

## Ryan Morrison

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**From:** vtdesign@sover.net  
**Sent:** Monday, June 06, 2022 10:13 AM  
**To:** Benjamin Traverse; Ryan Morrison  
**Cc:** sanschagrins@gmail.com  
**Subject:** DRB review of 501 Gatehouse proposal

[ WARNING ]: This email was sent from someone outside of the City of Burlington.

re. DRB review of the proposal (ZP-21-800; 501 Pine Street (E-LM, Ward 5S) KS Pine LLC / Kurt Schueler) for a food truck patio

Dear DRB and staff,

I would like to make sure the notes I previously submitted be sent to all DRB members in advance of the upcoming meeting so that they might address these concerns.

The proposed use on this property begs the question of why we have zoning and design review if community values and impact are not part of the decision making process.

Thank you for your interest and time,

Diane Gayer  
21 Redstone Terrace, Burlington, VT  
[vtdesign@sover.net](mailto:vtdesign@sover.net)

## Ryan Morrison

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**From:** vtdesign@sover.net  
**Sent:** Tuesday, May 10, 2022 9:42 AM  
**To:** Mary O'Neil  
**Cc:** Ryan Morrison  
**Subject:** Re: DAB meeting Tuesday

You don't often get email from vtdesign@sover.net. [Learn why this is important](#)

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hi Ryan, I assume you can take written comments? How shall I submit these? I have questions about:

1. **STORMWATER:** Stormwater runoff from southend crosses the land here and any change in permeability will impact the site needs. No work can disturb the existing soil conditions without affecting other ecosystems and water conditions, including toxins held in stasis.
2. **TREE COVER:** Existing trees are critical to the existing soil stability. Cutting trees will impact water retention and any stump removal will disturb the subsurface levels. The peat layer below the surface holds the NAPLA like a sponge, therefore any release of these affects the current mitigation balance.
2. **LIABILITY:** Superfund site liability that goes with any owner but in this case a short-term tenant. In other words any impact on the larger Superfund site is born by the developer that impacts the current mitigation. This leads to enlisting with BRILLA thru the State, but question how this occupant will comply.
3. **NEIGHBORHOOD COMPATIBILITY:** I live (currently) and worked (previously) in the southend during the years when ArtsRiot held its summer long food truck venue on Friday evenings. We all learned very quickly to move out by 2pm on Fridays, ending our work week early, deadlines or not. The acoustics of this area resonate throughout the neighborhoods — all music and truck movement, and people partying permeate throughout the multiple residential neighborhoods. The remnant grease and food garbage was not compatible with our studios and work places.
4. **LIGHTING:** Is this area to be a festival zone? Am not sure this is appropriate zoning, even if Conditional Use. Such an urban and visitor use is better located adjacent to City Hall Park of the Waterfront. Perhaps “The Pit” as an interim location?

Hope to call in at 3pm, but in case I am still on the road, here are my general comments.

Best, Diane

On May 10, 2022, at 8:22 AM, Diane Gayer <[vtdesign@sover.net](mailto:vtdesign@sover.net)> wrote:

Thanks Mary, I will try to send in comments in case the meeting time changes from the Agenda. I won't be available before then, sorry.  
Diane

Sent by the chirping peepers in the quarry

## Ryan Morrison

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**From:** Ryan Morrison  
**Sent:** Thursday, June 02, 2022 11:52 AM  
**To:** Andrew Simon; Benjamin Traverse; Ruby Perry  
**Subject:** RE: Change of date for DRB review of 501 Gatehouse proposal?

Hi Andrew.

The hearing has been publicly noticed for June 21<sup>st</sup>, so it will be held at that meeting. If there is considerable comment or circumstances that need additional review, then continuance is possible and will be the DRB's call. Thanks!

Ryan Morrison  
Associate Planner  
City of Burlington  
802-865-7190

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**From:** Andrew Simon [mailto:sanschagrins@gmail.com]  
**Sent:** Thursday, June 02, 2022 11:11 AM  
**To:** Ryan Morrison <rmorrison@burlingtonvt.gov>; Benjamin Traverse <btraverse@burlingtonvt.gov>; Ruby Perry <evolution.ruby@gmail.com>  
**Subject:** Change of date for DRB review of 501 Gatehouse proposal?

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Ryan,

*Could you please forward this message to the DRB members? I am not finding email addresses on the city website. Thanks.*

To the Development Review Board:

I would like to request that the DRB review of the proposal (ZP-21-800; 501 Pine Street (E-LM, Ward 5S) KS Pine LLC / Kurt Schueler) for a food truck patio be postponed from June 21 to a subsequent meeting.

I know that a significant number of people would like to comment on the ZP-21-800 proposal and I request the change in scheduling so that there will be adequate time at the meeting for everyone interested to testify. Given the pressure from other items on the 6/21 Public Hearing agenda, I am worried that proper consideration will not be given to the proposal for 501 Pine St. Gatehouse.

Thank you for considering this request and responding at your earliest convenience.

Andrew Simon  
54 Locust Street

## Ryan Morrison

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**From:** Mary O'Neil  
**Sent:** Wednesday, May 11, 2022 8:42 AM  
**To:** Ryan Morrison  
**Subject:** FW: Comments for Design Advisory Board

If he didn't send these to you, can you include in your packet for the DRB?



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**From:** Andrew Simon <sanschagrins@gmail.com>  
**Sent:** Tuesday, May 10, 2022 4:23 PM  
**To:** Mary O'Neil <MCOneil@burlingtonvt.gov>  
**Subject:** Fwd: Comments for Design Advisory Board

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Mary,

I think I got your address right this time.

Andy

----- Forwarded message -----

**From:** Andrew Simon <sanschagrins@gmail.com>  
**Date:** Tue, May 10, 2022 at 4:00 PM  
**Subject:** Comments for Design Advisory Board  
**To:** <moneil@burlingtonvt.gov>  
**Cc:** vtdesign studio <vtdesign@sover.net>, Ruby Perry <evolution.ruby@gmail.com>

Mary,

Thank you for including these comments in the DAB record and conveying them to the Board members.

Andy

### Concerns/questions that I have about the proposed "container kitchen/food truck café at 501 Pine Street Gatehouse"

1. COMPATIBILITY. It is expected that 501 Pine Street, the area surrounding the Gatehouse parcel, will be moved, with the support of the new owner, into conservation zoning and will be joined to the 24 acres of current RCO zoning at the Barge Canal. The proposed use would be incompatible with future conservation uses of the surrounding land.

2. TREES. Despite the applicant's original assertion that the previous use for 501 Gatehouse was as a "parking lot" (demonstrably untrue), there are currently at least 26 trees on the property. These trees are currently stabilizing soil, sequestering carbon, and potentially also containing toxins (see below) from the soil. Removal of the trees would impair the ecological benefits derived from their presence at the site.
3. HISTORICAL SIGNIFICANCE. The Pine Street Barge Canal is an area of historical significance. The site of the proposed development is precisely where the Burlington Gas Light Company manufactured gas plant was located for 60 years. The wetlands to the west and north were hunting/fishing/gathering grounds for native Abenaki residents. The canal itself contains several sunken 19th century canal sailing barges, vestiges of Burlington's once-thriving lumber mills.. The industrial, natural and indigenous heritage of this area will be documented and honored in the future municipal park. Consider carefully whether the proposed food truck/container café fits into this picture.
4. SAFETY FOR FOOD SERVICE. The Phase II Environmental Assessment of the site conducted in 2021 by the Nobis Group found levels of vanadium, a toxic heavy metal associated with the manufactured gas plant, that exceeded Vermont Non-Residential Standards in all soil borings at 501 Gatehouse. There were also significant amounts of polycyclic aromatic hydrocarbons (PAHs) and total petroleum hydrocarbons (TPHs) present though not exceeding Vermont's *Non-Residential* Standards. It is reasonable to question whether this area will be safe for a food service business.
5. POTENTIAL MIGRATION OF TOXINS. Given the documented presence of hydrocarbons and heavy metals in the soil at 501 Gatehouse and given the 56 "contaminants of concern" identified by EPA at the Pine St. Superfund Site, there is significant potential for excavation on the site to cause migration of toxins down gradient to Lake Champlain.
6. STORMWATER IMPACTS. Given the significance of the Pine Street Barge Canal in Burlington's stormwater system, it should be considered carefully whether paving and covering over the .12 acres of this site could have an adverse impact on stormwater retention and processing.