

March 13, 2012

Weber County Planning Division
2380 Washington Blvd. Suite 240
Ogden. Utah 84401-1473

Attention:

Sherril Sillitoe ssillito@co.weber.ut.us
Sean Wilkinson swilkinson@co.weber.ut.us

Dear Weber County Planning Commission members:

We appreciate the time you spend working for the benefit of the citizens of Weber County and the personal sacrifice this entails.

As homeowners in the Green Hills Home Owners Association (GHHOA) we respectfully appeal the February 28, 2012 decision of the Ogden Valley Planning Commission (OVPC) to grant a Conditional Use Permit (CUP) for a commercial heliport directly located above our home at the top of Kelly Drive.

We believe that the OVPC rushed to judgment in granting the CUP without first ascertaining the impact it would have on noise levels and wildlife. In fact the enclosed letter from the Utah Division of Wildlife Resources (UDWR) was dated March 1, one date after the CUP approval.

The applicant, Mr. Charlswood, has not met Weber County's requirement to (1) "*demonstrate that the contemplated use... would be essential or desirable to the public convenience or welfare in that area,* (2) *that it will not impact the integrity and character of the surrounding property or* (3) *that the use can be made compatible by imposing conditions.*"

(1) *The applicant has not demonstrated that the heliport would be essential or desirable to the public convenience or welfare in the area.* This is attested to by the number of Green Hills residents who have attended OVPC meetings and spoken against the heliport because of concerns about wildlife and noise. A representative of the Utah Division of Wildlife Resources (UDWR) also spoke against the heliport because the adjacent property is a wildlife conservation area and no motorized access is permitted from January 1 to March 31 to minimize negative impact on wildlife. Planner Sean Wilkinson had requested a written finding from UDWR on helicopter flights over the conservation area when motorized access is prohibited. The UDWR failed to respond timely so there was no written expert evidence on this concern when the CUP was granted.

(2) *The applicant has not demonstrated that the heliport would not impair the integrity and character of our properties.* The heliport would be located within two-thirds of a mile of the homes at the top of Green Hills and would destroy the quiet character of our rural neighborhood. Flights would be operated by the commercial Diamond Peaks Heli-Ski Adventures. Its website shows below that they use large heavily-loaded helicopters.

"Diamond Peaks uses the Bell Long Ranger, L-3's and L-4's because of their safe high mountain performance abilities. The L-4 helicopters can safely carry 6 people, but we fly with 5: 1-pilot, 1-guide, & 3-guests. Because of the altitude and the additional weight with the equipment (skis, boards, packs), a seat is left unclaimed to compensate for that weight."

The flight pattern from Diamond Peak's airport in Mountain Green to Mr. Charlswood's commercial heliport would be along the ridgeline directly above our homes. The helicopters would start their descent as they approach the heliport, so they would be flying low along our ridgeline. The proximity of the flight path to our homes raises serious concerns about safety should the helicopter experience mechanical problems during takeoff or landing. The flight pattern on takeoff would be above the wildlife conservation area.

Last month, five OVPC members, planner Sean Wilkinson, and GHHOA members met with Mr. Charlswood for an on-site visit. The purpose was to view the site, see a helicopter take off and land, and measure its noise. Mr. Charlswood did not honor his commitment to have a helicopter there, even though Mr. Wilkinson had procured appropriate equipment to measure noise. Thus there was no on-site test of the noise that fully-loaded (5 people and equipment) helicopters would actually produce particularly with echoes.

The OVPC's conditional use permit does not include conditions that mitigate our concerns. Neither of the two conditions in the CUP mitigates our concerns:

"Flights (landings and take-offs) shall be measured by decibel meters and the findings shall be presented to the Planning Commission." We have no reason to expect that Mr. Charlswood will meet this condition just as he failed to produce a helicopter and decibel measures for the February site visit.

An official review from the Utah Division of Wildlife Resources shall be obtained during the 6 month period approval period for review by the Planning Commission. The March 1 UDWR letter states, "The project area is located within crucial big game winter range for mule deer, elk, and moose. The project, as currently proposed, located the helipad less than 300 feet from the boundary of a conservation easement held by UDWR, and within 3/4 mile of the UDWR Middle Fork Wildlife Management Area...UDWR is concerned about the potential impacts on wintering big game animals, including disturbance from the helicopters and displacement of wildlife from crucial winter range habits." UDWR added five stipulations to be included within the OVPC's CUP. These were not been included in the CUP approved the day before.

It is our request that the CUP be rescinded immediately. We request that Mr. Charlswood be required to satisfy the concerns raised in our letter before any further consideration of his commercial venture located immediately above our quiet neighborhood.

Sincerely,

Tom and Roxanne Taylor
9704 Kelly Drive
Huntsville UT 84317
tomroxanne@AOL.com
801.388.6130

Thomas Taylor
March 13, 2012

Roxanne Taylor
March 13, 2012

Encl: UDWR letter

cc: Weber County Commissioners