

**Kotlow, Michael**

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**From:** Kotlow, Michael  
**Sent:** Monday, April 09, 2007 4:49 PM  
**To:** David Head  
**Subject:** Waterbury-Oxford Airport - Summary of Public Comments  
**Attachments:** OXC Noise Study Appendix D (Summary of Public Comments).pdf

**Members of the OXC Studies Informational List:**

The attached file contains a summary of the public comments received since the November 29, 2006 Public Information Meeting (PIM) and the study team's responses, for the Waterbury-Oxford Airport (OXC) FAR Part 150 Noise Study and Master Plan Update (AMPU). These public comments were collected through:

- The comment forms deposited in the receptacle provided at the PIM
- The study website comment form ([www.oxcstudies.com/contact](http://www.oxcstudies.com/contact)) & email address ([info@oxcstudies.com](mailto:info@oxcstudies.com))
- Correspondence and comment forms mailed to the Connecticut Department of Transportation

This summary is also available on the Study Website ([www.oxcstudies.com/meetings](http://www.oxcstudies.com/meetings)).

The Study Team has been conducting additional analysis in consideration of the comments received to date. Following review and discussion of the preliminary Draft Noise Compatibility Plan (NCP) by the study Advisory Committee, additional public forums will be held to present the revised "Candidate Alternatives" and the Draft NCP, where the public will have the opportunity to comment on the suggested plan.

ConnDOT anticipates having an Advisory Committee meeting and the public forums by this fall. Once these meetings have been scheduled, a notice with the meeting information will be sent to the study mailing list as well as posted on the study website.

All comments will be considered and addressed in the Final Report.

Should you have any questions, please contact Mr. David Head (ConnDOT Project Manager) by telephone at (860) 594-2149 or by email at [David.Head@po.state.ct.us](mailto:David.Head@po.state.ct.us).

Thank you.

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## Appendix D

### SUMMARY OF PUBLIC COMMENTS

This appendix provides a summary of the public comments that were submitted in regards to the November 29, 2006 Public Information Meeting (PIM) for the Waterbury-Oxford Airport (OXC) FAR Part 150 Noise Study and Master Plan Update (AMPU). The summary includes comments that were submitted via:

- The comment forms deposited in the receptacle provided at the PIM
- The study website comment form ([www.oxcstudies.com/contact](http://www.oxcstudies.com/contact)) & email address ([info@oxcstudies.com](mailto:info@oxcstudies.com))
- Correspondence and comment forms mailed to the Connecticut Department of Transportation

The Study Team's responses to the comments are provided below. The Study Team is considering various revisions to the Noise Study "Candidate Alternatives" and additional analysis based on the comments. A Public Hearing will be held to present the revised "Candidate Alternatives" and the Draft Noise Compatibility Plan (NCP), where the public will have the opportunity to comment "on the record." Those comments will be addressed and considered in the Final Report. Please feel free to send any additional comments to the Study Team.

<b>Comment #1</b>	I would strongly consider selling my home, but need to be able to afford comparable housing in Middlebury, within the same school district. Fair Market Value (FMV) would not provide enough money.
<b>Response #1</b>	If voluntary property acquisition is determined to be the preferred action, the FMV would be determined prior to the time of sale, and would consider a variety of factors (e.g., individual requirements & replacement housing costs in the local community). However, as the Noise Study has not conducted an investigation of real estate values in Middlebury, or a survey of homeowners' financial situations and housing preferences, it has not yet been determined whether "comparable housing" can be found in Middlebury. These types of investigations are typically conducted as part of a Noise Implementation Plan, which is prepared after the completion and approval of a Noise Study (but prior to acquisition activities).  See <a href="http://www.fhwa.dot.gov/realestate/act.htm#Sec.%20202">http://www.fhwa.dot.gov/realestate/act.htm#Sec.%20202</a> for details on the <i>Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970</i> as amended.

<b>Comment #2</b>	The Noise Study has negatively impacted local property values – homes have significantly decreased in value. FMV should be calculated as if the Airport does not exist and the publicity did not occur.
<b>Response #2</b>	At the PIM, John Silva (FAA) mentioned that from his experience with past residential acquisition programs in New England, the impact of publicity and news stories were negligible on the appraisal of FMV. The FMV determination includes all known factors

	that affect sale prices, and relies heavily on sales of nearby comparable housing.
<b>Comment #3</b>	Our lives are on hold – we cannot undertake planned home renovations. The Noise Study has eliminated prospective buyers, except the State – now they should act quickly.
<b>Response #3</b>	It is anticipated that the Noise Study will be completed in 2007. If pursued, acquisition of homes could occur as early as 2009, following the completion of an Environmental Assessment and implementation plan, and pending any funding delays. Any recent home improvements would be considered in the determination of FMV.
<b>Comment #4</b>	If my property is right near the 65 DNL contour line, but not within it, am I still eligible for relief?
<b>Response #4</b>	Based on comments received from individual homeowners, the FAA and ConnDOT would have to determine the eligibility of such a home (whether it is necessary for community cohesion & equitable planning purposes). However, if such a home is eligible for relief, it might have a lower funding priority, as homes with the highest noise exposure typically receive relief first.
<b>Comment #5</b>	Would the entire Triangle Hills neighborhood definitely be eligible for property acquisition?
<b>Response #5</b>	If recommended in the Noise Study, it is likely that the FAA would approve property acquisition for the entire Triangle Hills neighborhood. However, the FAA would first have to determine that this is necessary for community cohesion and equitable planning purposes.
<b>Comment #6</b>	What are the health effects associated with long-term noise exposure (e.g., hearing loss)? Is it safe for children to play outside?
<b>Response #6</b>	<p>Several studies have addressed the health effects of long-term noise exposure (some dealing specifically with aircraft noise). Most of the studies have concluded that there is some relationship between aircraft noise exposure and increases in stress, anxiety, and releases of adrenaline. However, none of the studies have been able to clearly show that there is any notable direct relation to hearing loss or health risk. After reviewing the studies, the EPA and the Federal Interagency Committee on Noise agreed that the Day-Night Average Noise Level (DNL) is the appropriate metric for evaluating noise compatibility, and 65 DNL is the appropriate threshold for identifying a significant noise impact. The choice of 65 DNL is based on the findings of scientific surveys showing that roughly 12 percent of the population becomes ‘highly annoyed’ when noise levels reach 65 DNL. From a health perspective, annoyance generally occurs long before health effects.</p> <p>For some reference, the Occupational Safety and Hazard Administration has published guidelines for protecting workers against hearing and other health effects due to long-term noise exposure. OSHA standards state that <u>continuous</u> exposure to 90 dB (which is likely to be the loudest level that an aircraft generates on the ground near OXC) for an 8-hour period over a 24-hour day could be harmful, and protective gear should be worn. Both the noise monitoring and noise modeling results at OXC show that there are times when noise levels reach/exceed 90 dB, but only remains at that level for a few seconds. Therefore, the noise levels present in the communities around OXC do not pose a safety risk to anyone outside.</p>

<b>Comment #7</b>	Fair disclosure should not be a “Candidate Alternative” of the Noise Study – it will negatively impact property values.
<b>Response #7</b>	Fair disclosure is an alternative that would have to be implemented by the Towns. Therefore, if the Towns will not support or implement fair disclosure, it will be removed from the “Candidate Alternatives.”
<b>Comment #8</b>	Can the Airport impose fines, violations, restrictions, etc.? What about hushkitting requirements?
<b>Response #8</b>	OXC must remain available at all times because it is a public use airport that has received federal grants. As such, mandatory flight restrictions, fines, and curfews cannot be implemented, unless a detailed FAR Part 161 Study is prepared and approved. A Part 161 Study evaluates the economic benefits and costs associated with implementing flight restrictions at a public-use airport. In order for the FAA to approve a Part 161 Study, it must be determined that the economic benefits of implementing flight restrictions (e.g., reduced property insulation/acquisition costs) outweigh the economic costs (e.g., loss of commerce), and that noise impacts cannot otherwise be mitigated. These types of studies typically cost several million dollars to conduct. In addition, hushkitting cannot be required for general aviation aircraft weighing less than 75,000 pounds. To date, no FAR Part 161 Studies have been approved by the FAA.
<b>Comment #9</b>	Several concerns regarding the <i>Runway Protection Zone (RPZ)</i> were noted from Triangle Hills residents.
<b>Response #9</b>	The RPZ is a defined area beyond each runway end. For land use compatibility, noise, and safety reasons, the FAA considers residences to be an incompatible land use within RPZs. In portions of RPZs that are controlled (i.e., owned) by an airport, residences and places of public assembly are prohibited. In portions of RPZs that are not controlled by an airport, the land use standards have recommendation status (see FAA AC 150-5300-13, <i>Airport Design</i> , Paragraph 212.C.). The FAA recommends that the Airport acquire the homes and property within the RPZ beyond Runway 18. This includes approximately 31 homes in Middlebury, which are also exposed to noise levels greater than 65 DNL.
<b>Comment #10</b>	Does the Integrated Noise Model (INM) account for takeoff thrust noise (i.e., will additional takeoffs on Runway 18 result in increased takeoff thrust noise in the Triangle Hills neighborhood?)?
<b>Response #10</b>	Takeoff thrust occurs when an aircraft is in position to takeoff at the end of the runway. There is an initial application of thrust to move the aircraft forward down the runway. The INM does take this operation into account. A measure that increases the use of Runway 18 for departures would result in more application of takeoff thrust near the Triangle Hills neighborhood. However, while there may be changes in what residents observe and hear, the overall noise levels in Triangle Hills would decrease as a result of implementing a measure that reduces takeoffs on Runway 36 (i.e., flyovers of the Triangle Hills neighborhood).
<b>Comment #11</b>	Will larger aircraft operate at the Airport in the future?
<b>Response #11</b>	It is not likely that larger aircraft would operate at the Airport in the future, as commercial activity is not allowed. Many of the largest available corporate jet aircraft currently operate at OXC.

<b>Comment #12</b>	The budget in the AMPU Airport Capital Improvement Plan (ACIP) is not adequate for the proposed noise insulation/property acquisition.
<b>Response #12</b>	The numbers in the AMPU ACIP are placeholders, and do not represent the anticipated funding. However, the numbers will be removed from the ACIP and the following note will be added: <i>Preliminary cost estimates and schedule are provided in the FAR Part 150 Noise Study. Actual acquisition costs would be determined on an individual basis by certified appraisals during the implementation phase.</i>
<b>Comment #13</b>	How long is it going to be before the Noise Study is completed? When is the soonest that we can expect acquisition of our homes? What if we refuse to sell?
<b>Response #13</b>	It is anticipated that the Noise Study will be completed in 2007. If pursued, acquisition of homes could occur as early as 2009, following the completion of an Environmental Assessment and implementation plan, and pending any funding delays. The acquisition would be completely voluntary (eminent domain would not be pursued). In other words, the homeowners would be entirely responsible for determining if they are interested in participating in the acquisition program.
<b>Comment #14</b>	The State should build a new neighborhood in Middlebury for residents of Triangle Hills.
<b>Response #14</b>	At this time, the State is not considering building a new neighborhood for relocated Middlebury residents. The State would seek to place displaced residents in real estate available at the time of sale.
<b>Comment #15</b>	What happens if everyone doesn't participate in the property acquisition program? What will the neighborhood look like? How long after a homeowner accepts the purchase will it take to demolish the home? Remaining neighbors should be protected from vandals and the vacant lots should be maintained.
<b>Response #15</b>	Those residents who wish to remain in their homes may do so, as the property acquisition program would be entirely voluntary. It is anticipated that the homes of the participating residents would be demolished within a year of acquisition, and the State would maintain the properties as open field/grassy or woody areas, which are not typically conducive to vandals or criminal activity. Regardless, local law enforcement would conduct regular inspections of the properties, and airport maintenance personnel would perform mowing and maintenance activities as necessary.
<b>Comment #16</b>	What about individuals with special needs (elderly, handicapped, etc.)? How would a property acquisition program accommodate their specific needs?
<b>Response #16</b>	The specific needs of all such residents would be accommodated under a property acquisition program. The <i>Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970</i> as amended requires that the cost to equip relocation housing for special needs residents be provided for (see <a href="http://www.fhwa.dot.gov/realestate/act.htm#Sec.%20202">http://www.fhwa.dot.gov/realestate/act.htm#Sec.%20202</a> for details).
<b>Comment #17</b>	Are the DNL noise contours going to be updated to reflect actual year 2008 levels (versus the forecast noise contours in the Noise Study)?
<b>Response #17</b>	Prior to completion of the Noise Study, the noise contours will be updated to reflect the most recent annual activity data available.
<b>Comment #18</b>	The Noise Study does not address human aspects (families, friendships, neighborhood bonds, etc.).

<b>Response #18</b>	The Noise Study was conducted because residents of the surrounding communities were seeking an improved quality of life, and requested that the State address OXC noise exposure. The Noise Study has addressed these human aspects (see DRAWBACKS of the alternatives in Chapters 3 & 4). By federal standards, much of the Triangle Hills neighborhood is exposed to incompatible noise levels. There are limited options for providing relief in this area, particularly considering the restrictions within RPZs. While noise insulation cannot be conducted within RPZs, the “Candidate Alternatives” do extend this option to the remaining residents of the Triangle Hills neighborhood (even those outside the 65 DNL contour), as well as property acquisition to the entire neighborhood. It is difficult to address the human aspects in a formal manner. However, the study acknowledges that property acquisition does impact neighborhood bonds and community cohesion.
<b>Comment #19</b>	The repetitive flyovers by small aircraft performing training operations (i.e., touch & go operations) is annoying – can these types of operations be prohibited during weekends and holidays?
<b>Response #19</b>	For airports in residential areas, the Airport may restrict touch & go operations to certain hours of the day. At OXC, touch & go operations are prohibited between 11 p.m. and 7 a.m. The potential to further restrict touch & go operations on weekends will be investigated.
<b>Comment #20</b>	I don’t trust the Integrated Noise Model (INM) computer program. Also, why isn’t noise from the proposed power plant included in the evaluation?
<b>Response #20</b>	The INM is a nationally and internationally accepted computer program that has been demonstrated to be accurate to within a few decibels in field testing. The FAA developed the INM for the sole purpose of evaluating airport noise exposure. Thus, noise from other sources (e.g., power plants) is not evaluated. The 2003 Environmental Assessment (EA) for the Runway 18-36 safety area extension at OXC did investigate potential cumulative noise impacts, including the proposed power plant. In all locations analyzed in the EA, the average power plant noise exposure was substantially less than the average OXC noise exposure (more than 35 DNL less in some locations). The cumulative noise exposure model, which included the power plant and OXC noise exposure, showed less than 1% DNL increase above the OXC noise exposure model alone. Thus, the analysis concluded that the cumulative noise impacts would not be significant.
<b>Comment #21</b>	Oxford receives all of the Airport’s benefits, but Middlebury receives all of the Airport’s problems. Shift the runway towards Oxford to eliminate the need for property acquisition in Middlebury.
<b>Response #21</b>	<p>The AMPU did not consider the potential need and feasibility of runway modifications, due to steep terrains and wetland areas. The existing runway was recommended to be maintained throughout the planning period. No changes or extensions to the runway were included. The terrain beyond the south end of the runway (Oxford side) slopes down sharply from an elevation of approximately 680 feet to 600 feet, and contains wetlands, floodplain, and State park property (i.e., Larkin State Trail), Connecticut Light &amp; Power (CL&amp;P) Power Lines, proposed development areas in Oxford, and a proposed CL&amp;P substation to serve the region.</p> <p>The ConnDOT will evaluate shifting the runway to the south further into Oxford.</p>

	However, preliminary evaluations indicate that such a shift is not feasible from an environmental permitting standpoint, and would likely require condemnation of private property and a new transmission line right-of-way, with development costs in excess of \$50 million.
<b>Comment #22</b>	What will be done to ensure that aircraft follow the prescribed procedures of the “Candidate Alternatives,” such as the National Business Aircraft Association (NBAA) noise abatement procedures? The Airport should run a “tight ship” and fine those who do not follow the prescribed procedures.
<b>Response #22</b>	If established, the Air Traffic Controllers (ATC) and the airport manager will make every attempt to ensure that the prescribed procedures are followed. However, it must be realized that not all aircraft are equipped to follow such electronic instrument procedures, and mandatory fines cannot be imposed.
<b>Comment #23</b>	Under Preventative Candidate Land Use Alternative 4 (acquire undeveloped residential property), what would happen to the land the Airport acquires (remain as open space with deed restrictions, rezoned, leased, sold, etc.)?
<b>Response #23</b>	The properties could be retained as undeveloped open space, or made available for recreational or any other appropriate uses within the residential district (as stated in zoning regulations). The Middlebury <i>Zoning Regulations</i> list farms and garden centers as permitted uses within residential districts – thus, the State could lease or sell the property for such a use outside of the Runway Protection Zone. The State cannot rezone the land to commercial/industrial because the zoning authority is at the Town level.
<b>Comment #24</b>	The entire property acquisition program needs to be implemented in Phase 1 of the AMPU ACIP (i.e., within the first 5 years of the AMPU implementation).
<b>Response #24</b>	At this time, it is not known whether funding would be available to implement a property acquisition program entirely within Phase 1 of the AMPU ACIP. Funding is typically prioritized based on noise exposure – in other words, those exposed to the highest noise levels would likely be eligible for the first round of funding. It should be noted that the program, if implemented, would be voluntary.
<b>Comment #25</b>	Why doesn’t the Noise Study investigate exhaust fumes from aircraft?
<b>Response #25</b>	Air quality impacts are not evaluated in FAR Part 150 Noise Studies. Air quality was addressed in the 2003 Environmental Assessment (EA) for the Runway 18-36 safety area extension at OXC. The 2003 EA did not indicate that the Airport was a significant contributor to air pollution in the area.
<b>Comment #26</b>	Please explain the property tax reassessments in Middlebury. Shouldn’t our assessments have gone down because of the recent publicity and the Noise Study?
<b>Response #26</b>	This question has been forwarded to the Middlebury Assessor’s Office. The Noise Study and ConnDOT have no control or input regarding property tax reassessments.
<b>Comment #27</b>	Where can I find the federal guidance regarding property acquisition and relocation assistance?
<b>Response #27</b>	See <a href="http://www.fhwa.dot.gov/realestate/act.htm#Sec.%20202">http://www.fhwa.dot.gov/realestate/act.htm#Sec.%20202</a> for details on the <i>Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970</i> as amended.
<b>Comment #28</b>	I’m concerned that Preventative Candidate Noise Abatement Alternative 3B (establish

	nighttime departures to the south as preferred) will increase airport noise exposure to Oxford residents.
<b>Response #28</b>	If implemented, this alternative would slightly increase airport noise exposure to Oxford residents. However, no additional Oxford residents would be exposed to significant airport noise levels (i.e., greater than 65 DNL). The maximum DNL increase would be less than 3 dB. A 3 dB change is just barely perceptible to the human ear.
<b>Comment #29</b>	How much money was allocated for the Noise Study?
<b>Response #29</b>	The allocation for the Noise Study is approximately \$300,000.
<b>Comment #30</b>	Acquisition of the Triangle Hills neighborhood doesn't make sense since noise is projected to decrease.
<b>Response #30</b>	The contours are anticipated to decrease slightly in the short-term and long-term. However, contour growth could occur after 2008 if activity levels increase more than expected. Even though noise levels are currently decreasing due to the phase-out of most Stage II jet operations, the anticipated growth in activity or continued use of older Stage II aircraft could eventually cause the contours to grow.
<b>Comment #31</b>	Why can't a noise wall be considered to protect the Triangle Hills neighborhood?
<b>Response #31</b>	A noise berm/wall was reviewed as part of the noise analysis and provides no noticeable reduction of noise from aircraft in flight. The noise berm/wall would be constructed 50 to 100 feet below the runway elevation, and would therefore not be very effective in reducing ground noise levels in the Triangle Hills neighborhood. However, a run-up area may be considered to reduce the noise of aircraft on the ground.
<b>Comment #32</b>	Is funding currently available for an acquisition program? Please describe the process.
<b>Response #32</b>	The FAA Airport Improvement Program (AIP) must be appropriated by Congress each year, and has historically well-funded noise mitigation programs for airports (approximately \$250 million has been requested for 2008 mitigation programs). Once this Noise Study is completed and approved by the FAA, ConnDOT will be eligible to apply for funding to implement the recommended program. Funding is competitive; however, based on experience at other airports, it is anticipated that funding would be available for OXC. Implementation over a number of years is typically required due to annual appropriations limits and competing projects. The current (2007) funding program has a specific "set aside" for noise mitigation programs, as they are a high federal priority.
<b>Comment #33</b>	Will the FAA's redesign of the NE airspace impact OXC?
<b>Response #33</b>	The FAA has indicated that the NE airspace redesign is not anticipated to have a noticeable impact on OXC.
<b>Comment #34</b>	Will Noise Abatement Candidate Alternative 2B (NBAA noise abatement procedures) increase noise levels in the Brookside development?
<b>Response #34</b>	Based on the grid point analysis (Appendix B), Alternative 2B may increase or decrease the average noise level in the Brookside development by less than 1 dB. Such a change is not perceptible to the human ear, and therefore not anticipated to have a noticeable effect on Brookside residents.
<b>Comment #35</b>	Was the World War II bomber aircraft activity included in the INM analysis?

<b>Response #35</b>	Aircraft types that conduct (or are forecast to conduct) less than 2% of the total airport activity were not included in the noise modeling for OXC. Their operations were incorporated into the most similar aircraft that operates at OXC on a regular basis.
<b>Comment #36</b>	I'm concerned about low flying aircraft during approaches and departures. Would poor weather increase the likelihood of a crash?
<b>Response #36</b>	The current lighting systems and electronic guidance systems in place at OXC control the height of aircraft on landing. None of the alternatives or weather conditions will change the height of aircraft on approach. Departure procedures call for aircraft to climb to at least 400 feet above the Airport before making any turns. Air traffic control personnel and Airport Management can work with airport users to ensure this procedure is followed.