to continue the deliberative session at 6:30 pm, Friday, 02/26/2016; meeting at Town Offices. J. Burkett seconded the motion, all approved the Motion carried and the meeting ended at 9:10 pm.

Respectfully submitted by:

Jeffrey M. Biasuzzi, recorder

Approved on \_\_\_\_\_ by

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DRAFT