

BRANDON DEVELOPMENT REVIEW BOARD HEARING
SEPTEMBER 12, 2018
AMENDED DECEMBER 6, 2018
CONDITIONAL USE #5782
APPLICANT: MIDWAY OIL CORP
LANDOWNER: MIDWAY OIL CORP

Board members present: Sam Stone, Amber Lovely-Lee, Bob Clark, John Peterson, Tom Bohler

Others presents: Hillary Knapp (DRB Clerk), Jeff Biasuzzi (ZA), Trish Porter, Gail Cordner, Wayne Rausenberger, Kelly Weigand-Yunker, Ben Lawton, Charles Powell, Steven Zorn, Kjell Thompson and Dan Dukshire

The hearing was opened at 7:23pm

The warning was read and found to be in order.

Wayne Rausenberger, Kjell Thompson, Charles Powell, Steven Zorn, Kelly Weigand-Yunker, Dan Dukshire were sworn in.

The following people requested interested party status: Steven Zorn, Charles Powell, Kelly Yunker, Kjell Thompson for Sheri Thompson (3 Conant Square), Jeff Biazzi, Brent Buehler requested interested parties status by written letter.

Dan Dukshire:

Dan is the General Manager from Midway Oil, he is coordinating the building of the gas station They are looking for an extension of an already approved permit.

The only significant change is a reduction in the size of the building. The building has been narrowed, there will only be a drive-thru Dunkin Donuts, the convenience store has been removed from the plans. This will reduce the traffic impact due to not having the convenience store. The right of way for the town parking lot will be extended as well.

There is no change to the car wash portion of the plans.

There will also be less signage and will be set to meet what requirements were approved from the last time.

Only change will be a smaller building and a smaller store front.

It will still be a gas station

Jeff Biasuzzi:

The application is the same as the one that was approved before and has expired. The changes to the application were considered minor to the zoning administrator.

There was a flood planning review which had a time line on it and that has been asked to be updated.

Checked with the various town departments to see if the prior approvals were still in place, the only one subject to new approval was the flood plane permit.

Charles Powell:

We live right across the street from the gas station and our concern was signage and what was the extent of the signage?

Dan:

For the main signage, the town allows 30 square feet and the sign is 30 square feet.

Kjell:

There was something mentioned about moving the post back and the sign was going to move back? Is that sign going to be moved back?

Dan:

The sign and the pumps will be moved back per the original request of the permit.

Kjell:

Has the storm water run off has been taken care of?

Dan:

The storm water runoff is part of the project and they have waited on the segment 6 project to have the new piping put in. Once the road is opened up the project will be started.

The brook is being handled by the state with the Segment 6 Project.

Kjell:

The brook was going to be shifted from one side to the other and during construction they put in a basin. They were going to run that across the road.

Dan:

There are two lines, one as a major line for the brook right now. Once the project starts to move along, there is a design to bring surface drainage which will be moved away from the brook. There will be two lines heading toward the main highway.

Kjell:

They moved the fuel tank a few years back, they put the tank between the house and the current station and this has moved the large gas tank closer to the house and the building.

Tom:

The tank is in a concrete vault and as far as shifting there will be no movement or erosion of the gas tank. That is a mandatory requirement for all underground fuel tanks.

Kelly:

Lives on the north side of the property line, what is going to happen with the dumpster and the car wash?

Dan:

The dumpster is going to be behind the building. They will not be doing anything to the side of the property that abuts to Kelly's property line.

Steven:

With the addition of the DD logo, does that effect the limitations for the signage?

Jeff:

I will defer this to Dan.

Dan:

The original permit had two signs on the front of the building. The two signs were 36 square feet. The Dunkin sign is 18 square feet and is ½ the original signage.

Steven:

At the original hearing all the signage was over the permitted limits.

Dan:

The signage that was approved and given to them in the original permit, we have taken everything back down to the original land use ordinance requirements.

Sam:

Some of the items in the original permit were approved or not approved through the DRB.

Steven:

Gas price sign only shows the one gas price, does that mean you are only go to sell one type of gasoline?

Dan:

These signs are expensive and will only show one price put they will be selling all three types of gas.

Steven:

The signs that light up are not permitted, is this still the case with the gas price sign?

Tom:

What is your concern with the signs and the lights?

Steven:

The amount of signage and the lights that it will have on it.

Amber:

It states here that the following signs are not permitted according to the Town Plan:

Internally illuminated

Neon Flashing/moving lights

No moving signs

Bob:

We looked at the signs very closing when we were reviewing the original permit.

Dan:

The price sign is a LED sign and does not flash.

Steven:

If the signs conform with the changes that have already occurred there would not need to be discussed further.

Sam:

Midway Oil asked for a variance with the sign ordinance. Sam read the decision on the sign ordinance variance from the original signage.

This will need to be gone through sign by sign in order to approve the signage portion of the permit.

Kjell:

Will the business be open 24 hours?

Dan:

No, it will not be opened 24 hours. There are some maximum hours that you can be open. 5:30am to 10:30 pm will be the hours of operation.

Sam:

All the signs have to be turned off between 30 minutes to 1 hour of closing.

Jeff:

The lights will go on a half hour before opening for safety reason.

Kjell:

What about snow removal?

Sam:

Cannot remember what the decision was during the original permit. The business is going to be take care of snow removal.

Dan:

The snow will be moved to a place that does not affect the Route 7 traffic. The expense would not be going to to the town for the removal of the snow. It would not be pushed out on to the street.

No further testimony, the hearing was closed at 8:09pm.

Respectfully Submitted,

Hillary Knapp

Development Review Board, Clerk