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Members of the District 9 Act 250 Commission:
Al Karnatz, Chair and Connie Houston, Commissioner
c/o Joshua Donabedian, District 9 Coordinator
Sent via email to: joshua.donabedian@vermont.gov

RE: Request for Party Status in Middlebury Airport Act 250 Proceeding (# **9A108-12**)
as an Addendum to our Petition for Party Status

Dear Members of the District 9 Act 250 Commission,

I attended the August 19, 2022 Site Visit and Public Hearing held in connection the Act 250 Application filed by the Vermont Agency of Transportation (VTrans) on June 3, 2022 (#9A0158-12), which seeks authority for future hangar development at the Middlebury State Airport. According to the notice, “the proposed project includes 1 large hangar (120'X 120), 3 medium hangars (60' X80'), 5 small hangars (60'X 60') and #70,450 square feet of new impervious surface.” At that hearing, I requested party status, as an adjoining neighbor to the Middlebury Airport. In accordance with the Hearing Recess Order, dated February 17, 2023, I submit this petition and letter in support of my request. My husband (Douglas W. Richards) and I have particularized interests in this project: We will hear, see, smell and feel the impact of the proposed increase in the number of buildings and relocation of the road at the Middlebury Airport.

We petition the District 9 Act 250 Commission for party status in our individual capacities, as sole Grantors and Co-Trustees of the Brown/Richards Family Irrevocable Trust of 2016, and, to the extent applicable, as members of the Middlebury Airport Neighborhood Association (MANA). We request party status, **as adjoining property owners**, who reside at 108 Munson Road, with lands that border on the eastern boundary of the Middlebury Airport. We seek party status, based primarily on five particularized concerns, which we believe are pertinent under Criteria 1, 2, 3, 5, 8, & 9.

First, the beauty and views at the edge of our property would be significantly diminished by the proposed project. We spend at least an hour each day walking in our woods and out to the boundary where our property meets the Airport property. From there, we can see and admire the Green Mountains. Although a fence and the runway stand between us and the mountains, we have a generally unencumbered view of the mountains with their beautiful trees and foliage. If the hangar project goes forward as currently proposed, our view of the mountains would be impeded by a road and huge, industrial style buildings. In short, the appearance of, and visibility of, the landscape around us would decline dramatically. We believe this concern falls squarely within critterion 8 of the Act 250 analysis and supports granting us party status.

Second, the noise and light of the Airport has a direct impact on us and the proposed development, aimed at increasing the level of aviation activity, will increase the intensity of the noise and light coming from the Airport. We often hear planes, and frequently hear helicopters, at the Airport. The current noise level is generally acceptable in that it only rarely interferes with our daily life (or sleeping). However, an increase in the noise level would make it difficult for us to have conversations in our backyard, sleep through the night, or find silence during a walk in our woods. Similarly, an increase in light from the Airport would impact our ability to see the stars or sleep. The addition of hangars, expansion of the road, additional truck and automobile traffic to and from the hangars, and likely increase in the number of

planes flying in to, and taking off from, the Middlebury Airport, will all have an impact on our ability to enjoy our property, and the quiet and beauty we so cherish. These same noise and light increases are also likely to threaten the ecology of the wetlands adjacent to the runway, which, in turn would reduce the birds and bats in our wooded property and around our house. We spend a good deal of time watching the birds and appreciate the bats, so would consider a reduction in their populations around the Airport to be a real loss to our enjoyment of our property, and supports granting us party status under criteria 1 & 8A.

Third, with respect to transportation and traffic, we are concerned about the increased fumes, potential accidents, and noise that will likely accompany the expanded road, the increased number of buildings, and the increased number of people going in and out of the hangars. (VTrans has presented no data to support its estimate that the maximum number of one-way trips on the relocated road will be 72.) The exhaust pollution from the increased vehicular traffic, including more trucks, will likely be detectable from our woods and yard. It also seems inevitable that this will increase the potential for traffic accidents at the Airport. In sum, we believe this increased traffic could have a negative impact our quality of life and justifies granting us party status, and is a relevant consideration under criterion 5.

Fourth, we have some safety concerns, based on the increased quantity of aviation fuel that will be onsite and lack of information as to how the new buildings will be used. With additional planes in each of the new hangars, and a general increase in airport use (as VTrans has predicted), we must expect increased aviation fuel on the premises. Based on the very vague descriptions VTrans has offered about how the proposed new buildings may be used, it is quite plausible some of the buildings may be used for manufacturing operations, which, in turn, may use toxic, flammable or high fume chemicals. We believe this lack of clarity compels a careful review of the adequacy of the proposed fire suppression system at the Airport as a pre-requisite to approval. I do not believe VTrans has offered any public statements from area fire departments giving the fire safety experts' assessment of any of these potential risks. This is an especially critical question for us, as nearby neighbors, since a fire or explosion at the Airport could easily spread into our woods and put our house in jeopardy. We believe this factor constitutes a particularized interest in the project, and warrants granting us party status, most notably under criteria 2,3 & 7.

Fifth, and finally, we will be affected by the economic impact of the Airport's growth on our neighborhood. As described in more detail in my attached correspondence to the Select Board, several studies have shown that expansion of airports in residential neighborhoods consistently causes the value of all homes around those airports to decline in value. We are retired and therefore will likely sell our house in the not-too-distant future. This raises the concern of whether this expansion of the Middlebury Airport will decrease the market value of our residential property. VTrans has not introduced any factually supported evidence that its proposal to expand the Airport will not cause the value of all of the (200 or so) homes surrounding the Airport to decline, or that the expansion will generate sufficient local economic growth to offset such a loss in property tax income. Under criterion 9, especially 9-A and 9-H, we believe this economic risk is particularized to us and supports granting us party status.

Based on this description of five particularized interests, and for the reasons I stated on the record at the hearing on August 19th, we (and our trust) ask this honorable Commission to grant us Party Status in the Act 250 Proceeding regarding the Middlebury State Airport Hangar Development Project (application # 9A108-12). We thank you for considering this petition.

Sincerely,

/s/ Colleen A. Brown

/s/ Douglas W. Richards

Individually, and as Sole Grantors and Co-Trustees of the Brown/ Richards Family 2016 Trust