

*My name is Mary Jo Nietupski. I am speaking for some residents of the Honey Acres neighborhood where an Amoco gas station is proposed to be built at 2904 S 84 Street.*

We believe that a gas station is a poor addition to the neighborhood. I will give you reasons why.

Health of the surrounding community, including children and elderly. There is a school and Senior Living Center across the street.

We will provide you with external links to our sources at the end of this document. Municipal City Codes that are referenced are located on the City of West Allis website.

The hazards that we voice concern about are:

1. Soil and air becoming unhealthy
  - a. Vapors released from gas dispensing pumps
    - i. Yes, there are vapor barriers on the pumps, but they are not monitored for maintenance updates
    - ii. They are not fool proof
  - b. Gas leaked from the hose after done dispensing gas into car tanks
    - i. Leaks eventually into the soil
  - c. Gas leaked from the tanker trucks
2. City Code 7.03 Health Nuisances
  - a. Nuisance Defined: Whatever is dangerous to human life or health, and whatever renders soil, air, water or food impure or unwholesome.
    - i. A gas station would be in violation of city code
      1. It poses a nuisance and health hazard
        - a. Vapors, gas leaks
    - ii. Significant increase in the risk of childhood leukemia
    - iii. Significant increase in elevated air pollution
    - iv. Increase benzene emissions that lead to
      1. Cancer
      2. Anemia
      3. Susceptibility to infections
      4. Low birth weight
3. \*Community and Environmental Defense Services (CED)
  - a. Recommends at least 500 feet between gas stations and the nearest home
  - b. Recommends at least 1000 feet from schools
    - i. That's a 10 minute walk or .5 miles from schools
    - ii. Proposed site does not meet this requirement
    - iii. This proposed site will place tanks within approximately 50 ft of residential property
      1. Emission and spills make their way into neighboring residential properties
        - a. Health impact on
          - i. Residents
          - ii. Schools
          - iii. Daycare
          - iv. Playgrounds
          - v. Medical Facilities
4. Cars entering and leaving the premises
  - a. It's a busy corner with people making a quick turn into the lot

- b. The house situated next to the location was hit twice by vehicles making a left turn unto Beloit
  - c. Drivers will not necessarily be looking for pedestrians or children which frequently walk that way
- 5. City Code 12.42 C-3 Community Commercial District
  - a. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of ODOR, dust, smoke cinders, GAS, FUMES, NOISE, VIBRATION, refuse matter or water-carried waste.
    - i. A gas station would violate this City Code
- 6. City Code 12.41 C-2 Neighborhood Commercial District
  - a. Paraphrasing, Provide convenience shopping in nearby residential areas to satisfy basic shopping needs. Attracting little vehicular traffic and are compatible with residential areas.
    - i. I think we would agree that gas stations would provide mainly vehicular traffic
- 7. Is another gas station necessary in this area
  - a. 9 gas stations Within one (1) mile
  - b. 20 as stations Within 1.5 miles
    - i. This should satisfy basic shopping (gasoline) needs
- 8. A gas station will devalue nearby property
  - a. Have you ever heard of property value going up when a gas station has been built next to it?
- 9. City Code 12.16 Special Uses
  - a. Purpose. Within the Zoning District, there are various permitted uses. There are also various other uses which are required for the public convenience but are potentially incompatible with permitted uses and which can have a deleterious impact on the surrounding area. This impact cannot be predetermined or controlled by general regulations. In addition, these special uses cannot always be confined to specific Zoning Districts. Therefore, in order to ensure compatibility with the neighborhoods in which they may be located, it is necessary that these special uses not be permitted as a matter of right but only after appropriate review and approval as provided by this Section
- 10. Special Uses (Ord. 6380, 4/21/1998)
  - a. (a) Automobile convenience stores and gas stations. (Ord. O-2006-0012, 3/21/2006)
  - b. (g) Drive-in or drive-thru facilities for permitted uses
  - c. It could also be over 26 other uses including but not limited to the following examples
    - i. Gift Shop
    - ii. Bicycle sales
    - iii. Electronic equipment
- 11. Limitation. (Ord. 6606, 2/5/2002)
  - a. Any Special Use approved by the Common Council shall be construed to run with the land and benefit all future owners and occupants of the affected premises, unless the same shall lapse or be terminated as herein provided.
  - b. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. If construction is underway or a building permit has been granted after one (1) year from the date of approval, the approval will expire if construction is not completed within 24 months of the granting of the special use permit. The Common Council may grant an extension of these time limitations without a public hearing by resolution reauthorizing the special use in accordance with the following criteria: (Ord. O-2005-0004, 1/4/2005; Ord. O-2007-0033, 9/4/2007)
    - i. When will building commence and be completed?
    - ii. Will it be extended without public input?

- c. Any special use approved by the Common Council shall lapse and become null and void if the use has been abandoned or discontinued for a period of one (1) year.
  - i. When was the last time the special use was approved for this site?
  - ii. The lot was vacant for approximately 20 years
  - iii. As per this Municipal code, a special use approval could have been denied and this property can be approved for other uses.
  - iv. It does NOT have to be a special use property. It could be zoned residential, city park, community garden site.

I ask you to please review the construction of a gas station according to this code before issuing a Special Use permit.

In Summary:

We are opposed to a gas station to be located at 2904 S 84<sup>th</sup> St because of:

1. Health Hazards to children, residents, pedestrians
2. Environmental Hazards
3. Violates the West Allis Municipal Codes of: zoning; limitations of Special Use to benefit all future owners and occupants; ...not objectionable by reason of ODOR, dust, smoke cinders, GAS, FUMES, NOISE, VIBRATION
4. Devaluation of residential property
5. Necessity of another gas station when 20 are nearby

\*CEDS, Community & Environmental Defense Services

CEDS helps people to preserve the health, safety, and tranquility of their neighborhoods. Founded by Richard Klein. He started out as an environmental expert. Formerly employed by the Maryland Dept of Natural Resources for 18 yrs. Served as Director of Maryland Save Our Streams for 10 yrs. Founded CEDS in 1987. Works throughout the US.

Below are the links to the articles previously cited with respect to the health concerns of having a gas station in close proximity to homes:

- Hydrocarbon Release During Fuel Storage and Transfer at Gas Stations: Environmental and Health Effects - <https://link.springer.com/article/10.1007%2Fs40572-015-0074-8>

### **- Is It Safe to Live Near a Gas Station? Scientists Point to Numerous Health Hazards**

<https://fossilfuel.com/is-it-safe-to-live-near-a-gas-station-scientists-point-to-numerous-health-hazards/>

- Small spills at gas stations could cause significant public health risks over time

<https://hub.jhu.edu/2014/10/07/gas-station-spills/>

- A 2003-2004 study conducted in France documented a significant relationship between childhood leukemia and living near a gas station. (<https://pubmed.ncbi.nlm.nih.gov/19213757/>)

- A 2010 study conducted in Spain documented elevated air pollution within 100 meters (328 feet) of a gas station. (<https://pubmed.ncbi.nlm.nih.gov/20810207/>)

- In 2012, Brazilian researchers found that air quality was significantly degraded up to 150 meters (492 feet) from gas stations.

<https://www.sciencedirect.com/science/article/pii/S1309104215304384>

- A 2018 study of two U.S. gas stations found that benzene emissions from underground gasoline storage tank vents were sufficiently high to constitute a health concern at a distance of 50- and 160-meters (162- and 518-feet).

<https://www.sciencedirect.com/science/article/pii/S0048969718337549>

- Benzene is arguably the gasoline constituent most harmful to human health. Adverse health effects of benzene include cancer, anemia, increased susceptibility to infections, and low birth weight. According to the World Health Organization Guidelines for Indoor Air Quality there is no safe level for benzene. (<https://emergency.cdc.gov/agent/benzene/basics/facts.asp>; <https://www.ncbi.nlm.nih.gov/books/NBK138708/>)

The following studies document the extent of benzene releases from gas stations:

- A study published by the Canadian petroleum industry found average benzene concentrations of 146 and 461 parts per billion (ppb) at the gas station property boundary in summer and winter, respectively. (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1520004/>)

- A South Korean study examined outdoor and indoor benzene concentrations at numerous residences within 100 feet and between 196 to 328 feet of gas stations and found median outdoor benzene concentrations of 3.1 and 1.9 ppb, respectively. Median indoor concentrations at these locations were higher, reaching 4.1 and 5.2 ppb, respectively.

<https://www.sciencedirect.com/science/article/abs/pii/S1352231099000977>

- Another study found median ambient benzene levels of 1.9 ppb in houses both 328 feet from a service station. (<https://www.tandfonline.com/doi/abs/10.1080/10473289.2001.10464339>)

- Yet, another study found that benzene and other gasoline vapor releases from service stations can be discerned from traffic emissions as far as 246 feet from service stations and that the contribution of service stations to ambient benzene is less important in areas of high traffic density. This is because vehicle exhaust is usually the most abundant volatile organic compound (VOC) in urban areas, often followed by gasoline vapor emissions from fuel handling and vehicle operation. (<https://www.sciencedirect.com/science/article/pii/S0301479710002574>)

- The California Air Resources Board publication Air Quality and Land Use Handbook: A Community Health Perspective recommends a minimum 300-foot separation distance between gas stations and “sensitive land uses such as residences, schools, daycare centers, playgrounds,

or medical facilities.” The State of California is widely recognized as having some of the most effective air pollution control requirements in the nation. Yet even with these controls a minimum separation is still required to protect public health. Furthermore, the U.S. Environmental Protection Agency echoed the concerns about the health risk associated with fueling emissions in their School Siting Guidelines. The USEPA recommended screening school sites for potential health risk when located within 1,000 feet of a high-volume gas station.

<https://ww3.arb.ca.gov/ch/handbook.pdf>

\*Anderson, Diana, Stop Gas Station Construction in Our Backyards:

<https://eaglemountaincity.com/wp-content/uploads/2020/07/Resident-Petition-Stop-Gas-Station-Construction-In-Our-Backyards.pdf>

Safety concern references below.

Fire at Gas Stations: Some Facts, Some Statistics and Some Prevention Tips

<https://jwkblog.com/wordpress/fire-at-gas-stations-some-facts-some-statistics-and-some-prevention-tips/>