

Appendix G

TRANSCRIPT OF JUNE 12th 2008 PUBLIC HEARING

This Appendix provides a reproduction of the full Public Hearing transcript. Copies of the official signed transcript are available upon request.

TRANSCRIPT OF:

DEPARTMENT OF TRANSPORTATION

PUBLIC HEARING STATE PROJECT NO. 107-156

WATERBURY-OXFORD AIRPORT

June 12, 2008

Southbury, Connecticut

JOE CANCELLIERE: Good evening. My name's Joe Cancelliere. I'm with the Connecticut Department of Transportation and I will serve as a moderator for tonight's public hearing.

Before we get started, I'd like to take a minute to introduce Bob Smith who's standing against the wall, and Tammy Boutin from the State of Connecticut Commission of the Deaf and Hearing Impaired. Bob and Tammy will sign this Public Hearing for anyone in the audience with hearing disabilities. We've reserved some seats in the front row for anyone with hearing impairments. Is there anyone here tonight that requires their service? Okay – see by a show of hands... Looks like you'll have an easy night. Thank-you.

Again, my name is Joe Cancelliere, and we've assembled here this evening to present the findings of the Federal Aviation Regulation's Part 150 Draft Noise Study for the Waterbury-Oxford Airport. This study also includes a noise compatibility program which identifies alternate measures for addressing Airport related noise. And this is the document...the draft document that we're discussing this evening.

The focus of this public hearing is to present the findings of the draft noise study and to enlighten you on the recommendations and alternatives discussed in the noise compatibility program. But most important, we are here to answer any questions that you may have and to receive your comments on the draft document. All questions and concerns we receive tonight will be addressed in the final noise study report which will be published later this summer. The draft noise study for the Waterbury-Oxford Airport has been prepared...I'm sorry...has been available for public review since May 9th, 2008 at the Town Clerk's Office and at the Town Libraries in the towns of Middlebury, Oxford, and Southbury. It is also available for public review at the Waterbury-Oxford Airport and at the Connecticut Department of Transportation Administrative Building at 2800 Berlin Turnpike in Newington between the hours of 8:30AM and 4:30PM Monday through Friday. For those of you with internet capabilities, the draft noise study is accessible on-line at www.oxcstudies.com. That's one continuous string – www.oxcstudies.com. Also the draft document was transmitted to various Federal, State, and local agencies and specific regulatory organizations for their review and comment. Additionally, in an effort to optimize our outreach program, a newsletter was mailed directly to all affected property owners notifying them of the availability of the study and advising them of this Public Hearing tonight.

And finally, in preparation of tonight's Public Hearing, legal advertisements and block ads were placed in the Waterbury Republican on May 11th, May 29th, and again on June 10th of this year, and also in the Voice's Newspaper on May 21st, June 4th, June 7th, and June 11th notifying again, the general public of the availability and locations of the draft document and also providing notice of this hearing tonight. And judging by the attendance, I trust the word successfully got out.

The draft Noise Study and the Noise Compatibility Program for the Waterbury-Oxford Airport was prepared by the consulting firm of Clough Harbour and Associates presented here this evening by Mr. Paul McDonald, Project Manager who is seated on my immediate right. It is my intent to conduct a fair and orderly hearing this evening utilizing the following format.

Mr. McDonald will begin the formal presentations with a brief overview of the Noise Study Report and summarize the recommended alternates contained in the Noise Compatibility Program. A component of the Noise Compatibility Program might involve the voluntary acquisition of residential property. Seated to the right of Mr. McDonald is Mr. Derek Ireland, Property Agent with the Department's Office of Right of Way, and Mr. Ireland will provide a brief explanation of the Right of Way acquisition process.

Mr. McDonald will return to the podium and conclude the form presentations by projecting the events that following this Public Hearing. Collectively these presentations should take about 30 minutes and I ask that you please hold your questions until the formal presentations are complete. Following the formal presentations we will welcome any comments or questions that you may have. If you wish to comment on the draft Noise Study this evening, we gave a speaker sign-up sheet located at the entrance to the hall. If you sign-up to speak, I ask that you please print your name legibly. When we get to the public comment portion of this hearing, I will call your name from the speaker list, ask you to come forward to the microphone and make your comments.

This hearing may be different than other public meetings that you've attended in that these proceedings will be recorded, and experience has shown that audible recordings can only be made if the speaker uses the microphone that is connected to our recording equipment, and that would be the microphone in front of me to my left. Comments from the floor will not be picked up by the recording equipment and will not be included in the official public hearing record. Due to the number of people in attendance, we will... we'll impose a three-minute time limit on all first time speakers. There will be no yielding of your unused time to any other speaker, and to help me engage your time at the microphone, I have a small lighting system on the table in front of me – as you begin speaking, a green light will be displayed for exactly two minutes followed by a yellow light for one minute. After three minutes a red light is displayed and that means your time has expired. If you choose to speak, I ask that you please use your time

at microphone judiciously and if everyone could just please exercise a little patience and courtesy throughout the evening, we will get through this process in good form. We must impose these rules to insure a fair and equitable opportunity to everyone who would like to comment on the Noise Study this evening. After all first time speakers have been recognized, anyone who wishes to speak again will be afforded a reasonable amount of additional time. For those individuals who have a prepared statement, you may read it into the record if you desire. However, if your statement is lengthy I would suggest that you offer a brief...offer a print copy for the record and summarize its contents. These written documents carry as much weight as a verbal testimony that we hear tonight.

After the conclusion of this public hearing you may still make written comments on the draft Noise Study. Written statements or exhibits may be mailed or delivered to the attention of:

Mr. David Head
Transportation Supervising Planner
The Connecticut Department of Transportation
P.O. Box 317546
Newington, CT

You may also comment on this draft document utilizing the website mentioned previously – www.oxcstudies.com. Written statements of exhibits must be reproducible in black on white paper not larger than 8 ½ x 11 in size. That way it can be bound into the transcript and this is important. The deadline for receipt of written comments on this study is July 15th, 2008. All of this information is available in the handout which you should have received when you entered the hall this evening. Again, any written comments will be included in the official Public Hearing transcript and will be considered in the same regard as verbal statements.

I'd like to mention that also with us this evening are other State officials who will observe the proceedings this evening and possibly assist with some of the responses to your questions, and let me take a moment to introduce them as well. I've already introduced Mr. McDonald and I've also introduced Mr. Derek Ireland. To Mr. Ireland's right is Mr. David Head. He's a Project Manager at the Connecticut DOT for the Waterbury-Oxford Noise Study. Seated to his right is Mr. James Mason, Supervisor with the Acquisition and Relocation Division at the Connecticut DOT office of Rights of Way. And seated on the far right is Mr. Matt Kelly, Airport Manager at the Waterbury-Oxford Airport. And lastly, in attendance we also have Mr. John Silva seated up here in the front row. Mr. Silva is Manager of Environmental Programs at the Federal Aviation Administration.

That takes care of the business end of this meeting so at this time I'd like to turn the podium over to Mr. McDonald who will proceed with the formal presentations of the Draft Noise Study.

PAUL McDONALD: Okay...thanks Joe. As Joe said, the presentation should take about 30 minutes of time. I think Joe covered the purpose of the hearing tonight. I'll just add one thing. On the present... the presentation is intended to recommend...to present the recommendations of the Draft Noise Compatibility Program, including the potential implementation timeframe. Just highlighting that middle bullet there cause you'll see Noise Compatibility Program or NCP if you review the reports and throughout the presentation. That's just a technical term for saying the draft recommendations or the draft plan that we're presenting tonight.

There have been many opportunities for public comment since the study began a couple of years ago including... and we've had an Advisory Committee set up that's always been open to the public to attend the Advisory Committee meetings that have been held here at this hotel. We've also had one Public Information Meeting held last year in 2007. Tonight is the Public Hearing. As Joe mentioned there's been newsletters and direct mailings, and if you didn't copy down the web address, it's also on your handout materials so there's always an opportunity to send us comments by e-mail if you prefer.

The studies - last year in 2007, the State completed the Master Plan update for the Waterbury-Oxford Airport and now we are in the process of completing the Noise Study which was released for your review on May 9th. I do want to give a very brief technical background on noise analysis; how it's done in the U.S. For all public use airports, the FAA requires airports to use what's called the Day Night Average Noise Level or DNL...DL...DNL, and that's a noise metric that equates to decibels that's intended to represent the average noise level at the Airport. Unlike highways where the noise level is somewhat constant throughout the day, airports are quite different. The noise can be very high when a loud aircraft goes overhead and then there could be a long period of time with no activity. So that's why the FAA has us evaluate the average noise at every airport the same way using this Day Night Average metric. The one thing it also does is it counts every operation at night as ten operations – to have that added factor for nighttime operations which has been shown to be more annoying than daytime operations. So with the Day Night Average Noise Level,

the FAA has also set a compatibility level of 65 decibels. Sixty-five average decibels is what is considered compatible with residential land use and schools and churches. So you'll see that 65 noise level referenced many times throughout the study.

Noise levels that are higher than 65 are considered incompatible. Noise levels that are lower than 65 are considered compatible by Federal guidelines. That does not mean that noise is not annoying to residents when the average is below 65 because we know from this study as well as others that there have been a lot of noise complaints received from areas where the average noise level is below 65.

The Airport and surrounding land use - this is a photo of the Airport. There's also a similar photo in the handout because I know it will be difficult to read if you're in the back... but we illustrated this photo with north to the left and south to the right and you can see the single runway at Waterbury-Oxford Airport is in the center. Now we've highlighted also the land use and the zoning on this illustration as well as in your handout, and there is one town line that's visible. This is the town line between Middlebury and Oxford. Most of the Airport is located in the town of Oxford. Many of the residents near the Airport though are located in the town of Middlebury. You'll also notice in this presentation that a majority of our discussion is dealing with a group of homes - 71 homes - which we often refer to as Triangle Hills neighborhood, and the reason much of our analysis focused on those homes was simply because since they're the closest homes to the Airport by quite a margin, they're also the homes that experience the highest noise levels created by the Airport.

Since the last meeting that was held for this study, the FAA and the State had updated the noise contours for the current year of activity. Originally when the Master Plan started on the base year was 2003... when the Master Plan was going on, and before we came to the Public Hearing several years had passed and it was time to update the data to reflect the last most recent year - which for our case of course is 2007. So the contours you see here - the numbers that we talk about tonight are based on the existing noise levels which is based on 2007 and a forecast of activity and the noise created based on that forecast of activity in 2000... in 2012. What we've projected based on the contour and the analysis that we've done is that we do expect activity to increase slightly between 2007 and 2012. But at the same time we also expect the oldest and loudest aircraft that are operating in Oxford still today to continue to be phased out over time and we have been witnessing that phase-out of the oldest, loudest types of aircraft. With that the noise levels expected to slightly decrease; the decrease is very small so...which really equates to an amount that you probably wouldn't notice over time at the Airport.

The Draft Noise Compatibility Program - the recommended plan describes several things, and it includes several recommendations as well. Three of the recommendations that we're going to describe are related to noise abatement. Five of the recommendations come under a land use recommendation category, and we've also identified four relatively simple implementation measures. And what I'm going to do with the rest of the presentation is I'm going to discuss those recommendations - the noise abatement, land use and the implementation.

The noise abatement recommendations - a noise abatement really refers to operational and facility changes that can be done at the Airport in an effort to reduce noise exposure in the surrounding community. These abatement measures can take lots of different forms - changing flight tracks, changing flight management, changing runway use - anyway that you can physically and operationally reduce noise or at least attempt to reduce noise in the surrounding community. During the study effort we received 14 different noise abatement alternatives and based on the evaluation that we did for all 14 alternatives, the study is now recommending three of those in the Noise Compatibility Program.

So briefly those three recommendations in our draft include a Noise Abatement Measure 1 which is an operational procedure. It's a bit technical and it's called Crate Area Navigation Overlay Procedures for all existing and proposed departure procedures. What that means is with GPS technology and satellite navigation, most the corporate aircraft and the larger noisier aircraft are now equipped with equipment that enable them to use GPS guided navigation to help them fly more accurate departures and arrivals at the Airport. And the effort there is to reduce the dispersion of the flight tracks from various locations and try to keep them more on the consistent line most quickly and efficiently in and out of the Airport. So this is one recommendation in the plan at this time.

The second Noise Abatement Measure is also an operational measure, and the intention is to implement procedures to reduce noise at the closest portions to the Airport runway. And this is a procedure recommended by the National Business Aviation Association and we call it officially Noise Abatement Close and Departure Procedures. What aircraft can do in this case is they use various flap settings and power settings when they're taking off to attempt to reduce their noise levels at the point where they're crossing the homes closest to the Airport. Then later in their departure procedures they change their flaps and their thrust settings again to try and reduce those noise close in and spread it out more when they're higher in their

departure procedure. So this is also one of the measures that is recommended in the draft plan. The analysis for both of these that we did in the model showed a slight decrease in the noise levels in the Triangle Hills area and some of the other close home to the Airport by implementing those first two measures.

The third draft recommendation - the third draft Noise Abatement Measure is changing the priority of the runway use. Right now at Waterbury-Oxford Airport most of the time that the wind is blowing more than three knots it's coming from the north. It's about a 70-30 split or a 60-40 split, and most of the aircraft take-offs and landings are going towards the north; landing from the south – taking off towards the north. Now there are many times when the wind is calm and the air traffic controllers and or the pilots if the control tower is not open at the time, can choose which runway to use. This procedure would recommend to the pilots and establish that procedure with the controllers that whenever possible, based on wind conditions, that aircraft are sent to take off towards the south. And there's a simple reason for that recommendation and that is that the homes that are near the Airport are on the north end of the Airport. There are certainly homes surrounding all sides of the Airport but the biggest concentration is on north end so this recommendation doesn't change the overall noise level but it sends that noise to locations where there are less homes and away from where the greatest concentrations or homes are. We modeled this scenario and this had the largest of the three abatement procedures... it was largest reduction in noise levels to the existing homes surrounding the Airport. So this is also included in the recommended...in the draft recommended plan.

Now to summarize what those three recommendations would do we have a little table here on the bottom and this information is also in the executive summary in the hand out you have, is right now in 2007, with the noise levels that are created by the current activity level, the model estimates there are about 51 homes that are experiencing noise levels of 65 decibels or more of that average noise level.

Now there are many more homes that are close to 65 decibels but the model... we can count individual homes and it's about 51 in 2007. Now without implementation of any plans, just a time going on, we expect activity to increase slightly but we expect the loudest aircraft to be continued to be phased out, and just based on that over time, by 2012 – five years from now – we...the model anticipates the number of homes to drop slightly to 42 homes experiencing average noise levels above the 65 decibels. Now again, there are also many homes close to that level of noise but that is... the Federal threshold is the 65.

Now we also modeled the implementation of all three Noise Abatement Measures and combined modeling them into the same activity data, the same forecast that we have for 2012, the number of homes in the 65 drops to 16 homes. And the biggest difference there is coming from sending nighttime activity wherever possible and even daytime activity when possible to take off towards the south instead of towards the Triangle Hills neighborhood.

Now you can see on the contours – this is also on the handout – I'm pointing to a yellow contour that's covering most of Triangle Hills neighborhood, and that's the 2012 unmitigated contour. That's without the improvements. Now with these three measures, that contour turns to this orange one, and you can see that it gets somewhat smaller in the Triangle Hills neighborhood. That's why we came up with those recommendations. They had the best...they did the best job of trying to reduce noise to the home that experience the highest noise levels.

So that's the Noise Abatement Draft Recommendations. We also have recommendations for land use in and surrounding the Airport. Now land use measures come in two broad categories. One is preventative land use measures and that could be zoning changes or purchasing vacant land now to prevent it from being developed, and changing building codes, requirements – there are a whole host of ways that you could potentially prevent future impacts to noise.

Then on the flip side of that, the corrective measures that are being looked at for Waterbury-Oxford are all voluntary and we call them corrective measures because under that case you've defined that there already is a problem – meaning there already is a noise impact created by the Airport, and to correct that situation you can do things like insulate the homes for better internal noise conditions. You can also purchase property which is the biggest, most far-reaching corrective measure that there is.

So based on the study that we've done we looked at 17 different land use alternatives. We met multiple times with Middlebury and with Oxford and with Southbury as well to collect input and we took into consideration the public and the comments that we've got from the Advisory Committee as well and we recommended five of these land use alternatives in the draft plan that you have in front of you. I'm going to go through each of these five.

The first one – Land Use Measure One, is a relatively simple one that recommends to the local towns to maintain zoning that's currently zoned commercial/industrial use. Now over the years, not just in Connecticut and Middlebury-Oxford area but throughout the country, there's been... in the last ten years or so, there's been lots of pressure to convert commercial zoning to residential zoning with the big housing

boom. So this recommendation is a suggestion to all the towns that to maintain commercial development cause that reduces noise levels and also the State is interested in serving as a representative on any proposed zoning changes near the Airport.

Now the State owns and operates the Airport but this recommendation is really for the towns surrounding the Airport. Only the towns can accept or implement this recommendation and that's the choosing on an individual basis at the town level.

The next Land Use Measure is also a recommendation that can only be implemented by the towns. It's just a recommendation by the State to the towns, and some early meetings in the process... there were many comments that we received at the meetings and also written comments and on the website that home owners who bought in the vicinity of the Airport weren't told about the Airport or may have been given misguided information by a seller or a realtor. This is just comments that we've received. One option to prevent that in the future is for at the town level, to require a fair disclosure policy that a homeowner needs to inform any potential buyer about the location, whether they're in a noise contour or within a certain proximity of the Airport. We didn't...since we presented this we didn't get a lot of comments from the town and we didn't get any pro or con against this comment about whether the towns would be interested in recommending it or including it so we have kept it in our draft report as a recommendation from the State to the towns.

Now the third Land Use Measure again, would only be implemented at the town level. The Airport cannot do this on their own. And this was also discussed with some of the towns during the meetings that we had that... it's called Established Subdivision Regulations for New Developments within the Noise Contours, and the Subdivision Regulations could be based on the noise levels that would be expected. If they were in the highest noise levels, that Subdivision Regulation could require better insulation of the homes themselves – better sound insulation. If they were within some of the lower noise contours, it could recommend a fair disclosure policy for the new buyers, and those recommendations in the subdivision policies would be established at the town level. There was talk at one point for some of the newer developments including some of these types of subdivision policies related to noise but to our knowledge, I don't know of any subdivision regulations related to noise did get approved in the towns surrounding the Airport.

Land Use Measure Number Four is also recommended in the draft plan. This is the most far reaching recommendation that we have and it includes the voluntary acquisition of homes within the 65 noise contour... any home within the 65 noise contour or higher because that's the Federal criteria. However, what the FAA does not like to do is draw lines within a particular neighborhood and say well, one home is inside the 65 and across the street you're outside the 65 so its policy at the... for the Federal government - FAA to include other homes for neighborhood continuity and equitable planning purposes. So this draft recommendation includes the voluntary acquisition of 71 homes within that Triangle Hills neighborhood.

And finally, the last recommendation we have – Land Use Measure Number Five is called a voluntary sound insulation of homes. Now this recommendation is for the same area of Land Use Measure Number Four. Instead of acquiring the homes, it would be voluntary sound insulation of all the homes above 65 plus any other homes in the same neighborhood. So again, this could be...technically this would be a recommendation where the homeowner could choose if they're interested in either program – being purchased by the State for acquisition or having their home noise insulated because of the levels they experience.

But there's one specific caveat in Lane Use Measure Number Five, and that is several of the homes immediately beyond the runway end are an area that's known as the Runway Protection Zone which we've talked about it I think at every meeting that we've had for the Airport to date. And that's an area... it's a line on a map. It's defined though by the FAA and it's an area beyond the end of every runway in the country. This is the size and shape of it for the north end of Waterbury-Oxford Airport, and nearly half the homes that are the Triangle Hills neighborhood are in this area. Now what Federal policy is is that when possible and when able by the homeowners and funding availability, that these home are acquired, and insulating for noise protection in homes in the Runway Protection Zone would violate the purpose of that regulation by creating a betterment within a property within a property that ideally should be owned and controlled by the Airport due to its proximity to the runways at the Airport. So Land Use Measure Number Five, sound insulation of the homes, cannot apply to about half of the homes that are within the Runway Protection Zone and there's really no flexibility on that option due to the Federal regulations.

So those are the draft recommendations that we have. We do have some implementation measures. Now at commercial Airports and large facilities with multiple runways, the implementation measures can get quite complex but at Oxford where the impacts are concentrated and there's one runway, we think that implementation itself is relatively simple in that we're interested in establishing a Noise

Abatement Committee that will be run and operated by the Department of Transportation throughout any implementation of the plan. We would also develop a website for public outreach purposes which right now it looks like we just... the State is just going to continue the same use of the existing website as the program runs forward instead of changing addresses if and when the program runs into the implementation.

Publishing the recommended noise abatement procedures in the pilot guides and in other documentation – once the policies have changed, such as using runway 1-8 to take off to the south whenever possible – that information needs to be broadcast out to the pilots and there's a way to implement that quickly once that's approved by the FAA.

And finally, as time goes on and these measures are implemented, to keep a method in place for updating the noise contours and for checking the progress on how successful the changes are in reducing the noise exposure and reducing the number of homes exposed to high Airport noise levels.

With that I'm going to pass on the presentation to Derek Ireland who is going to talk about Right of Way procedures.

DEREK IRELAND: Good evening. My name is Derek Ireland and I work in the Department of Transportation's Office of Rights of Way. The function of the Office of Rights of Way is to acquire all property rights necessary for transportation projects. As you know, a recommendation of the Noise Compatibility Study includes the voluntary acquisition of homes in the vicinity of the Triangle Hills neighborhood in Middlebury. The Department would implement this program after securing the necessary funding and preparing an Environmental Assessment and relocation plans. I'm here to give a brief and very general overview of what a home owner might expect if their property were to be identified as being eligible for a voluntary acquisition program.

If Federal funds are used in any portion of a project, the Department must adhere to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Property rights will also be acquired in accordance with Connecticut General Statutes Sections 13a-73, 13a-98c, and 48-50 through 48-57. These Statutes establish the Ombudsman for Property Rights. The Ombudsman is Mr. Robert Poliner and his office can provide assistance to displaced property owners.

The plans for this study as presented include a recommendation for the voluntary acquisition of up to 71 homes in the vicinity of the Triangle Boulevard neighborhood. Both residences and businesses, if any, within the designated area would be offered voluntary acquisitions. If this recommendation is accepted, property owners that choose to participate in the program will receive an individual letter explaining the acquisition procedures, the Department's Property Acquisition Brochure, and a map depicting that person's property. Each property will be appraised. The property owner will be contacted and given the opportunity to accompany the appraiser on an inspection of the property. A value will then be established based on the appraiser's opinion of fair market value. Once the valuation has been completed, a representative from our office will make an offer to the property owner and attempt to negotiate a settlement. Chapter 135 of the General Statutes of Connecticut as revised provides for relocation assistance and other benefit to deplace... to displaced individuals, families and businesses. A Rights of Way representative will provide you with comprehensive relocation assistance at the time of negotiations. All relocation payments are tax-free.

I would also like to stress that tenants as well as owner occupants are entitled to relocation benefits. I'm here tonight with colleague, Mr. James Mason, who's a Supervisor in our Acquisition Relocation Division and both Mr. Mason and I will be happy to answer any questions during or after the hearing. Thank you.

PAUL McDONALD: We just have on or two more slides before we start the public comment period. We do we go from here? A couple things have to be completed. Today, of course, we're starting the public review comment formally and will be collecting comments, reviewing comments, and responding to comments in the final noise study. Once that happens, the FAA will have a period of time for them to review and what we expect them to do is approve the study and we're hoping that's going to happen in 2008 by the end of the year; that we'll be done with this initial study.

As required by Federal regulations, the Department then has to start an environmental assessment process to look at any potential environmental impacts of the recommended plan. That effort is already beginning now and the State is working on the funding and the contracting to start the Environmental Assessment in 2007 so it can be completed... I mean 2000...to start in 2008 so it could be completed in 2009. And once again, I think this information's already been stated. How to submit comments? You can do that here, recording at the mike. We've got comment forms in your handout. You can hand them in here or you can send them in later. We have drop boxes. The address is on the comment form if you want to mail it in yourself and of course, if you're computer savvy, the website is open 24-7 to send in your comments electronically. With that, I will turn it back over to Joe.

JOE CANCELLIERE: Thank you Paul. I'd like to begin the public comment portion of tonight's hearing by recognizing elected officials of the region and let me begin by recognizing the First Selectwoman of the Town of Oxford, Miss Mary Ann Drayton-Rogers. Present? Do you have a few words to say? And she'll be followed by Steve Savarese [phonetic] who's representing Mr. Tom Gormley, First Selectman of the Town of Middlebury. Please... thank you.

MARY ANN DRAYTON-ROGERS: Good evening. I'm Mary Ann Drayton-Rogers, the First Selectman of Oxford. As the First Selectman of Oxford, CT, my first concern remains the safety of the residents surrounding the Airport facility. Measures must be in place for any and all event possibilities and the State of Connecticut must take the lead in this crucial process. Noise abatement affects the residents closest to the Airport that reside within the highest DNL level areas as noted on your contour... on your contour maps. The greatest impact is in the Triangle Hills neighborhood in Middlebury which should be dealt with as swiftly and as fairly as possible. Property acquisition seems to be the most plausible solution and one which the First Selectman in Middlebury has supported. As close neighboring towns, I support Mr. Gormley's position in this matter. I discourage any change in the flight departure paths which would simply shift the problem to another geographic area. Future economic development in Oxford must also be protected by regular reviews of the noise levels and affect on the building expansion in all areas, not just residential areas. Oxford has embraced OXE as a positive force in economic development within our boundaries but at the same time, we ask for and expect due diligence from the Connecticut Department of Transportation in all aspects of running the Waterbury-Oxford Airport. Thank you.

JOE CANCELLIERE: Thank you. Mr. Steve Savarese, again, representing Mr. Tom Gormley, First Selectman of Town of Middlebury.

STEVE SAVARESE: Thank you all for coming this evening. Mr. Gormley is on the first day of his vacation but very much would have liked to attend this matter ___ for the day before this was announced. We're here in solidarity with our residents. We're a newly elected administration and when Mr. Gormley was running for office and trying to meet all the neighborhoods, he certainly understood from going to Triangle Hills, the significance of the enlargement and expansion that has happened at the Oxford Airport. Neighborhood was there... the Airport was there but it was a quiet little Airport of prop planes. It is no longer a quiet little Airport of prop planes; it is running the largest jets that can fit on the facility. On this past Monday morning, Mr. Gormley, myself, Robert Kane, our new State Senator, and Robert Michaelman from the Office of Congressman Murphy, all went out there and sat on the tarmac and watched three jets that successfully took off to the south. The recommendations speak to the fact that weather conditions are optimal for being able to address jets flying to the south. Oxford certainly would prefer to continue to have them fly to the north. We don't want to pitch the two towns against each other but the maps clearly indicate that there is a safety issue and we don't think that the noise study is properly taking into effect the urgency. The State of Connecticut in recent years has suffered three major catastrophes that quickly changed the outlook of the... how they address safety issues. There was the I-95 tollbooths; there was the Avon Hill disaster, and there's the Mianus Bridge collapse. Every time those things were done they changed. We'd like to see some change.

JOE CANCELLIERE: I'd like to recognize Bob Michalak [phonetic] who's representing U.S. Representative Christopher Murphy's office.

ROBERT MICHALAK: Again, my name is Robert Michalak. I am Congressman Christopher Murphy's District Director. First off, I'd like to pass along the regrets of Congressman Murphy for the fact that he was unable to be here himself tonight. He's in Washington this evening. However, he did leave me with a letter to read to you here tonight. It is addressed to David Head of the Connecticut Department of Transportation and proceeds as follows:

Dear Mr. Head: Thank you for holding this meeting to solicit public comment on the draft study before us. I would also like to applaud the residents of Triangle Hills and community activists who have been such dedicated advocates for the resolution of this process. Throughout the last year and a half I've pressed both the State Department of Transportation and the Federal Aviation Administration in multiple meetings and conversations to devise a just remediation plan for the Triangle Hills neighborhood and then implement it quickly and fairly. As you work with the community to help redefine...to refine the draft remediation plan, I want you to know that I remain dedicated to assisting DOT and the FAA in moving forward with a plan to

fairly, safely, and expeditiously provide relief to those living around the Airport. My main concern remains the length of time that any remediation or relocation plan will take. During a meeting with the FAA in my office in Washington, FAA representatives told me that the speed at which the plan is implemented is largely dictated by how quickly State authorities are prepared to act. In that capacity I'm committed to insuring that delays not needlessly impede the distribution of long overdue relief to residents. This has been a long frustrating and sometimes bewildering process and it's time we brought it to a close. In anticipation of the plan's finalization, I've also been pressing hard for the necessary Federal funds to help carry out the plan's recommendations. Triangle Hills' homes deserve to be safe and secure and their community deserves to be spared from ever growing airplane noise pollution. Federal dollars can help move the community approved plan from words to reality. I look forward to helping you realize a fair and equitable solution to this issue... and it's signed, every best wish, Congressman Christopher S. Murphy. Thank you.

JOE CANCELLIERE: Thank you Bob. Robert Kane, State Senator... I think wanted to make a couple of comments, and he'll be followed by State Representative Anthony D'Amelio.

ROBERT KANE: Thank you Joe. I, as many of you probably know, I was elected in January in a special election and one of the first things that was brought to my attention was the Triangle Hills neighborhood and its proximity to the end of the runway at Oxford Airport. And ever since then, I met with Tom Gormley at Praudi [phonetic] Pizza. We had a slice of pizza and started talking about this and every since then I can sincerely say that I really do want to work on this with all of you. Ray Pietrorazio, I see you sitting there. I mean you've been very helpful to me in providing me information. Steve Savarese is right – we were out there just the other day with Rob Michalak and I've got to tell you, those jets are pretty big. You know...I'm sure it started years ago with Piper Cubs and little prop planes but we saw a pretty big plane. I think I took a picture of it with my cell phone actually just because how large and intimidating it really is. We actually went through the Triangle Hills neighborhood and I don't know whose yard I was standing in but I apologize if I was on your lawn, but I wanted to get a little peek of how loud it is from your vantage point. And it truly was you know...pretty loud and pretty intimidating at that point. I do have this very map in my office up in Hartford – actually a larger scale one; a bigger one of this with this very map so I want to do the best thing for everyone involved. We need to come up with a solution for everyone in Triangle Hills. We truly do. I know the DOT is working hard on this and we just need to maybe pick up the pace a little bit faster and get things going a little bit better. I know the wheels of government move rather slowly and that's not always fair or just but believe me, between Congressman Murphy's office, the local officials like Mary Ann Drayton-Rogers, and Tom Gormley's office, we are getting things done and we are visiting... we are participating and just today I was asked what my top priority for the next session will be and believe me this is number one. What I also want to say is that I think... he had a meeting yesterday with Lisa Moody who is the Governor's Chief of Staff and made her aware of this problem. She now is understanding what's going on. We will have the Governor involved and we will move forward. I wasn't planning on speaking but I just want to make sure I told you that and that you do have my support.

JOE CANCELLIERE: Thank you Senator... and State Representative Anthony D'Amelio. I didn't mean to speak over your applause Senator.

ANTHONY D'AMELIO: Good evening everyone. I'd like to thank the Department for this Public Hearing. This is an extremely important issue to the neighbors of the Triangle Hill area. As we all know the Airport has changed significantly over the years. I remember in the 70s I used to go up there with my Dad. It used to be just little Piper planes and now there's huge jets, a lot of cargo planes that are landing there. The noise is a huge problem for the residents. I think it was stated best that safety is the primary concern at this point. We need to do whatever we have to do to make sure that these residents remain safe and God forbid that something should happen so I stand ready along with Senator Kane and Congressman Murphy to do whatever it takes to move this process along in a timely manner. I know that there's a process that has to be followed. We will follow that process but the Department knows... should know that we stand ready to do whatever we need to do to influ... you know... spread our influence up in Hartford to obtain the funding that's going to be necessary to do these studies and to move this process along.

I also want to address the acquisition part of this whole thing. As we know the Triangle Hill area is an older neighborhood and the houses are not really worth what other neighborhoods are worth in Middlebury and that's a problem. I believe if the people in this area need to sell their homes for the safety of their family they should be kept whole... meaning if the value of their home is not the value of a different home in Middlebury would be, equal to the home they're now in, we're going to need to absorb that cost on

behalf of the residents. I just think it's fair. I don't think people in that area should have to move out of Middlebury because the price of what they're going to get for their home doesn't reflect what the other neighbors... the cost of those home are so I just want the Department to keep that in mind cause I will be fighting for the residents on that issue cause I think it's only fair that if you need to abandon your home that you've lived in for many years, you could at least stay in the town that you love, and it's a great town so... I thank the Department and to all the public – our phone numbers are in the blue pages. Please, any information that you seek, any comments that you want to make to myself, please give us a call either at my home or at my Hartford office. Thank you very much for being here.

JOE CANCELLIERE: Thank you. I think that's it for elected officials. Any other elected officials in the house? With that I'll move on to the individuals that are signed up on the speaker list. When I do so, again, please come forward to the microphone, introduce yourself and please spell your last name for the record. If you are representing an organization, please give its name as well. If you didn't sign up to speak originally but wish to comment on the project anyway, feel free to raise you hand. I'll be happy to recognize you after I go through the speaker list. For those of you who feel uncomfortable speaking publicly, we'll be happy to remain here this evening after closing this hearing to talk to you one-on-one regarding any issues that you may have, however, please note that any verbal discussion that takes place after the closing of this hearing will *not* be included in the official Public Hearing transcript. A better option would be to complete the comment form that's included in the handout, place it in the drop-box; we have a drop-box in the back of the room, mail it, or e-mail it to the Department of Transportation. All those addresses are provided on the handouts and again, I think this has been repeated three times, written comments carry as much weight as verbal testimony that we hear tonight. So with that, our first speaker will be Paul LaValley [phonetic].

PAUL LAVALLEE: Hello, I'm Paul Lavallee – L-A, V as in Victor, A-L-L-E-E. We as a neighborhood want you, the DOT, our elected officials and the press to know that we are more than just 71 homes. We are 71 families. We comprise of over 230 people. Our ages breakdown to in the 30s – 18%, in the 40s – 43%, 25% are in our 50s, 7% are in our 60s, and 7% are more than 70 years old. We have nine families that are retired that live in this neighborhood. Over half the homes in this area have school age children that attend the region school system.

Back in the early 60s, the area that occupied our development and the Airport was a horse farm. There was small houses, some barns, and open space. In 1963 approximately, the development of our neighborhood started. In 1969 to 1970, the Airport arrived, and five people – five families – that currently live there today were there before the Airport got there.

What we want to know as a neighborhood is that we were told at the last meeting that this meeting should have been October to November of last year. What took so long? What has changed specifically in the report that took... sat so long? And how much did it cost for you to make that little change and it took this long?

The environmental impact statement – you stated that we should be started by the end of the year, and it should be completed by 2009. If it took an extra eight to nine months for this meeting to happen, how much can we count on that starting at the end of this year and being completed by 2009? Are we going to be almost two or three times like what it took for this meeting – to get to that study being finished?

We've talked to a number of residents and the largest question that came out of it was to make sure that we got fair replacement value of our house...homes as our representative has stated. For us to just receive fair market value and have to take on more mortgage or in some cases if the house is already owned, to take up a new mortgage, this is not fair. If we... we have a question also... if we settle how long is it before we sign the agreement to sell our homes before we have to move out. Is it a month; is it a week; it is a year? Those are questions we have.

There is also a number of questions in reference to is if this process takes that long – 15 years as you're talking after the environmental impact statement period – what happens if we are forced to move for whatever reason? If we have to move for our jobs; if we lose our jobs and have to move out, what happens to us when we have to do that? There's already one family that moved out in the last month that could no longer afford to make their mortgage and had to leave.

And the last question we have is in reference to the insulation. You stated now that it's going to be the 65 decibel areas outside of the RPZ zone. You stated that's the 65 decibel plus the same 71 homes – I just want to make sure that that is still in there. What happens to the people who have already lived in this area, decided it was too noisy and have, on their own, paid for those insulation – new windows, new doors, insulation, siding, roofs. People have already paid for that. Are they going to be compensate as far as part

of this or not? I believe they should be. And why are not the RPZ zone homes being included? If it is because as you stated, you don't want to insulate homes you want to get rid of, then this becomes a not a voluntary acquisition any more. Those people are now forced to move to compensate to get the value that you've now taken away from them. And if that doesn't are you going to be going to eminent domain? Thank you.

JOE CANCELLIERE: Thank you. Bill Gainer [phonetic]... [Inaudible question from the room]... I know they're taking notes. Are you prepared to respond to some of those questions at this time? Go ahead.

PAUL McDONALD: We have most of the questions written down. Is this on? You can't hear us? [background conversation] Can you hear... is the mike on now? Okay. The first question I wrote down was regarding the delay in the hearing and the single biggest reason that we had a delay was that before we came to the hearing, the FAA required us to update the noise contours for 2007. So when 2007 was over and the data was complete, that's when that process started and we did the new updated forecast and contours and now we're able to get to the meeting at this time.

For some of the other questions, we won't respond until we have a more specific answer in the final report but the insulation question has come up and to my knowledge, unfortunately, the insulation and improvements that have been done before the program is in place they will unfortunately be not eligible for reimbursement. Eminent domain has been stated several times at the meetings that it was not policy at FAA to seek eminent domain for any of the acquisitions. Often times as the program moves forward we've seen in other locations that residents do for the most part accept the voluntary acquisition but it won't be a requirement and eminent domain is not on the table.

DAVID HEAD: There was some right of way ones as well. One other question that you had... can you hear me? Okay. [Background conversation: No, he got it. He'll get it] Do you get it now? No? Not yet? Okay. Can you get it now?

**TAPE #1 – SIDE A ENDS
TAPE #1 – SIDE B BEGINS**

DAVID HEAD: [in progress] ...for the EA that's going... the next piece, the EA that's going to start, we've stated it would happen by the end of the year and be completed in 2009, the Department's been proactive on that. We've already scoped and negotiated a fee to run right into the environmental study. We've put a grant in with the FAA to get monies for that. If the FAA because they're under continuing resolution right now, does not have funding, the State has procured funding to be able to run right ahead with the environmental document because we understand from coming out and hearing you all, your biggest... or one of your biggest concerns is the timeframe this is taking so we have been proactive in trying to handle that.

JAMES MASON: Can you hear me? Okay. I guess you can. I'm going to address two of the questions that were asked. One was specific to those individuals or those families that have made improvements to their home to mitigate the noise. As my... as Mr. Ireland from the DOT mentioned, we... we basically administer our relocation program and our acquisition program as guided by the UA or the Uniform Act. That being said, typically property owners that make improvements prior to the initiation of negotiations are not considered to be entitled to any kind of reimbursement for any costs like that. So unfortunately, we would not be able to look at those costs if in fact you've made them already. With regard to how long after the acquisitions will you be required to move – because this isn't an acquisition predicated on a construction project, you really have the luxury of time. Again, this is a voluntary program so you know... we would look to acquire the property and as part of our initial negotiations we would, of course, offer you relocation assistance. So with regard to you vacating, you do have the luxury of time. Typically... typically when we acquire property, property owners have 120 days in which to use the property or live in the property without being charged what we call a Use and Occupancy Fee. So that's the only timeframe that really would be of any concern if you will so the net of it is basically you'll have as much time as you need.

JOE CANCELLIERE: And for the record, those responses... this is for the benefit of the transcriptionist, those responses were provided by first Paul O'Donnell [? McDonald]; second by David Head, and third by James Mason. Next up... Bill Gainer. Sorry for the delay.

[Inaudible comments too far away from the microphone]

____ **GAINER:** Name's spelled G-A [audio goes dead] ...comments Paul. I mean you cover a lot of the areas I was going to try to bring up but ah, the speed of the... the speed of the study is number one. Secondly, I'd like to thank the representatives tonight. We really appreciate it. To move on to the study, I have a couple questions on some of the proposals. LU1, LU2, and LU3 – you said you didn't have any comment from the town but the former First Selectman sat here on the other side maybe a year ago and said we're not going to do it. I thought he was plain and clear when he said it, and I don't know if the town has any plans on changing the zoning regulations but are you gentlemen aware of any of those? Yeah... so I don't know why they were put in. He was pretty clear when he said it. LU5 – why did that come back on the table? We met a year ago and that was gone. All I heard is a person who doesn't even live in this area complain and it should be put back on the table. It doesn't even re... she doesn't even live there. It doesn't impact her but it's back up so I thought I'd get that on the record. And... that's about all. Thank you for your time and giving us the opportunity to speak tonight.

JOE CANCELLIERE: Thank you Bill. Mr. Ray Pietrorazio...

RAY PIETRORAZIO: Good evening. [Mingled voices] Oh, I'm sorry.

[Unidentified speaker]: Bill, can you hear me. [Inaudible section] Can you hear me now? Hear me now? Okay – one of the questions that Bill brought up was some of the alternatives or measures that were in there that are... need to be implemented by the Town and us stating that we didn't get any comment from the town... you're right. First Selectman St. Johns was here and stood up and gave a comment at a public informational meeting. We have that on record. When we say we didn't get any specific comments, we meant individually with the First Selectmen from the surrounding towns and specifically asked them for comments on those specific recommendations because they are needed to be implemented by the Towns and that's where we did not get any comment back – pro or con against it. So that's why we left them in and it's up to the Town to implement those if they were to want to go forward.

PAUL McDONALD: [inaudible section ...which is why is the voluntary noise insulation is back on the table. That came out of several comments we did get at the public meetings and the Advisory Committee meetings. At those meetings we did not record where people lived and what their names were. They weren't formal hearings but we did get several residents that say they're interested in staying in Triangle Hills and they're interested in the noise insulation and why it was taken off the table. After that time we did work with the FAA about if it was feasible to give a choice in any particular locations and those discussions with the regulatory agency in this particular case enabled some locations to be offered the either or so that was put back on the table to give a choice to some of the residents that are not within the Runway Protection Zone.

JOE CANCELLIERE: Ray...

RAY PIETRORAZIO: Ray Pietrorazio... the last name is P as in Peter, I-E-T-R-O-R-A-Z-I-O. As I said a couple times before, that's Irish. I have one question which I hope doesn't come out of my time for probably Matt Kelly. I think you replied to me some months back Matt that the Waterbury-Oxford is part of the National Plan of Integrated Airport Systems, NPIAS – is that correct?

MATT KELLY: [speaks away from microphone] It is in the NPIAS, yes.

RAY PIETRORAZIO: Okay. I'd like to refer you to page 9 of 44 with regard to NPIAS and it is... it is 1-7.g, subparagraph e – airport should be compatible with surrounding communities, maintain a balance between the needs of aviation and the requirements of residents of neighboring areas. I just wanted to... because some folks have asked me why I'm even involved in this thing... I live on the other side of town. I'm just trying to do something good for my town... but the answer to that is the history as I know it – I've lived in Middlebury for almost 46 years and the history is important here. The history is that this airport has encroached on this neighborhood year after year after year – day by day, on a daily basis. The flights increase, the operations increase – almost exponentially at times. The construction increases – hangars, tower, etc. And I'm not going to stand up here and try to fight progress as some may call it, but this is a small neighborhood that's being trashed by this airport. That's the reality of it. That means that it's incumbent upon you folks to...to pull out all the stops and help these people out of this problem. Thank you.

JOE CANCELLIERE: Thank you Ray. Michael Kroposki...

MICHAEL KROPOSKI: My name is Mike Kroposki – K-R-O-P-O-S-K-I. I have three related questions. I'm wondering if you could discuss what efforts are included in the plan to monitor compliance with the noise abatement procedures. I'm wondering if you could specifically state what level of compliance you assumed in the modeling of the mitigation impact. And finally, if could state what can be done if the compliance with the noise abatement procedures becomes lower than the assumed models? Thank you.

PAUL McDONALD: Paul McDonald – going to start with the response. The... currently the noise abatement procedures that we've talked about tonight are not in place yet. There has been some efforts by airport management to get some pilots to start operating in those fashions but there is no measurement of...of how much compliance there has been to-date. Now in the noise model there are some factors which we can publish in the final report about the level of compliance that was anticipated, particularly with how much of the activity could be sent to the south based on wind conditions and how much compliance we anticipated for that when we did the updating to the modeling. The other ways to generate compliance with specific noise abatement procedures are quite difficult at an airport like Oxford where the tower's a visual tower; there's no radar control services for Waterbury-Oxford Airport. So the only way to measure the reduction in noise or how successful the compliance will be at that point will be do some additional follow-up modeling in the future down the road.

JOE CANCELLIERE: All set? Next speaker - Jim Kelly [phonetic]...

JIM KELLY: I just wanted to kind of go over about... on June 3rd I sent an e-mail which addressed a lot of my issues I've basically been trying to work with the Advisory Committee here, basically as a... as a...you know, invited guest and try to... as you know, somebody from the public and working with every...everyone to try to look at a lot of the big issues. I submitted about 20 questions. We usually have an Advisory Committee meeting before these meetings and we kind of go over a lot of my issues and... I didn't really expect to come to a Public Hearing here today so I don't have anything really ready to talk about. I don't expect to be on cameras and... and you know... so I hope I'm not on the news but I just kind of wanted to go over those. I guess the question for you guys is do you really... do you want to go through each one of these? I know I've given you some time here. It's about 10 days or 9 days to try to answer some of these questions. I'm not sure if there's a limited time here because Ray Pietrorazio that represents our town has indicated... has kind of indicated that there's a limited amount of time.

JOE CANCELLIERE: Jim – there's three minute time limits on all [mingled voices]

JIM KELLY: Oh! Three minute time limit...okay, well I hope I have [mingled voices]

JOE CANCELLIERE: Jim – let me say this. You're the last speaker on the sign-up sheet.

JIM KELLY: Okay.

JOE CANCELLIERE: But don't come in 20 minutes ____ mike.

JIM KELLY: All right.

JOE CANCELLIERE: Can you get it done in five...seven minutes?

JIM KELLY: Well I had the big issues here. Shouldn't the Stage 2 jets be scaled like Stage 3... changing 2012 forecast from 620 to 840. If this is not scale, Table 5-1 should indicate existing stored Stage 2 jets will be allowed no additional... will allow no additional Stage 2 jets to be stored at Oxford Airport. So basically the table indicates that you're not scaling those up – meaning that you're not going to have additional jets. So... I don't know if you want to write that down since I only have a limited time. You can answer that?

[Unidentified speaker]: Maybe we can answer it. Is that okay Joe?

JOE CANCELLIERE: Sure.

[Unidentified speaker]: Do you want to take that one Paul?

PAUL McDONALD: Sure. I'll start with that. Jim... and Jim I will say... It's Paul McDonald... we did get your comments and in the final report, we will have the opportunity to go through all 21 comments and with an answer will be provided in writing. And that was one of your comments. Briefly in answer is that in terms of aircraft that are staged at the airport, what we call based aircraft, the modeling that we did and the noise analysis has nothing to do directly with the number of based aircraft or any type. We only do the noise assessment based on the flight operations of aircraft and how noisy those are – whether they're Stage 2 or Stage 3. Stage 2 aircraft are older... they're always louder than the newer more modern Stage 3 aircraft. That's a... just some FAA terminology. Now how we did the noise model for Stage 2 versus Stage 3 is we used the FAA flight plan data which records activity by model and for 2007, the update we just did, we used that flight plan data to look to see how many of the jet operations for Stage 2; how many were Stage 3. We also compared that to 2003, the last time we did the modeling and we saw what percentages were 2 and what percentages were 3. Within that period, the number of Stage 2 operations had declined by 25%, and we did expect a decline because those planes, those Stage 2 planes, are very old now. We assumed for the 2012 forecast that Stage 2 jets, the oldest jets, which continue to be phased out and would have even less of them by 2012. So that was a forecast of the continued phase out of the flight operations of those aircraft. We did nothing to evaluate the percent that's being based or stored at the airport itself.

JIM KELLY: But the... the number of hangars that are going to be available are going to increase so why did you not increase the Stage 2 jets as... like you did in Stage 3?

PAUL McDONALD: In the forecast, we increased the total number of jet operations in the future cause we anticipate the total number of jet operations to go up. But even as that happens, we still have reason to believe the number of the oldest jets will continue to go down like they have over the last four years. Those aircraft are approaching 40 years old now and they're being phased out of service cause they're very inefficient from a fuel standpoint and from a maintenance standpoint. We're not predicting an economic model; we're merely extending the... extrapolating the phase out of those Stage 2 aircraft that have been observed based on the flight plan data to-date.

JIM KELLY: But you know that is the major issue with noise is that the Stage 2 jets... so if there's increased hangars and there's more Stage 2 jets being stored cause the...the...the occupancy is available, I think that's going to be... create more and your mod... your current model does not indicate that so it...it...it needs to be clarified or...or...you know...you know...so I would just ask that it be clarified that... and if you're going to have more, let's...let's know it and number two is if you're gonna have... if you're not going to allow it, then let's say that there's going to be no more jets allowed.

PAUL McDONALD: We will clarify that in the final report and there won't be a restriction on whether there are going to be more phase jets or Stage 2 jets or not. We're just going to clarify that our forecast anticipates those numbers to go down even though we anticipate the total number of jets to go up.

JIM KELLY: Okay. Number 3... I'm just trying to you know... just have my comments here and I just want to really make better you know...noise trade noise study here so that we...you know, we get the truth of the matter into this document and that it's you know reflected so that when people go back and look at this there's no...there's no doubt...no question mark so you know in any report that anybody generates it wants to be...we want it to be clear and concise and to be...be so that anybody picks it up at any time of the day, be it ten years from now or five...five years, that at least people can walk away and understand what...what's going on. And that's where a lot of my comments are coming in.

The other big one that I have here was the helicopter operations and it... Sikorsky's operations are... and there's other helicopter operations, but there's a number of you know... Sikorsky's actually ramping up production. They're up to I think about... I don't know what I listed here – 200 in 2008. There's... S-92's not even called out. That aircraft...there's S-70 aircraft...there's a number of aircraft there that are continuously flying around. I wanted to get your comment on did you have the correct number in there for your estimate?

PAUL McDONALD: Jim, that's a good comment. It's Paul McDonald responding... and for those of you in the audience there's Table I in the Executive Summary where Jim's been referring to some data and that's where the Stage 2 and Stage 3 jet forecasts are listed and everyone has a copy of that. The helicopters are also listed in that same table and Jim's comment is related to why do we have only 500 helicopter operations listed at Oxford Airport. We'll clarify that in the next report cause we... in addition to those 500 operations of

helicopters, the noise model does include an additional 3,000 helicopter operations and we did use Sikorsky's in the model. And those helicopters, those additional 3,000, are flyovers, and that data was based on our interviews with the tower personnel that there is significant Sikorsky helicopters and other helicopters traveling in and out of Hartford and they're flying over Oxford Airport and other vicinities as well. And in all scenarios of the modeling that we did, we did include those additional 3,000 helicopter flyovers. Since they don't land and take off at Oxford, we didn't include them on that Table but we can make that clarification.

JIM KELLY: Okay. Thank you. The next one I had here was...let's see...the...the residents were told that NA1...well, my understanding of it was that the residents of NA1, the noise abatement, and NA3 would reduce the noise situation north of the airport to be implemented by the Connecticut of the Department of Transportation giving the direction to the airport management but now we are told that the environmental...this is not to excite the public so I don't you know...don't want to get anybody involved roared up here but now we're told the study needs to be assessed and documented and...which increases the NA2 which is a...which is out the northbound requiring the thrusters and thrust setting changes and increases the noise further out north of the airport, but that does not require an environmental impact and the question I have is why do the other two require it and why...why does the one that affect Middlebury not required? As you can tell I'm a resident...a Middlebury resident...

PAUL McDONALD: Paul McDonald again responding... Jim's got some very technical questions. I'll try to make my response simple. Anyone in NA3... or two of the recommendations... NA1 is the create the overlay procedures to try and make flight patterns more consistent and NA3 is the one to try and attempt to send more of the traffic, not all of it, but more towards the south, away from Triangle Hills. Based on a scoping procedure we've gone through with the FAA, the FAA's determined based on federal guidelines we have to do an environmental check procedure on those two alternatives. Now they have told us that we do not have to do what's called a full Environmental Assessment. We only have to do what's called a categorical exclusion which we believe can be done this fall enabling the Department to then implement NA1 and NA3. Now you also mentioned NA2; NA2 is the one where you use the close and departure procedures where jet aircraft will attempt to use various flap and thrust settings to reduce the noise very close to the airport and Triangle Hills. But then after that, they do hit their thrusters higher at that point and it can raise noise in locations further away from the airport. Now the reason the FAA does not require an Environmental Assessment on NA2 is because the modeling that we did for NA2 looked at the raise in noise that would occur further away from the airport, and the increase was very small, below the number of decibels that you'd be able to perceive and even more specifically, the FAA does not consider it an incompatible condition if the noise level that increases stays well within and below 65 decibels. So the modeling we did for NA2 in summary showed the noise increase further out to be very small and keep the noise well under the 65 noise level.

JIM KELLY: Okay. The next one I had was... there's been references to funding issues for...for this whole program. Could you kind of go over if you have the funding and what...what kind of funding you need to obtain to...to bring the program to...to an end such that Triangle Hills and...and all the other areas... can you kind of go through that a little bit.

[Unidentified speaker]: Do you want me to do that or do you want to do it?

[Unidentified speaker]: Ah, which question was it? I'm sorry?

[Unidentified speaker]: ...fund...

JIM KELLY: [mingled voices] That was number [mingled voices]

PAUL McDONALD: I'll start Dave and if you finish... For...for funding, the next funding that the State needs to do is for preparing the Environmental Assessment document. The State has already arrangements for that; applying for funding for the FAA, and has also made measures to move forward with that regardless of whether that grant is approved immediately. So the Environmental Assessment will be starting this year – 2008 – so it can be finished next year. Then there has been much more discussion on what happens after that. If the Environmental Assessment is finished in 2009, that would enable the Department to apply for Federal funds to start acquiring homes that are interested in...in the program. And that we anticipate would begin in 2010. We've met with the FAA and we've also met with some representatives about how much

funding could be available for that program under what type of timeframe. And the discussion has been from the FAA is that it's typically well funded but it's not well funded in any particular year and that the numbers we've been getting is about two and a half million or three million per year enabling many homes per year but not 30 homes or 40 homes in any given one or two year period. So that's why we think based on those annual funding constraints from the FAA, the program of acquisition – if that's what moves forward – would be a five or more year program, and it would start with the homes that are closest to the airport experiencing the highest noise levels and also happen to be in the Runway Protection Zone.

Now there's also been discussions that are on-going with elected officials about maybe changing that funding but we don't have any specific information more than those issues are being discussed as we speak.

[Mingled conversation near microphone – not discernable]

[Unidentified speaker]: Just one follow-up to that. The Department has a capital improvement program for all the airports and we've put in, starting in 2010, based on conversations with FAA, three million a year for acquisition. The Department has also put forward through OPM a request for an earmark for twenty million so we can get the project, or the voluntary acquisition if it goes forward, get a bigger jump than the three million would allow us that FAA thinks would be available per year based on their funding. So we have looked at that Jim and those are some of the dollar values that are out there.

JIM KELLY: So some of the specific... the website development... 2008... you know cause we were kind of told this last time but the website, the...the community group...you know the local residents and some of the other programs...there is money to do that?

[Unidentified speaker]: Yeah...those are mainly administrative costs, and presently we're just going to continue using the website that's up and available. When the quote/unquote – “study” – ends, a website will be set up, probably within the Department website, Oxford has a page, we'll have a link from the front that would bring you to that for information to be able to submit noise complaints – those kind of things – right there. So there's not a large cost to that. It's more an administrative thing which we already have staff that can handle that.

JIM KELLY: Personally, I was hoping that that would be set up a little earlier because you know when I'm wake up...wake up at five o'clock in the morning I...and I say, wow, that was a loud one. Okay...you know, and I call up...I don't get a response back and a lot of times I say...Matt, don't even call me you know but...you know, I just want to register it but, you know if it was a...if it was a log that...that could be addressed, I...I was hoping that we could get it...we could get it earlier you know...get it to you guys so you have some kind of running total and you know people when they're...when they're...they're off at work they're...it's much easier for them to answer in a website because they're...they're there you know.

[Unidentified speaker]: Yeah, correct me if I'm wrong Matt, but you...you log all...[mingled voices] all the complaints that you get and e-mails or phone calls so that is done presently Jim.

JIM KELLY: [inaudible section]...give you my e-mail.

[Unidentified speaker]: Okay.

[Unidentified speaker]: ...just state it.

MATT KELLY: Jim, if you want I can give you my e-mail afterwards and...

JIM KELLY: Yeah... I...I...I...

MATT KELLY: ...make it easier.

JIM KELLY: ...you know, I've left messages with your secretary and...

MATT KELLY: Yup.

JIM KELLY: ...and I'm sure you got them but a...you know it's...it's just some of them that, it depends on what the weather conditions are...if they... [stumbles over words – not discernable] ...and you know the Stage 3 jets...or Stage 2 jets that are actually very loud, um, that cause ____, but, you know...as they are phased out you know, we're seeing less noise. I mean I...the issue is mainly with the Triangle Hills and I really feel sorry...sorry for those people in that but things are not moving quicker and I'm trying to press you guys to move quicker on this because you know there's...there's a lot of issues here that need to be addressed and I'm not trying to draw it out because of my comments but trying to make you aware of all the issues you know, not just internal but you know...just not...centrally located to that area but external to that area that affects a lot of Middlebury and some of the other questions that I have here will actually go into that.

I guess one...one of the...the other big highlights that I was...why does the Advisory Committee recommend land use zoning changes with property changes located in the 60 DNL contour but only provide funds to address the 65 DNL line...contour and above? Why was the two mile distance from the airport set as a land use restriction instead of a DNL contour which is much closer to the airport? I just wanted to get your feedback on that.

PAUL McDONALD: Paul McDonald replying to those. One thing in your comment is the AC recommendation; it's really...all the recommendations come from the Department of Transportation. The AC provides comments to the Department and the report is the Department of Transportation's, not the Advisory Committee.

JIM KELLY: Uh-huh.

PAUL McDONALD: And early in the process we were looking at alternatives that would insul...noise insulate and do other recommendations down to the 16 DNL contour. As the process has gone on, the FAA commented that they would not allow noise insulation or other acquisition programs for 65 based on more recent regulation established by Congress. So at that point we no longer considered any noise insulation or other types of that activity down to the 65 level contour, and that was taken out of any of the recommendations.

The two limit you're talking about is one of the land use recommendations where zoning changes within a two mile area, we recommended that the Towns contact the DOT for comment on those potential zoning changes. The reason why we used two miles instead of within the noise contours which are much smaller is because of the noise complaints that we've been receiving since the study began that seem to be...to be widespread well beyond just the 65 contour. So we wanted...two miles was just a ballpark of the area that we're receiving regular complaints about noise at the airport.

JIM KELLY: I would ask that that be addressed in the report; that...you know that...that would clarify that, and many of the other comments which I haven't really addressed here tonight.

JOE CANCELLIERE: Jim, can I interrupt you...

JIM KELLY: Sure.

JOE CANCELLIERE: ...for one second?

JIM KELLY: Yes sir.

JOE CANCELLIERE: You were the last speaker, and great questions [mingled voices]...

JIM KELLY: I only have a few more.

JOE CANCELLIERE: [mingled voices] ...continue but I'm just...I was trying to gauge the audience's tolerance.

JIM KELLY: Okay.

JOE CANCELLIERE: We have one other speaker who hasn't spoken before and I will call you back to the microphone if you want to continue.

JIM KELLY: That's fine.

JOE CANCELLIERE: Could I recognize the [mingled voices]...

JIM KELLY: Yeah, that'd be great [mingled voices] ...and I'll be...take a look at what my open areas are. I appreciate it.

JOE CANCELLIERE: Thank you Jim. [Comment from the audience] We'll do raise of hands, okay? Thank you. And thank you for mentioning that because again, I'm trying to gauge the...the audience's tolerance for the length of Jim's presentation. Matt Carrano [phonetic]...

MATT CARRANO: Hi, I'm Matt Carrano and I'm a resident of 165 South Street in Middlebury, and I have friends and neighbors who live on Triangle Boulevard, and I've talked to them extensively and... airports are important; we all use them. But I just have a question. These people are being hostage by this whole process and I'd like to know who quickly this can be expedited. You've got houses that are going down in value. You've got people that need to sell their homes; move on; go places. And for five years – if you're going to be asked to stay in your house – you're basically locked into your home. I'd like to know what you're doing to expedite the process and how quickly it's going to hap...you know, go forward. Five years is a little bit of a long time. I'd like your response to that.

[Unidentified speaker]: Take it or [inaudible section].

MIKE CARRANO: You may already have talked about this but I just...I just you know got in here about eight o'clock and I figured...

[Unidentified speaker]: Yeah [mingled voices]

MIKE CARRANO: ...please address it cause [mingled voices] ...I...I didn't get that.

MATT KELLY: [speaks away from microphone] It's been brought up. One of the reasons that a...the delay from the last informational meeting that we had is, as Paul responded to earlier, was the need to go back and reevaluate the numbers – 2003 and 2008 was what we had - ____ Master Plan _____...forecast for that. [At microphone] We went back and redid the noise contours for 2007 and 2012, as well as ran through an updated model that FAA had a different version and that was some of the delay that occurred with that. As far as from here forward, what we've done to try and facilitate making this process move as swiftly as possible is the environmental study's the next piece. We plan on having that start this year and end in 2009 and to be able to try and implement that we've already gone ahead and scoped and negotiated with the consultant to run right into that next phase. We've applied for a grant with FAA to obtain the monies for that. Because there are continuing resolution, if those monies do not come through, the State has procured monies on their own to be able to run ahead with the next phase of this.

MIKE CARRANO: You know airports... the airplanes that land, can they be assessed a fee to move this project forward? If you start off with just three million dollars and if you can hopefully get twenty or whatever it is – can't you like assess air...airplanes that land? To somehow fine them...you know...to move this forward because they're being held hostage. I was just wondering...

MATT KELLY: [not audible]

MIKE CARRANO: ...some ideas you might have.

MATT KELLY: We could look into that. I don't know that that's possible. Landing fees are already assessed for the airplanes [mingled voices] ...it's by...it's by regulation based on the weight of the aircraft.

MIKE CARRANO: So three years? Five years? How long? Fifteen – twenty years?

MATT KELLY: Well, like I just said. We're going to...hopefully start...we're going to start the environment study in 2008, finish it in 2009, and it has to go for approval at FAA and hopefully in 2010, we can be out.

MIKE CARRANO: Okay. Well just put [mingled voices] ...put my name as...as hopefully speed it along for these people cause they're being held hostage I think.

MATT KELLY: Thank you.

MIKE CARRANO: Thank you.

JOE CANCELLIERE: Thank you Matt. There's no one else on the [interrupted by applause] ...there's no one else on the speaker list so if there's anyone else who'd like to comment... show of hands again, please come up to the microphone, introduce yourself. Yes Ma'am. Please state your name; spell your last name for the record. Thank you.

TAMMY FISKE: My name is Tammy Fiske – F-I-S-K-E. I had a couple of points and a few questions. I wanted to first start out saying that I was happy to see the elected officials here tonight because there's been several meetings where nobody has come to the aid of all of us that have been in this dilemma for the last several years, and I'm hoping that they will aid in the swift action of coming to a resolution. My other things I wanted to go over was... I know we were told previously that there was no way to regulate the noise factor on some of these planes have older engines and that you can't force them to change the engines so that they are more up-to-date to lessen the noise so I don't...still don't understand how they can come up with futuristic noise levels if there's nobody there really regulating them. If you could just answer that. I know you're an expert at it.

PAUL McDONALD: [speaking away from microphone] Tammy you're correct in that Congress has not required these older Stage 2 aircraft to be phased out of service. They...Congress has decided that that's happening normally as the planes age and are replaced by newer aircraft so the airport does not have the legal authority to stop the older louder planes from continuing to operate there. So what we've done in the study is simply look at the trend that's documented with FAA plan records and in 2003 at Oxford Airport there were over 1,100 operations by these loud Stage 2 aircraft – and that's several a day. By 2007, the number of recorded Stage 2 jet operations was down to 832 based on the FAA data. So in that four year period the number of those loudest jets went down by 25%. At the same time, the total number of jets didn't increase so the number of jet operations, the newer planes that you see coming in there, is...has been going up. So what we did in the model is we didn't...we assumed that there would be continued use of these older louder airplanes at Oxford but that the number would continue to go down. So we took a very simple approach by just extrapolating the decrease that has been documented over the last four years. So that's a forecast; there's no proof. We'll look at it again each year as time goes on to see if the trend continues that the loudest aircraft can operate less and less but that's what we forecast and that's how we modeled it in the study.

TAMMY FISKE: Along the same lines, you were saying that one of your solutions was the flaps and the thrusters and all that. How would...like say they approved that. Who is regulating that, that they are doing what you have proposed to do? Somebody going to be there saying okay, you didn't do it – you're fined so much money or is it just on their honor system?

PAUL McDONALD: Matt, I'm going to ask you to jump in on that but unfortunately, it's the pilot has the sole and final authority of the operation of the aircraft. Now if the airport management and the controllers have reason to believe that they're not following the procedures, they may be able to take some sort of action. With that Matt, I will leave it up to you to respond.

MATT KELLY: Tammy, actually I'm going to jump back to the number of aircraft too. Just so you know, over the past couple of months two of the older noisy Hawkers have left the airport...

TAMMY FISKE: [softly says] Yeah...

MATT KELLY: ...and one of the ___G2's have also left.

TAMMY FISKE: Okay.

MATT KELLY: They're not there anymore. As far as regulating departure procedures, we have an open dialog with our tenants and their ___ tenants and I don't know... I'm sure a number of you heard two days running, about five in the morning, old Gulfstream went over Triangle Hills two days in a row...

TAMMY FISKE: Yeah.

MATT KELLY: We talked to them. We talked to the pilots, and just explained. It was a new pilot to the area and they took it and you haven't him go over again...you know...and in that matter, so they do want to be good neighbors. They're not just out there, you know, pouring the power on.

TAMMY FISKE: Yeah, but the whole thing is if you're coming up with a solution that really cannot be regulated because there's so many things like weather, the pilot's new to the area, there's no fines in place if they don't follow the procedure...there's not even somebody in that tower all night. So how is going to be...you know, guarding the henhouse? All...us calling you up at five in the morning? We're already woken up. At that point there's no solution then; we've already been disturbed. You said you can't shut the aircraft down. You know the solution really would probably be to shut the airport down between ten and six. That would be fair to everybody, and maybe a little bit longer on the weekends or something. But it's a State airport. We were told that nobody can shut it down. And that brings me to my next point is all these meetings and stuff that we've been having the last three years, where were all the meetings when that airport got expanded. I moved there seven years ago this...this July 11th. September 11th, two months later, 9-11 happened. I felt like I lived in the woods because there was not a plane in sight. Then a couple of years later, all of a sudden, it was like a light switch. The noise was like unbelievable. It went from like little noise to extreme noise. And I worked from home for several years in my house and now I work outside the home, but my husband's home all day long and he...you know, he hears it all day and night. And it was like a light switch, and we never heard anything about expansion. The only time we ever heard it was when it became a problem. Why didn't they do all these studies and stuff and figure out the impact for all these different people. It's not just the 71 homes; it's a lot of people that it's impacting. And it just seems very funny that everybody waits till it's all...you know, like a sealed envelope and there's no way to correct it. It's just going to get worse and worse. I mean you guys keep saying that the air...airplanes are going to be less. I think this is going to be the new wave of the future. I don't think we're going to have less flights. I think this is the easier way. People don't want to go to a major airport and get patted down, x-ray machines – they're all jumping on these small planes so I don't...I think your numbers are really...not really predicting the true future. And that's my opinion. That's all I have to say.

JOE CANCELLIERE: Thank you Tammy. I've been...it's been a relatively short speaker list for the size of this crowd, and I was very generous with the three minute time limit and I know there's still people in the audience who'd like to speak. So if you'd like to speak, we have some chairs along the aisle and if you want to queue up in those chairs, I would get a sense of how much longer we're going to be and how close I need to stick to the time limit so anyone else who would like to speak, raise your hand please? Gentlemen, you're the first one the back, and anyone else – if you'd queue up in those seats, and we'll just call you up to the mike as it becomes available. Very compliant group; this is great.

JOE COVIELLO: Hello. My name's Joe Coviello - C-O-V-I-E-L-L-O – 43 Triangle Boulevard. I understand the representative saying...were saying...you guys are saying you want to change the flights going from north to south. Well the run-up of those engines – if you've got three or four of them taking off...it echoes right through...I mean the run of the engines is...is horrendous. And that's when you get the windows shaking and things vibrating. And then they go. Sure, they're going the other way but the noise is still there. I don't understand that.

PAUL McDONALD: You're correct. The noise model does show that even for noise levels in Triangle Hills when your jet engines depart to the south, there is still noise generated certainly.

JOE COVIELLO: But you want more.

PAUL McDONALD: The total noise goes down when the departure is to the south, particularly _____ as a whole, and that's why the recommendation was made... but it doesn't go away; it just goes down for that area of Triangle Hills.

JOE COVIELLO: It does go down but what I'm saying is now you've got three or four of them taking off, one right after the other, to the point where you're...I was standing in my backyard just staring, waiting for the noise to stop.

PAUL McDONALD: If they're queuing up three or four of them to takeoff, if they were going to the north, it'd be three or four of them taking off to the north.

JOE COVIELLO: Right. No...they're taking...they're going south. They were going south that day because they're...they're at the end of the runway. They're queuing up; the engines are starting to run-up; they're revving up to take off, and it's a blast...it just...it just echoes right through. It's because they're above us – it's echoing right through the neighborhood. I'm there; I hear it... and now you want more.

PAUL McDONALD: I don't know what you mean by I want more but...

JOE COVIELLO: Well, no...everybody's saying we want to switch it around going south.

PAUL McDONALD: Switching it around going south is...is a partial change. They won't all be going south. Right now it's about two-third, one-third. If the switch is able to occur, it's only going to be about a fifty-fifty split. It won't be more going south...

JOE COVIELLO: I a...

PAUL McDONALD: ...and the noise levels, based on the model, the noise level will go down somewhat for the areas north of the airport. It will not go away.

JOE COVIELLO: Okay. I'm not...I'm not...

PAUL McDONALD: [mingled voices] ...understand that.

JOE COVIELLO: Yeah, I do understand that. I'm not...I'm not...I'm just saying the noise level is there. It just...it's just blasted away...I mean before they take off and...and...it's yeah...you know when they're going. Okay – there goes one... but that... a couple days in a row, there was three or four going that way. It was like whoa. But I just wanted to make that point.

JOE CANCELLIERE: Okay. Thank you Joe.

ALICIA ACAR-BRANDES: 129 Triangle Boulevard.

JOE CANCELLIERE: Could you spell your last name please for the record?

ALICIA ACAR-BRANDES: A-C-A-R [hyphenated] B as in boy; R-A-N-D as in David; E-S.

JOE CANCELLIERE: Thank you very much.

ALICIA ACAR-BRANDES: You're welcome. I moved to this country 16 years ago. I marry a wonderful person and we move to Middlebury. We have two wonderful children. [Someone in background speaks – not discernable] Into the microphone... one is eleven; the other one is six. Two or three years ago, whenever we have our first meeting here, my wake-up call was I'm living in the airport land, that I know that...[microphone cuts out]...that I know that unfortunately yes, you are going to go away. Even though Tommy says you know...go away...I understand that. I'm from the Dominican Republic; for me to go to my country I need to take plane. But for me to know that this is my house and this is you...every time that there is a plane going over house, and every night after I said goodnight to my husband and my children, I say to God – protect me that nothing will happen to my house. When we bought that house, no one said to me I was buying a house in that Triangle. Maybe the point there was no investigator or the research – I really don't know. The point is you're going to force me – you have forced all of us to stay there as long as you guys want it...as long as you guys have the money. You basically came and destroy us. Two years ago...two years ago, three or four days after the meeting, we went back to the Dominican Republic for a wedding. And my father said, what's wrong with you? And I say nothing Daddy. My father is ill and I was

not gonna go and explain to him there is a huge problem in the back of my house and we don't know what are we going to do. My two children were born in that house. I belong in Middlebury. I become a U.S.A. and whatever you want to do with us, that's fine, however, you are going to treat us very well – because I am not...I am not gonna leave my house because of technology. However I live in my house in fear...because of the planes. And again, we're staying Middlebury. You probably no buy me the same house that I have that is beautiful...that my husband remodel the whole house...that he built the most beautiful and wonderful patio that we have...and it's not just me; each one of us here. We have put our heart, our love, and money so... you guys are going to treat us with the respect that we deserve and... let's see if you can do that a little quicker. This past summer, we had, for this summer, we had a wonderful opportunity my husband and I to move back...move back to Dominican Republic as teachers. My husband is a teacher; I'm a teacher as well in Waterbury; he also. When we sit down, we say what is going to happen with our house? And you know what we did? We turned down the most wonderful job opportunity to go back to my Dominican Republic because of my situation with the house. So let's see what are you guys going to do with us. Thank you.

JOE CANCELLIERE: Thank you.

GREG SCHOLL: Greg Scholl – S-C-H-O-L-L.

JOE CANCELLIERE: I'm sorry...the first name was Bert?

GREG SCHOLL: Greg.

JOE CANCELLIERE: Greg.

GREG SCHOLL: Couple quick questions. Some of the people have mentioned that they've already spent money soundproofing, doing improvements – when their house is appraised for value, won't that be taken into consideration? Any improvements that have been done...things of that nature?

JAMES MASON: James Mason responding to that question. Absolutely. As part of the appraisal process all aspects of the property will be considered so if in fact there are improvements of that nature that would be a consideration in the valuation process.

GREG SCHOLL: Okay.

JAMES MASON: I believe my additional response was ____...I understand the initial question was are they going to be reimbursed specifically for those improvements and in that regard there's no means for us to do that. Again, that's predicated on the timeframe in which the negotiation starts. If improvements are done prior to our initiation of negotiations then...

GREG SCHOLL: It will be taken into consideration...you know...okay, good.

JAMES MASON: As part of the _____ process – correct.

GREG SCHOLL: And as far as that process too...will we be allowed an independent appraiser – not just a State appraiser? Will we be able to contact local real estate people?

JAMES MASON: Yes. Absolutely. The negotiation process is a two-sided process obviously. So with the negotiations, we offer property owners the opportunity to submit any evidence they may have supported their position about market value so an appraisal obviously would be one way to do that. By all means we'd take a look at that as part of the negotiation process.

GREG SCHOLL: Okay. That's good news. Now I'd like to commend Matt for on...just being there and listening to us cause I'd called a couple of times, registered a couple of complaints. He's been very thorough; he's taken the time to call me back, and I'd just like to say thanks because we do have to live together and you know...exist.

You know, another concern that I have is that this neighborhood is unlike many others in this town. As you've heard, it was established before the airport came in...several years before the airport. Some of the people who still live here are original to the neighborhood. We have a tight-knit group of people that

you're now talking about breaking up and scattering around the State or around the country or around the world even. It's something that concerns us greatly and I think we need to be compensated for that fact as well...because these are not just individual homes but this is a tight-knit neighborhood that you're talking about plowing under basically.

The other thing I noticed is that you talked about soundproofing not be offered to the Runway Protection Zone people. I happen to live inside the Runway Protection Zone and the 65 DNL. Is that because you must clear the RPZ?

PAUL McDONALD: The FAA has told us that the reason why we can't offer sound insulation inside the RPZ is because the FAA cannot fund an improvement within the Runway Protection Zone. It can only fund an acquisition.

GREG SCHOLL: So that means, yes, you have to clear the Runway Protection [mingled voices]

PAUL McDONALD: [away from the microphone] _____ saying that we...the State has to acquire the homes in the RPZ. That we've been told is not the case. The FAA and State do not have to acquire the homes in the RPZ. They just cannot pay to improve them in any way and they can offer the acquisition of them.

GREG SCHOLL: But according to Federal regulation though, I thought that not even parking lots are allowed inside a Runway Protection Zone.

PAUL McDONALD: That's not correct. There's regulations and the Runway Protection Zone is desirable to be clear of any human use whenever possible but it's...parking lots in most locations are not prohibited within the Runway Protection Zone and the airport if they were to own the Runway Protection Zones...they do own a portion of it on both ends of the runway, they are not allowed to add parking lots for other facilities in Runway Protection Zone areas that they already own. And if they were to buy homes in the Runway Protection Zone, they would not be able to sell it and use it for any other purpose other than just keeping it undeveloped.

GREG SCHOLL: So you're saying that an option is to keep the houses in the Runway Protection Zone?

PAUL McDONALD: An option for the homeowners is to not to go into the program. If the homeowners do go into the program and sell the house to the State within the Runway Protection Zone, then the State has no other option but to remove the home and leave the Runway Protection Zone, that portion of it, undeveloped.

GREG SCHOLL: I guess I'm not clear. So you're...say you've got a 30 acre zone there. Twenty-five acres are filled with residential homes. So you're saying the...the people who decide to take the voluntary relocation will be allowed to do that, and the people who aren't, who don't, will be allowed to stay inside the Runway Protection Zone?

PAUL McDONALD: That is correct. That's exactly what we're saying. The State and the FAA have said that they're not going to force people out. They're going to offer a voluntary program, and if people do not accept the voluntary acquisition, that their homes will continue to be there and they will be owned by that individual.

GREG SCHOLL: Even though this is a federally mandated crash zone that you're talking about. And may I also remind you that we did not elect to be in it. I mean this is something that we've had no say in. The airport has just been allowed to enlarge and enlarge and improve for 30 years. When every time they've looked at a map and every time they've seen an aerial photograph, they've seen this residential neighborhood at the end of the runway? Thirty years...

PAUL McDONALD: The representative from the FAA, John Silva, is also interested in responding to your comment.

JOHN SILVA: Hi, I'm John Silva. I'm Manger, Environmental Programs with New England Region of FAA. The reason that we cannot *require* actions within a Runway Protection Zone is because of FAA or the

Federal Government for that matter, is not the local land use authority. Okay? So we cannot require that the State vacate homes from a Runway Protection Zone. We *recommend* to airports, in this case the State of Connecticut, that they achieve compatibility land use within a Runway Protection Zone... which means that there be no concentrations of people in a Runway Protection Zone. That is our recommendation. That's as far as we can go is recommend. We cannot require that the State remove homes from a Runway Protection Zone. The only one that can do that is the local land use authority – your Town. So... what we then say is if the Airport doesn't...or the State doesn't follow our recommendation, we're not going to spend any money in that Runway Protection Zone so that's the only authority that we have; how we spend our money. We cannot *force* land use changes.

GREG SCHOLL: But I thought it was a federal regulation – to clear these zones.

JOHN SILVA: No it's not a federal regulation to clear the zones. FAA has a recommendation to owners of airports that they not concentrate population within a Runway Protection Zone. We cannot require it. It is not a regulation.

GREG SCHOLL: I _____ was the primary objective – is the safety of people and property on the ground. Does that sound correct?

JOHN SILVA: That's true. That's why we make the recommendation.

GREG SCHOLL: But the State can decide not to do it.

JOHN SILVA: That's correct.

GREG SCHOLL: Then a plane slams into those houses and you have thirty lawsuits and wrongful death and all those thing and then you deal with it? Is that what happens?

JOHN SILVA: Well, unfortunate... well, the way our land use system operates in this country, it is peculiarly local. The power of land use and what gets built is solely local. It is your town through its zoning and whatever. So if there is a groundswell of public opinion to change zoning within the town, you should work with your town to do that, and not prohibit and not permit incompatible land uses in a Runway Protection Zone...which can only be remedied through the local land use authority...your town.

GREG SCHOLL: Why weren't allowed to oppose the incompatible land use of the airport ruining the neighborhood?

JOHN SILVA: Well...

GREG SCHOLL: That's all I have to say [remainder inaudible due to applause].

JOE OLENDER: Joe Olender – O-L-E-N-D-E-R. I heard good news tonight. I did. I want to thank Matt. I heard some good news. It's not about the noise anymore. This is about the media attention that's been given to one particular recommendation which is the acquisition of our neighborhood and our homes. Matt – he said that some noisy jets have left. Good job! Get more of them to go! And more importantly, why don't you get the media together and say you know what? It's gotten quieter there. It's a lovely place to live. It's a nice place. But I don't expect tomorrow that when I open up the newspaper or even on the weekend when I open up the newspaper that they'll be stories about that. I expect to hear...see the same thing that I've seen for the last two years. Homes are going to be razed. People are going to be forced to go out. So Matt – keep up the good work – and I...I...like Greg, commend you. I think you're doing the best you can under these circumstances but it isn't the noise study that's bothered us. It's the fact that our homes have been condemned, and all we're asking is that whatever you're gonna do – do it quickly – so we can get on with our lives.

BOB MARZINOTTO: Yes, good evening. My name is Bob Marzinotto. I live on Christian Road.

JOE CANCELLIERE: Bob, please spell your last name.

BOB MARZINOTTO: Yeah, it's M-A-R-Z-I-N-O-T-T-O.

JOE CANCELLIERE: Thank you.

BOB MARZINOTTO: On page 25 of this most recent publication, did it say the fair market value is going to be lower to comparable houses in other parts of Middlebury? Now I understand the houses themselves are perhaps slightly more modest than the other luxury homes of other parts of the town. However, if the comparable lower value due to the airport...because I can't...what other object in that part of town would lower the value of our houses whether it's the trees, too many squirrels or things like that. I don't know of anything else that's objectionable. What is the objectionable item that is lower our housing values? First letter's an "A"; last letter's a "T". The silence is deafening.

[Unidentified speaker]: Um...

BOB MARZINOTTO: Okay. On page 28...

[Unidentified speaker]: Well, excuse me sir... [mingled voices] ...answer that question if you like.

[Unidentified speaker]: I don't...I don't know exactly what you mean by what's causing your property to be lower in value.

BOB MARZINOTTO: But there was a [mingled voices]

[Unidentified speaker]: Market value is determined obviously based on comparable sales and other properties that are compared to yours so all the factors involved with respect to your property as compared to other properties will be considered as part of the appraisal process so I don't quite if that answers your question but...

BOB MARZINOTTO: No, but...

[Unidentified speaker]: ...that is in fact what we would do as part of that process.

BOB MARZINOTTO: My point is obviously there's a detrimental effect which is lowering housing prices in this section of town. And my question is what is this detrimental factor which is lower our housing prices? Besides the airport? The airport is...has to assume responsibility for lowering our housing prices cause I can't think of any other factor in that part of town which is detrimental to our housing values. On page 28, there is a paragraph that as far as having the house sold, the homeowner would have to put the house on the market for a period of time and provide a bona fide effort was made to sell the house and if no good offers are coming by, then you would make us an offer. I think that sounded contrary to what...

**TAPE #1 – SIDE 2 ENDS
TAPE #2 – SIDE 1 BEGINS**

PAUL McDONALD: [in progress] ...alternative but what we're recommending is the _____ Law Firm of homes for acquisition. So that we wouldn't need to be... to a situation where you would be required to try and sell your home on your own... _____ purchase assurance program. The State's intention is to offer you a full acquisition without any efforts on your behalf to attempt to sell the home and keep it on the market yourself.

BOB MARZINOTTO: This...this is different from the Purchase Assurance Program – is that correct?

PAUL McDONALD: Which chapter are you in [mingled voices]

BOB MARZINOTTO: I'm on page 428 and it's the tops paragraph – it says Purchase Assurance's voluntary program to guarantees home owners fair market value for their home if and when they choose to sell. The qualified home must be on the market to a set period of time without receiving a reasonable offer.

PAUL McDONALD: Purchase Assurance on that page 4-28 was not an option that's being recommended in the report. Chapter four on the alternatives and the discussion of the alternatives is Chapter five of the full report that has the actual recommendations that are... the draft recommendations are in Chapter five and in

lieu of Purchase Assurance, what the draft recommendation is is to offer the home owners acquisition without any need for themselves to try and sell the home.

BOB MARZINOTTO: Okay.

PAUL McDONALD: So it's been the recommendations that we have in the draft supersede the Chapter four alternative evaluation.

BOB MARZINOTTO: The other question I wanted to ask about the Airport manager – you feel any responsibility that the Airport has been detrimental to our neighborhood as far as quality of life? Our houses may be getting bulldozed. We may be dispersing all our neighbors. Do you feel any responsibility that you're the cause of this problem? Maybe not you in person, but the Oxford Airport in and of itself is the cause of all this trouble. Do you feel any responsibility for that?

[Unidentified speaker]: I mean that's part of the reason why we're here tonight - the noise study that was requested during the Master Plan.

BOB MARZINOTTO: All right – but I mean you're acknowledging that this is a major cause of our hardship...is this airport. I mean I understand this housing buyout is going to be voluntary. You're not going to be forced to do it. I mean but don't you feel that in order to do the right thing you've damaged us enough that you should just realize that you destroyed the neighborhood so why ____ just buy people out. I mean could you acknowledge the damage that this Airport has caused?

PAUL McDONALD: That's why we're here sir. I mean [mingled voices] ...

BOB MARZINOTTO: Right. I mean [mingled voices] ...

PAUL McDONALD: ...we're...we're trying to come to terms with the noise you know from the Airport. And then I think the intention here is just to make everybody whole.

BOB MARZINOTTO: But a check speaks much louder than the meeting, and until I see checks coming across, I really can't hear much.

PAUL McDONALD: Understood.

JOE CANCELLIERE: Thank you Bob.

LAURA BURR: Laura Burr – B-U-R-R, and I'm on the other side of the runway so I don't want to get booted out of here but the lady brought up an interesting point. I have been at other meetings for the Airport under the guise of extended a safety buffer. And it was not a runway extension and the planes were not going to get bigger and it was not going to get busier and lo and behold, couple of years later, I read in the paper that it wasn't just an extension of the safety buffer zone. It was an extension of the runway and the planes did get bigger and louder and more. So my question is how much of this is smoke and mirrors that you're going to buyout this neighborhood and then extend the runway the 300 feet that they need for Fed Ex and DHL and UPS to be able to land their cargo planes and then have to destroy another neighborhood? And also that the FAA has said that they can't restrict the hours of the Airport but I know that that's not true because my brother-in-law is a pilot for Continental and he has to fly on restricted hours. He cannot land in DC past a certain time and he's had to turn his plane around and disembark everyone. And in Orange County, California they are also restricted by hours so I know that that is not true – that it is possible to restrict the hours of the Airport operation, and I think that that needs to be a consideration too.
[Comments away from microphone]: We need a comment ... comment on what she said.

PAUL McDONALD: I'll start. Paul McDonald responding for the DC Airport – that it is... you're correct; that is one of the few Airports that has a nighttime curfew which was implemented by Congress because they had probably more power than people up here in Connecticut. And I don't know about the Orange County one; I wasn't aware that Orange County had any specific restrictions. Maybe they're voluntary or maybe they're part of a special program but DC is the only one that I'm aware of that actually does have a federally legal restriction on nighttime activity.

JOE CANCELLIERE: Before I bring Jim Kelly back, are there any first time speakers that would like to be heard? [Someone speaks from audience] You'd be a second timer...

LAURA BURR: [speaking from audience – away from microphone] I know but _____ the answer _____.

PAUL McDONALD: Remind me of the other part of your question?

LAURA BURR: Was about the... that the safety buffer zone that was just approved was also not a runway extension.

PAUL McDONALD: Yeah, I recall now. I'll start and _____ may finish.

LAURA BURR: [mingled voices] ...the Airport... the runway's extended again for bigger planes.

PAUL McDONALD: The...when the safety improvements were made, I believe in 2003, the runway had a 5,000 foot runway length and the FAA mandated the safety buffers to be expanded. As part of that effort, in order also to improve safety, there was some... some partial use of those runway safety areas on both ends to make up for the lack of a stopping capability on the other end so I... that's getting real technical. What the FAA was able to use was a method called Declared Distances where certain portions of the safety area could be declared usable for stopping aircraft and for certain movements, but the full use of the runway has remained at 5,000 feet. That is unrestricted use of the runway is at 5,000 feet, but on both ends there are declared distances areas that can provide some additional safety area. Now the Master Plan that was completed in 2007 specifically looks at the long-range 20 year recommendations for the Airport, and the Master Plan that is approved specifically states that the runway length will not be increased in the future. And it's a 20 year plan. Now we can't speak up here for what some administration will do down the road but it is law that if that were to change in the future, the Department would have to be back here doing another Master Plan update and doing all the types of meetings and environmental approvals for any additional expansion of the Airport in the future. But the FAA and the State is on record in a formally approved document that no more expansion of the runway at Oxford Airport.

JOE CANCELLIERE: Thank you Paul.

LAURA BURR: [speaks from the audience] When does this 20 years [inaudible section] ...20 years beginning 2007 [inaudible section] in my home [inaudible section] ...does that mean there's like five more years left?

PAUL McDONALD: The Master Plan is a 2003... is where the 20 year plan started and it's likely that within ten years, as policy is, the State will update their Master Plan and it will recognize what was said in the previous Master Plan and meetings will be held at that time. But it's very... quite written in stone that the runway length is the way it is and the State does not have property to expand it and the State would have a little difficulty time doing that so I think I... that it's pretty confidence and there's a lot of documentation that says the Airport runway length is not going to expand at Oxford Airport. I can see by your expression you do not agree so we accept your comment and...and we'll leave it at that point.

[Inaudible comments begin from the audience]

PAUL McDONALD: Sir. We have our speaker queued up.

[Inaudible comments begin from the audience]

JOE CANCELLIERE: Please... please queue up and we'll answer... we'll answer your question. Yes sir. Introduce yourself please for the record.

GREG ECSEDY: I'm with _____ Holt _____ so I'm not sure exactly what's going on with that. I just...my name is Greg Ecsedy – E-C-S-E-D-Y. My comments have to do or my criticism has to do with page ES-9. If you'd just care to take a look at the Table ES-4 Implementation to Action Schedule... down to LU-4 where it has the right hand box... the acquisition and program implementation for the buyout...volunteer buyout.

My...my problem is...is the wording. You're asking us to be patient for seven years but the 71st home has to wait for seven years from now. The other thing is you couldn't have this meeting because of a revaluation of the noise so it took nine months delay to get to this point. How do we expect you guys to complete this by 2015? That's too much. Not only that but you're using the word implemented. I really think that this has to say completed because you need to be held accountable for this... for this proposal so that if I hold this for seven years, I can come up and say hey, you made a commitment to have this done in seven years. So...please, that's my one comment to this is... it goes on with everybody else. Thank you.

JOE CANCELLIERE: Thank you.

BOB MARGINATTO: May I just ask one other question please?

JOE CANCELLIERE: Sir. Please introduce yourself again.

BOB MARGINATTO: Yes. My name is Bob Marginatto. I hear various rumblings about you're investigating the possibility of bringing in UPS and Fed Ex and in there as a transfer hub, and if they do I know what kind of volume they could produce. We could be talking dozens and dozens of planes. Any truth to these rumors at all?

MATHEW KELLY: I haven't heard any of that. I... there's been no... nothing brought up with that to me. Mathew Kelly...

BOB MARGINATTO: Because I [mingled voices]... I think it's on the east side of the Airport you have some very large runways which to me could be... I mean very large hangars which could be used for storage or distribution space.

MATHEW KELLY: No. Everything over there is full of aircraft presently, and there's been no discussion with UPS or Fed Ex.

BOB MARGINATTO: Thank you.

JOE CANCELLIERE: Thank you Bob. Jim...

JIM KELLY: Okay. [mingled voices] Sorry... thank you. Just about four more questions and if anybody needs to get up before me just... I'm just going to tie into what he was saying. One of the last questions I had and I hope to get answers on all those questions but the public was told a long time ago that...by the Oxford...by the Selectman at the time that the free trade zone would not add additional shipping...you know and that the land use change would...which would not restrict new bus...you know, is basically any changes...can we get a commitment from Oxford that there's not going to be any additional changes to the land use that's going to add a lot more cargo shippers...you know, air cargo shippers that are going to be there. So you probably don't have an answer for that now or you do but...you know, I just want...I just want to state that we were told that and there were a lot of things that we've been told and as this has gone on, I think it's kind of a lot of our frustration is that all the people here have been told different things and...and you've kind of gone...and I...and I realize this is kind of a development thing but the Advisory Committee has kind of been together and has made a...you know has put together things, and then the FAA comes and then there's a change in you know...there's a deviation from what was originally...and I think I've heard a couple of them tonight alone and that was the insulation program being...you know not being allowed for...for a certain area. So, but...but all along there's been changes and I know Dave, you've...you've indicated a few of them tonight with respect to we were told before that the insulation program would be offered from 60 DNLs up above but...any of the questions that we're getting answers to, I'd like to have the FA [FAA] review them before they're published so that they buy into...to agreeing with what is indicated to the public. Okay, so that would be kind of outside of what I had submitted but it's something that I've noticed over all the meetings that I've been at for the last three and a half years. Okay...so...so that's kind of an action...that I'd like to see you know...

Table 5.9 in the document talks about the impacts on towns; talks about all this other...all stuff that's, you know, it's no cost to anybody...this and that...and I realize that it doesn't cost anybody to implement a law change but there are losses due to non-residents in Triangle Hills that are going to impact Middlebury – big time – you know we're not talking little dollars. We're all going through our finance problem here. You

know...Middlebury is looking for a big increase in real estate taxes. But this is just going to cause a bigger problem for us because of you know if we get some of the lane use changes...not only are the...is the Triangle Hill area going to be impacted because we won't that income into the town but we're also going to have problems with you know, lower incomes because we have to you know indicate that we live in you know – 60 DNL line of whatever it might be. So, you know, I think that that needs to be addressed in the report in a sense that it's not for free that these changes are going to occur. That it is going to impact the towns and it's not addressed in the report so I'd like that to be addressed. Um...

PAUL McDONALD: Jim, let me respond...

JIM KELLY: Yeah, sure...go ahead...

PAUL McDONALD: ...before you go on. What you're talking about is a category of impact the FAA calls Social Economic Impacts and they have, the FAA has told the Department that those social and economic impacts...tax rates and property values...need to be addressed in the environment assessment that's going to be commencing this year. So the noise study doesn't get into those environmental valuations but the EA, the Environmental Assessment, is going to do that and it's already scoped out to review the issue that you're bringing up just right now.

JIM KELLY: Okay...but the...the environmental analysis that I ___ read were for two...for two of the land uses and not for...or is there one being generated for Middlebury?

PAUL McDONALD: [away from microphone] I didn't hear you.

JIM KELLY: Is there being an environmental impact study being done for...for Middlebury?

PAUL McDONALD: Yes. It's commencing this year. We have not commenced yet. The noise study you're reviewing is just looking at the noise. Those other issues are going to be addressed before implementation of the program.

JIM KELLY: Okay. Thank you. Two more I think. Okay...is there anybody here from the businesses that work around the air...the airport...Key...Keystone; are you here? Is there anybody here? Okay.

[Unidentified speaker]: He was earlier.

JIM KELLY: That...that's my...that's my question is...been to a lot of the meetings. There has been some...some you know...some involvement but has not really been pro-active in the sense of what they can do. It has not been documented like it's been documented with the Selectman's offices have written letters and attached the appendix. You know there's been a lot of work with Friendly...Friendly Neighbors Program which you know was good. I've noticed a difference for sure with the noise. Not to say that Triangle Hills has but...I think that needs to be documented and put in there. I mean we are three you know...you know, we've got the community; we've got the airport and we've got the...the businesses that run in the airport and we need to document that in this report such that it's addressed on what they've done...that they've come to the table and done due diligence on what all that they can do, and I...you know, I realize that there's restrictions on how much that they can spend and how much they can you know add to the table but you know...reading this report there's nothing there and you know it really just tells me basically what the society has turned out to be currently. I'm not you know...there are other areas and one of the things that we touched on before was Westchester County I believe has a night restriction flight area as well. I mean I'm not 100% sure. I'm not 100% sure on all these questions I asked you but you know...I may be wrong on some of the assumptions that that I made but...and I look for your clarification but I believe Westchester County Airport has a night restriction as well so are they that strong down there and Middlebury and an Oxford area are not as strong? I don't know...I think we're pretty strong up here.

Okay. There's... I think this is my last one. There's a number of residential developers that are building currently and again, you know, what kind of involvement...they're so...so ___ proximity and they may not fall into the 60 DNL or the 65 DNL line but there is...you know, they're within that two mile radius or whatever...or have you been talking to them? Have you been working with them to try to get these guys to upgrade their insulation program you know...even though earlier developers have been able to squeak by and not get that...well, you know, I mean I want that documented that we did have this conversation with this

developer so the residents in those areas will be able to you know, understand that there...there was something that was discussed with those people, so... I mean there's quite a few other questions and you know, you guys have been very you know...very act...very pro-active previously, you know very diligent in getting that...getting responses back to me. I appreciate all your efforts. I don't mean to...to throw these on you as you know...but we're working here to make you know...and I...and I realize that the Triangle Hills is the big problem here but you know we can't be introverted in Middlebury to just look at one area. We really have to look at the external areas and Oxford Airport is a big issue and I hope that you guys can make this report as truthful as possible. Thank you.

JOE CANCELLIERE: Thank you Jim.

MATT CARRANO: Hi, Matt Carrano, South Street, Middlebury. Gentleman from the FAA? I have a question. I'd like you to repeat what you said before and Steve Savarese the Town Attorney – could you repeat what you said how the FAA can condemn an area or clear it out. What does the Town have to do in planning and zoning wise to make that happen? That was a...you kind of alluded to it. You pushed towards that goal but you couldn't quite say it and Steve, maybe you could kind of clarify – what can the Town do to coordinate to say condemn those properties, whatever so that the FAA can come in there and say guys, you gotta... clear the area out. What...go on with that thought process you had before. Maybe we can explore that and maybe Steve can comment.

JOHN SILVA: I thought I was pretty explicit before...

MATT CARRANO: You didn't go quite far enough because if you went the next step...

JOHN SILVA: I don't know how much further...

MATT CARRANO: ...I think maybe Steve...

JOHN SILVA: ...you want me to go.

MATT CARRANO: Well just say it again.

JOHN SILVA: Okay. Well, first of all FAA cannot condemn or clear out an area. I thought I made that plain earlier that...

MATT CARRANO: And you couldn't clear it out because... the town...there's local ordinances. So what local ordinances...

JOHN SILVA: The answer is because FAA is not the local land use authority.

MATT CARRANO: So what does local land use...maybe I ask the question, what does local land use have to do to get you to act to pay for these people's houses. What's the suggestion? Steve – do you have an idea? I mean it's just an idea. What does...you...you...

JOHN SILVA: If the question is with regard to funding...

MATT CARRANO: Money...pay for the houses, yeah.

JOHN SILVA: ...of these improvements, that's different than...than changing local land use but if the question is with regard to funding, I am in perfect accord with everybody here that we are trying to get as much money as we can to fund these projects. That's something which New England Region is right in there with our headquarters in attempting to do. I can tell you that, as was mentioned earlier, that we have typically funded these programs at two to three million dollars a year. Ah...

MATT CARRANO: Well, what does...what does Middlebury need to do...

JOHN SILVA: To get more?

MATT CARRANO: To get more...what law does Planning and Zoning have to...to do? What...what...what can you think of?

JOHN SILVA: Well, I think it was mentioned here about earmarking funds through Congress and that kind of thing.

MATT CARRANO: Let's try local...

JOHN SILVA: We can only spend as much as money as Congress gives us. Okay? Or Congress authorizes from the Airport Improvement Program Trust Fund. That I can tell you has historically been about for airports this size...about two to three million dollars a year.

MATT CARRANO: If Middlebury...

JOHN SILVA: [mingled voices] ...if the desire is to obtain greater funds than that, we're not in disagreement with that. I agree wholeheartedly.

MATT CARRANO: Didn't quite answer the question...maybe Steve, you can help me out where I'm trying to go here? [voices from audience] Cause I'm...you see where I'm trying to go with this?

STEVE SAVERESE: I think again...we're dealing with the three levels of jurisdiction and which one is going to pay for it. The Town of Middlebury is not going to condemn its own neighborhoods. We're going to be a net loser in the process if it ends up State land that used to be a tax paying citizen's. The...currently it seems to be that the long process is the State choosing to use a federally system to pay for something that they've incurred. They've incurred, as the landlord of this property, allowance of the growth. Oxford has been a beneficiary of the taxes. Middlebury has been the one that has...one that has had to suffer a lot of the negative impact of it. Now the recognition of this negative impact is two-fold – noise and safety. We have an elaborate plan to address the noise which was to try to tap into a regularly scheduled program for financing noise abatement. One of the problems as everybody recognizes is that there's a safety problem. There's nothing in this plan that is earmarked toward safety and the Town of Middlebury is in solidarity with the neighbors to say that we would like to see the safety issues addressed. The safety issues...if there's twenty million dollars that you're talking about starting to address, is it in the nature of the noise or are you recognizing the necessity to speed up the process because you caught this neighborhood in the growth. The entire frustration that the two more years, the possible further delays in two more years, the possibility that federal funding could disappear – we want a federal grant to pay for the study but we have some money maybe...the State has to step up and _____. They can impose upon their...their property of the obligations to pay for their impacts. The word condemnation is...it's the State that is use...is the party. If they want a highway to go through they use their authority to condemn it. Middlebury's not going to condemn it or change the land uses to negatively impact it's own _____. We didn't do it to ourselves; it's been done by the neighbors to our south, but predominantly by a State agency that has allowed the growth to occur and we're fed up with it at this point. We want it to be funded. The debate is whether it's going to be federally funded through the State or whether the State's going to step up and get the job done, and I'm hearing for the first time that there might be twenty thousand dollars...twenty million dollars that has been...being sought after...if we're going to get behind supporting that twenty million dollars coming out of the State coffers.

JOE CANCELLIERE: And for the record that was Steve Saverese responding to that question. Sir...

BOB MARZINOTTO: Yes. I just have one other question.

JOE CANCELLIERE: Please, for the record.

BOB MARZINOTTO: Bob Marzinotto.

JOE CANCELLIERE: Thank you.

BOB MARZINOTTO: I lived in Middlebury for 21 years and enjoyed it. But if these 70 odd homes are bought and razed and now they are off the tax doles, what is going to be done to compensate the Town of Middlebury for losing collecting taxes on 70 some odd homes? I mean what that land is going to be

considered open space is what I gather, right? And it's going to be owned by who and what taxes are going to be paid cause obviously there's going to be a tremendous shortfall versus taxing seventy-two homes versus taxing 35 acres of open space. I don't think that's fair to the rest of the taxpayers of the Town of Middlebury.

PAUL McDONALD: Paul McDonald responding. That is a concern; it is an issue for the Town of Middlebury. If the acquisition goes through, the property would be State owned and for most of it, the State would probably retain ownership and the State does own property now in Middlebury; they'd be owning more property. I'm not aware if there's a program to compensate for that to the Town and I'm being told that's an impact that the Town would be bearing based on that acquisition, and those economic impacts are going to be reviewed in the Environmental Assessment.

BOB MARZINOTTO: But...

PAUL McDONALD: You have identified an issue that...that is an effect of the program.

BOB MARZINOTTO: ___ cause this is going to go on forever and ever...I mean once you're taking 70 something houses off of the tax rolls, you're probably reducing the tax they're going to collect like maybe 75 or 80 percent so whatever money that's shortfall is going to have to be passed on to everybody else who lives in Middlebury. I mean I don't think that's something that's nobody is thinking about. Taxes on 72 houses? I don't know – what are we talking? Maybe two, three million dollars? Four million dollars a year maybe? I mean that's a lot of additional income no longer coming that's going to have to be spread out amongst the other 5,000 people who live in Middlebury.

PAUL McDONALD: I understand your question. I don't have a specific answer for you. The Environmental Assessment will look into that. It is possible that many of those homeowners ah, purchase another home in Middlebury. It's possible that taking those homes off the rolls, there's also services that don't have to be provided so I think it's a complex issue but it's certainly...your point is taken and it will be addressed in the EA as best possible.

BOB MARZINOTTO: Thank you.

JOE CANCELLIERE: Thank you Bob.

PAUL LAVALLEE: For the record - Paul Lavallee. You have the spelling from before?

JOE CANCELLIERE: I have it. Thank you.

PAUL LAVALLEE: Okay... a number of questions that kind of came up from other questions here. In reference to Mr. Kelly's question about the noisier jets and such, it's my understanding that Westchester County Airport recently or within the last few years, had a bunch of noisier jets that they quote/unquote "are gone". Well, I heard that they came here, and you said there are other jets you now have gotten rid of. Where did get rid of? Are they somebody else's problem now? And if that is the case, are we going to get any more of those noisier jets coming? Maybe not as noisy as the ones that left but may that...if...if those noisier jets come here, would that change your noise study? Did you take that into account? That would be one question I have.

Secondly, as far as the completion for the EIS, you said 2009, and then you talked about the process for acquisition starting in 2010. Is that my assumption then December of next year is your target date just so we can have a date that we're...we're looking for?

[Unidentified speaker]: Do you want me to start?

PAUL McDONALD: Just to clarify Paul, the December date is for which?

PAUL LAVALLEE: The completion of the Environmental Impact Statement?

PAUL McDONALD: We hope to have the Environmental Study before December and have approval by the end of 2009.

PAUL LAVALLEE: Okay. Thank you. Third question. Once the acquisition starts we assume basically the acquisitions will start with the worse house...basically the ones right in line from there...kind of move out probably to the...to the...the Runway Protection Zone, then out to that 65 decibel level and then probably the last homes to go would be between that 65 decibels and the _____ of surrounding homes. If you're further on in the process...maybe one of those last homes and you have a crises occurring in your family, something happened with a medical...somebody has a heart attack and then they can't work anymore...something like that...financial issues and stuff. Is there a process that if you happen to be one of those outskirts homes that you can be moved up in the process so you can...don't have to take the financial loss on your house before you actually can get talk to?

[Unidentified speaker]: At this stage, there really hasn't been any defined process with respect to identifying who goes first and what have you. Obviously that would be something we'd take under consideration and if...if possible, we would definitely make that consideration.

PAUL LAVALLEE: So if somebody has some financial needs for some odd reason – they're moving or something – they can get in touch with the DOT and say hey listen, can I get my house moved...once it starts obviously but...

[Unidentified speaker]: Right.

PAUL LAVALLEE: Would they get in contact with DOT or you or...

[Unidentified speaker]: Well again, there hasn't been any defined process if you will as to exactly how we're going to implement the acquisition process. But again, if there is a property owner that finds himself in that type of situation, by all means they're welcome to contact the Department and we would address it as we can.

PAUL LAVALLEE: When do you expect to have that plan as far as the thing...is that something you'll put together once it starts or...

[Unidentified speaker]: That's part of the Environmental Assessment. It's called an Environment Assessment and Relocation Plan and at that time we'll look at who would be offered first and so on and so forth. And like you said, it would probably be pretty common sense-wise is the most noise impact...

PAUL LAVALLEE: Right.

PAUL McDONALD: ...would be the first one to have offers.

PAUL LAVALLEE: And that will be available to us like once it starts then?

[Unidentified speaker]: As soon as we get going, that's the first piece of the Environmental...

PAUL LAVALLEE: Okay.

[Unidentified speaker]: ...Assessment cause that kind of runs the rest of the Environmental Assessment.

PAUL LAVALLEE: Okay. I've put a lot of...a lot of hours and time and my effort and time to organize, get the information out to our neighbors and such. I've spent countless hours thinking about this every day since we opened that paper right after Thanksgiving two years ago. I wanted you people to understand what you have done to us, and I've thought about this probably for the last month and a half thinking about this meeting. We are very much a working class neighborhood. We struggle to make our families financially safe; put our kids through school. My daughter's getting ready to start college. It's a tremendous amount of effort that takes away and financial goes into my family. Because of that I'm not able to put those \$2,000 a year in an IRA for both my wife and I. I'm not able to put away a lot of a extra money. So for us, our homes are a major portion of our retirement account and our nest egg. What you're doing by your actions is a direct input against my nest egg; my retirement account. I can't get that money back...unless I sell my home that I've now raised my kids in, and wait, and hopefully I have the time to wait until you buy my house to get that

money back. If I leave early, I don't get that. One way I thought of possibly you understanding what it is to be for us is for you on that day after Thanksgiving, to open the newspaper and the State in their infinite wisdom says, you know what? There's a budget deficit and we've got a solution. We're going to take a portion of your pension and pay off the debt, but don't worry - we'll pay you back...that is unless you take another job, you retire – before we get a chance to put that funding back. And you might have to keep working from 2 years to 15 years, even though you might like to retire. You might be able to move away and retire but no you can't do that. As crazy as that seems, that's what you've done to us. You've put us in that situation, and I don't think that's fair. Fifteen years for the people on the outside that you're talk about is way too long. As per the MPIAS guidelines and in my understanding of the Relocation Acts I believe we are entitled to not only fair market value but replacement value so that we can stay in Middlebury and I have to take on more mortgage to stay in there and not have to take more money out that we need to put it back into our retirement. For time sake purposes, the State, as the owner of the airport, I believe should completely fund the buyout immediately so that all people in a very fast time___ can be done, and then the State can be paid back at the FAA's time period. [Pause] And why does the State continue to pour money into the airport through expansions and improvements? My feeling is all that should be halted until we, as the neighbors that you are affecting, are taken care of. I believe that's the least that the State can do for us. Thank you.

JOE CANCELLIERE: Thank you Paul _____. Yes...

RAY PIETRORAZIO: Ray Pietrorazio again. Just have a few things I'd like to mention; a couple questions too. I didn't hear any discussion in the...if we ever see this to a reality and this acquisition takes place...I didn't hear any discussion with regard to after the homes are razed as to how the property is put in its normal state. There's got to be a cost for disconnecting pipes, fill, seeding, etc, etc. and I just want to make sure that that cost doesn't come out of the fair market value for the homes.

PAUL McDONALD: Paul McDonald responding to that. It absolutely would not come out of the fair market value and reclaiming the land would be the State's responsibility and it would be part of the FAA funding as well to remove the homes and re-grade the property, remove roads if necessary and turn the land over to a natural state.

RAY PIETRORAZIO: But not part of the negotiated price for fair market value.

PAUL McDONALD: Ab...absolutely not...

RAY PIETRORAZIO: Okay.

PAUL McDONALD: ...part of negotiated fair market value.

RAY PIETRORAZIO: Thank you.

PAUL McDONALD: None of those costs are burdened by the homeowner.

RAY PIETRORAZIO: Thank you. Let's see here. It was mentioned...you know I just...this is reiteration. I'll make it very quick but it was mentioned that you know the Triangle neighborhood...the closest homes and therefore the highest noise levels...well, you know that's maybe a true statement but it could...I guess it could be as un...it could be untrue as well. If you know we turn that traffic around and head it south at least until you make every effort to do that, I'm pleading with you, at least something happens here...okay...is we can...we can reduce the noise levels over Triangle Boulevard by re-directing the traffic and I'd you to pay more attention to that if you would please.

And through my experience in some recent research that I've done with the FAA, I can...I can tell you from my experience anyway...and John, you could re-echo...the FAA definitely does not have jurisdiction over off airport land use. They are...they just don't have jurisdiction – period. So it comes back to the State of Connecticut - DOT.

And it was also mentioned...I'd like to clarify that someone mentioned the federal threshold is 65 D...DNL and that is not correct. That is the FAA threshold. The EPA is 55. Thank you.

JOE CANCELLIERE: Yes sir.

GREG SCHOLL: Greg Scholl again. You've got the spelling from before?

JOE CANCELLIERE: [not audible]

GREG SCHOLL: Just had a couple of clarifications about the runway itself. You said emphatically that it won't be made any longer but we're understanding that it's now the second largest runway in the State. Is that true? Second longest runway? Behind Bradley? My concern is that [microphone feedback] ...it's not me. My concern is that all you would have to allow larger planes in there is to re-weight the tarmac on the runway. We know that it's already long enough to land almost as large as a plane as you want short of a huge commercial passenger jet but you know...my concern is, is that true? Is it in fact the second or third largest runway in the State?

[Unidentified speaker]: Bradley's runways...the main runway; 624 is 9,509 feet. Their second runway; 1533 is 7,000 and change. Our runway's 5,000 feet with a 500 foot paved safety area and a 300 foot paved safety area.

GREG SCHOLL: So that means it's third longest?

[Unidentified speaker]: There's...well, in the State?

GREG SCHOLL: Yeah.

[Unidentified speaker]: Yeah, I believe so.

GREG SCHOLL: Okay. So...it's already long enough to accommodate what we're all afraid of. With Oxford wanting to become a Customs Port of Entry, Free Trade Zone...all they would have to do is to basically repave, correct? Re-weight the airport?

[Unidentified speaker]: I don't...Paul...

PAUL McDONALD: The...Oxford Air...Waterbury-Oxford Airport does not have a commercial operating certificate for a passenger carrying large aircraft so...

GREG SCHOLL: We're talking...we're talking about freight mostly. **PAUL McDONALD:** Oh, for freight aircraft. The freight aircraft typically use a runway of 7,000 feet and longer and...

GREG SCHOLL: Is that true though? I mean those little Fed Ex jets and little UPS jets...

PAUL McDONALD: Well, there's nothing stopping little Fed Ex planes from using it now. They just don't cause it's not part of their business model.

GREG SCHOLL: But when...when it becomes a Customs Port of Entry and Duty Free Zone...

PAUL McDONALD: The...I would...we could discuss the market of freight services but Oxford's not going to become a Port of Entry for international freight service. There's just no facilities or places for that to happen and freight services are attracted to the largest international markets which is never going to become Oxford.

GREG SCHOLL: Well, I mean [mingled voices] ...correct me if I'm wrong but they're pushing to become a Customs Port of Entry at the Airport – is that correct?

[Unidentified speaker]: No, the...the town had looked at Foreign Trade Zone and you know for freight – we haven't done anything to become Customs right now.

GREG SCHOLL: Yet...but just trying to...

[Unidentified speaker]: I...I haven't looked at it. You know...I can only speak for myself and folks that I work with and we haven't looked at it.

GREG SCHOLL: Okay. But for clarification purpose, it is the third longest runway in the entire State?

[Unidentified speaker]: Correct.

GREG SCHOLL: Okay. Thanks.

JOE CANCELLIERE: Thank you Greg. Next... [pause] ...Sir, are you queued up to speak or...

[Unidentified speaker]: [inaudible response]

JOE CANCELLIERE: All set.

[Unidentified speaker]: [inaudible response]

JOE CANCELLIERE: Anyone else have a comment or question they want to share with us or...? Seeing none, I will close tonight's hearing. On behalf of Commissioner Joseph _____, I would like to thank you all for coming forward, expressing your views with us this evening. Please remember – very important – you have until July 15th, 2008 to submit any additional comments to the Department of Transportation. Thank you.

END OF TAPED DISCUSSION