

**BURLINGTON INTERNATIONAL AIRPORT
NOISE COMPATIBILITY PROGRAM, TECHNICAL ADVISORY
COMMITTEE
MINUTES OF MEETING
October 17, 2017**

DRAFT

ATTENDEES: Nic Longo, BTV (Chair)
Gene Richards, BTV (Vice Chair)
Amanda Clayton, BTV
Erin Desautels, Vermont Small Business Acceleration
Sarah Degutis, The Jones Payne Group
Diane Carter, The Jones Payne Group
David Crandall, HMMH
Brad Duncan, HMMH
Brad Nicholas, HMMH
Brandon Robinette, HMMH
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 McMannon, Winooski School District
Superintendent [via telephone]
George Maille, South Burlington
Carmine Sargent, South Burlington
Seth Bandeon, GBIC
Frank Cioffi, GBIC
Charlie Baker, CCRPC
Katie Mobley, CCV
Ron Bazman, FAA
Richard Doucette, FAA [via telephone]
Tim McCole, Heritage
Patrick Gallivan, St. Michael's College
Bob McEwing, Essex
Miranda Jurswad, The Other Paper

1.0 WELCOME and TAC PURPOSE & OVERVIEW

Nic Longo, Director of Airport Planning and Development, opened the meeting at 5:11 PM and explained the Noise Compatibility Plan (NCP) Technical Advisory Committee Meeting (TAC) is part of the required FAA regulatory process. The Sound Mitigation Committee will recess until the NCP TAC meetings have concluded. If there are Sound Mitigation items that need to be addressed that are not on the agenda, or outside of the

NCP discussions, please let us know so that we can add them before or after the TAC agenda. Airport Director, Gene Richards, welcomed the attendees and stated the NCP process is important to the community and the airport so there is a good understanding of what is happening today and going forward per the rules.

Sarah Degutis, The Jones Payne Group, said the intent of the NCP update is for the transition from acquisitions of residential properties to other alternative FAA approved noise mitigation programs such as sound insulation. The NCP process began with a public information meeting/open house in June 2017. The TAC is comprised of affected jurisdictions, school districts, airport operators and individuals and who represent the area surrounding the airport. The purpose of the TAC is advisory to the City of Burlington for their update of the NCP. The FAA's process for assessing noise and land use compatibility is known as Part 150. The NCP is one half of the Part 150 process. The other half is the Noise Exposure Map (NEM). The TAC will review the study input, assumptions, analyses, and documentation and will provide input on a recommended noise mitigation program. The City retains the responsibility for the Part 150 Study and NCP recommendations. The FAA must accept the NEM and approve the NCP recommendations. Only approved recommendations are eligible for FAA grant funding.

2.0 PUBLIC FORUM AND COMMENTS

A gentleman in the audience asked about the programs for noise mitigation for residents and schools. Sarah Degutis said there are a number of noise mitigation options the TAC will be considering. It includes a sound insulation program that include replacing windows, doors, attic insulation being installed in the house or school to reduce interior noise levels. Sales assistance and purchase assurance are two other programs. Sales assistance allows the owners to sell their home on the open market. If there is a difference between the purchase price and market value the program can assist with covering those costs. Some of the other options for consideration include a noise barrier/berm or real estate disclosures. The purpose of the NCP update is to look at all options and assess which ones the airport wants to use and pursue grants for these.

Carmin Sargent, South Burlington, said going forward there should be a formal gathering of opinions in order to have valid statistics.

3.0 REVIEW JUNE 2017 OPEN HOUSE

Sarah Degutis noted the following from the open house on June 14, 2017:

- Approximately 100 people were in attendance.
- There were three stations where people could discuss the Part 150 history, NCP goals and options, and NCP land use measures.
- People were interested in where their house is located in the current contour and future contour, programs that are available, land acquisition, sales assistance/purchase, whether the F35 will cause too much noise for people to remain in the neighborhood, and sound insulation for houses and the Chamberlin School.
- People had varied interest in sound mitigation and land acquisition programs based on their personal circumstances.

4.0 REVIEW DRAFT NCP TABLE OF CONTENTS and CHAPTER 1

David Crandall, HMMH, stated the NCP document is a draft. Chapter 1 includes the introductory framework and regulatory framework of the program which is based on the Aviation Safety and Noise Abatement Act ANSA 1979. The federally funded program is voluntary and all federal rules for the program must be followed. The FAA drafted the regulations (14 CFR Part 150). Title 14 deals with airports and aerospace. The NEM and NCP are two elements of Part 150. The NEM is usually updated every five to 10 years. The NCP is not updated as frequently.

Mr. Crandall noted the following:

- The airport's current NCP was approved in 2008 and includes a voluntary acquisition/relocation program. The airport and the City of Burlington want to pursue other noise mitigation program options so the NCP is being updated to access other elements such as the sound insulation program.
- Part 150 sets the federal standards and the FAA oversees the program. The airport has been participating since the late 1980s in the Part 150 program. The first NEM was approved in 1989 and the NCP in 1990. The last NCP revision was 2008 and allows for land acquisition to the 65 DNL line.
- The City of Burlington owns the airport and makes Part 150 submittals to the FAA. The city secured consultants to assist with submittals. The FAA determines if the Part 150 requirements are met with the NCP program.
- The TAC represents the stakeholders who could be affected by the NCP update. There will be discussion and consensus by the TAC regarding potential mitigation programs. Part 150 requires that all correspondence outside the meeting be documented as part of the public record. All questions and communications should be forwarded to the consultants and will be distributed to the TAC.
- David Crandall reviewed basic acoustical terminology including the decibel (dB) as the unit of measurement for sound. An "A-weighted (dBA) decibel" is how people hear the pitch of sound. There are a variety of metrics that are used to describe sound including the Day Night Level (DNL). DNL represents the cumulative aircraft sound measured over a period of time, typically a calendar year. There is a 10 dB penalty for aircraft events that occur during nighttime hours (10 PM to 7 AM). David Crandall reviewed a number of graphics illustrating how sound is measured.
- Part 150 land use compatibility provides guidelines for land use categories of residential, transient lodging (i.e. hotel), mobile home parks, schools, hospitals, churches. The land use standards were adopted by the U.S. Department of Housing and have been included in the Part 150 regulation. Part 150 states all land uses are normally compatible with aircraft noise in areas that are less than 65 dB DNL. Residential, transient and public use buildings are not acceptable in area greater than 65 dB DNL.
- To receive federal funding the property must be in in an area of incompatibility as defined by Part 150. Additionally, there are other eligibility requirements to qualify for mitigation program. For example, in order to be eligible to receive sound insulation, in addition to be in a higher noise area, a property's existing

- interior noise levels must be above a certain threshold. This determination is made by conducting a series of pre-acoustic tests on various housing stock in a given area. Additionally, to be eligible for noise mitigation a property must be constructed prior to 1998 or located outside a published noise contour when constructed. If these criteria are not met, the FAA will not pay for noise mitigation even if the property falls within the current incompatible area.
- Part 150 provides a “checklist” which summarizes the key points of information to be provided to ensure the NCP document meets the regulations. The checklist has a provision to revise the document at a later date as the sound environment changes.

Richard Doucette, FAA New England Region, said once an incompatible noise level is reached and people find it objectionable, federal funds can be used for mitigation of the noise with an approved NCP. The FAA’s policy for eligible properties is to determine if the 65 DNL contour line crosses the property boundary. If it does then the property is typically eligible for noise mitigation, but there are exceptions. For example, if there is a large or irregular parcel of land and the incompatible structure is not located near the contour line, it might be eligible for mitigation. The FAA also provides for “block rounding” when 80% of the houses in the neighborhood are inside the 65 DNL noise contour line and a few houses are located outside the line. The FAA will approved mitigation for those remaining homes on a case-by-case basis. It may be determined that sound insulation of a house within the 65 DNL with enough insulation and new windows may not be effective. This is where the acoustical testing is conducted and a determination is made whether the home qualifies for the program.

Kevin Dorn, South Burlington, stated the term “incompatible” could be interpreted as having health impacts. He asked if the FAA is implying this as a health impact.

Richard Doucette stated land use compatibility is not related to health impacts.

George Maille, South Burlington, stated the Noise Mitigation Act of 1979 was tied to the Act of 1972 and hearing damage and ability to enjoy your property. The FAA said uniform means of predicting sonic noise at the airport were needed and the 65 dBA was passed in 1972. In California the threshold is less. They have adopted a different metric known as CNEL. Mr. Maille said the table in the NCP is vague to determine various sonic sounds and forms of mitigation. The land acquisition program was set up to avoid litigation in court for land taking (eminent domain). The sound levels were set so communities and airports can co-exist.

5.0 OVERVIEW OF EXISTING NCP – CHAPTER 3

David Crandall said Chapter 3 is still being drafted. The chapter provides an overview of the existing NCP, reviews existing measures and current status. Chapter 3 will be sent to the TAC for their review.

6.0 OVERVIEW OF AVIGATION EASEMENTS

Diane Carter, The Jones Payne Group, discussed aviation easements. Aviation easements are a legal document that is given by a property owner to the airport in exchange for something of value. Easements can be purchased with cash or given in exchange for a noise mitigation such as sound insulation. The language in the easement can vary and can contain language which allows for the right of flight, light, emissions, removal of obstructions such as trees or towers. Several aviation easements currently in use in New England have been collected and will be sent to the TAC for review for discussion at the December 2017 meeting.

George Maille asked for information aviation easements that have been used for schools and municipal buildings. Diane Carter stated she would gather that information and forward to the TAC.

Paul Connor, South Burlington, asked about the metrics the airport and host community should consider in the easement. Diane Carter said this is a sensitivity issue between the community and the airport and what the concerns are.

Sarah Degutis wrapped up the presentation by reviewing the proposed schedule of TAC meeting. She indicated the next meeting will be December 5, 2017. There will also be a meeting in January and March 2018. They will be about 6 weeks apart. The process is currently considering 4 TAC meeting, however, there is an option to add a fifth meeting if needed.

7.0 TAC QUESTIONS & COMMENTS

Kevin Dorn, South Burlington, requested that the City of South Burlington have the final say on what goes to the FAA in the NCP on items affecting South Burlington on property outside the airport. Nic Longo advised communications should go through the TAC. Mr. Dorn asked for a response to a letter sent regarding some of these issues to the airport before the next meeting. Gene Richards pointed out the TAC meeting is the opportunity to express ideas and concerns. Nic Longo noted the homeowners themselves will be brought into the conversation. Kevin Dorn emphasized this is a policy issue for South Burlington City Council as it should be for Winooski and Williston.

Jessie Baker, Winooski, suggested having an additional TAC meeting to go over the options and then having the TAC members go to their respective boards and return with responses. The March timeframe for a meeting may be problematic for towns due to local elections. A six week timeframe may be better. Sarah Degutis said the meeting dates can be confirmed. Nic Longo pointed out the conclusion of the process is a public meeting to receive public comment. Jessie Baker asked about the status of the new NEM. Nic Longo said the airport is moving away from pursuing grant funding and reallocating funding already received to do the update. Gene Richards explained the request for funding was made, but not yet granted.

George Maille, South Burlington, said people will want to know the ramifications associated with getting into sound mitigation or sales assistance or purchase programs. Mr. Maille said he wants to know the impact if he wants to sell his house before he joins

a program. Sarah Degutis said the TAC will look at the measures the airport is putting forward in the NCP and implementation for noise mitigation to help in clarifying these impacts.

Frank Cioffi, GBIC, asked if the FAA allows multiple programs at the same time. Sarah Degutis said the NCP looks at budgeting dollars for programs and phasing how a program is laid out. Diane Carter said that multiple options can offered at the same time to give some flexibility to owners.

Charlie Baker, CCRPC suggested summarizing key points at each meeting so the TAC members can report to their boards. Nic Longo urged contacting the airport at any time for information. Gene Richards stressed the airport wants to make sure all boards are informed and can be well represented at the TAC meetings. The program is for the people around the airport who are affected, not necessarily for the leaders of the community. The program will be around for a long time and is not for a political agenda or personal issue, but for the community at large.

8.0 WRAP UP & ADJOURNMENT

Future Meetings & Agenda Items:

- December 5, 2017 - NCP Chapters 2 & 3
- January 2018 – NCP Chapter 4 Airport Operation Measures & Land Use Measures
- March 2018 NCP Chapter 4 Land Use Measures
- Additional meetings TBD

Send communications to BTVsound@jonespayne.com

With no further business and without objection the meeting was adjourned at 6:32 PM.

RScty: MERiordan