

VERMONT TRANSPORTATION BOARD MEETING JULY 27, 2017

Board Members Present:

David Coen, term expires 2/28/18
Richard Bailey, term expires 2/28/18
Larry Bruce, term expires 2/28/2018
Faith Terry, term expires 2/28/19
William Tracy Carris, term expires 2/28/2017
Wendy Harrison, term expires 2/28/19
Vanessa Kittell, term expires 2/28/19

Board Members Absent:

none

Others Present:

John Zicconi, Board Executive Secretary
Guy Rouelle, Helipad Applicant
Paul Cerutti, Woodbury Fire Chief
Rita Hunt, New Hampshire DOT Aviation Planner
Sharon Carcoba, Woodbury Resident
Nannette Tavekelian, Woodbury Resident
Steve Tavekelian, Woodbury Resident
Mike McGlynn, Woodbury Resident
Vanessa Calagna, Woodbury Resident
Gwen Marsha, Woodbury Resident
Robin Durkee, Woodbury Resident
Tom Lindsay, Woodbury Selectman
Brian Kaplan, Woodbury Resident
Scott McCullough, Woodbury Resident
Bob Martin, Woodbury Resident

Call to Order:

Chair Vanessa Kittell called the Thursday, July 27, 2017 meeting to order at 9:50 a.m., which was held at the Woodbury Community Library, 69 Valley Lake Road, Woodbury, Vermont.

1. NEW BUSINESS

1.1 Review/Approve Minutes of the June 6 & June 7, 2017 Meeting

On a motion by Mr. Coen seconded by Mr. Bruce, the Board unanimously voted to approve the minutes of the June 6 & June 7, 2017 Board meeting with corrections.

1.2 TB-456 Rouelle Helipad Site Visit and Hearing

The Board recessed to conducted a site visit at 976 Vermont Route 14 in Woodbury, and then returned to the meeting room where it convened a hearing.

Mr. Rouelle testified that he has over 7,000 hours of flying time as a pilot, about 1,200 of which is from flying helicopters. He seeks a permit to take off and land helicopters in the yard behind his primary residence at 976 Vermont Route 14 in Woodbury. He seeks no construction as the aircraft would touch down in the flat grassy area that is his backyard. He said should the Board approve his application that he likely would apply to the town to construct a small hanger in which he would store the helicopter when it was not in use. No fuel would be stored on his property other than the fuel that was located within the aircraft.

Mr. Rouelle said the helicopter would be for his personal use only, and that he is not seeking lights as he would use the landing area only during daylight hours. He said he plans to purchase a Hughes 500, and seeks a permit for the landing area to accept helicopters of this size and class. He testified that the Hughes 500 has a rotator span of 26 feet, that the blades turn at about 155 mph, that the aircraft holds about 60 gallons of fuel and that it flies at an approach speed of about 60 knots. Under these conditions, Mr. Rouelle said the aircraft would emit sound of 87 decibels at a distance of 500 feet, which is the closest he would fly over any home.

Mr. Rouelle said he sought to use the landing area twice a week, with one use consisting of both a takeoff and landing. He would use the landing area only in good weather conditions, and always in the daylight, which he defined as between 8 a.m. and 8 p.m. during the peak of summer. During shorter intervals of sunlight, Mr. Rouelle said standard federal guidelines permit daytime-only flights to take place anytime in between one half hour after sunrise and one half hour before sunset.

Although his application seeks two potential flight patterns – one to the north and one to the southwest – Mr. Rouelle testified that he no longer seeks the southwest flight pattern, which has a greater impact on nearby homes than does the flight pattern to the north.

He said NASA and the FAA conducted a joint study to evaluate helicopter noise the included the Hughes 500. The results showed that the Hughes 500 operates at a noise level of 87 decibels, which is slightly less than a riding lawn mower which emits 90 decibels. Motor boats, which use the nearby pond, operate between 90-103 decibels, Mr. Rouelle said.

Mr. Rouelle testified that the Hughes 500 is a four-blade helicopter that displaces air up to 52 feet. It requires about 4 minutes to warm up prior to takeoff and a similar timeframe upon shutdown. While flying at 60 knots, the noise the aircraft creates impacts a single location for about 10 seconds. He said he is willing to restrict use of the landing area to only himself, and that any permit he received could terminate with his sale of the property.

As for making the landing area available for emergency response, Mr. Rouelle said DART flies a slightly larger aircraft, an EC-135, with a 32-foot rotator span. The Army National Guard operates EC-145s, which have a similar rotator span, he said. Both aircrafts could easily and safely land in his yard, he said.

Rita Hunt said the proposed area is clear of obstacles and contains more than enough surface area to safely land the proposed class of helicopter. She said the local terrain allows for a Final Approach and Takeoff Area (FATO) that is within safe aviation guidelines. While there is a background tree that penetrates the approach surface at a 5:1 slope and two background trees that penetrate at a 6:1 slope, the vast majority of the approach surface meets the FAA standard of 8:1 or greater. Having said this, she also testified that since the application is for a private use heliport and not for a public-use heliport, there are no FAA mandatory compliances for lighting, markings, surfaces or approach surfaces. Therefor the proposed location meets all applicable safety standards for a private-use heliport. She did, however, recommend that a windsock be installed in a location that is visible both from the ground and from the air, as well as the removal of several recently planted trees that do not currently penetrate air space but may if allowed to grow taller.

Neighbors and town residents expressed concerns. Nannette Tavekelian, a neighbor, and Mike McGlynn, a Woodbury Lister, asked what impact the landing area would have on the value of nearby property? Vanessa Calagna and Brian Kaplan expressed concern about noise. Ms. Calagna said Sabin Pond is a quite waterbody that sometimes has one or two motor boats one it, while at other times has none. She believed adding noise from a helicopter would change the neighborhood's quiet dynamic, and feared it could set precedent to allow other noisy uses.

Woodbury Fire Chief Paul Cerutti said he was not concerned that a potential helicopter crash would overburden local first responders. He said he has personally dealt with three aviation accidents in the past, and that local crews were able to handle the situations without incident. He also testified that he welcomed the possibility of having a certified local helipad that DART could rely upon in cases of emergency.

1.3 Executive Secretary's Report

Helipad Application Fee: Mr. Zicconi told the Board that he was approached by VTrans Director Michele Boomhower about the possibility of establishing an application fee regarding helipads and other aviation personal landing areas. Ms. Boomhower did not propose a potential fee amount, but wants to know if the Board would support approaching the Legislature regarding such a fee, and whether the Board would be comfortable taking the lead in any such request. Mr. Zicconi said Ms. Boomhower is interested in such a fee because VTrans aviation staff must put in considerable time to review any such proposals and testify before the Board. She would like any such fee to cover these costs.

Board members took no position but had questions: How much would the fee be? Would the fee be different for a private vs commercial facility? Whose budget would receive the money? And would the fee really cover costs or just be a token amount? They instructed Mr. Zicconi to get answers to these questions before they decided the issue.

Date for September Meeting: Mr. Zicconi reminded the Board that it had not set a date for its next meeting. It chose Wednesday, September 27, preferably in either the Burlington or Montpelier area.

1.4 TB-455 Barnard Road Dispute – Appoint David Coen Prehearing officer

On a motion by Ms. Terry seconded by Mr. Bruce, the Board unanimously voted to appoint Board Member David Coen prehearing officer, with the power to determine all prehearing matters, in TB-455 Barnard Road Dispute.

2. OLD BUSINESS

2.1 Fall 2017 Public Forum – Discussion

Mr. Zicconi informed the Board that his discussions with VTrans regarding holding forums related to aviation and the state's airports revealed that VTrans is currently in the process of writing a new Aviation Systems Plan and this work necessitates that the Agency this fall conduct public hearings in the very same communities that the Board was considering to discuss the very same topics.

VTrans is open to coordinating efforts with the Board and holding joint hearings, but believes conducting individual efforts would confuse the public. Board members agreed it would not be wise to conduct similar, individual efforts, but also concluded they had no interest in holding joint hearings. Instead, Board members concluded they should choose another topic.

After debating several topics, the Board chose to hold forums related to the Agency's ongoing efforts to restructure how it prioritizes transportation construction projects. Mr. Zicconi said he had already made contact with the VTrans employee who is managing the effort, and that he welcomes the idea. Mr. Zicconi said he would re-contact the VTrans manager, start gathering information and begin putting a program together.

2.2 Attorney Search – Deliberation

2.3 TB-457 Roback RR Crossing – Deliberation

2.4 TB-443 Schultz Contractor Claim -- Deliberation

At 12:35 p.m. the Board on a motion by Mr. Bruce, seconded by Ms. Harrison and approved unanimously entered into deliberative session, pursuant to Title 1 § 313, to discuss Attorney Proposals, TB-457 Roback Railroad Crossing Petition, and TB-443 Schultz Contractor Claim.

Mr. Zicconi was invited to join the deliberative session.

The Board exited deliberative session at 2:10 p.m.

After reviewing proposals from five different attorneys, the Board unanimously chose to contract with Ron Shems of the Montpelier firm Diamond and Robinson. Mr. Zicconi said he would confirm with Mr. Shems and baring any problems would work with VTrans' Contract Administration staff to draw up a contract.

3. OTHER BUSINESS

3.1 Round Table

No one had any issues to discuss

4. ADJOURN

On a motion by Mr. Bailey seconded by Mr. coen, the Board unanimously voted to adjourn at 2:15 p.m.

Respectfully submitted,

John Zicconi
Executive Secretary

Next Board Meeting: 9:30 a.m. on September 27, 2017