



Rhode Island

Airport Corporation

February 6, 2024

Mr. Justin Hopkins, Chairman
Town of Westerly Planning Board
45 Broad Street
Westerly, RI 02891

Re: *Conceptual Master Plan Submission by Winn Properties, LLC, et al. regarding A.P. 119, Lots 3P, 5E3; A.P. 129, Lot 2; A.P. 130, Lots 4, 6; A.P. 140, Lots 4, 10, 13; A.P. 141, Lots 25, 94, 95, 191*

Dear Chairman Hopkins:

The Rhode Island Airport Corporation (RIAC) is aware of a housing proposal submitted to the Town of Westerly Planning Board by Winn Properties, LLC, et.al. that would introduce up to 2300 units of housing adjacent to Westerly State Airport.

Federal grant assurances require that RIAC advise community stakeholders of matters detailed in Federal Aviation Administration (FAA) Advisory Circular 150/5190-4B, Airport Land Use Compatibility Planning, as well as FAA Grant Assurance 21, Compatible Land Use. Through federal grant assurances, airport sponsors and owners are obligated to pursue all reasonable and appropriate actions to secure and promote compatible land use and development within their local areas.

As noted in the FAA Advisory Circular (AC), “*compatible land uses help protect the people who live and work near the airport by moderating potential negative effects.*” The AC goes on to describe the major incompatible land uses that conflict with or are impacted by operations at local public-use airports. These include “*residential use within airport noise contours; airspace obstructions and hazards to safe navigation to and from the airport such as tall structures, light, glare, electronic/radio, smoke, steam, or other atmospheric interference emanating from nearby land uses; land uses that attract birds and other wildlife hazards to the airport and its immediate environs; and **land uses with concentrations of people or property within airport runway protection zones.***” Notably, a large portion of parcel 130-004 is within the airport’s Runway Protection Zone (RPZ). The purpose of the RPZ is to enhance the protection of people and property on the ground as the RPZ is the most frequent area of aircraft incidents, thus this area requires clearing (and maintaining them clear) of incompatible objects and activities. Pursuant to the Town of Westerly’s zoning ordinances [§260-51(E)(1)], “*Use restrictions. There shall be no residential or nonresidential development or other type of land use allowed in the RPZ except for open space areas, uses that do not attract wildlife, and those that do not interfere with navigational aids.*”

Grant Assurance 21, Compatible Land Use further requires airport sponsors to “*take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.*”

As such, RIAC is required to advise the Town of Westerly that a zoning change from light industrial to residential zoning in the area adjacent to Westerly State Airport would not be consistent with federal compatible land use regulations. Indeed, in an email dated February 5, 2024, the FAA expressed that they “*do not wish to see incompatible land use within the RPZ,*” and that “*allowing a residential development in the RPZ would be adverse to the protection of people and property on the ground.*”

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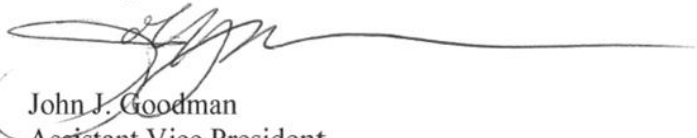
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Furthermore, given the potential project's proximity to the airport, should the Town of Westerly choose to move forward with this development, RIAC suggests that all involved parties be made aware of the project's location near airport approach paths, and that the Town consider making the following recommendation to the developer:

1. Sound-attenuated building products should be utilized in the construction of the units (e.g., enhanced insulation, sound-insulated doors and windows);
2. Full disclosure to prospective new residents advising them of the airport's location and the potential for noise disturbance; and
3. As with any development near an airport, the developer will be required to file an FAA Form 7460-1, Notice of Proposed Construction or Alteration with the FAA to get a determination on impacts to air navigation relative to the height of the structures.

On behalf of RIAC, we thank you for the opportunity to provide input into this potential development. If we can provide any additional information please feel free to reach out to me at 401-691-2204 or via email at jgoodman@pvdairport.com.

Sincerely,



John J. Goodman
Assistant Vice President
Media and Public Relations

c: Nancy Letendre, Westerly Town Planner