

it takes a
VILLAGE



**DID YOU KNOW A 6 BAY
GAS STATION WITH A
CAR WASH IS COMING
TO
THE VILLAGE OF WEST
CLAY?**

You may be as surprised as we were to find out the Brenwick plans to put a gas station next to your home. Crazy! That's what we thought too. Please explore the site, visit the linked articles and research for yourself to see if this is really something that you want. And then ask, why didn't you know about it?



HEALTH CONCERNS

WHAT ARE THE RISKS?
AND IS IT REALLY THAT BAD?

Great Questions. To best understand what the risks are we need to know what we would be exposed to. The biggest health concerns for those living in close proximity to a gas station would be Benzene, Carbon Monoxide, and exhaust fumes. We all know the dangers of Engine Exhaust and Carbon Monoxide, but we wanted to introduce you to your new neighbor, Benzene.

Benzene

A natural component in gasoline and found in high concentrations at Gas Stations and engine exhaust, Benzene is a known cancer causing agent, and has no safe threshold of exposure. But don't take my word for it. View the research from a few reputable sources:

THE AMERICAN CANCER SOCIETY

<https://www.cancer.org/cancer/cancer-causes/benzene.html>

THE WORLD HEALTH ORGANIZATION

https://www.euro.who.int/__data/assets/pdf...

OEHHA

<https://www.p65warnings.ca.gov/sites/default...>

*So, according to the world's
leading scientists, doctors, and
safety organizations Benzene has*

*no place near a home or in a
residential setting.*

HOW CLOSE DO YOU HAVE TO LIVE TO BE AFFECTED?

Studies show increased rates of:

RESPIRATORY ISSUES
BIRTH DEFECTS
CHILDHOOD LEUKEMIA
CANCER

At 300 ft, 500 ft, and even adverse effects up to one mile away. Once again, don't take our word for it. Read the research below and see how close is too close. Think about the residents of the Stratford and townhomes, and the children at Primrose who will breathe those fumes all day, every day.



JOHNS HOPKINS
UNIVERSITY

**SMALL SPILLS AT GAS STATIONS COULD
CAUSE SIGNIFICANT PUBLIC HEALTH RISKS**

[HTTPS://HUB.JHU.EDU/2014/10/07/GAS-STATION-...](https://hub.jhu.edu/2014/10/07/gas-station-...)

RESIDENTIAL PROXIMITY TO GASOLINE STATIONS

AND RISK OF CHILDHOOD LEUKEMIA
[HTTPS://ACADEMIC.OUP.COM/AJE/ARTICLE/18...](https://academic.oup.com/aje/article/18...)

TEXAS A&M HEALTH SCIENCE CENTER

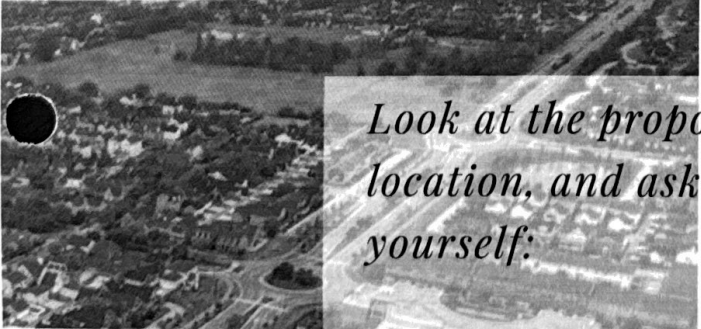
RESIDENTIAL PROXIMITY TO ENVIRONMENTAL
HAZARDS AND ADVERSE HEALTH OUTCOMES
[HTTPS://PUBMED.NCBI.NLM.NIH.GOV/22028451/](https://pubmed.ncbi.nlm.nih.gov/22028451/)



GAS STATIONS VENT FAR MORE TOXIC FUMES
THAN PREVIOUSLY THOUGHT
[HTTPS://PHYS.ORG/NEWS/2018-10-GAS-STATIONS-...](https://phys.org/news/2018-10-gas-stations-...)



GAS STATIONS EMIT TEN TIMES MORE BENZENE
THAN PREVIOUSLY RECORDED
[HTTPS://WWW.INDIANAENVIRONMENTALREPORT...](https://www.indianaenvironmentalreport...)



*Look at the proposed
location, and ask
yourself:*



LETS TALK LEAKS

After reading far too many reports on gas station compliance and safety (and talking with specialists) it's clear that it's not IF an Underground Storage Tank (UST's) will leak. It's WHEN it will leak.

But once again, I don't want this to be here-say. So how many exactly have leaked?

557,644

EPA CONFIRMED LEAKS

Don't feel bad, I thought that was a typo too.

But that's nation wide since 1988, so we

don't have that many leaks now...do we?

In Indiana alone there were 172 reported UST leaks last year. ***So roughly every other day in Indiana an underground storage tank containing petroleum starts leaking.*** Let that sink in.

Cleanup is not quick or easy. The EPA has a backlog of 1,235 sites to clean up here in Indiana. And they're moving at a pace of about 300 per year. Not their fault, it's not easy work to remove hazardous material from the area and even harder once it makes it to the ground water.

That sounds expensive. How much does it cost to clean up? ***On Average it's \$130,000 per clean up.*** And if it gets into the ground water it can go well over \$1 Million.

ALL STATISTICS TAKEN FROM EPA'S REPORT ON UST'S
PERFORMANCE

[HTTPS://WWW.EPA.GOV/SITES/PRODU...](https://www.epa.gov/sites/produ...)

SAFETY CONCERNS

The addition of a gas station within the neighborhood brings with it more than just

health risks. With it comes the increased possibility of crime and an increase in traffic that will place the pedestrians and those riding bikes from one part of the village to another at risk.

Traffic

As a rule of thumb, each proposed pump at a gas station generates about 100 to 130 trips per day. By “pump” we mean fueling position. A convenience store will generate 800 to 1,200 trips per day per 1,000 square feet. These are industry standard numbers, and by the base estimates the gas station + convenience store would see well over 2000 trips per day. The additional traffic will not only create frustration but a number of safety concerns.

*Can our neighborhood
infrastructure handle the
additional **2000-3000**
trips per day?*

- Can we see a traffic study covering directional and destination traffic patterns to ensure it's safe?
- How will pedestrians be protected? With hundreds of residents walking

across Towne Road every day, how will the residents be protected?

- What measures are being taken to insulate the neighborhood from the additional traffic, road noise, and pollution?

Crime _____

10%

*of all robberies in the
US occur at a
convenience store or
gas station ¹*

One study noted that:

"Convenience store employees suffer from high rates of workplace homicide, second only to taxicab drivers."

A study of the relationship between violence of other factors found an increasing trend as the number of alcohol outlets in an area rose. the following is a principal finding from this study:

"A larger number of alcohol outlets and a higher rate of violence might be expected in poorer neighborhoods or in neighborhoods with a larger population of young people. But as the research described above shows, even when levels of poverty and the age and the ethnic background of residents are taken into account, a high density of outlets is strongly related to violence regardless of a neighborhood's economic, ethnic or age status."

FBI National Crime Statistics:
<https://ucr.fbi.gov/crime-in-the-u.s/2018/crime-in-the-u.s.-2018/tables/table-23>

HOME VALUES + FINANCIAL IMPACTS

If you were given the option to purchase a home next to a gas station or one that is not next to a gas station, what would you pick? It's fair to say we would all choose the latter. What happens when the homes near the gas station try to sell, but buyers continue to choose other properties? Sellers will have to lower their price to make it more attractive. When those homes do sell, they are then counted as comps to similar homes throughout the neighborhood creating the possibility to negatively impact a large portion of our home values.

Will it affect all home values? No. But it will affect some. A recent study shows that those within 300 ft could see as much as a 16% decrease in home value and those within 1500 feet could see as much as a 9% decrease. ¹





¹ <http://www.josre.org/wp-content/uploads/2018/02/The-Impacts-of-Gasoline-Stations-on-Residential-Property-Values-A-Case-Study-in-Xuancheng-China.pdf>

What are the Hidden Costs?

With the additional 2000 + daily trips into our neighborhood, what will the costs for additional security and infrastructure be?

With over 5000 gas station fires each year, what is the potential risk and cost if a fire causes damage to nearby homes or residents?

Who will shoulder the cost of the cleanup WHEN the tanks leak?

WHAT TO DO & WHO TO CONTACT

As residents of the Village of West Clay and Carmel we need to express our concerns to all of those who are on the village board and the city council.

1. EMAIL THE BOARD OF ZONING APPEALS

(MOST IMPORTANT)

Email the Board of Zoning Appeals: Joe Shestak



jshestak@carmel.in.gov

- Put "gas station at 131st and Towne- Docket No. PZ-2020-00093-96 V" in the subject line.

- At this point ***the initial zoning is complete***. So we have to fight the 4 variances. Write to the Board of Zoning Appeals and express your concern regarding the 4 variance requests, and how allowing them will provide a dangerous precedent for future development.

- The emails need to focus on the facts of the variances and not on our opinions. Emails stating we don't want a gas station will be ignored. Our two largest concerns are moving the pumps and parking from behind the building to the front, and reducing the amount of space required for cars to wait in line. Ordinances This produces a big hazard that could impact the traffic and safety of pedestrians. Please reach out to us and we can explain the variances in detail.

2. SIGN THE PETITION (click here)

3. CONTACT EACH AND EVERY COUNCIL MEMBER AND BOARD MEMBER (LISTED BELOW)

Feel free use these concerns as a guide and share them along with your own thoughts in your email

1. Many of the residents who supposedly 'supported' and 'asked for' the project didn't even know about it.
2. We're concerned about the health and safety ramifications of placing a gas station with known cancer causing effects within the neighborhood. How is it a gas station can be placed in a neighborhood in the first place?
3. The additional traffic will put pedestrians at great risk when walking across the neighborhood
4. While the exact financial impacts are unknown, there is a strong likelihood that a gas station within a residential setting could significantly and negatively impact our home values.

I'm sure you have more concerns and questions, as we all do. So please feel free to email voice them to our board and council members as well as on our form below.

CARMEL CITY COUNCIL

JIM BRAINARD, CARMEL MAYOR

317-571-2401

JBRAINARD@CARMEL.IN.GOV



MILES NELSON, WEST DISTRICT
CITY COUNCIL
REPRESENTATIVE
317-696-5857
MNELSON@CARMEL.IN.GOV



DR. TIM HANNON, CITY COUNCIL
AT-LARGE
317-504-9378
THANNON@CARMEL.IN.GOV



KEVIN "WOODY" RIDER,
CITY COUNCIL AT-LARGE
317-503-7095
KRIDER@CARMEL.IN.GOV



JEFF WORRELL, CITY COUNCIL
AT-LARGE
317-471-9836
JWORRELL@CARMEL.IN.GOV



VOWC BOARD
MEMBERS



P1 | DEBRA MINOTT | VICE
PRESIDENT -
MINOTT1082@AOL.COM



P2 | GREG MAIERS |
PRESIDENT -
GREG.MAIERS@GMAIL.COM



P3 | JIM WINNER |
JBW0802@GMAIL.COM



P4 | MIKE PIRKLE |
MPIRKLE@INDY.RR.COM



S1 | JOHN HASKIN |
JHASKIN@JHASKINLAW.COM



S2 | TERRY O'BRIEN |
TOBRIEN@OBRIENAUTO.COM



S3 | BOB RICHMOND |
TREASURER -
BRICHMOND89@YAHOO.COM



S4 | ANDREA KELLY |
ANDREA.KELLY@ENCORESIR.COM



S5 | JOHN FRIEBURG |
JOHN.FRIEBURGIII@SBCGLOBAL.NET



S6 | SAMIA ALAJLOUNI |
SALAJLOU@GMAIL.COM

TH | MATT SHERGALIS |
SECRETARY -



MVSHERGALIS@GMAIL.COM



UP | CHRISTINE RAINEY |
CHRISTINERAINEY@NBOFL.COM



VC | DAVID KLAIN |
DAVID@DBKLAIN.COM



FOUNDING MEMBER |
GEORGE SWEET |
GEORGES@BRENWICK.COM



FOUNDING MEMBER | TOM
HUSTON |
TOMH@BRENWICK.COM



EXECUTIVE DIRECTOR | JEFF
TERP |
JEFFT@VWCOWNERSASSN.COM

PROJECT DOCUMENTS

If you'd like to learn more about the project all
of the documents can be found at the link
below including variance requests, elevations,
and site plans.

[http://cocdocs.carmel.in.gov/WebLink/Browse.aspx?
id=1824967&dbid=0&repo=CityofCarmel](http://cocdocs.carmel.in.gov/WebLink/Browse.aspx?id=1824967&dbid=0&repo=CityofCarmel)

LOCATION:



YOUR SUPPORT LETTER:



June 24, 2020

Hon. James Brainard
Mayor
City of Carmel
One Civic Square
Carmel, Indiana 46032

Re: Family Express located in Uptown
Docket Numbers P2-2020-0093V to 96V

Dear Mayor,

On behalf of the Board of Directors, the Architectural Review Board, the Design Review Board of Uptown and the Residents of the Village of WestClay, we support the variance of development standards for the proposed project.

The residents of the Village strongly support the Family Express convenience store in Uptown. A convenience store has been a vision and desire of the Village since our inception in 2000. The location complements the master plan for the Village and is consistent with the Architecture Standards of the Village and Uptown.

The proposed variance or modification to the development plan is fully supported by the Village. The repositioning of the canopy and building is a logical solution to reduce light and noise for the nearby Stratford Retirement Community. The Village believes this modification is consistent with the architectural intent of the Village and believes this minor change will enhance the long-term viability of the project.

Thank you for your consideration and if you have any questions, please let us know.

Sincerely yours,

Jeffrey A. Terp

Executive Director

12884 Briarcliff Street • Carmel, IN 46032 • 317.574.1104 • FAX 317.574.1100
www.westclayowners.com

"The residents of the Village strongly support the Family Express convenience store" - Jeff Terp

A large portion of us were never asked if we supported a gas station. And many didn't even know it was in the works.

How is it that we can strongly support something we weren't aware of?

FINDINGS OF FACT

CARMEL ADVISORY BOARD OF ZONING APPEALS

FINDINGS OF FACT SHEET - DEVELOPMENT STANDARDS VARIANCE

Requested Variance: The Applicant is seeking variances from Section 8.11 (Peripheral Retail Area Design Guidelines), Section 15.8.1.D (build to line), Section 15.11 (Accessory Buildings), and Section 16.17.A and 16.17.D.5 (vehicle stacking) of the West Clay Village PUD (collectively, the "Variances").

FINDINGS OF FACT

The approval of the requested variances will not be injurious to the public health, safety, morals and general welfare of the community because

1. The approval of the requested Variances will not be injurious to the public health, safety, morals and general welfare of the community as granting the Variance request will allow the Applicant to build a new convenience store with gas sales that will be more compatible, consistent and complimentary to the other commercial buildings that exist in the Peripheral Retail Area and which are subject to the same development standards. Further, the new building will meet the architectural standards of the applicable Building Guidelines and Requirements for Commercial Construction in a manner (i) sensitive to surrounding residential properties (ii) supported by surrounding owners and Village residents.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because

The use and value of the area adjacent to the real estate will not be affected in a substantially adverse manner because approval of the variance would permit the convenience store to be developed in a manner which is more sensitive to surrounding residential properties than a site layout which places the fuel pump islands along the south edge of the site. Further, all uses and properties to the north are commercial and have been developed within the Peripheral Retail Area in a manner consistent with application of the subject standards allowing development to continue in a consistent manner with surrounding blocks and uses.
3. The strict application of the terms of the Zoning Ordinance to the property will result in practical difficulties in the use of the property because

Practical difficulties will result if the site is developed in a manner complying with the strict application of the development standards which are the subject of this variance request. The proposed building and site layout allow for the level of relief necessary to mitigate these practical difficulties and develop the site in a manner most conducive to customer safety, respect and sensitivity to surrounding residential properties and consistency with the surrounding Peripheral Retail Area.

According to Brenwick in their application for the variance this project is "supported by the surrounding owners and Village residents"

Again, How do they know if the village residents support something if we have not been asked? Given that Brenwick is declaring our support, should Brenwick have conducted a village wide survey or vote?

Please see the following email from the Village of West Clay Executive Director, which was only sent to select people asking them to express support. If people are saying that ALL of the village residents support something, shouldn't ALL of the village residents be asked?

A PEDIATRIC
OFFICE THEY
SAID...



As you can see from an email correspondence in 2015 The Village asked residents to support a motion to rezone Area 3 (where the gas station is planning on going) to commercial so they could put in a 'Pediatric Office.'

Who wouldn't support that?

A splendid example of Transparency (yes, that's one of the Village's core values)

VOICE YOUR

OPINION

IF YOU'D LIKE TO STAY UP TO DATE
ON WAYS WE CAN HELP KEEP THE
VILLAGE OF WEST CLAY A SAFE AND
HEALTHY COMMUNITY OR IF YOU'D
SIMPLY LIKE MORE INFORMATION
PLEASE SHARE YOUR EMAIL BELOW
AND WE'LL ADD YOU TO OUR EMAIL
LIST.

**Interested in how you can help or
Just want to stay informed?**

email address

Subscribe

UPDATES AND PROGRESS

WE WILL BE POSTING ANYTHING
NEW WE FIND OR ADDITIONAL
INFORMATION BELOW

-6/29-

WE FOUND A HAMILTON COUNTY
ZONING ORDINANCE THAT
PREVENTS ELDERLY CARE

FACILITIES AND SCHOOLS FROM
BEING WITHIN 300 FT OF GAS
PUMPS, TANKS, OR STORAGE OF
FLAMMABLE MATERIALS:

-7/2-

* UNFORTUNATELY THE ABOVE
ORDINANCE IS A HAMILTON COUNTY
ORDINANCE, AND DOES NOT APPLY TO
CARMEL.*

-7/7-

ABOUT 40 OF US MET WITH THE
VOWC BOARD TO DISCUSS OUR
CONCERNS. IT WAS AN
INTERESTING MEETING TO SAY THE
LEAST.

OFFICIALLY THE PRESIDENT OF THE
BOARD SAID THAT THEY "DID NOT
HAVE A DOG IN THE FIGHT." AND
THEY DID NOT SUPPORT OR
OPPOSE THE GAS STATION...
DESPITE THE FACT THAT THEY SENT

A LETTER ON OUR BEHALF SAYING
WE SUPPORT IT. THERE WAS A LOT
OF CONFLICTING INFORMATION
FROM THE BOARD ABOUT WHAT
THEY SUPPORTED, HAVE DONE, OR
COULD DO.

-7/12-

WE WANTED TO GET A BETTER
IDEA OF WHAT A 6 BAY/12PUMP
LOCATION, FAMILY EXPRESS
ACTUALLY LOOKS LIKE. WE FOUND
ONE. IT HAS A NEARLY IDENTICAL
LAYOUT TO WHAT THEY WANT TO
BUILD IN THE VILLAGE OF WEST
CLAY.

THIS WILL FIT IN WITH THE
VILLAGE NICELY; I'M SURE YOU'LL
HARDLY NOTICE IT.

2 OF OUR NEIGHBORS MET WITH JEFF TERP YESTERDAY TO DISCUSS VERBIAGE FOR A NEIGHBORHOOD WIDE SURVEY. OUR GOAL WAS TO BE CLEAR AND FACTUAL AND SEE IF THE RESIDENTS ACTUALLY SUPPORT THE PROPOSED GAS STATION. WE SPECIFICALLY REQUESTED THAT THE SIZE AND LOCATION OF THE PROJECT BE CLEARLY OUTLINED. TO HELP EDUCATE RESIDENTS. WE DIDN'T TRY TO BIAS IT IN ANY WAY, ONLY TO ENCOURAGE THAT HE SHARE WHAT HAS BEEN FILED WITH THE CITY, AND SUPPORTED BY JEFF IN A LETTER TO THE MAYOR.

IF YOU RECEIVED HIS SURVEY, YOU CAN SEE THAT HE HAD NO DESIRE TO BE TRANSPARENT. HE REFUSED TO CALL IT A GAS STATION, REFUSED TO SHOW ON A MAP WHERE IT WOULD BE, AND REFUSED TO INCLUDE ANY INFORMATION ABOUT WHAT FAMILY EXPRESS AND BRENWICK ARE ACTUALLY REQUESTING.

WHERE IS THE TRANSPARENCY?

TO HELP SHOW YOU EXACTLY WHAT FAMILY EXPRESS AND BRENWICK ARE PROPOSING, WE'VE