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January 3, 2013

Ms. Renee Kamen
Senior Planner, Development Revision Division
Montgomery County Planning Department
8787 Georgia Ave., Silver Spring, MD 20910

Dear Ms. Kamen:

RE: Special Exception application S-2863, Costco gas station

I am a resident of Kensington Heights, and a member of the Kensington Heights Civic Association (KHCA). I am writing to you as a resident and concerned citizen asking you to disapprove Costco's special exception to install a mega gas station near my home and about 850 feet from a school for severely handicapped children, the Stephen Knolls School. The enclosed map shows how very close this mega gas station will be to existing homes, the school, and a pool where kids play in the summer. In summary:

- There is simply **no compelling reason** to approve the Special Exception requested by Costco.
- There are enough **known negative impacts** of the proposed use that the application should be denied based on what is known and how the review criteria has been applied in Montgomery County.
- **Researchers are identifying stronger links between cancer and emissions** of fumes and particulates associated with vehicular traffic and gas stations.

No Compelling Reason

There is no present need by the neighborhood population for the station. There are at least six fuel stations within one mile of the Mall. I live in an established neighborhood that has easy access to the existing fuel stations, the community is well served, and there is sufficient capacity for residents, shoppers, and motorists traversing the County. Considering the present availability of identical facilities in the community (on Veirs Mill Road, University Boulevard, Connecticut Avenue, and Georgia Avenue) there is ample evidence that there is no present need for a gas station. Thus, I respectfully suggest that the proposed use does not meet the standard set forth in the Montgomery County Zoning Ordinance section 59-G-1.24 Neighborhood need.

Known Negative Impacts

Gas stations are regulated locally and nationally because of the known adverse impacts they have on public health, residents, and adjacent properties. These same factors are magnified in scope and impact because the proposed mega gas station is much larger than any nearby facility AND - for the first time in our area – a huge facility is being wedged forcefully into an established neighborhood of homes, schools, and recreational facilities. A dispassionate observer of the applicant's operations at other locations can only conclude that there will be negative health, environmental, and quality of life impacts on the community. There will be significant traffic on the ring road, cars will back up on the roadway, and air pollution increasing the risk of cancer, asthma, and heart disease will rise as cars idle and trace vapors enter the ecosystem from the nozzles and gasoline spilled at the pumps. This will make the adjacent properties relatively less healthy, attractive, and enjoyable to current and future occupants.

I respectfully suggest that this application does not meet the standards set forth in the Montgomery County Zoning Ordinance. Using the criteria in the code to assess the impact on adjacent properties, I respectfully request that you deny the application because the proposed station will:

1. Constitute a nuisance because of noise, fumes, odors, and physical activity (traffic) at the proposed location;
2. Be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties and the general neighborhood adjacent to the site;
3. Will cause objectionable fumes and odors; and
4. Will adversely affect the health, safety, and general welfare of residents, students, and workers in the area

As you know, the Stephen Knolls School is a provides a Special Education Program for students who range in age from three to twenty-one years, with mild to severe cognitive deficits and multiple disabilities. Many of these children are on ventilators and especially susceptible to the emissions from the many cars idling/filling up at the proposed station will contain many noxious volatile components, such as ultrafine particulate matter. These carcinogens whose effects are most pronounced on those within a few hundred feet of the sources. They also cause - or exacerbate – respiratory problems such as asthma, COPD, etc. Enclosed with this letter is a memo from KHCA with more information about these health risks.

My neighborhood also has many small children, who are not yet in school, and will be exposed to the emissions from the gas station, all day while they play outside. There are also retired residents whose health is fragile, and will be especially susceptible to negative health consequences from the emissions.

Stronger Links between Disease and Emissions

Scientists are detecting a link between disease and the pollutants generated by traffic and fueling stations. Public health researchers using emerging mapping and epidemiological techniques are discovering disease patterns in the United States and overseas that correlate directly with exposure to the emissions my neighbors and I will ingest if the station is approved. Despite what the applicant states, there are significant health risks associated with this fueling station. Wedging a mega gas station into an existing residential neighborhood is not good public policy in terms of health, land use, development, and transit.

Danish researchers, building on earlier field research in the United States and Canada, found evidence of an association between the incidence of cancer and exposure to auto emissions. We can expect similar emissions from the presence of a mega gas station. *“Air Pollution From Traffic and Cancer Incidence: a Danish Cohort Study”* was published in Environmental Health a peer-reviewed journal devoted exclusively to the subject of environmental health. You can find the entire paper by Raaschou-Nielsen et al. in Environmental Health 2011, 10:67 or by clicking here: <http://www.ehjournal.net/content/10/1/67>. Key points from this academic field research are pasted below:

“An ecological association was found between ambient air emissions of volatile organic compounds and brain cancer incidence in Indiana, USA [27], and a recent study indicated that air pollution at the residence increased the risk for breast cancer [28]. Benzene at relatively high occupational concentrations is a known leukemogen, and a few studies have suggested that ambient concentrations near point sources [29] and traffic [30] might be associated with risk for hematological cancers.”

“We found significant associations and exposure-response patterns between traffic-related air pollution at the residence and risks for cervical and brain cancer.”

“In conclusion, this cohort study shows significant associations between traffic-related air pollution at residential addresses over several decades and risks for cervical and brain cancer.”

“Although it is difficult to disentangle the effects of single air pollutants in epidemiological designs, particulate matter from traffic emissions appears to be the most important determinant of cancer risk. Ultrafine particles have a large surface area and contain absorbed PAHs, transition metals and other substances, which cause oxidative stress, inflammation and direct and indirect genotoxicity[56,57]. Further, there is evidence that ultrafine particles can translocate from the airways to other organs [7], which might explain our finding of higher risks for cervical and brain cancer in cohort members living at residences with high levels of traffic-related air pollution.”

As noted in the attached document, noted public health expert Dr. John Breyse from Johns Hopkins University commented on the very real danger associated with this particular proposal. His comments are in alignment with recommendations from the U.S. Environmental Protection Agency that recommend a larger setback for gas stations 1/4th the size of the 16 pump, 12 million gallons per year mega-station that is proposed by the applicant.

Montgomery County can do better than this. I hope that you and your colleagues will take the action necessary to protect the health of its residents especially when there is no need in the community for this gas station, ample evidence that this type of facility is ill-suited for the site, and that contemporary research reveals the health risks associated with this type of activity.

I ask again that you protect this community by disapproving Special Exception application S-2863.

Sincerely,

James Core
8 Torrance Ct
Kensington, MD 20895

Map of the area

Memo from Kensington Heights Civic Association discussing the health risks

Map of Costco Gas Station Location





Kensington Heights Civic Association

Your Neighborhood Association!
www.KensingtonHeightsMD.org

Current Officers

President
Adam Rosenbaum
301-946-7416

Vice President
currently vacant

Secretary
Abigail Adelman
301-942-8893

Treasurer
Karen Cordry
301-933-3640

Parliamentarian
currently vacant

Immed. Past President
Donna R. Savage
301-942-2447

Beautification
Abigail Adelman
301-942-8893

Bylaws/Communication
currently vacant

Crime Statistician
Thomas Stanton
301-929-0757

Education
Laura Kervitsky
301-949-1429

Land Use
Donna R. Savage
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Online Newsletter
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Andy Fraser
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KHCA is affiliated with:
Allied Civic Group
Coalition of Kensington
Communities
MC Civic Federation
Wheaton Citizens Coalition

*KHCA received the 1998 Wheaton
Kensington Civic Association Award*

**KHCA represents over
700 single-family homes
in Kensington, Maryland**

Johns Hopkins Public Health Professor Says Proposed Costco Gas at Westfield Mall in Wheaton Poses Unacceptable Cancer Risks to Neighbors

The Kensington Heights Civic Association today presented scientific evidence that the massive discount gas station that Costco Wholesale Corporation proposes to put next door to their community and to the Kenmont Swim & Tennis Club will expose residents of their community and patrons of the Kenmont Club's outdoor facilities to three times the health risk generally considered acceptable. KHCA has been asking County officials to conduct a complete environmental impact assessment, including a health study, prior to considering Costco's rezoning request for the 12 million gallon a year (mgpy) gas station; thus far the County has refused to investigate the public health threats posed by the Costco proposal. Because of this refusal, KHCA hired its own expert, Patrick N. Breyse, PhD, CIH, Professor Johns Hopkins University, Bloomberg School of Public Health. In a letter to the KHCA, Dr. Breyse stated:

the excess risk for a 12 mgpy facility at a distance of 100 m [328 feet] is nearly 3-times higher than those recommended by CARB [California Air Resources Board]. If the throughput is as high as 20 mgpy risk is estimated to be 5 to 6 times higher than the CARB recommended risk. As a result a set-back distance of 100 m is not likely to provide adequate protection from cancer risk.

Dr. Breyse's conclusion is consistent with an October 2011 Guidance document issued by the US Environmental Protection Agency that advises local governments to keep "large" gas stations at least 1000 feet from schools and other sensitive land uses. The EPA study focuses on gas stations that pump 3 to 4 million gallons a year. The proposed Costco gas station would be four times larger. Dr. Breyse's analysis deals only with cancer risk. He cautions that "there is growing literature with respect to other public health concerns associated with exposure to traffic related pollution. Health concerns like potential increased risk childhood asthma have not been addressed." (The proposed Costco station is a little more than 1000 feet from the Stephen Knolls School for handicapped children, where many of the children suffer from severe respiratory problems.) Dr. Breyse also warned that the effect of the gas station fumes could be exacerbated by traffic from the store and especially by the location of the loading docks which will receive truck deliveries all through the night. "We begged Costco to put its loading docks further away from the residences," said Danila Sheveiko, who heads KHCA's task force on the Costco gas proposal. "They refused to listen. The loading docks are as close as possible to

homes and recreation areas, not to mention the Knolls School for handicapped children." "This is an unprecedented proposal, to place such a large petroleum facility so close to homes, schools, and recreation areas," said Larry J. Silverman, an adjunct professor of environmental law and policy at Johns Hopkins University Krieger School of Advanced Academic Studies. Mr. Silverman has been advising KHCA throughout this process. "If Costco gets away with this here in Montgomery County, no commercial zone in Maryland, no commercial zone in the US, no matter how close they are to residences and schools, will be safe from mega gas stations. That's why Costco is fighting so hard to shoe horn this facility into the Wheaton/Kensington Heights neighborhood. It's an opening wedge in a national campaign."

KHCA called on County Executive Ike Leggett and the Montgomery County Council to stop "stonewalling" the health and environmental issues associated with this Costco gas proposal. "At every step along the way, the County government has refused to use the limited authorities it does have to mitigate the environmental consequences of the Costco complex," said Danila Sheveiko. "We asked them to use the forest conservation law to protect the green buffer. The County declined to do so, instead issuing a waiver of forest conservation rules. The same goes for the environmental site design guidelines of the modern storm water rules. The rules were waived. Now the County is about to give Costco a pass when it comes to the health of our families. This is not tolerable."

So far not one County elected or appointed official has been willing to say that the gas station will not impose unacceptable health and environmental risks. "It is time for the County Executive and County Council to blow the whistle on this dangerous proposal," said KHCA president, Adam Rosenbaum. "We expect our elected officials to protect us from public health threats. Instead, this Executive and this Council are actually paying Costco and Westfield \$4 million in taxpayer money to promote this development. They said before they had no evidence to stop the gas station. Now we have provided the evidence. There is no excuse for further inaction."

Press contact for this issue: Danila Sheveiko 301-254-6862