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FOREWORD

In January of 2009, the Connecticut Department of Transportation (ConnDOT) and the Federal Aviation Administration (FAA) approved the Final Waterbury–Oxford Airport FAR Part 150 Noise Study, and the associated Noise Compatibility Program (NCP). The NCP recommends, among other measures, the voluntary acquisition of 72 single-family homes exposed to significant airport noise levels, or alternatively the voluntary noise insulation of the portion of these homes that are located beyond the limits of the Runway Protection Zone (RPZ).

Based on the magnitude of this effort, ConnDOT has developed this Proposed Stage Relocation Plan. This relocation plan evaluates the characteristics of the households impacted and their housing requirements. The evaluation method for affected residents included a detailed survey questionnaire sent to all 72 potential eligible homeowners. Copies of the survey questionnaire forms are provided in Appendix B. The housing evaluation included a review of the real property records of each housing units, as well as a market evaluation of potential replacement housing in the region.

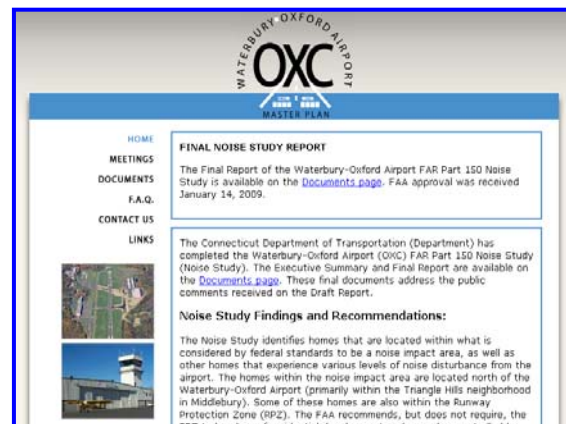


The residential acquisitions will be conducted in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (the Uniform Act), which provide for the equitable treatment of persons displaced as a result of a federally assisted project. As described below the Uniform Act requires real property to be acquired at fair market value (disregarding the negative impact of the project), and provides financial benefits and relocation services to affected residents – owners, tenants, and businesses.

To evaluate potential environmental impacts associated with the residential acquisitions, an Environmental Assessment (EA) report was also prepared. The EA is required under the National Environmental Policy Act (NEPA) and was prepared in cooperation with this document. This document is organized into two chapters:

- Project Requirements & Affected Properties
- Acquisition Phasing

A custom website is provided specifically for ongoing study and programs at the Waterbury-Oxford Airport. The website provides narrative and graphic information, with regular updates throughout the program duration, including meeting announcements and minutes, contact information, related links, and all associated reports, and photographs. The website also contains an email address for submitting comments. The registered domain is www.oxcstudies.org.



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1.0 PROPOSED STAGE RELOCATION PLAN

This chapter of the Proposed Stage Relocation Plan includes an overview of the applicable components of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, characteristics of the Triangle Hills neighborhood, and a review of available replacement housing. The chapter is organized into the following sections:

- Background
- Project Description
- The Uniform Act
- Characteristics of the Neighborhood
- Inventory of Available Residential Units
- Relocation of In-Home Businesses
- Implementation Schedule

1.1 Background

The Waterbury-Oxford Airport (OXC) is located in the Towns of Oxford and Middlebury, Connecticut. The Airport consists of approximately 430 acres of property encompassing all airport facilities. The Waterbury-Oxford Airport is a large general aviation facility serving many charter, corporate, and personal aircraft users residing in or visiting the region. Based aircraft include light single-engine aircraft up to large corporate jets. OXC also functions as a corporate aircraft base for both storage and maintenance. As a non-commercial airport, OXC does not offer scheduled airline service.

Approximately 90 percent of the airport activity occurs during the day between 7:00 am and 10:00 pm. The Airport has one paved and lighted runway (Runway 18-36), which is 5,800 feet long by 100 feet wide and equipped with High Intensity Runway Lights, which enable 24-hour operation of the Airport, seven days a week. The runway is served by a full parallel taxiway to the west and a partial parallel taxiway to the east. Hangar facilities at OXC include nine conventional and five T-hangar buildings.

As shown in Figure 1-1, the Airport property is surrounded by a mix of open, wooded, residential, commercial and industrial land uses (See Appendix A). The land to the south of the Airport is predominately wooded and/or open, with light industrial establishments along Christian Street and several low density residential areas south of the runway end. The Larkin State Park Trail delineates the southern boundary of the airport property. A mixture of residential land uses and some industrial development is located to the north and the west of the Airport along Christian Street, Route 188, and other roadways. The land to the east is predominately wooded with scattered residential areas.

Residences are scattered along virtually every roadway in the vicinity, excluding I-84. The highest density of housing near the Airport is located to the north of Juliano Road and east of Christian Street (e.g., Triangle Boulevard). This area includes over 70 single-family homes and is located one-quarter mile north of the runway.

1.2 Project Description

This project identifies 72 homes that are located in a noise impacted area, based on Federal Aviation Administration (FAA) criteria and analysis in a recent FAA FAR Part 150 Noise Study. The majority (71) of these homes are located north of Waterbury-Oxford Airport (OXC) in the Triangle Hills Neighborhood in Middlebury, Connecticut. The one remaining home is near the northwest corner of the airport property, on Christian Street in the Town of Oxford. The recent noise study recommends measures to mitigate the noise impacts on the homeowners and occupants, including the voluntary acquisition or noise insulation of homes within the noise impact area. Figures 1-2 provide a map of the 72 properties eligible to participate in the program.

This conceptual relocation plan evaluates households impacted and the implementation of the voluntary acquisition of properties and the relocation of residents as part of the Waterbury-Oxford Airport's (OXC) Voluntary Land Acquisition and Relocation Assistance Program (Program). This program includes two alternatives of the Noise Compatibility Program (NCP) of the Waterbury-Oxford Airport FAR Part 150 Noise Study. The Program Alternatives include LU-4 and LU-5. The first alternative, LU-4, involves the voluntary acquisition of all homes within the vicinity of the Triangle Hills neighborhood, and was recommended with the goal of improving noise compatibility and neighborhood continuity, in the initial study.

The second alternative, LU-5, also includes the option for sound insulation of certain properties that are not located within the RPZ. Under LU-5, homeowners located outside the RPZ have the option of voluntary noise insulation. The voluntary noise insulation measure seeks to reduce interior noise levels. Such measures may include replacement of windows, doors, air conditioning systems, etc. For owners choosing this option, the homes would be inspected to evaluate if insulation would provide a reasonable reduction in interior noise. Figure 1-3 highlights the homes located within the RPZ.

The Connecticut Department of Transportation (ConnDOT) is committed to providing a comprehensive noise mitigation program that adequately addresses the issue of compatible land uses within the areas neighboring the airport. It is with this understanding that ConnDOT approaches this project. This project will be implemented as a step towards meeting the goal of providing a comprehensive noise mitigation program in the areas surrounding the Waterbury-Oxford Airport. It will be a voluntary project in which the homeowners will have the option of not participating in this Program if they so desire.

The Conceptual Relocation Plan for this program reviews acquisition and relocation project parameters and timeframes, consider potential problems and identify steps that may be taken to minimize problems throughout the program. An acquisition stage relocation plan will provide details associated with the actual implementation activities and address individual issues of the affected residents. It is anticipated that the ConnDOT Right-of-Way Department will meet individually with each impacted owner to address the program options in detail and secure additional information.

1.3 The Uniform Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act) provides for uniform and equitable treatment of persons displaced as a result of a federally assisted project. The requirements of the Uniform Act are contained in (49 CFR Part 24). The Uniform Act provides for supplemental relocation payments in addition to the acquisition purchase price for displaced owners and tenants. In 1987 legislation was enacted to increase maximum benefits allowances and provide the methodology for business relocation and reestablishment assistance. These regulations apply to all federally funded land acquisition and relocation assistance programs. The program at the OXC Airport will qualify for federal funding, as such, ConnDOT is required adhere to Uniform Act and FAA guidelines.

The purpose of these regulations is to ensure that all displaced persons will be treated fairly and consistently. Note that any occupant (owners or tenants) of a home purchased under this program is considered displaced. The voluntary nature of the acquisition does not affect the occupant's eligibility for benefits under the Uniform Act.

1.3.1 Financial Assistance for Owner Occupants

After review of the Town tax cards and owner surveys it has been determined that the majority of households in the designated land acquisition area are owner occupied for over 180 days. There are three categories of supplemental relocation benefits available under the Uniform Act to those displaced residential occupants who have owned and occupied their property for at least 180 days. These three benefits (i.e., payments) make up the Replacement Housing Payment (RHP) which has a maximum payment of \$22,500 and include:

- Purchase Price Differential (PPD): This supplemental payment is based on the difference between the list price of a similar replacement dwelling and the fair market value of the acquisition property. The comparable dwelling selected for this market evaluation does not need to be identical to the acquisition property but should contain the same major features. The payment amount is established by a professional relocation specialist and the criteria for selecting a comparable dwelling for the determination is "functional equivalency".
- Incidental Closing Costs: This supplemental payment includes reimbursement of the actual, reasonable, and necessary costs incurred associated with securing a mortgage and purchasing a new home. These costs would typically include appraisal fees, recording fees, escrow fees, title insurance, survey fees, and home inspection fees.
- Mortgage Interest Differential Payment (MID): This supplemental payment is available to offset the cost of higher interest rates. The payment effectively gives the owner the opportunity to buy down the interest rate to make up for lost purchasing power.

The benefits available to owner occupants of less than 180 days are different than that listed above. However, as the property acquisitions are not anticipated to commence within the next six

months, any current occupant would satisfy the 180 day requirements prior to closing, and would therefore qualify for all listed payments.

1.3.2 Financial Assistance for Tenant Occupants

Residential tenant occupants may be eligible for a Rental Subsidy Payment, plus moving cost reimbursement if they meet the eligibility requirements. The eligibility requirements pertain to the length of occupancy and spending requirements, and would be explained in detail to any impacted tenants during the acquisition phase. The Uniform Relocation Act provides a maximum statutory limit of \$5,250 for a rental subsidy payment.

1.3.3 Moving Cost Reimbursement

In addition to any Replacement Housing Payment for a 180 Day Occupant or Rental Subsidy Payment for a tenant occupant, all displaced residences are eligible for reimbursement of actual reasonable and necessary moving costs or a schedule payment. A person displaced from their dwelling is eligible to receive compensation for the cost to relocate their personal property located at the subject dwelling. There are two basic options available for move cost reimbursement:

1. Actual and reasonable costs of relocating personal property utilizing a commercial mover for a maximum of 50 miles. This would also include the disconnection and reconnection of personal property, such as stoves, refrigerators and/or washers and dryers. Those relocating over 50 miles are eligible for their costs for moving the first 50 miles.
2. A schedule method which provides a lump sum payment based on the number of rooms in a dwelling. Connecticut currently uses the following schedule:

TABLE 1-1 – NUMBER OF ROOMS OF FURNITURE								
One	Two	Three	Four	Five	Six	Seven	Eight	Add Rm
\$620	\$810	\$1,000	\$1,180	\$1,425	\$1,670	\$1,910	\$2,150	+ \$150

1.3.4 Housing of Last Resort

Housing of Last Resort may allow for some additional payments but this must be addressed on a case by case basis and is subject to State and FAA review and approval. It is anticipated that this provision will be only used in a few unique instances but additional information will need to be secured to evaluate further.

1.3.5 Financial Assistance for Displaced In-Home Businesses

The surveys secured indicate that there are a few in home businesses that may qualify for moving cost reimbursement. Displaced businesses may qualify for moving cost reimbursement and re-establishment costs provided they can supply adequate documentation to support the claims. The

limit on re-establishment cost reimbursement is \$10,000; and the moving cost reimbursement is based on actual, reasonable, and necessary costs as incurred.

1.4 Characteristics of the Neighborhood

Middlebury and Oxford, Connecticut are located in New Haven County between the City of Waterbury and the Town of Southbury. The Airport is approximately 35 miles southeast of Hartford and 90 miles north of New York City. The major roadway connecting the project area to points east and west is Interstate 84. The commercial airport servicing the region is Bradley International Airport in Windsor Locks, CT, approximately 45 miles to the northeast.

The subject neighborhood is a residential area situated in Middlebury, immediately north of the Oxford town line, with one home located on Christian Street in Oxford. The designated project area identifies 72 homes that are located in a noise impacted area, based on the FAA criteria and analysis in the recent Part 150 noise study.

Based on the Noise Study, the Triangle Boulevard neighborhood is impacted by airport operations at Waterbury-Oxford Airport. The neighborhood is directly north of the Airport, and in proximity to the end of the runway. This area is impacted by both aircraft takeoff and landing operations. Christian Road is also impacted and is a third of a mile from the end of the runway. Christian Road is the major collector roadway in the immediate area. The 72 subject homes are located on Christian Road, Triangle Boulevard, and Hill Parkway, and are all well within a mile of the end of the runway, as shown in Figure 1-2.

The subject area is zoned single family residential. The homes are of average quality and in average condition. They range from 20 to 40 years in age and are well maintained. The styles of homes in these neighborhoods are predominantly raised ranches and ranches with a few colonials and capes. Based on available public information and completed surveys, there are 43 raised ranches, 12 ranches, 10 colonials, and 7 capes. Most of the houses were built around 1971, and the average above grade gross living area is approximately 1,400 square feet. Approximately 70 percent of the homes have finished or partially finished basements. 62 properties have a garage with 25 having two bays and 37 having one bay. The median lot size is approximately 26,000 square feet in area. The vast majority of homes, 54 homes or approximately 75 percent, have three bedrooms and between one and two bathrooms. Table 1-2 provides a summary of bedrooms and baths.

TABLE 1-2 –SUMMARY OF BEDROOMS AND BATHS		
Bedrooms	Bathrooms	Count
Two bedrooms	1-1.5	3
Two bedrooms	2 or more	1
Three bedrooms	1-1.5	34
Three bedrooms	2 or more	20
Four bedrooms	1-1.5	3
Four bedrooms	2 or more	10
Five bedrooms	1-1.5	0
Five bedrooms	2 or more	1
Total		72

1.4.1 Survey Responses

In January 2009, a letter of introduction, project overview, and survey form was distributed to all 72 impacted property owners within the Triangle Hills Neighborhood. Generally, the surveys were designed to assist in collecting the general neighborhood demographic information. Information provided in the completed surveys was be used to evaluate individual relocation needs and special concerns, which will be further addressed during the implementation phase of the acquisition.

Of the 72 households within the Triangle Hills Neighborhood that received project information, 52 returned surveys (72% response rate). Response rates over 50% are generally consider high and adequate for making inferences regarding the remaining households. The survey activities included follow-up efforts and assistance from the Town of Middlebury in order to obtain the high rate of response. The information provided in the survey was obtained on a voluntary basis. Although 72 percent of the questionnaires were returned, some participants chose to only partially complete the survey by omitting responses to certain questions.

1.4.2 Voluntary Land Acquisition Alternative

The recent FAR Part 150 Noise Study and associated NCP recommended Alternative LU-4, the voluntary acquisition of homes within the vicinity of Triangle Hills Neighborhood (the noise impact area). If only this alternative were to be implemented, there would be no residential noise/sound insulation offered. All homes acquired would be demolished and the property restored to an undeveloped state. Note that some building materials may be salvaged or recycled to the extent feasible. Home owners that decide not to accept the voluntary acquisition will not be forced to do so, and thus may remain in their home indefinitely.

Based on the survey results, 73 percent of the respondents indicated they would be willing to participate in a voluntary land acquisition program. However, this percentage may have been higher if an option for noise insulation was not being offered, as eight respondents prefer or are considering requesting noise insulation, in lieu of acquisition.

All but one of the property owners who completed surveys and provided the information stated that they had owned and occupied their home for at least 180 days. Therefore, it is assumed that nearly all of the impacted owners would qualify for the benefits specific to 180 Day Owner Occupants as described above.

1.4.3 **Sound Insulation Alternative**

As part of the program, sound insulation (Alternative LU-5) is being offered as a mitigation alternative for residents that are not located within Runway Protection Zone (RPZ). This option is likely to be preferred by some residents, and ConnDOT and FAA have agreed to retain LU-5 for selection at the discretion of the owner. Of the 72 homes, 38 are located outside of the RPZ and 34 are within, see Figure 1-3.

A. Runway Protection Zone

There are 34 parcels which are partially or wholly within the RPZ; 27 of which responded to the survey. These parcels will only be offered the option to participate in a Voluntary Land Acquisition Program.

TABLE 1-3 – RESIDENT PREFERENCES, WITHIN RPZ		
Acquisition Program	Number of Households	Percentage of Households
Yes	24	89%
No	0	0%
Undecided	3	11%
Total	27	100%

All of the property owners who completed surveys and provided the information stated that they had owned and occupied their home for at least 180 days. Therefore, it is estimated that nearly all of these impacted owners would qualify for the benefits described above. Home owners that decide not to accept the voluntary acquisition will not be forced to do so, and thus may remain in their home indefinitely.

B. Non Runway Protection Zone

Of the 25 of 38 households that completed Non-RPZ surveys, 14 stated they would be willing to participate in a Voluntary Acquisition Program only, five preferred sound insulation, three indicated they would likely accept one of the options, one stated neither option is agreeable, and the remaining two participants were undecided.

TABLE 1-4 –RESIDENT PREFERENCES, NON-RPZ		
Program Option	Number of Households	Percentage of Households
Acquisition	14	56%
Sound Insulation	5	20%
Consider Both	3	12%
Neither	1	4%
Undecided	2	8%
Total	25	100%

All but one of the property owners who completed surveys and provided the information stated that they had owned and occupied their home for at least 180 days. Therefore, it is estimated that nearly all of the impacted Non-RPZ Parcel owners would qualify for the benefits described above.

1.4.4 Households with Children and Students

Of the 52 respondents, 44 provided information regarding the number of children or dependents occupying the household.

TABLE 1-5 –CHILDREN OR DEPENDENTS		
No. of Children	No. of Households	Percentage
0	20	45%
1	7	16%
2	10	23%
3	4	9%
4	1	2%
5	2	5%
6	0	0%
Total Households	44	100%

Out of the 24 survey participants with children, 19 households indicating having children attending local schools. The school system in Middlebury belongs to Pomperaug Regional School District 15 and is part of a regional system shared with the Town of Southbury. Each town pays half of the education taxes and students can attend schools which are located in either town. Generally, there is transportation provided to students who live in Southbury or Middlebury regardless of which public school they choose to attend.

Based on the survey information provided, the majority of students living in Triangle Hills Neighborhood attend Long Meadow Elementary School, Memorial Middle School, and Pomperaug High School. The other available public schools within District 15 include:

- Pomperaug Elementary School
- Middlebury Elementary School
- Gainfield Elementary School
- Rochambeau Middle School
- W.F. Kaynor Technical High School in Waterbury
- Henry Abbot Technical High School in Danbury
- Nonnewaug High School in Woodbury

A few property owners who completed questionnaires have expressed concerns regarding availability of special education programs. This will be addressed in detail on a case by case basis. Options available in this circumstance include:

- Offering comparable housing within the same school district
- Special request to the school to allow the student to be retained after relocation
- Assistance in finding a similar special education program in a new location

1.4.5 Special Needs Considerations

Due to the Americans with Disabilities Act and other similar provisions outlined in the Uniform Act, it is anticipated that special consideration will be necessary to assist those owner occupants and tenant occupants with disabilities. For a displaced person who is handicapped, any comparable dwelling offered must be free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling by such displaced person. There are a small number of participants that have indicated they have disabilities due to age or mobility that may require special consideration. These will be addressed in detail during the future interview process and when developing the detailed relocation plan during the acquisition stage. These concerns will be addressed on a case by case basis. Based on the requirements of the Uniform Act, the replacement housing is typically retrofitted to address the special needs of the residents in these cases.

Additionally, based on the surveys provided, there are some households who have a loan to value ratio in excess of 100 percent (i.e., negative equity, sometimes referred to “as being upside down” on a mortgage). It is not feasible to determine how many households this will affect (or to what extent it will affect them) until the property appraisals are conducted and detailed mortgage loan information is obtained. As the project will required several years to implement, the current negative equity occurrences may also be reversed prior to acquisition. Also note that any harmful affects of the project itself on a home’s fair market value will be disregarded during the appraisal process.

As the current economic conditions have increased the occurrences of negative equity, the federal government is considering programs or additional benefit for federally-funded property acquisitions. Such programs would be designed to reduce problems in completing the acquisition and relocation process in a timely manor and could have a role in the OXC acquisition process. However, as any such programs would likely be temporary, they will be considered in detail during the time of the acquisition. In summary, loan to value ratios will be addressed on a case

by case basis during in the acquisition stage and special assistance may become available. It should be noted that this is an unusual real estate market and this trend could change quickly as evidence by the high rate of appreciation from 2001 through 2006.

1.4.6 Relocation Appeals Procedure

ConnDOT has a relocation appeal procedure that meets the requirements of the Uniform Act and other applicable regulations. ConnDOT conducts appeals consistent with the regulations and will adequately document the appeal decision as appropriate. The person filing an appeal has the right to representation by private council, solely at the expense of the person filing the appeal.

As discussed above, relocation benefits are available to parties that are displaced by the project under the Uniform Relocation Act. However, it should be noted that the appeals process is primarily employed by residents impacted by a property taking (i.e., a non-voluntary acquisition that may involve eminent domain). As this program is voluntary, all residents maintain the right to not participate and stay in the homes. As such, at any time prior to closing, the owner can reject the offer.

The fact that this is a voluntary program reduces the importance of the appeals process, as both seller (homeowner) and buyer (ConnDOT) can chose to withdraw from the purchase process. While ConnDOT will provide offers to all interested residents, it is not obligated to negotiate the purchase price or the associated benefit payments to the satisfaction of the seller. If the property is not acquired then the occupants will not be displaced or qualify for relocation assistance.

1.5 Inventory of Available Residential Units

Multiple searches of available housing were conducted in order to determine whether adequate comparable housing is available to meet the needs of the displacees. In March 2009, there were 191 houses on the market according to a search of the Connecticut Multiple Listing Service (CTMLS) database. This analysis of available housing was conducted within a 10-mile radius from the impacted area. The search criteria included single family dwellings selling at \$200,000 to \$400,000, with square footage between 1,000 to 3,000 square feet, on a minimum lot size of 0.4 acres. The details of this initial search are listed below.

TABLE 1-6 –COMPARABLE HOUSING (March 2009)		
Bedrooms	Bathrooms	Available
Two bedrooms	1-1.5	5
Two bedrooms	2 or more	9
Three bedrooms	1-1.5	28
Three bedrooms	2 or more	88
Four bedrooms	1-1.5	8
Four bedrooms	2 or more	44
Five or more bedrooms	1-1.5	2
Five or more bedrooms	2 or more	7
Total		191

During the Part 150 Noise Study process, several residents indicated that they would not be interested in relocated to an urbanized setting (e.g., the City of Waterbury), preferring to maintain a suburban home and lifestyle. While the search above is limited to single-family dwellings on lots of at least 0.4 acres, it does include portions of the City of Waterbury. As such, two additional searches were conducted:

- Available single-family housing within the Towns of Middlebury, Southbury, and Oxford (only), with the same square footage and price ranges listed above. This search functionally limits the criteria to suburban areas and identified 91 houses on the market according to the CTMLS database (April 2009).
- The third search included the available single-family housing within only the Towns of Middlebury and Southbury, as these towns comprise the school district of the Triangle Hills neighborhood. Some survey respondents indicated a desire to avoid changing schools. This search identified 73 houses on the market according to the CTMLS database (April 2009).

The adequacy of the market to meet the relocation housing needs of the displaced residents will ultimately be determined during the acquisition stage. One key factor which has yet to be determined is the amount of project funding per year and the total number of years over which the project will be implemented. It is anticipated that the project will be implemented in stages acquiring approximately 7 to 10 homes per year and could take 7-10 years to complete (as further discussed in Chapter 2).

Based on this review, the housing market in the Town of Middlebury and the surrounding area contains adequate housing for the relocation needs of the residents impacted by the OXC Voluntary Land Acquisition Project. As this could change in the future, this conclusion will be updated periodically over the project term.

Finally, the study effort also included a review of other relocation projects planned for this area that would significantly impact the inventory of available housing. No such additional relocation efforts of a significant nature were identified.

1.6 Relocation of In-Home Business

It is anticipated, based on the survey information provided, there may be several small in-home businesses that will require relocation assistance and moving cost reimbursement. There were eight survey participants who indicated they operate a business out of their home. Out of these eight businesses, none indicated they would have any special relocation concerns to consider.

Business relocation benefits offered to legitimate in-home businesses would be limited to a reestablishment expense, not to exceed \$10,000. The limit is for documented cost to reestablish business operations, and is in addition to any reimbursement of actual, reasonable and necessary moving costs. Business may also receive assistance in locating viable business replacement options if necessary.

1.7 Implementation Schedule

The land acquisition project will be implemented in phases based on available future funding after program approvals by ConnDOT and FAA have been secured. Once the necessary approvals and funding for the acquisition program are obtained the acquisition phase will begin (disbursing brochures, conducting interviews, appraisals, etc.).

Because this project will be implemented in stages contingent on funding availability over a period of years, ConnDOT has compiled a priority list of the properties to be acquired. Additionally, a policy for dealing with unique hardships will be implemented, which may alter to priority acquisition schedule during the multi-year acquisition process. Although the prioritized list will generally be used to determine the order of properties acquired, special considerations will be given to people with severe hardships on a case by case basis.

According to the surveys that have already been completed, there are a few households that may require special consideration due to debilitating illness. There may be other extraordinary conditions that pose a significant threat to the health, safety, or welfare of the families involved in the program that also will require consideration for a hardship early acquisition.

Chapter 2 of this report provides the recommended implementation phasing and schedule, as well as the hardship acquisition guidelines.

1.8 Summary

The project identifies 72 homes that may be acquired or sound insulated through the use of various noise mitigation programs. If all homes were to be included in a voluntary land acquisition program, it appears there will be adequate comparable housing available to accommodate the displaced households. However, the adequacy of available housing will ultimately depend on the project schedule of 7 to 10 years, and conditions may change during this timeframe.

Based on the completed surveys and comments provided, it appears that the majority of property owners are willing to participate in the program, whether it is sound insulation or voluntary acquisition. Once the funding has been secured and approvals are in place, property owner interviews will be conducted and an acquisition stage relocation plan prepared to address any special concerns.

2.0 ACQUISITION PHASING

The Waterbury–Oxford Airport (OXC) FAR Part 150 Noise Study and Chapter 1 of this Relocation Plan discuss the voluntary acquisition of 72 single-family homes as a 7 to 10 year program, based on available funding. The Part 150 Study indicated that homes closest to the runway, and thus, exposed to the highest noise levels, would be first to receive an acquisition offer from ConnDOT; however, no phasing details were provided. This chapter of the Relocation Plan provides a discussion and recommendation of the acquisition phasing and a tentative schedule.

In order to look at a “worst case scenario” from a relocation housing perspective this evaluation assumed that all 72 eligible homeowners will choose to sell their property to ConnDOT. Such an outcome would require the greatest funding and longest period of time to implement. Based on the responses to the survey questionnaire (see Chapter 1), several homeowners that are eligible for noise insulation have indicated they would prefer that alternative, and others have not decided at this time.

During implementation, if eligible homeowners confirm their interest in noise insulation, or if any owners opt out of the program entirely, the acquisition process would be accelerated. It should also be noted, however, that the survey responses are in no way binding and an owner’s decision is not “final” until the sale is complete or a noise insulation agreement is executed between the owner and ConnDOT. As such, for this phasing plan, all 72 properties were included, as all owners remain eligible for voluntary acquisition.

2.1 Phasing Plan

Once the voluntary acquisition program commences, ConnDOT will pursue voluntary acquisitions each year based on the funding provided by the FAA. As discussed throughout the Part 150 Noise Study process, noise compatibility is the purpose of the project and the FAA funding is coming from the “noise program set-aside” within the FAA’s Airport Improvement Program (AIP). However, a characteristic that is unique to OXC’s program are the homes located within the Runway Protection Zone (RPZ). The location of these homes significantly influenced the Part 150 Study recommendations. Based on current FAA design standards, residences are an incompatible land use within the RPZ. As such, voluntary acquisition is the only alternative being offered to homeowners located within the RPZ (not noise insulation). Location within the RPZ has also been considered in the acquisition phasing.

Several similar residential acquisition programs have been implemented in other locations in New England and throughout the country. From this case history, the FAA has estimated that funding for 7 to 10 acquisitions could realistically be provided each year of the OXC voluntary acquisition program. The relocation schedule has been based on this assumption.

Two proposed acquisition phasing plans are presented below: the first based on airport noise levels, the second on RPZ location.

2.1.1 Noise Considerations

FAA funding is eligible for property acquisitions in locations exposed to aircraft noise levels at or greater than a Day-Night Noise Level (DNL) of 65 dB. At commercial airports with airline and air cargo operations, nearby homes are sometimes subject to airport noise level categories of over DNL 70 or over DNL 75 dB. Based on the OXC Part 150 Noise Study, no homes fall within these higher noise levels at OXC. Therefore, from an evaluation standpoint, each of the 72 impacted homes are within the same noise contour or “category” of noise compatibility – homes within the DNL 65 to 70 dB contour, plus adjacent properties within the same neighborhood.

Programs associated with a particular neighborhood typically include the entire neighborhood, even if some locations are below the DNL 65 noise level, for community equity purposes. In the Triangle hills neighborhood, the DNL for each property varies, and may be as low as DNL 58 dB upon implementation of the noise abatement program. Nevertheless, the entire neighborhood is included the program.

Table 2-1 lists the potential acquisition phasing based exclusively on the airport noise level measure in DNL, with 10 homes per phase (i.e., year). Note that 12 homes are included in the final year. As illustrated in Figure 2-1, the locations nearest to the runway are generally in the early phases. However, due to the configuration of the individual parcels with respect to the runway orientation, homes in the same phase are not necessarily contiguous. For example, Phase 4 of this alternative includes homes in five separate locations within the neighborhood.

2.1.2 RPZ Considerations

Based on noise level alone, there would be residents located outside of the RPZ that would receive an acquisition offer before some homeowners located within the RPZ. As residential development within the RPZ is considered incompatible, a second phasing option was prepared to still consider noise level, but revised the phasing to offer voluntary acquisition to all properties within the RPZ prior to making purchase offers to homes outside the RPZ.

The Triangle Hills neighborhood has 34 homes within the RPZ; no other general aviation airport in Connecticut has as many homes within the RPZ. Table 2-2 shows the modified phasing, which changes the phasing for a handful of properties, as compared to phasing based on noise alone. As illustrated in Figure 2-2, the changes occur primarily in Phases 3 through 5. However, just like the alternative above, this phasing option also results in adjacent homes being located in different acquisition phases. Under this phasing alternative this would occur in Phases 4 through 7.

Table 2-1:Relocation Phasing – Based on Noise				
ACQUISITION PHASE	DNL	TAX PARCEL	ADDRESS	HOUSE IN RPZ
1 (10 Homes)	68.0	79	101 Triangle Blvd.	YES
	68.0	80	87 Triangle Blvd.	YES
	67.3	81	75 Triangle Blvd.	YES
	67.2	104	90 Triangle Blvd.	YES
	67.0	78	111 Triangle Blvd.	YES
	66.9	105	102 Triangle Blvd.	YES
	66.0	103	48 Triangle Blvd.	YES
	66.0	106	112 Triangle Blvd.	YES
	66.0	102	24 Triangle Blvd.	YES
	66.0	82	63 Triangle Blvd.	YES
2 (10 Homes)	65.6	77	129 Triangle Blvd.	YES
	65.2	101	45 Hill Pkwy.	YES
	65.0	109	79 Hill Pkwy.	YES
	65.0	110	67 Hill Pkwy.	YES
	64.9	83	51 Triangle Blvd.	YES
	64.8	84	43 Triangle Blvd.	YES
	64.8	85	31 Triangle Blvd.	YES
	64.7	86	25 Hill Pkwy.	YES
	64.6	107	117 Hill Pkwy.	YES
64.6	108	95 Hill Pkwy.	YES	
3 (10 Homes)	64.6	61	24 Hill Pkwy.	NO
	64.5	111	332 Triangle Blvd.	YES
	64.3	59	1318 Christian Rd.	NO
	64.3	62	321 Triangle Blvd.	NO
	64.2	112	44 Hill Pkwy.	YES
	64.1	17-22-2	362 Christian Rd.	NO
	64.0	60	1332 Christian Rd.	NO
	64.0	58	1304 Christian Rd.	NO
	63.8	113	56 Hill Pkwy.	YES
63.8	94	1444 Christian Rd.	NO	
4 (10 Homes)	63.8	76	145 Triangle Blvd.	NO
	63.6	87	7 Hill Pkwy	YES
	63.6	88	1362 Christian Rd.	YES
	63.6	114	68 Hill Pkwy.	YES
	63.6	93	1432 Christian Rd.	NO
	63.6	57	1290 Christian Rd.	NO
	63.6	63	311 Triangle Blvd.	NO
	63.4	89	1378 Christian Rd.	YES
	63.4	91	1408 Christian Rd.	YES
63.4	92	1418 Christian Rd.	NO	
Table Continues on Following Page				

Table Continued from Previous Page				
ACQUISITION PHASE	DNL	TAX PARCEL	ADDRESS	HOUSE IN RPZ
5 (10 Homes)	63.4	56C	1276 Christian Rd.	NO
	63.3	90	1396 Christian Rd.	YES
	63.3	115	80 Hill Pkwy.	YES
	63.2	126	300 Triangle Blvd.	NO
	63.1	116	92 Hill Pkwy.	YES
	63.0	124	254 Triangle Blvd.	YES
	62.8	117	106 Hill Pkwy.	NO
	62.8	118	120 Hill Pkwy.	NO
	62.8	38A	1251 Christian Rd.	NO
	62.7	75	155 Triangle Blvd.	NO
6 (10 Homes)	62.6	35	1351 Christian Rd.	NO
	62.5	56B	1254 Christian Rd.	NO
	62.4	125	266 Triangle Blvd.	YES
	62.3	34	1363 Christian Rd.	YES
	62.3	64	301 Triangle Blvd.	NO
	61.7	123	244 Triangle Blvd.	NO
	61.6	65	289 Triangle Blvd.	NO
	61.5	122	234 Triangle Blvd.	NO
	61.3	66	279 Triangle Blvd.	NO
	61.3	56A	1240 Christian Rd.	NO
7 (12 Homes)	61.2	74	167 Triangle Blvd.	NO
	61.1	119	172 Triangle Blvd.	NO
	61.0	67	269 Triangle Blvd.	NO
	61.0	56	1264 Christian Rd.	NO
	60.9	121	224 Triangle Blvd.	NO
	60.4	120	212 Triangle Blvd.	NO
	60.4	68	253 Triangle Blvd.	NO
	59.9	69	237 Triangle Blvd.	NO
	59.9	73	177 Triangle Blvd.	NO
	59.2	70	221 Triangle Blvd.	NO
	59.0	72	187 Triangle Blvd.	NO
	58.7	71	209 Triangle Blvd.	NO

Table 2-2: Relocation Phasing – Based on RPZ				
ACQUISITION PHASE	DNL	TAX PARCEL	ADDRESS	HOUSE IN RPZ
1 (10 Homes)	68.0	79	101 Triangle Blvd.	YES
	68.0	80	87 Triangle Blvd.	YES
	67.3	81	75 Triangle Blvd.	YES
	67.2	104	90 Triangle Blvd.	YES
	67.0	78	111 Triangle Blvd.	YES
	66.9	105	102 Triangle Blvd.	YES
	66.0	103	48 Triangle Blvd.	YES
	66.0	106	112 Triangle Blvd.	YES
	66.0	102	24 Triangle Blvd.	YES
	66.0	82	63 Triangle Blvd.	YES
2 (10 Homes)	65.6	77	129 Triangle Blvd.	YES
	65.2	101	45 Hill Pkwy.	YES
	65.0	109	79 Hill Pkwy.	YES
	65.0	110	67 Hill Pkwy.	YES
	64.9	83	51 Triangle Blvd.	YES
	64.8	84	43 Triangle Blvd.	YES
	64.8	85	31 Triangle Blvd.	YES
	64.7	86	25 Hill Pkwy.	YES
	64.6	107	117 Hill Pkwy.	YES
	64.6	108	95 Hill Pkwy.	YES
3 (10 Homes)	64.5	111	332 Triangle Blvd.	YES
	64.2	112	44 Hill Pkwy.	YES
	63.8	113	56 Hill Pkwy.	YES
	63.6	87	7 Hill Pkwy	YES
	63.6	88	1362 Christian Rd.	YES
	63.6	114	68 Hill Pkwy.	YES
	63.4	89	1378 Christian Rd.	YES
	63.4	91	1408 Christian Rd.	YES
	63.3	90	1396 Christian Rd.	YES
	63.3	115	80 Hill Pkwy.	YES
4 (10 Homes)	63.1	116	92 Hill Pkwy.	YES
	63.0	124	254 Triangle Blvd.	YES
	62.4	125	266 Triangle Blvd.	YES
	62.3	34	1363 Christian Rd.	YES
	64.6	61	24 Hill Pkwy.	NO
	64.3	59	1318 Christian Rd.	NO
	64.3	62	321 Triangle Blvd.	NO
	64.1	17-22-2	362 Christian Rd.	NO
	64.0	60	1332 Christian Rd.	NO
	64.0	58	1304 Christian Rd.	NO
Table Continues on Following Page				

Table Continued from Previous Page				
ACQUISITION PHASE	DNL	TAX PARCEL	ADDRESS	HOUSE IN RPZ
5 (10 Homes)	63.8	94	1444 Christian Rd.	NO
	63.8	76	145 Triangle Blvd.	NO
	63.6	93	1432 Christian Rd.	NO
	63.6	57	1290 Christian Rd.	NO
	63.6	63	311 Triangle Blvd.	NO
	63.4	92	1418 Christian Rd.	NO
	63.4	56C	1276 Christian Rd.	NO
	63.2	126	300 Triangle Blvd.	NO
	62.8	117	106 Hill Pkwy.	NO
	62.8	118	120 Hill Pkwy.	NO
6 (10 Homes)	62.8	38A	1251 Christian Rd.	NO
	62.7	75	155 Triangle Blvd.	NO
	62.6	35	1351 Christian Rd.	NO
	62.5	56B	1254 Christian Rd.	NO
	62.3	64	301 Triangle Blvd.	NO
	61.7	123	244 Triangle Blvd.	NO
	61.6	65	289 Triangle Blvd.	NO
	61.5	122	234 Triangle Blvd.	NO
	61.3	66	279 Triangle Blvd.	NO
	61.3	56A	1240 Christian Rd.	NO
7 (12 Homes)	61.2	74	167 Triangle Blvd.	NO
	61.1	119	172 Triangle Blvd.	NO
	61.0	67	269 Triangle Blvd.	NO
	61.0	56	1264 Christian Rd.	NO
	60.9	121	224 Triangle Blvd.	NO
	60.4	120	212 Triangle Blvd.	NO
	60.4	68	253 Triangle Blvd.	NO
	59.9	69	237 Triangle Blvd.	NO
	59.9	73	177 Triangle Blvd.	NO
	59.2	70	221 Triangle Blvd.	NO
	59.0	72	187 Triangle Blvd.	NO
	58.7	71	209 Triangle Blvd.	NO

2.1.3 Recommended Phasing Plan

As noted above, the phasing based on noise level (Figure 2-1) and as modified for the RPZ (Figure 2-2), have some scattering in the location of residents in various phases. This can be a disadvantage as a home in Phase 4 may be located between homes in earlier phases. This would result in the demolition of properties to become somewhat spread-out through the neighborhood, instead of in small adjacent sections, which would be preferable. For this reason, the benefits of both alternatives above were reviewed and modified into optimal grouping of homes based on noise level, RPZ, and their comparative locations. Since noise is fairly uniform throughout the neighborhood, the highest priority was given to those homes in the RPZ, despite other factors, since this is a safety consideration. Phasing was then prioritized based on noise, and modified by location. The result eliminates the geographic scatter, with all homes in any given phase located together.

Table 2-3 and Figure 2-3 depict the results of this approach, which is considered the preferred acquisition phasing and is recommended for the property acquisition implementation.

Table 2-3: Recommended Relocation Phasing				
ACQUISITION PHASE	DNL	TAX PARCEL	ADDRESS	HOUSE IN RPZ
1 (10 Homes)	68.0	79	101 Triangle Blvd.	YES
	68.0	80	87 Triangle Blvd.	YES
	67.3	81	75 Triangle Blvd.	YES
	67.2	104	90 Triangle Blvd.	YES
	67.0	78	111 Triangle Blvd.	YES
	66.9	105	102 Triangle Blvd.	YES
	66.0	103	48 Triangle Blvd.	YES
	660.	106	112 Triangle Blvd.	YES
	65.6	77	129 Triangle Blvd.	YES
	64.6	107	117 Hill Pkwy.	YES
2 (10 Homes)	66.0	102	24 Triangle Blvd.	YES
	66.0	82	63 Triangle Blvd.	YES
	65.2	101	45 Hill Pkwy.	YES
	65.0	109	79 Hill Pkwy.	YES
	65.0	110	67 Hill Pkwy.	YES
	64.9	83	51 Triangle Blvd.	YES
	64.8	84	43 Triangle Blvd.	YES
	64.8	85	31 Triangle Blvd.	YES
	64.7	86	25 Hill Pkwy.	YES
	64.6	108	95 Hill Pkwy.	YES
3 (10 Homes)	64.2	112	44 Hill Pkwy.	YES
	63.8	113	56 Hill Pkwy.	YES
	63.6	87	7 Hill Pkwy	YES
	63.6	88	1362 Christian Rd.	YES
	63.6	114	68 Hill Pkwy.	YES
	63.4	89	1378 Christian Rd.	YES
	63.4	91	1408 Christian Rd.	YES
	63.3	90	1396 Christian Rd.	YES
	63.3	115	80 Hill Pkwy.	YES
	63.1	116	92 Hill Pkwy.	YES
4 (10 Homes)	64.5	111	332 Triangle Blvd.	YES
	63.0	124	254 Triangle Blvd.	YES
	62.4	125	266 Triangle Blvd.	YES
	62.3	34	1363 Christian Rd.	YES
	64.6	61	24 Hill Pkwy.	NO
	64.3	59	1318 Christian Rd.	NO
	64.3	62	321 Triangle Blvd.	NO
	64.0	60	1332 Christian Rd.	NO
	63.2	126	300 Triangle Blvd.	NO
	62.6	35	1351 Christian Rd.	NO
Table Continues on Following Page				

Table Continued from Previous Page				
ACQUISITION PHASE	DNL	TAX PARCEL	ADDRESS	HOUSE IN RPZ
5 (10 Homes)	63.8	94	1444 Christian Rd.	NO
	63.6	93	1432 Christian Rd.	NO
	63.4	92	1418 Christian Rd.	NO
	62.8	117	106 Hill Pkwy.	NO
	62.8	118	120 Hill Pkwy.	NO
	61.7	123	244 Triangle Blvd.	NO
	61.5	122	234 Triangle Blvd.	NO
	61.1	119	172 Triangle Blvd.	NO
	60.9	121	224 Triangle Blvd.	NO
	60.4	120	212 Triangle Blvd.	NO
6 (10 Homes)	64.0	58	1304 Christian Rd.	NO
	63.6	57	1290 Christian Rd.	NO
	63.6	63	311 Triangle Blvd.	NO
	62.3	64	301 Triangle Blvd.	NO
	61.6	65	289 Triangle Blvd.	NO
	61.3	66	279 Triangle Blvd.	NO
	61.0	67	269 Triangle Blvd.	NO
	60.4	68	253 Triangle Blvd.	NO
	59.9	69	237 Triangle Blvd.	NO
	59.2	70	221 Triangle Blvd.	NO
7 (12 Homes)	64.1	17-22-2	362 Christian Rd.	NO
	63.8	76	145 Triangle Blvd.	NO
	63.4	56C	1276 Christian Rd.	NO
	62.8	38A	1251 Christian Rd.	NO
	62.7	75	155 Triangle Blvd.	NO
	62.5	56B	1254 Christian Rd.	NO
	61.3	56A	1240 Christian Rd.	NO
	61.2	74	167 Triangle Blvd.	NO
	61.0	56	1264 Christian Rd.	NO
	59.9	73	177 Triangle Blvd.	NO
	59.0	72	187 Triangle Blvd.	NO
	58.7	71	209 Triangle Blvd.	NO

2.1.4 Tentative Acquisition Schedule and Cost

It is estimated that the total cost of a household relocation will average \$350,000 per parcel. This relocation cost is a planning-level estimate including administrative, acquisition, and reclamation costs as listed below.

- Administration Costs: Appraisals, Surveys, Legal/Closings.
- Acquisition: Purchase Price, Replacement Housing Payment (RHP), Relocation Assistance Payments.
- Reclamation: Environmental Remediation, Building Demolition and Site Reclamation.

The actual relocation cost for each house will be determined on a case by case basis following the guidelines in the appraisal and acquisition process (see Section 2.3). The anticipated funding available for the program is between two and four million dollars each federal fiscal year, which allows for 7 to 10 property acquisitions per year. Table 2-4 provides a tentative acquisition schedule and cost estimate for the phases discussed previously.

Table 2-4: Tentative Acquisition Schedule		
Phase	Tentative Year	Planning Level Cost Estimate*
1	2010	\$2,500,000 - 3,500,000
2	2011	\$2,500,000 - 3,500,000
3	2012	\$2,500,000 - 3,500,000
4	2013	\$2,500,000 - 3,500,000
5	2014	\$2,500,000 - 3,500,000
6	2015	\$2,500,000 - 3,500,000
7	2016	\$3,200,000 - 4,200,000
Total:		\$18,200,000 - 25,200,000

*2009 Dollars

The anticipated annual funding for the acquisition program is estimated to be \$2,500,000 to \$3,500,000, with 95% provided by the FAA through the Airport Improvement Program (AIP). This program is appropriated annually by Congress and the Administration. Thus, the available funding will be determined each year. The estimated level listed in the table above is reasonable based on similar projects and current AIP appropriations. However, it is possible that either more or less funding may be available in any given year. As such, Table 2-4 is described as tentative, but based on practice and experience for noise relocation programs.

This schedule and the acquisition order presented in Figure 2-3 assume that all households will participate in the voluntary acquisition program. There are many other factors that could affect

the actual order and timeline of the program. For example, households not participating will be removed from the schedule which could allow for an earlier completion date. Any hardship acquisitions (see Section 2.2) will amend the proposed order, and finally, the schedule is also dependant the actual cost of relocations.

2.2 Hardship Acquisitions

Once a voluntary acquisition program begins, on occasion a homeowner must sell his/her home but is unable to do so because the property lies within the planned acquisition area. This is known as a hardship situation. If certain factors are satisfied, ConnDOT may buy such property before the approved program sequence. Hardship situations commonly fall into one of two types - health related or financially related.

Health hardships are defined as advanced age, debilitation, long-term handicaps requiring special housing facilities, or any other extraordinary condition that poses a significant threat to the health, safety, or welfare of the owner-occupants or household member for whom they are responsible. Financial hardships are defined as loss of employment and/or the need for distant relocation for employment, retirement, and financial inability to maintain current residence, pending mortgage foreclosure, financial litigation (probate), or any documented circumstance similar in impact.

Qualifications for hardship acquisitions must be fully documented. Examples of qualifying hardships and acceptable documentation may include:

- A doctor's statement fully and clearly describing the medical reasons for which the patient should relocate.
- A financial statement explaining how financial difficulties constitute the basis for a hardship.
- A letter from employer affirming that the owner is to be transferred to a specified location, or similar documentation regarding loss of employment.
- Court records and documents relating to any legal actions that provide support for the hardship basis (e.g., divorce, death in family, bankruptcy).
- Those portions of an income tax return supporting the hardship circumstance.

The above cannot be construed as being all-inclusive for every situation. Since it is conceivable that there will be times when the above documentation would not constitute appropriate or sufficient documentation, it would be acceptable to provide alternative data that will accomplish the required verification.

To be eligible for a hardship acquisition, the property to be acquired must meet all of the following requirements:

- Be an owner occupied, single-family dwelling on a lot of ≤ 10 acres.
- Be eligible for funding under The Waterbury-Oxford Airport Voluntary Land Acquisition and Relocation Program.
- Be able to document that a hardship exists.

For this program, ConnDOT will establish a Hardship Committee (HC) to review hardship applications and provide recommendations to the ConnDOT Project Manager. The HC will have the responsibility of evaluating all applications, confirming or researching the documentation provided, and conducting any follow up evaluation necessary. During their review, the HC may request further information and/or documents from the applicant and seek professional opinions as appropriate. The HC's effort is completed once a recommendation of acceptance or rejection of the application is submitted to the ConnDOT Project Manager.

The HC has not been established at this time, but as an example the HC could include five voting members, including representatives of the following agencies and offices:

- ConnDOT Bureau of Right-of-Way (Chair and staff support)
- ConnDOT Bureau of Aviation and Ports (Co-Chair and staff support)
- FAA New England Region Property Specialist
- Office of the First Selectmen of Middlebury
- Citizen Representative appointed annually by the Middlebury First Selectmen

If a homeowner deems it necessary to be evaluated for hardship considerations, a written request must be submitted to the HC stating the nature of the hardship. The Committee will review the request and will forward a recommendation to the ConnDOT Project Manager in accordance with the above criteria.

Based on the information provided, the ConnDOT Project Manager (with associated Bureau Manager) will review the Committee's recommendations and shall make a final decision in accordance with the above criteria. If the request is approved, the acquisition process would commence. If the request is rejected, a letter shall be sent to the applicant with a full explanation of the reasons for rejecting the request.

Depending upon funding levels and type of hardship, a determination will be made to acquire the property immediately or to move the acquisition to the beginning of the next phase. Hardship requests will be reviewed on a case by case basis and applications will be ordered with respect to urgency.

2.3 Appraisal & Acquisition Process

Once the voluntary acquisition program commences, the appraisal and acquisition process will adhere to the following process:

- Each affected owner will be notified via certified letter of the proposed acquisition, in the year that property is scheduled. The first acquisition phase is anticipated to commence in 2010.
- Real property shall be appraised by a qualified, licensed real estate appraiser prior to the initiation of negotiations.
- The owner shall be given an opportunity to accompany the appraiser during the property inspection.
- An independent appraiser will be hired to prepare an appraisal report and determine the property value, which will be supported by the presentation and analysis of relevant market data.
- The appraisal will then be submitted to a review appraiser prior to the initiation of negotiations. The review appraisal determines the Fair Market Value (FMV) of the property.
- Any decrease in property value caused by the project shall be disregarded in determining the FMV of the respective properties. This is accomplished by using comparable property sales data for homes located beyond the project area.
- A written offer identifying the amount of just compensation will be presented to the owner as part of the initiation of negotiations.
- The owners will have at least 30 days to consider the offer or present a counter offer for consideration. A response date will be indicated in the letter.
- Counter-offers should include independent appraisals or other documentation that may have not been considered in the written offer.
- ConnDOT will review any counter offer provided and may consider an administrative settlement (i.e., a negotiated adjustment to the purchase price) if the data provided is substantiated.
- If the offer, counter-offer, or administrative settlement is accepted, the acquisition of the property will proceed.

The ConnDOT ROW property agent will be available to provide all appropriate assistance to the owner in order to complete the property transfer. To provide a sample of the process, a homeowner on Hill Parkway is described below as they proceed through the acquisition process described above.

Sample Acquisition

The FAR Part 150 Noise Study was approved in January of 2009. This sample assumes that this Relocation Plan as well as the Environmental Assessment (EA) report are also approved in 2009. This sample includes a home located on the south side of Hill Parkway, in Phase 2 of the recommended relocation phasing (see Figure 2-3). The sample assumes that the home is owner-occupied and the owners are interested in selling to ConnDOT and relocating locally.

- **Initial Contact:** In 2011, the acquisition will ideally have proceeded to Phase 2, with ConnDOT receiving the required grant funding from the FAA. This Hill Parkway Owners (i.e., the Owners) will receive a certified letter regarding the program and their eligibility for acquisition in Phase 2. The Owners would confirm their interest in selling their home (note: the Owners have no legal commitment to sell their home and can change their position at anytime prior to the closing).
- **Appraisal:** ConnDOT will then have the home appraised (using comparable sales data from beyond the affected area) and complete the review appraisal. The owner may accompany the appraiser during the inspection, as well as submit any documentation for consideration. Thereafter, ConnDOT will submit a sales offer to the Owners for the appraised fair market value of the home. This is the written offer of just compensation. The Owners can agree to the offer at this time.
- **Negotiation:** If the Owners are not satisfied with the offer, they may have their own appraisal completed (at their cost). If it appears that additional data should have been considered, the offer of just compensation can be revised. In either case, the Owners have the right to submit a counter offer to ConnDOT for the price they are willing to accept for their home. ConnDOT may accept the counter offer if well substantiated, reject the counter offer, or consider a negotiated adjustment to the price (i.e., an administrative settlement). As the acquisition is voluntary, if an acceptable price can not be negotiated, that will end the process for this property.
- **Acquisition:** If a sales price is agreed upon, the acquisition process would proceed similarly to any home sale, with the exception of the additional financial benefits provided under the Uniform Act. For this example, assume that a sales offer of \$278,000¹ was accepted for the home on Hill Parkway (this sample price does not reflect any property in particular). The ConnDOT acquisition agent will then work one-on-one with the Owners to address questions and assist with program benefits. The details of the financial benefits are described in Section 1.3.
- **Replacement Housing:** It should be highlighted that the Owners are responsible to find, purchase, or rent a new dwelling of their choosing. The acquisition agent

¹ value listed is for sample purposes only; no appraisals or negotiations have been conducted at this time.

will provide special assistance to any seller as needed, but does not typically locate or select the new dwelling. The Owners can choose replacement housing that is more or less expensive than the sales price of their current home, as that does not impact the price paid for their current property.

- **Relocation:** During the process, the acquisition agent will work with the Owners to review the eligible Replacement Housing Payment (RHP) they are entitled to (i.e. closing costs, mortgage interest differential, and purchase price differential, see Section 1.3.1). For this example, assume that the RHP was determined to be \$19,000 for this Owners' circumstances (this sample RHP is not reflective of any specific property owners).
- **Moving Costs:** The program also reimburses the Owners for documented moving costs. Assume that the Owners purchase a home in Southbury, seven miles from Hill Parkway in Middlebury. The Owners hire professional movers to pack and relocate their possessions at a cost of \$3,000 (for example only). The Owners also operate a small home-based business, which will require new business cards, stationary, and formal notifications to customers and suppliers, etc. The Owners' costs for these actions and supplies are an additional \$2,000 (for example only).

In summary, payments to the sample Owners of a Hill Parkway home are listed below:

Table 2-5: Sample Acquisition Cost/Payment		
Eligible Items	Payment to Owners*	Taxable as Income
Negotiated Sales Price	\$278,000	Typically No**
Replacement Housing Payment (RHP)	\$19,000	No
Moving Cost Reimbursement	\$3,000	No
Home Business Re-establishment	\$2,000	No
Total Payment	\$302,000	
*Note: values listed are for sample purposes only. No appraisals, negotiations, RHP, or relocation costs have been determined at this time. This sample does not reflect any specific property.		
**If Primary Residence and meets regulatory requirements		

For each Owner that participates in the voluntary acquisition program, the actual costs and payments will be determined at the time of acquisition and based on their specific property and circumstances. Note that benefits may also be available to tenants, owners with negative equity, and persons with special requirements.

The Uniform Act is intended to provide an acquisition program that is fair and equitable from a financial standpoint. Although no reimbursement can be provided for social impacts or loss of community, the Act's requirement for providing each affected person with "decent, safe, and sanitary" replacement housing ensures that the physical needs and financial equity of each participant is satisfied.