

**BURLINGTON INTERNATIONAL AIRPORT
NOISE COMPATIBILITY PROGRAM
TECHNICAL ADVISORY COMMITTEE
MINUTES OF MEETING
December 5, 2017**

DRAFT

ATTENDEES: TAC Members:

Nic Longo, BTV (Chair)
Gene Richards, BTV (Vice Chair)
Amanda Clayton, BTV
Sarah Degutis, Jones Payne Group
Diane Carter, Jones Payne Group
Brad Nicholas, HMMH
Pat Nowak, Airport Commission & South Burlington City Council
Kevin Dorn, South Burlington City Manager
Paul Connor, South Burlington City Planner
Steve Wisloski, South Burlington School Board
David Young, South Burlington School Board
Tim McKenzie, South Burlington Business Association
Col. John Johnston, Vermont Army Guard
Col. Chris Tomilawicz, Vermont Air Guard
Richard Lizzari, Vermont National Guard
Jessie Baker, Winooski City Manager
Sean McMann, Winooski School District Superintendent
George Maille, South Burlington Resident TAC Representative
Carmine Sargent, South Burlington Resident TAC Representative
Charlie Baker, CCRPC
Frank Cioffi, GBIC
Seth Bowden, GBIC
Ron Bazman, FAA
Richard Doucette, FAA [via telephone]
Tim McCole, Heritage
Patrick Gallivan, St. Michael's College
Bob McEwing, Essex

Other Attendees:

Kelly Colling, BTV
Helen Riehle, South Burlington City Council
Gary Shepard, South Burlington
Philip Hanigan, South Burlington
Kathy Grzywna, South Burlington
Jon Watt, South Burlington
Julie Robinson, South Burlington
Bill Keogh, Airport Commission
Steve Marriott, South Burlington
Loretta Marriott, South Burlington

Stewisbindu Zeno, South Burlington
E. Diner, South Burlington
Bruce Bevins, South Burlington
R.J. Bleau, South Burlington
Barbara Sirvis, South Burlington
Miranda Jurswad, The Other Paper

1.0 WELCOME and OVERVIEW

Nic Longo, Deputy Director of Aviation, opened the meeting at 5:04 PM. Introductions were done. Mr. Longo explained the property acquisition program (part of the Noise Compatibility Program) is wrapping up. All offers to property owners will be complete by the end of the year. Airport staff is working with Richard Doucette, FAA, to fund the update of the Noise Exposure Map (NEM) as quickly as possible. The NEM will work concurrently with the Noise Compatibility Program (NCP).

Sarah Degutis, Jones Payne Group, reviewed the purpose of the Technical Advisory Committee (TAC) which is advisory to the airport. TAC members will give input and comment on the NCP and NEM, and bring information back to their respective organizations. There will be a public hearing process after the series of TAC meetings are complete and there is a draft of the NCP.

2.0 PUBLIC FORUM AND COMMENTS

The following was discussed:

- Updated NEM including the F-35 – Nic Longo said the 2016 NEM was reviewed by the FAA they are still looking at funding availability. The updated map will include F-35 data if it is funded
- Concern about accepting noise abatement measures now when the noise level could return when the F-35 planes arrive – Diane Carter explained with the sound insulation program simulated noise is used and internal readings are taken. At the point in time when the sound insulation program was started the sound level was based on the F-16. If the program starts after the F-35 then that sound level will be used. Brad Nicholas added the FAA provides a spectrum that is representative of the noise and if the future NEM is approved by the FAA then it can be used.
- Concern that homes cannot be saved if the noise level goes back up to levels before the F-35 – Diane Carter explained the intent is to do a map update. The process is long and funding has not yet come through from the FAA. There will be an update on the NEM funding status at the January TAC meeting.
- Noise performance profiles introduced with the new NEM and arrival/departure paths – Brad Nicholas said the consultants will work with the Air Force. The maps are updated to reflect the year of submission, base year, and five years out. Nic Longo added the airport does not have the funding yet from the FAA for the NEM, but there will be a kickoff meeting open to the public.
- Schedule for removal of the houses purchased – Nic Longo said the removal is hoped to be complete by spring of 2018.

- South Burlington doing a sound study at the Chamberlin Elementary School – David Young, South Burlington School Superintendent, explained there is concern for the incidental noise levels from the F-35 planes on the children at Chamberlin School so the study will do an assessment based on the F-16 traffic to contrast with the F-35 data. Nic Longo said the airport will work with South Burlington and the school district to help in following the rules and regulations in the process.
- Doing a profile of low power, non-afterburner take off plus afterburner at reduced, normal, and maximum attack to assess vibrations through the area – The suggestion will be taken under advisement.

3.0 CHAPTER 2 – LAND USE UPDATE FOR NCP

Sarah Degutis reviewed:

- Chapter 2 discusses the history of the NEM (background information).
- Land uses show properties acquired by the airport, changes in zoning, and changes in the use group.
- These metrics are included in the 2015 NEM and will be updated to reflect any changes in land use since the 2015 NEM was published.
- Homes within the 65 dB contour have been reduced by approximately 60 houses, due to land acquisition since the 2015 NEM was published.
- To date the land acquisition has occurred in South Burlington.

4.0 CHAPTER 3 – EXISTING NCP

Brad Nicholas reviewed:

- Chapter 3 looks at the existing NCP measures. A review of the existing measures and their status was discussed.
- Airport operations measures were reviewed.
- Taxiway Golf was proposed to be extended so aircraft taxi farther north and farther from Airport Drive to reduce noise levels. This project has been phased with the final phase occurring this year.
- Terminal power and ground power units (portable) provide ancillary power to aircraft. The goal is to have electrical power in place to eliminate the need for ancillary power sources. To date nine of 11 gates have ground power.
- Monitoring measures were reviewed
- Land use measures were discussed, these include acquisition/relocation (existing program) and cover the 65 dB contour.
- Land Acquisition has been the primary measure implemented to date.
- Sound insulation has not implemented, and will not be until the current acquisition program is complete.
- Easements are not yet implemented because the insulation program has not been implemented.
- The local land use jurisdictions have not implemented overlay zoning to restrict land uses within the noise areas. The NEM shows noise levels.
- Funding from the FAA was used for the acquisition program rather than easement acquisition for new development.

- A regional real estate organization has implemented real estate disclosures on land within the noise contours for impacts from Air National Guard aircraft as shown in the Environmental Impact Statement.

COMMENTS & QUESTIONS

George Maille asked if generators heat the aircraft and how the noise will be assessed. Kelly Colling said there is potential that heaters are used on the south end of the airfield to prevent aircraft from freezing through the night. Brad Nicholas noted heat generators are part of aircraft operation. Typically most noise maps do not include taxiway noise, but this noise is included in the BTV NEM. Nighttime bi-direction runway use cannot be implemented because the air tower is closed from Midnight to 5:30 AM, but night operations are reflected in the NEM. The airport cannot restrict operations because it is part of the federally funded transportation system. Nic Longo said the airport can work with the FAA and Air Traffic on implementation of the nighttime system and increased tower hours.

Ron Bazman, FAA Air Traffic Control, explained the tower closes at Midnight to reopen at 5 AM. When the tower is open and if weather permits, including wind, operations can be modified to bring traffic in or depart toward less densely populated areas. The control facility when the tower is closed is in Nashua, NH and the controllers there pick the most advantageous runway to use based on the weather. From the FAA standpoint, the tower will provide service. The airport cannot deny use of the runway to an aircraft.

Jessie Baker asked if the NCP will reflect what is being done to mitigate noise in the nighttime hours. Sarah Degutis said this is not being done currently, but could be a policy in the future. Brad Nicholas added the voluntary limits on the C-5A training is not an agreement in place. The airport discourages C-5 training due to the limitation of the runway and potential damage to lighting. C-5A units are typically from out of state. It was noted a flight information handbook is provided to pilots by the local Air National Guard. Only three practice approaches are allowed. Commanders are contacted for lack of compliance to the rules. F-16 flights depend on the mission and tactical scenario. The F-16s fly two shifts for safety purposes. Practice flights are of two or four planes. Helicopter training operations continue. The airport's monitoring and review of the NEM and NCP has occurred. The process is being revisited now.

Paul Connor asked where in the NCP there is an assessment of the various measures and why there is only partial implementation. Brad Nicholas said Chapter 4 will look at what should be carried forward or modified.

George Maille asked who informs the airport of changes in the aircraft configuration for purposes of updating contours in an NEM. Brad Nicholas said the NEM is certified by the Airport and accepted by the FAA. There is no formal process. It is up to the airport to bring to the FAA's attention that an update is needed. Nic Longo added that is the current situation. The airport sees changes coming and wanted to update the documents. Brad Nicholas said analysis of the data on flight track monitoring will start within in the next six months. Nic Longo said the information will be public. Hopefully the flight track data

will be online. Ron Bazman said flights in/out of the airport can be viewed real time now.

A woman asked for clarification of why she did not receive an acquisition offer for her house which is within the sound contour line. Sarah Degutis explained houses within the contour were identified and offers made to the most impacted houses and based on the available funding.

A woman asked what can be done if her house is on the NEM, but not in the contour, and the noise is too loud. Brad Nichols said there are no mitigation programs today for that situation.

There was discussion of the role of the TAC to provide input on what program is wanted by the community. The FAA must decide if the program is acceptable and qualifies for funding. The FAA steps must be followed which include looking at the existing program and the measures that are in place, fully or partially, or not implemented.

A gentleman said he would like to see completion of the measures rather than “not implemented”.

5.0 AVIGATION EASEMENTS

Diane Carter, Jones Payne Group, stated the Airport can recommend as part of its Noise Compatibility Program that property owners grant an avigation easement (easement) in exchange for sound insulation, however, it is not a requirement of the FAA. The easement runs with the land and will transfer if the property is sold. The current NCP requires an easement for sound insulation. If the updated program requires an easement the property owners must grant an easement to receive sound insulation. Homeowners will not have option to choose whether to grant an easement.

Avigation easements in general grant the right of aircraft to fly over the property but may include other requirements regarding items like light, emissions and dust. The technical memorandum provided to the committee discussed the requirement of easements for residential properties. There were examples of current avigation easements used by other airports in the New England Region included in the technical memorandum. Ms. Carter asked the committee review and consider what type of language they would like to see in an easement for BTV.

Ms. Carter discussed there are advantages and disadvantages to requiring an avigation easement. The advantages include providing notice to future property owners of the noise environment regarding aircraft operations. Additionally, should the NCP recommend other types of mitigation program like sales assistance or purchase assurance, the FAA requires an easement for those program. If there is not easement for sound insulation, it could create a checkerboard of easements in a neighborhood. If all programs require an easement, then the entire area will be equal. The disadvantages are owners are giving up their “rights” in exchange for the mitigation. Some people feel this may be harmful to the sale of their property.

With regard to public buildings, like schools, the Airport can recommend an easement in exchange for sound insulation. Typically the public buildings are owned by the same jurisdiction that controls the Airport and may choose not to impose an easement on its own buildings.

COMMENTS & QUESTIONS

Paul Connor asked what happens if there are dramatic changes after the avigation easement is signed. Diane Carter said a provision can be added that the property owner is not precluded from participating in a future program or mitigation. Triggers can be built into the easement language to address changes. The easement can be written just for noise. It is recommended to have one easement to cover all of the programs rather than having separate easements for separate programs (i.e. sound insulation vs. sale assistance). There will be further discussion of avigation easements through this process but TAC members should be thinking about what they want to see in an easement.

Paul Connor questioned having easements if they are not required for the sound insulation program. Diane Carter said an easement is not required for sound insulation, but there are some programs that require easements. The TAC needs to discuss if there is an issue with having some houses in the neighborhood with easements and some without an easements. The easement will notify the new owner that there has been insulation and the house is in an area of impact. Nic Longo said the airport wants to do due diligence by showing the easements and if easements are needed to be part of the program.

Paul Connor asked for confirmation that the purchase assistance program is where the airport buys the house, insulates, and sells the house with an avigation easement attached. Diane Carter confirmed this. If the homeowner does not want to sell the house and the airport does not buy the house then an easement is not needed.

A woman asked if different communities can decide if they want avigation easements. Diane Carter said federal guidance says if the program requires an easement then easements are required. Ms. Carter will further research if communities can have different requirements for easements.

There was continued discussion of avigation easements. Paul Connor asked about the upside of having an easement. George Maille commented requiring an easement is like eminent domain. Gene Richards urged everyone to have their attorney review the easement. Nic Longo said the discussion on easements was started now because there will be easements and what is in the easement language needs to be determined. Paul Connor said the easement must address changes that will occur in the future.

6.0 TAC QUESTIONS & COMMENTS

Questions and comments on the NCP chapters and documents should be forwarded to the consultants and the airport administration.

Diane Carter said it is unique for an airport to welcome input on an easement. This will demonstrate to the FAA that this is an important topic. Community involvement adds weight for the FAA.

Request was made for examples of other programs and a description of the sales purchase and purchase assistance programs. Diane Carter said the programs are on the website. Gene Richards said descriptors and definitions at a high level can be provided at the next meeting. Sarah Degutis will send links to the items on the website to the TAC.

Kevin Dorn announced a survey was done by South Burlington to gather feedback on the city of South Burlington as a whole. There were 131 respondents to the survey.

7.0 WRAP UP & ADJOURNMENT

Future Meetings & Agenda Items:

- January 23, 2018 – NCP Chapter 4 Airport Operation Measures & Land Use Measures
- March 13, 2018 NCP Chapter 4 Land Use Measures continued
- May 2018 TBD
- August/September 2018 – Public Hearings

With no further business and without objection the meeting was adjourned at 7:10 PM.

RScty: MERiordan