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**CALL TO ORDER**  
**PLEDGE OF ALLEGIANCE**

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**MEMBERS PRESENT:** Dolores Pierre, Stanley Foster, Billy Booth, Dick Gibbs, Scott Galliano, Maurice Loupe, Jr.

**MEMBERS ABSENT:** Carmine Frangella

**ALSO PRESENT:** Kim Marousek, AICP, Earl Matherne, Steve Romano, Marny Stein and Donya Hebert of the Planning Department; Councilman Terrell Wilson, Council ex-officio; Tiffany K. Clark, Council Secretary; Patrick O'Malley, School Board Representative

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Mr. Gibbs: The first item coming before us tonight is a tabled item from the prior Planning and Zoning meeting. I'd like to make a motion to remove it from the table please?

Mr. Booth: I so move.

Mr. Foster: I second it.

Mr. Gibbs: Cast your vote please.

**YEAS:** Pierre, Foster, Booth, Gibbs, Galliano, Loupe

**NAYS:** None

**ABSENT:** Frangella

Mr. Gibbs: That's removed unanimously. First item is PZR-2013-23 requested by Pintail Contracting Services, LLC on behalf of 310 Investments, LLC for a change in zoning classification from M-1 to AV-1 with a waiver to the requirement that the location shall be served by a federal or state highway at Lot 3, Sq. 13, Esperanza Business Park 579 Judge Edward Dufresne Parkway (approx. 4 acres). Council District 2. Mr. Romano.

Mr. Romano: Thank you Mr. Gibbs. The applicant is requesting this rezoning from M-1 to AV-1 (aviation uses) for the purpose of relocating an existing heliport to this lot at 579 Judge Edward Dufresne Parkway. The property fronts on the cul-de-sac and abuts the southbound side of I-310. It is approximately 400-feet from the nearest existing business, and approximately 1,500-feet from the Satellite Center, directly across I-310 from Ashton Plantation Estates—making it approximately 300 feet from the nearest R-1A zoning district. However, the nearest existing residence in Ashton is approximately 1,900 feet from the property.

It should be noted that Section 4 (Transportation System) of the AV-1 Zoning District also states that the AV-1 location shall be served by a federal or state highway. Judge Edward Dufresne Parkway is neither a federal nor state highway.

The site is surrounded on 3 sides by lots zoned M-1 which are currently vacant. Rezoning to AV-1 does not permit all aviation uses requested by the applicants; only the offices, fencing, and vehicular parking area for the facility. All other uses that the owner needs—the heliport, helipad, helistop—require approval of a Special Permit Use from the Planning Commission with a supporting resolution of the Parish Council. An application has been submitted for those uses (PZSPU-2013-17).

In order to receive a recommendation for rezoning approval, all criteria of at least one of the guidelines detailed in the above Applicable Regulations must be met. The Department concludes that this request meets the second criteria.

The second test is designed to protect the public interest by preventing traffic congestion and the overburdening public infrastructure and utilities, to ensure compatible land uses, and to maintain a balance of particular zoning districts in proportion to the population. The property fronts on Judge Edward Dufresne Parkway which is built to handle light-industrial traffic with access to River Road, a state highway. The traffic generated by the proposed heliport would be of the same mode—cars, trucks, possibly vans—as what currently accesses Judge Edward Dufresne Parkway. Based on the size of the parcel, and the proposed heliport use, it seems unlikely at the use would generate an amount of traffic sufficient to cause impacts to surrounding properties or the transportation network.

Overcrowding of land or overburden on public facilities is not likely as well. Any infrastructure demands generated by the business above and beyond what is available through existing public infrastructure will be addressed or mitigated by the property owners. Overburdening of other public facilities such as schools and parks are not anticipated based on the uses associated with this zoning district.

Pertaining to land or building usage becoming incompatible with the surroundings, the site is located in an existing business park, zoned light-industrial. While heliports are not similar to any existing neighboring uses, many activities associated with the proposed use are similar to other light-industrial uses. Based on the size of the subject property, any development associated with the AV-1 zoning district would be relatively small. Further, uses that might have impacts beyond the range of typical light industrial require a special use permit and site-specific review under the guidelines of AV-1 zoning district. Therefore, this zoning district affords a higher level of scrutiny for uses such as taxiways, runways, terminals and the like. With the special use permit requirements of the zoning district, it is unlikely that development of the property to AV-1 zoning would result in land use incompatibilities.

There would not be an oversupply of proposed AV-1 activities in proportion to population, land use and public facilities in the neighborhood. There are no similar uses or other AV-1 zoning districts within St. Charles Parish. The department recommends approval of the rezoning.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZR-2013-23. Is there anyone in the audience that would care to speak in favor or against? You can come to the podium please. We ask that you state your name and your address.

Good Evening, thank you for having us here, my name is Jim Hooper and my address is 400 Lac Verrett Drive, Luling. I'm employed by Ashton Plantation and I'm also Director of the homeowners association at Ashton and I have a few comments that I would like to make. In the sessions of the members of the homeowners association the issues or concerns of many of the residents are of noise and safety. Noise simulated by helicopters during preflight and landing, takeoff and maintenance will certainly create some problems with noise and without question it will negatively impact the residents within Ashton. Many accidents, specifically a crash during landing, takeoff or whatever can certainly cause damage or injury within the subdivision as well. Another concern that should be expressed related to the request for rezoning from M-1 to AV-1, is the special permit use to operate the heliport. I believe that if this is approved, it would create spot zoning and set a precedent that could justify future decisions that might be harmful to abutting property owners. I would like to talk also about the effect on land, the property values. There are currently 168 homes built on 310 lots in Ashton and there is a future phase of 142 lots planned which is directly across as mentioned from the I-310 from the proposed heliport. If the heliport was built it would have a negative impact on the quality of life and a negative impact on the property values of the owners in Ashton and I suspect on the abutting business interest as well. We sold 21 lots last year, it was a good year. Sales generated about \$1,297,000.00. Typically a lot is 1/5 of the cost, so if you take almost million three and multiply it by 5, you get at least \$6.5 million of economic value, just from our subdivision and there are other businesses and other subdivisions around it that probably have similar numbers to share. I strongly urge that this be denied. Thank you.

Mr. Gibbs: Thank you Mr. Hooper.

My name is Darrell Curry and I live at 303 Lac Cypriere in Ashton. I oppose this just for the sheer fact of what he was talking about as far as the noise, possibly the value. I'm a new resident in the neighborhood and I just can't see the good that could come out of this because of the possible future new zoning just like the gentleman said as far as spot zone. I think there is other property in the area and hopefully he can find something somewhere else to build this on. Thank you.

Mr. Gibbs: Thank you Mr. Curry.

My name is John Cornwell, I live at 101 Lac Palourde in Ashton. I am against this particular proposal. I think it lacks in controls.

Mr. Gibbs: Mr. Cornwell, I hate to interrupt you, but can you state your name and address again please for the record.

Mr. Cornwell: Sure, John Cornwell 101 Lac Palourde.

Mr. Gibbs: Thank you.

Mr. Cornwell: Like I was saying I think this is basically a matter of control and I got a copy of the FAA regulations. Basically in Section 91, 119 minimal safe altitudes in general and this cover the minimum safe altitudes for aircraft. Now if you notice b and c describe over congested areas 1000 feet, c is 500 feet above sparsely congested areas, but if you notice, part b helicopters have its own special part of this regulation. It says a helicopter may be operated at less than a minimum prescribed in paragraph b or c of this section, providing each person operating a helicopter complies with any routes or altitudes specifically prescribed for helicopters, that's #1, but look at d, d says if the operation is conducted without hazard for the person or property on the surface, now who is going to decide what is a hazard to the person or property on the surface? Is it going to be the helicopter pilot or the people on the ground? If this is granted, then who do I as a homeowner go to complain about that? Who do I go to complain about if they are taking the wrong route? Who do I go to complain about if they are flying too close over my house? Well I'm going to go to the FAA. We're not going to have control over that. I'm not going to be able to call the parish president or the council to go against the regulations of the FAA. I'm going to complain to the Federal Aviation Administration, an arm of the federal government, like FEMA, what cooperation have we had with FEMA with our flood rates? I expect the same cooperation with the FAA if I have a complaint with this. So basically I see us conceding control over issues which can materially affect the quality of life in this particular area. Right now we have control, you can say no, say it, say no.

Good Evening. I'm Craig Dask, I live at 14193 River Road, I'm within a mile, mile and 2/10's of this location and I'm for it and I'll tell you why I'm for it. My family, my wife and I operate several commercial properties in Jefferson Parish and in St. Charles Parish and I can tell you, we need to support businesses that are going to grow. You need to support somebody who is successful here. This man has been in business for over 20 years here, he's been flying his helicopters over our heads every day and we don't even know it. This is not anything that is going to affect this land. As a matter of fact when you look at this picture of this land, it looks like a prime place to put his helicopter. My full time business is commercial real estate and I can tell you right now I would take that property right next to one of our properties anytime. Most of you know, you've been passing this area for a number of years since the Dufresne's developed that area and you've noticed that nothing has been done there. You've got one operator in the business park, a contractor, which everybody knows is Lamar and I've wondered why has it been so many years and nobody has developed anything in there. Why hasn't somebody built something in there? Now you have any opportunity for somebody that's going to spend several million dollars on a property in an area that we need to get going, we need to get this thing growing, we need to cater to our tax base, this is a growing business, this is a solid business and he's going to spend a lot of money building a professional building. I think we need this, this is long overdue for this area. You're going to leave Lamar in one spot and nobody else is going to be allowed in there, this is a ridiculous. Keep in mind other heliport locations are in much, much tighter areas in the cities. You have a heliport right at the Superdome flying above people all the time, this is a wide open corridor, you've got plenty of room. I don't claim to be an aviation expert but just from what I see by buildings that I've owned and properties that I've been with. I think our Planning & Zoning Commission and our Parish Council should support this project overwhelmingly. I think a development like this is something that we don't ever want to discourage, we want to keep companies that are good, solid companies in our area and let them grow and give them an opportunity to grow. Remember small business success is the backbone of our economy and it helps build our tax base here in St. Charles Parish. Thank you.

Mr. Gibbs: Thank you Mr. Dask.

James Gassen, 1209 Gassen Street and I'm for this heliport. First of FAA regulations doesn't make a difference whether he's there or anywhere else in the country. He can fly, that's just the regulations, it doesn't matter if he's coming in for his helicopter there or in his backyard. It's M-1, a lot worse things can be put in M-1 without going before the Zoning Board and I hope you all approve this.

Mr. Gibbs: Thank you Mr. Gassen.

Good Evening, my name is Charmaine Allesandro, my address is 206 Lac Penchant in Luling, LA. I've been a resident of St. Charles Parish for 25 years. Moving to St. Charles Parish 25 years ago was the best decision I made, I lived in Metairie at the time and I was looking for a better area to raise my children and to send them to school. In 1989, my husband and I moved to Destrehan with our 3 sons, they all went to public schools here, had a wonderful life. Since that time of course my children are adults and one of my sons still live here in St. Charles Parish. I first learned about this rezoning issue shortly after Christmas when I received a letter in the mail and I was very, very concerned and upset about it. As a homeowner in Ashton Plantation, I would like to give you some reasons why it upsets me and why I feel it would be a detriment to our community to rezone this property to A-1 [AV-1]. One of the things that I decided to do in the last few weeks since my biggest concern about this rezoning has to do with safety. Noise concerns, just the nuisance of having helicopters flying in our area, being so close to our subdivision, but when I really sat down and thought about the rezoning and the impact that it would have on our community, not just the residence of Ashton Plantation, but on our community. When I say our community I mean St. Charles Parish. We have RK [Smith] middle school right there on that same road, we have a brand new community center, we have businesses, we have the Sheriff's office and we have the West Bank Bridge Park, we have an interstate right alongside that piece of property, then we have Ashton Plantation, we have the Hale Boggs Bridge, there's a lot of activity and a lot of people. So what I decided to do was just research because after the meeting that we had at Ashton Plantation this week, I said if I'm going to go to this meeting tonight, I want to be informed and I want to learn as much as I can in this short span of time that I have to learn about this rezoning. I researched how many helicopter crashes there have been in the last 2 years in Louisiana alone, just Louisiana, because obviously there are hundreds of helicopter crashes a year in the United States. What I learned was that we've had 12 helicopter crashes in Louisiana. What was surprising to learn was that 50%, half of those accidents resulted in fatalities and 75% of those accidents occurred at takeoff or landing. So the thought of having that type of activity, a heliport, that close to where my grandchildren now play ball, where my niece goes to school, where my friends work and where my friends and family live is horrifying to me. What I learned at the meeting this past Monday, at Ashton Plantation at our rec center, was that there are a lot of people for this project and I was a little baffled by it until I realized that obviously the business owner is for it, his family and friends, of course the landowners they want to make a sale, and what I have learned in the last few days is that they have a lot of investors that want this to go forward. So there is money to be made. Mr. Mayeux the owner of this company as a matter of fact when I researched the crashes, his helicopter crashed in December of 2013. His was the most recent crash that has happened here in Louisiana. I read an article on that crash today and it occurred in Port Fourchon and Mr. Chet Chaisson who is the Executive Director of the Greater Lafourche Port Commission, when he was interviewed about that particular accident, no one was hurt, there were no reported injuries and there was no damage and Mr. Chaisson's comment was "they were very lucky I can tell you that". So as a concerned citizen after hearing Mr. Mayeux speak Monday, he said the reason he wants to move from where he is now which is in Luling, the reason he wants to move is to expand his business. I'm a registered nurse, I'm also an Executive Director, I run the Greater New Orleans Immunization Network, I know all about growing business, I know all about expanding services. So as a business person, as a manager, as an Executive Director, when someone says to me they want to grow their business and you're in the helicopter servicing business then that means to me you want to get more helicopters, how else are you going to expand your business? Now Mr. Mayeux said no, he was not going to get more than the 5 helicopters he have. So how are you going to expand your business? Well let's start by increasing the number of trips. He's already making trips around the clock, he said his phone is one 24 hours a day, he can come and go at any time. So if he expands his business that means that there is going to be more takeoffs and more landings, which is going to increase the risk to our residents and our community. So that's what I really want you to think about. I know that all of you have a lot of pressure on you to make a decision, to make the right decision. What I'm hoping you do is that you make the right decision for the right people. When I say the right people, I mean the residents of our community, the people that live here, work here, play here. Thank you.

Mr. Gibbs: Thank you Ms. Allesandro. Ms. Allesandro, since you did the research, can I ask you a question or two? Regarding the takeoff and the landing crashes, you said 50% of the 12 crashes were on takeoff and landing?

Ms. Allesandro: that's right. 75% of the crashes occurred on takeoff and landing. 50% of the accidents resulted in fatalities.

Mr. Gibbs: Right. Were the takeoff and landings were constituted crash?

Ms. Allesandro: Yes.

Mr. Gibbs: Were they in isolated areas or were they in areas of large populations? The reason I'm asking is in the event we happen to have one of these unfortunate situations

Ms. Allesandro: Right

Mr. Gibbs: That's a pretty wide open area for a takeoff and a landing, so the possibility of some ancillary or other people being injured is very isolated, which the only reason I'm saying this is because I like where the location is where it's wide open.

Ms. Allesandro: You see it's wide open if you're looking at it a certain way, but if you look at it the other way it's right next to Interstate 310, right next to it.

Mr. Gibbs: I'm familiar with it.

Ms. Allesandro: As a matter of fact I drove there before I came here today because I wanted to be real sure about that. The gentleman earlier already talked about the distance to the school and the subdivision, but some of these crashes occurred in isolated areas, some occurred in the Gulf, but some did occur in areas, matter of fact, was the crash that occurred December 5<sup>th</sup>, Mr. Mayeux was very close to what was described in the article as trailers where people lived, but he didn't hit the trailers, no one was injured, so like Mr. Chaisson said, he was lucky. I just hope that all of you who have this burden to make a decision that you make the right decision because heaven forbid something does happen down the road, I know if it does, me, I'm just going to feel like I did whatever I could to prevent the rezoning and that's all I can do as a concerned citizen.

Mr. Gibbs: Thank you. This is a public hearing for PZR-2013-23 is there anyone else in the audience that would care to speak?

Good Evening, my name is Greg Lier, I reside at 101 Savannah Drive in Luling, La. I am the Executive Vice-President of the Rathborne Land Company which is one of the investors in Ashton Plantation. For those of you that are not aware Ashton Plantation development or some of the history, let me give you some of the details. Ashton is a partnership, it is comprised of Rathborne, it's also comprised of J.B. Levert Land Company and it's also comprised by a gentleman by the name of Bob Merrick. Bob Merrick for those of you that don't know is the owner of Latter & Blum Real Estate Company, he's also an MAI appraiser. We acquired the property for Ashton back in 1997 and started working on a plan for it. We were delayed for a long period of time by the need to obtain a railroad crossing, but that finally happened and we started construction in 2005. Delayed just a little bit by the hurricane, but continued construction. To date, we've probably invested about \$10 million dollars in Ashton Plantation. As Mr. Hooper indicated there are about 170 houses in Ashton right now. The phase that we commenced work on in 2008, we did about \$1.5 million dollars in dirt work to construct the lake, it's 142 lots. If each one of those houses on average is worth \$30,000 that's a \$42 million dollar investment in St. Charles Parish. Interestingly enough to be able to come before this body and obtain a zoning change, which we needed, we needed to do a lot of things. We had to get the wetlands determination, we had to get a drainage impact analysis, we had to get a traffic study, we had to work on plans and at the end of the day, we spent about \$1 million dollars of planning, but the fact is we had to do that. We had to get professional engineers to do these things and those plans were reviewed by the parish. All done and everybody had to look at it, everybody had to review it before we could get to this spot and ask for a zoning change. My problem here is this is a very serious decision that you guys have to make tonight and Mr. Mayeux I do not know him at all, but the bottom line is we're taking a lot of what he says at face value. Today trying to figure out noise and those type of things, I downloaded report to congress, non-military helicopter urban noise study about 80 pages, noise measurement flight test data analysis Sikorsky S76 about 200 pages, and I tried to read these things, it's impossible. You'd be better off trying to speak Greek. But the bottom line is somebody ought to be asking these questions. I had to go through an incredible amount of studies to be able to do what we did. But we're getting ready to vote on

something and to my knowledge the Planning Department hasn't requested anything, we've got answers from them, but no noise impact statement was done, no noise impact statement was asked for. I don't know how you can do that, I just don't know how you can do that. I'm not saying he's not telling the truth but shouldn't somebody be checking this out before we make a decision of this magnitude? I just don't get it. The other thing I wanted to say about noise is that there's an ordinance in Chapter 24 that basically says that in residential areas or where a school is located the maximum decibels is 60 decibels. I don't know what 60 decibels is but that's the maximum decibels. An answer to questions posed by the school board, he indicated that the decibel would be 85-95 decibels, that's his answer not my answer. Seems to me that he's going to be potentially violating those decibel levels at this location, as it was said, our next phase 300 feet from the location of this heliport, that is very concerning. As I mentioned Mr. Merrick, not only owns Latter & Blum but in his prior life he was an MAI appraiser and I've been talking to him pretty regularly about this whole process and it's his opinion as someone who's owned Latter & Blum for over 25 years and as a MAI appraiser that at this location, this operation would be a nuisance and would devalue property values, that should be of concern to somebody and to answer your question earlier about this is a vacant area, that's today, what happens 5 years from now? What happens to me when I come back to you and say it's time to start up the process of building the next phase, am I going to lose half of my lots because this exist? These are serious questions that I'm not getting the answers so we've got to be opposed to this. I'm sorry and I'm all in favor of business, but we just can't be in favor of this here, there's got to be a better location for it. Thank you.

Mr. Foster: I have a question for you.

Mr. Lier: Yes Sir.

Mr. Foster: You said that we have a regulation

Mr. Lier: Yes, Chapter 24 it basically says that maximum noise for residential area is during the day and at night it's 55 and it also provides that schools fall under that, I can't remember the exact words so basically the school right down the street from here and our subdivision, the maximum noise level is 60 decibels and the answer he gave back to the school system when they posed the question, his answer was 85-95 decibels.

Mr. Foster: Who would enforce that? How would that be enforced?

Mr. Lier: That's a real good question. It says the Sheriff could enforce it, what's he going to do, confiscate his helicopters or right him a ticket for 20 bucks? That doesn't get it. Like I said, I'm pro-business, I am, but this is the wrong place for this operation. Thank you.

Mr. Booth: I have one other question for you. For Ashton Plantation, how do you get in and out of there, how many points do you have to get in and out?

Mr. Lier: You can come off of River Road, there's an emergency access off of Gassen and there are provisions as we build more houses to have to construct more roadways. Two-thousand eight depression kind of pull a hold on a lot of that.

Mr. Booth: I just wanted to make sure that you still had those plans to have the other access.

Mr. Gibbs: Mr. Lier I have one more question for you. You brought the decibel levels up and it's concerning to me, but I do know the decibel levels from the interstate will exceed that number and the train that constantly goes through Ashton, will exceed that number so where do we draw the line with the decibels?

Mr. Lier: The bottom line is the railroad at the front is not residential.

Mr. Gibbs: It's close enough, this isn't sitting in a residential area either.

Mr. Lier: They're not flying over houses either.

Mr. Gibbs: Well we'll wait and see what Mr. Mayeux has to tell us about his business plan.

Mr. Lier: I understand he'll come up last and rebut all of this.

Mr. Gibbs: I sat through Monday night and it was very, very compelling presentation and I thought he answered a lot of the concerns and I thought he did it in a very gentleman way.

Mr. Lier: I'm not questioning his integrity, all I'm saying is we rely on what he's telling us and nobody is basically looking for an independent source to verify what he's saying, that was my point.

Mr. Gibbs: We'll wait and see what his independent sources have but thank you for your comments, I appreciate them. This is a public hearing for PZR-2013-23 is there anyone else in the audience that care to speak for or against?

L. J. Brady, I live at 106 Lac Verrett in Ashton. I've been knowing Mr. Mayeux for many, many years, I fly with him quite often. I'm in favor of this, the noise, we've had helicopters fly over all the time, airplanes, I myself fly over Ashton quite often because I am a pilot also, not helicopters, but I am taking helicopters lessons right now. I fly over there and the concern about the interstate and all of that, you have a major airport right across the river. New Orleans International have 4 runways, every runway crosses a major thoroughfare whether it be 310, I10, Veterans, Williams, the River Road, these are jets coming in at the same altitude as Mr. Mayeux will be flying in on his approaches and he's got a lot of area to the west to the south and to the east for his departure corridor, there is absolutely nothing there and there's nothing within a mile away from his takeoff point there and he will be over trees and over nothing that will be developed for a long time. I'm in favor of this and I think it's a good location for his business.

Mr. Gibbs: Thank you Mr. Brady.

My name is Patricia Curry, I live at 303 Lac Cypriere. I'm opposed to this heliport. I've been a resident of Ashton for almost 2 years now. The gentleman had stated prior to the one before me, no studies have been done, if any studies have been done, it has not been presented to the homeowners, the safety, the noise, anything. He said he had to jump through hoops to get zoning changes and I don't understand why that none of the studies haven't been done to see what the effects of this heliport, it may benefit the community, we don't know, we don't know and that is a scary thing. I live there, I also work at Lamar Contractors. So I'm dealing with it as a homeowner and as a person who goes to work every day and is going to have to hear this at my office and at home. At the homeowners meeting on Monday night, Mr. Mayeux pointed out that he wouldn't be flying over the homes that he would be taking all this empty space that he could fly over. If you take a look at where he's located, from what I understand, helicopters would take the point of the interstate route and travel along the side of the interstate. Well for all those homes on that other side of the interstate of Ashton, that's going to be right over their homes. If he doesn't take the interstate side, he takes the other side then he'll be flying over Lamar Contractors, he's flying over the school, he's flying over the community center, so it's going to affect the community in not a good way. He also mentioned that he wanted to expand his business, he was moving to expand his business I understand that, but then he was trying to convince us that he only has 3 flights a day, ok so you only have 3 flights a day but you want to expand your business, which is it? How far are you going to expand it? Are you going to lease? Are you going to lease your helicopter port to other companies to come in and out? Who's going to regulate that? That's what the first gentleman was saying. Who is going to regulate what he can and what he can't do? We just want these questions answered. The home values, I don't think there can be any study done to know if this is going to affect home values, but I think that it will, I think that any potential people that come and buy, look at property and if they know that there's a heliport there they are going to definitely think twice before they buy a piece of property or an existing home, I think that I would have. If I had known that there's a heliport flying in and out and I would go to a home to see that home before I purchased it and I saw helicopters flying in and out, I would think twice about it. I just don't think that this is something that should be taken lightly. I think there needs to be more research done and I'm not saying that it's dead in the water, I'm just saying that there is not enough information, there is, I looked on the internet, there's piles and books this thick of FAA regulations, this thick of noise problems, it's just on and on and on, tell me who has taken the time out to do that? Since the day you came to our homeowners meeting on Monday, you didn't have any of that information, if he presented that information to you, he didn't present it to us and it's not right. May be he did it behind closed doors, that's not where it needs to be, it needs to be in the front, it needs to be to the

homeowners, it needs to be to the other business owners so they have chance to make an informed opinion and decision.

Mr. Gibbs: Ms. Curry. I was at that meeting as well on Monday night. And that was the first time I laid eyes on Mr. Mayeux, I've never met the man. The information that I gathered from him, the way that I appreciated the expansion and I may be wrong, he's already got a location that he's been in for 22 years and he's going to another location. I took the expansion as having 2 locations, not as buying more property after he establishes this second location. So the expansion was another location, that's the way that I appreciated it. I'm not sure about your understanding of the expansion.

Ms. Curry: Also, my understanding of it is he wants to expand so that the business, the location where he wants to go now gives him more exposure, which is on the interstate, that exposure could lead him to more business and it could also lead him to be able to sell his business for a higher sum of money in the future which then you're looking at ok Mr. Mayeux said he's going to do this, this and this, but he's not going to do this, this and this, then he goes to sell his property and we're at the same place again, who's going to buy his property? I think he wants to expand to set up the future for himself which is the American way in order to sell it in the near future.

Mr. Gibbs: We'll let him decide or try to give us the information of his business plan.

Ms. Curry: Thank you.

Mr. Gibbs: Again this is a public hearing for PZR-2013-23 anyone else care to speak?

Ray Gregson, 314 Lac Cypriere Drive, Luling, Ashton Plantation. I am for this, I've read a lot of and listened to a lot of different comments. 71 page report non-military helicopter study, I actually read that back in December. No I'm not an expert on it, but it did mention a lot of things about education, about businesses and the study was actually done in controlled and uncontrolled environments. It talked about urban studies within subdivision such as what we have right here, it's actually almost the Ashton experience. What I looked up about the decibel levels being it's on the other side of 310, I don't see how it's going to increase the noise level/sound level. Interstate noise range between 80 and 120 depending on the size truck, rate of traffic, traffic counts. I don't know if you guys looked up traffic counts but the traffic count meter from LADOTD happens to be right there around where that billboard is, right on 310 where there are billboards are on both sides of 310. The 2007 study they did in 2010 and again in 2013. I moved there in 2007. The 2007 to 2013 traffic count increased 31.4%. In addition, I've seen mentioned about schools. There are 4 children out of Ashton Plantation that attend Luling Elementary School, two of those kids are mine. I've spoken to the administration and there are no issues. They've never had an issue. From what I understand MYU helicopters have been there on River Road, I believe its somewhere in the neighborhood of about 3500 feet from a Google Earth study from his house to the front door of the school and I understand he flies over there quite often. From my understanding also, the school board is not opposed to this so if it's an issue with the schools, the school board I think does an outstanding job with educating students in this parish and I would think if it's an issue they would oppose it or raise some kind of concern. In addition, they talk about expanding the business, when we asked this question the other night, Mr. Mayeux has either 4 or 5 helicopters and when he had the layout we happened to see the sheet, it's either 4 or 5 garage gates and the helicopters some kind of way are inside the garage door when it's not being used. He also mentioned that he has I think it's 4 pilots that work there, not all 4 are on staff at the same time, I think it was 2 on and 2 off, whatever the hours are. If its them 2 and him and there are only 3 people that can fly and I know on the FAA list there's a maximum amount of hours you can fly for in a 24 hour period, how is that going to increase the flights per day? You can't put anymore helicopters at that facility and when asked about it, those of you that were there remember him saying that he would have to buy another place or lease another place somewhere out in another parish, another area, somewhere else would accommodate his customers, because for now, I was unaware of this until tonight, requires he fly from his house to pick up his customers at Lakefront Airport. The point of moving there as well is he would have to have 10 parking spaces per ordinances when you build a building and his customers are going to come there. I think the other was convenient for his customers, if I understood what he was saying correctly. The man has been in business 21-22 years and when we talk about integrity or history, I couldn't find any complaints online, I went on their website,

there are no complaints. I think if he operated in a manner in which we hope he does not, I think 22 years of history would explain what type of person he is and the type of business person he is. If I'm not mistaken as well, on this special use permit, should he be provided with that special use permit, maybe you guys can answer this question, the new person would actually have to go through this process again to be approved. The decibel ordinance in the parish is 60 decibels, I've read that as well, the interstate system is over 85 decibels. If you add 85 decibels to an interstate system and let's say 85 decibels per helicopter, it does not equal a total of 170 decibels, it would only increase about 3 decibels according to the site that I read online. So I'm for it, I'm a resident of Ashton Planation since 2007, business needs to grow. Thank you very much.

Mr. Gibbs: Thank you Mr. Gregson. Mr. Foster.

Mr. Foster: I have a question for Mr. O'Malley since he's here tonight as the school board representative since Mr. Gregson brought this up. What's the school's position on this?

Mr. O'Malley: Actually the school board has no position either for or opposed on this particular item.

Mr. Gregson: I was told that they do have the option of sending of a letter of opposition, but they did not, correct?

Mr. O'Malley: That's correct, no position either for or against.

Mr. Gibbs: This is a public hearing for PZR-2013-23 anyone in the audience care to speak in favor or against?

Charmaine Allesandro, 206 Lac Penchant Drive, Luling, La. I'm sorry I just failed to bring up the fact that we do have a petition that's ongoing, we currently have 53 signatures. Is Wendy Watkins here? Ok. Wendy has receipt of those signatures.

Mr. Gibbs: Thank you ma'am.

Ms. Marousek: For the record the petition is submitted with your packet of information as of 5:30 today we had 51 signatures that are included in a table for you.

Jeffrey Lemoine, 205 Beau Place Blvd., Des Allemands, La. I'm here to make a comment on the last gentleman that came up about the school board. The school board did have questions that arose through this process and all the questions that the school board had was answered and any concerns they might have had was addressed so maybe that's why the school board did take a yes or no answer to this to be in the middle. So obviously any questions or concerns they might have had was either answered or satisfied by the school board for this heliport.

Mr. Gibbs: Thank you.

My name is Beau Blake, I live at 304 Lac Iberville Drive in Ashton. I am the President and CEO of an offshore drilling company who frequents helicopter transportation. I'm for this. The addition of this into our parish for us individuals who are in the oil field and use offshore helicopters will be a huge impact for us. First, I've been an Ashton resident for 5 years next month. When the safety issue inside of Ashton was brought up, first thing that comes to my mind is railroad car derailment. When I think of safety, I don't think about I moved into Ashton Plantation because it's the safest place on the planet. Mr. Mayeux flies over our house periodically, I've seen him before. I have not personally flown with him through business because like you said, I didn't know that he existed which is his purpose for moving to gain recognition for his company. To be quite honest, I live in Ashton Plantation and I have the right to be picked up via helicopter on my own property so nobody can tell me if I can hire a helicopter, but if I bought this property from these individuals and I started my oilfield company on this property, I can be picked up via helicopter that is the rule. Making this a helicopter pad/helicopter landing area what's the difference? I can personally be picked up by helicopter on my personal property or my business property in this parish. I don't know much about Mr. Mayeux, our children do go to school together and that's the only friendship that we have, like I said I've never utilized his business yet but from what I understand, he has an impeccable safety record, 22 years and one, it wasn't called a crash, it was a false landing last month, 22 years of

flying and one landing that's very well. I know the helicopter companies that I use could only wish they had a safety record like that. To touch on the helicopter crashes, the 12 that happened in Louisiana 75% of them were in takeoff or landing, I don't know the total amount but I know about all the helicopter crashes being in this industry and they all happen offshore, they all happen during takeoff, wind sheers coming off of high platform locations or mouth of the river, out of Venice locations, like I said I don't know the studies, I don't know the exact number, but I can tell you that they have been because of the wind sheer offshore when taking and landing offshore locations, they don't happen at the heliports. That's really it, this is a great business to grow in this parish and if I were Mr. Mayeux there would be no better place that I would want to put this and have my name on side the 310 corridor and I think that was the vision for that plaza and that parkway when they built it. That's a premiere location, that land has been sitting there, nothing has been done with it, are they going to continue to let it sit there and nothing get done with it just because we don't like one company? Are we going to get the revenue into this parish like we're supposed to? I'd like everybody to vote for this and thank you for your time.

My name is Sarah Donnaud and my address is 19451 Mulberry Street in Vacherie. I reside in St. James Parish but I was born and raised and lived most of my life in this parish. I work at Lamar Contractors which is located at 481 Judge Edward Dufresne Parkway. I'm opposed to the rezoning of 579 Judge Edward Dufresne Parkway from M-1 to AV-1. I am concerned about this property being zoned AV-1 for a number of reasons. I will begin with safety. I understand that helicopter accidents aren't everyday occurrences, however it's possible. I also understand that Mr. Mayeux himself has had one accident in his 22 years of being a helicopter pilot, but as he said he wants to grow his business and expand, so with that comes more business, more flights, more pilots. I'm sure he himself cannot fly every helicopter in and out of that business every day. So what are the accident rates of the pilots that will be flying those helicopters? If he does sell his business, what are the incident rates of the company that may buy and be our neighbor? My next concern is the noise which it was completely validated in the past couple of weeks. MYU helicopters has flown over our office directly over our office more times than I can count on both hands in the last two weeks. Most of that yes was during the drill at the school, which I completely understand and support, but there has been times where he's flown over our office directly over our office and I'm sure a lower altitude than what is required or requested by the FAA. It's very loud. I can hear it inside my office enough to where we stop work. I'm at work just about as much as I am at home, if not more and I just don't feel that I should have to be comfortable with 6 times a day hearing that, if he's making 3 flights, that's in and out. As a person being born and raised in this parish and a person with common sense, I don't see how it's not clear that Lamar Contractors plan to build 4 two story buildings which will have up to 50 small businesses, will bring in more revenue to the parish than one heliport whose business is mainly in offshore transport. So I hope you the Planning & Zoning Commission take into consideration the concerns of Lamar, neighboring businesses, Ashton residents. This is our community, we are here and we hope that our opinion holds weight. Thank you.

Mr. Gibbs: Thank you Ms. Donnaud.

How are you all doing today? My name is Shawn King, I live at 118 Lac Segnette, Luling, Ashton Plantation. I back up to 310 so if this project gets built I have to look at it, I'm not opposed to it, I'm for it. My kids play outside every day. I have a 14 year old daughter, a 10 year old son, they ride their dirt bike, I don't think it's a noise hazard. I hear 18 wheelers all day long going down 310. I hear the train, we hear planes from Armstrong, we hear the planes from the airport down the street during the summertime dusting the crops. I don't have all the facts like everybody has but I'm for it and I think it's definitely good for the economy. Every time that helicopter leaves, that's tax money. I own concrete trucks, whenever my trucks leave the yard and going to a different parish I have to pay that parish taxes. So it could definitely be a good impact to the community. Thank you.

Mr. Gibbs: Thank you Mr. King.

Louis Morales, 675 Magnolia Ridge. I own Louie's Wrecker Service, Boutte, La. I think this would be a good viable thing for St. Charles Parish. When we have accidents and they need a place to land a helicopter, a medical helicopter they are always looking for a place to put those things. So I think maybe where he is they could put a small helicopter and get somebody out of here. The other thing is with the noise, just stand out there at the end of 310 one day when you have 18 wheelers coming down the bridge with the jake brake on, I promise you it would be

louder than a helicopter. I can hear them all the way back on Magnolia Ridge Road when they are coming down the bridge and I own trucks so I can tell you they are loud. There are signs all over the place telling you no jake brakes allowed. I don't see signs telling you of any other noise. So I'm for this, if you can, please help this man. Thank you.

Mr. Gibbs: Thank you Mr. Morales. This is a public hearing for PZR-2013-23, anyone else in the audience care to speak in favor or against?

My name is Frank Tessier, I'm an attorney and I represent Ashton Plantation. I've been involved for the last 35 years doing real estate work in real estate development. I bring to this Commission's attention your rules. For AV-1, Aviation Districts, "No use permitted in an AV-1 district shall cause injury or damage to adjacent land use property or the public health safety or welfare". There has been absolutely no studies, testimony even addressing this issue. Frankly I think in my opinion if this gets passed without that study this will be an arbitrary and capricious action by this Commission. I also bring to your attention in amendment procedure which was bought paragraph 2, proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create and I go to 2.c. Land or building usage which is, or may become incompatible with existing character or usage of the neighborhood. Ashton Plantation is there, they have already spent over \$10 million, the residents have spent probably another \$30,000 to \$40 million dollars, they are there. You're going to put in a new use which is going to adversely affect their property values, their safety, there's going to be noise, there's going to be glare from the strobe lights of the helicopter, the landing lights. The problem with the zoning change in a spot zoning change like this, once it is here, it is always here, you cannot get rid of it. By doing this, it's not to Mr. Mayeux, he could be the greatest guy in the world, tomorrow he could sell his petroleum helicopter and they could put 20 helicopters there and the noise level and what not will not be controllable by you. The only way you would have to have the Sheriff out there writing up ordinances or violation of the noise ordinance. I submit what is to allow this zoning spot zoning change without the appropriate studies is arbitrary and capricious and will possibly submit to be overturned in litigation on this matter.

Mr. Gibbs: Mr. Tessier, you started your conversation out by saying this has not been studied, but then you followed it up by what you appear to give off as 5-6 facts. I'm not sure.

Mr. Tessier: The facts is what your ordinance require.

Mr. Gibbs: No, no, no. That wasn't the facts that you spit out, you spit out something about strobe lights.

Mr. Tessier: Yes strobe lights, every helicopter I'm aware of have strobe lights.

Mr. Gibbs: But there's no study that says it's going to be any problem with the neighborhood. You started out by saying there's no studies, then you threw out like 5 facts, I'm just trying for the record make sure that you're not throwing out facts based on what your opinion is.

Mr. Tessier: That's the problem, you have done no studies.

Mr. Gibbs: But you threw out the facts and I just want to make sure that your facts are not part of any study

Mr. Tessier: I think everybody will acknowledge every helicopter has strobe lights, every airport has landing lights.

Mr. Gibbs: That's correct but what damage or what is it going to do to the...what's it going to do?

Mr. Tessier: We've already heard testimony from (inaudible) who's also my client. He is probably the expert on property values in this state if not the south.

Mr. Gibbs: Right, we've heard that.

Mr. Tessier: He's very concerned this will have an adverse effect on all of these residents home values. That's not fair. They were here first, this is coming second. You're taking away their value with no studies to support it.

Mr. Gibbs: I really don't want to get into any arguments but you're making statements of fact that are not fact. You're saying we're taking something away from anybody.

Mr. Terrier: You're putting a helicopter 300 feet from a residential area. If you go to the LSU football games when the governor used to land his helicopter in the adjacent baseball field which was right behind the assembly center which is far more than 100 yards away that noise level could be heard by everybody in that stadium. You're going to be putting this facility for at least 5 helicopters, there could be 15 tomorrow.

Mr. Gibbs: I'm reasonably confident that the helicopter that the governor was flying on is not what Mr. Mayeux is going to be flying.

Mr. Tessier: I understand his are bigger and so you have no limit on the number of helicopters, the time of day, the number of flights, noise any of that.

Mr. Gibbs: That will be presented in the business plan I'm sure.

Mr. Tessier: If it's before the Council how can you make a decision without having that stuff studied ahead of time?

Mr. Gibbs: Thank you Mr. Tessier.

Mr. Galliano: You mentioned earlier about a railroad crossing in the development, one entrance in, one entrance out. I also attended the meeting at Ashton Plantation on Monday and learned that there's a helicopter pilot that lives in Ashton Plantation who's present. He said the only way if something was to happen to that railroad crossing, if somebody had to be evacuated out of that subdivision would be a helicopter.

Mr. Tessier: That's not correct. There's an exit lane on Gassen Lane, that's there, that's locked for the security.

Mr. Galliano: They said it was a coded gate and the helicopter pilot he didn't have a code to that gate.

Mr. Tessier: The police department has a code to open the gate. That was part of the requirement that Ashton had to go through to be able to put it up. I handled that so I'm very aware of it.

Mr. Foster: I've heard from you and other people about the noise level and everybody is thinking well this is going to be noise and there's nothing we can do about it. Well there is something you can do about it. The parish does have ordinances that controls noise levels. If the noise level gets above the 70 decibels there is some action that can be taken and you as a lawyer, you can bring that up to the sheriff and there's something that can be done. I'm just saying that to say that there is nothing that can be done is not correct. There is something that can be done.

Mr. Tessier: Frankly that is part of my first argument was that the criteria, let me read it to you one more time and this is from the ordinance "No use permitted in an AV-1 district shall cause injury or damage to adjacent land uses, property or the public health, safety or welfare". That noise will cause injury to the public health, safety and welfare and that's my point. I think to pass it in violations of the ordinance.

Mr. Foster: Well we don't know that.

Mr. Terrier: But that is the problem. There is no studies reflecting it and without doing the study and passing it I think your actions will be arbitrary and capricious.

Mr. Gibbs: We appreciate your opinion Mr. Tessier. This is a public hearing for PZR-2013-23 anyone else in the audience care to speak for or against?

Steve Louque, 2195 S. Nobel Street, Paulina, La. I am the Secretary of Operations at Lamar Contractors. I've been hearing a lot of talk going back and forward about several different things. A little quick research on things I've done. Y'all may or may not know this. Lamar Contractors is in the process of designing and developing all 7 acres that are going to adjoin this property. We have multiple structures that are going to be built that are going to house a number of lease spaces for future growth and business of that area. We have extreme concerns regarding the affect it's going to have directly on our property. One of the things that I understand, correct me if I'm wrong to Planning & Zoning, but in rezoning you're not supposed to rezone if it directly affects in an adverse way an adjoining property. Well if I'm going to lease a space in a building 100 ft. away from a helipad that I would get \$3000.00 a month for now I'll probably get \$1500.00 a month for it, how does that not adversely affect me? You're not going to tell me that people are going to walk into that building and not look outside and see helicopters out there and say hmm what is that, how noisy is that going to be? How's that going to affect my business? So instead of getting a clientele of attorneys or high end clientele that would look for a prime location such as that, how are we going to get? These things have to be taken into consideration. Also, another thing that was brought to our attention yesterday, we were approached by the Wildlife & Fisheries and I know several people are going to look at me cross-eyed but there's actually a bald eagle nesting and breeding zone that falls inside of the cone for this heliport. They make sure that we brought it up to this Commission and to the Planning & Zoning that they have to notify the Wildlife & Fisheries of this so that they can come in and do a study, if this is going to affect them adversely or however affect the eagles. Next on the adjacent landowner, I heard them say that nothing has been developed, it's bare land. We actually have machines on there and starting to develop our land when the recession hit. Now the gentleman earlier said that works in real estate out in New Orleans or wherever he's at might not have been affected by the recession but a construction company I can guarantee the he was. So now the economy is turning around, starts picking up, we're looking to start developing our land. We have Blue Bell directly across the street from that acquired that property, they're breaking ground in April. So everybody out there looking at bare land but within a year or so you're going to see structures going up all over in that development, so please keep that in mind when you make your decision. Currently if I'm not mistaken, Mr. Mayeux is on a larger piece of land than what he's moving to, so he's confining his business into a smaller piece of property. So everybody keeps using that he's expanding or trying to expand, he's trying to do this. I don't believe you were correct when you

said he's buying this for a second piece of property and still going to operate in 2 places. He's looking to move his business, his base of operations. He's moving it there for exposure. Whether it's for increase in business or it's for a future sale I don't know, but if I was a betting man, I'd bet it was to sell it, why else would he do it? I met Mr. Mayeux, he seems like a really nice guy, I'll admit that, but I don't know who he's going to sell it to. Now he's been saying that he's not going anywhere and this is his business and he's going to do this for a long time. We had a meeting with Mr. Mayeux in our office before all this kind went. First thing out of his mouth to us was he plans on doing this because he's got a get a better sale for his property. Right now if he sells his business, he's got to sell his house. He doesn't want to sell his house so he's trying to get better for resale. So basically he's trying to acquire this land so he can turn around and sell it. It might not be tomorrow, might not be next week but in the near future. I want you all to be careful when you all look at this on what's everybody's intentions. Earlier when Ms. Donnaud was up here talking about the flyovers just recently and there's been all this talk about noise, how noisy is it? How noisy is it? So I have a little video right here. This is on the corridor as he flies on the corridor (plays audio). This is on my back porch now I don't hear the interstate at all. I don't hear a car, I don't hear a truck, I don't hear anything but a helicopter. Now you want to hear what it sounds like directly over our office as it did a number of times. We all have to get off of our phones, shut down business. Now I'm 400 feet away as everybody told you, what are we going to do when they are 100 ft. away, 150 ft. away, 200 ft. away with 50 businesses? The helicopter starts up, it warms up, go through the warm up cycle, takes off, come back in, there's a cool down cycle and it's not a minute or whatever it is, it's not just that, it's more (inaudible). So just for everybody who was wondering about the noise, noise, noise, I just wanted to let you all hear it, that was the noise. I didn't hear one vehicle, one 18 wheeler, one anything coming down the interstate when that was going on. So I guess in closing, we come before this board, a board of our peers, not asking for a favor, not asking for anything special, we're just asking that you follow the guidelines that are set forth to protect us. Thank you.

Mr. Gibbs: Thank you Mr. Loupe. This is a public hearing for PZR-2013-23 anyone else in the audience care to speak for or against?

Yes. My name is Joey Murray. I reside at 13880 River Road, Destrehan. First I want to say this, in our profession we do not represent and we do not work for the applicant or landowner in this venture whatsoever, but I do come because I am a resident in this parish and I believe that it's important that if you have knowledge or something to say you need to share it and give that knowledge to the people that need to make the decisions. I want to let you know that I've served probably for 14 years on the Port of South Louisiana, seven of those 14 years I was the president. During my presidency I oversaw the takeover of the St. John Airport, I currently serve on the Port Commission as the aviation chairman for the expansion of that airport. I deal with the FAA on a monthly basis both in Fort Worth, TX and the office in Baton Rouge. I have a little bit of knowledge for space use and the proper airway use of helicopters, aircraft, etc. Also I wanted to tell you that I am a pilot. I am a fixed wing, I am a single engine, multi-engine radio pilot and in the last 3 months I've had over 15 hours of pilot in control of helicopters, so I know a little bit about helicopters and how they take off, how they land and what the emergency procedures are. One of the things that they certainly don't want to do is to be anywhere near a house if they were to have a problem. Helicopters are very safe which a lot of people don't know and I can understand why people become very upset when they hear about helicopter and what the dangers are. They think that the engine quits and it falls out the sky and hurts everybody in the helicopter, hurts everybody on the ground. That's not true. The helicopter acts very much like a fixed wing aircraft as it comes down there's a rotation, figuration, it can safely be landed as was done by Mr. Mayeux when I read the news reports on his unfortunate mishap in Port Fourchon. In addition, I want to tell you that I have designed, our firm Murray Architects, recently designed a heliport in Metairie, LA right next door to residential neighborhood that was approved through the FAA and when you apply and receive FAA approval for an airport you have to identify your approach and landings and looking at this configuration, I haven't designed it and I don't intend

to, but I can assure you that as a pilot and a designer we know that the approaches for this piece of property is I-310. If you have a mishap, either on takeoff or on approach to land, you're going to want to be able to land in an area that's open, that's not congested, that's not occupied by people. With that being said, as you train to fly a helicopter or fixed wing aircraft, the last thing you want to do is hit a building or a house, because the second you hit a fixed object, you're chances of survival go very quickly down. Your best bet is to find a field with no obstructions, no towers, no structures whatsoever, a highway and that's the safest way to land. So I come here to tell you that this particular area while they have a neighboring business and I know they're on an M-1 zoned property and when I read the uses for M-1 I know that you can place doctor's offices, lawyer's offices on those, but you can also do a whole lot of other things that are nowhere near and have more impact than that. As it relates to Ashton, I know that the takeoff and landings will have virtually no effect on them and the noise from the helicopter may be equal to but it will not exceed the noise that the interstate gives in that area. So I wanted to tell you that as a business owner in St. Charles Parish, I rise to tell you that I'm in favor of this, I wanted to give you the facts that I know that can help you make a decision and I know the decision here is a tough one. Good luck.

Mr. Gibbs: Thank you Mr. Murray. Anyone else to speak in favor or against PZR-2013-23?

Good evening my name is Debra Dufresne-Vial. I would like to say that Esperanza Land LLC which is the developer of the Esperanza Business Park. First I want to start off tonight and advise the Commission that I am here on behalf of the ownership of Esperanza Land LLC to oppose the approval of the zoning. My reasons for the opposition to the zoning change primarily are due to lack of information and I think most of the concerns even being expressed all night tonight and in talking to some of the residents who had contacted us relating to having attended the homeowners association meeting, in conversations with Commission members and other business people in the community, the lack of information or the lack of studies as some have indicated are cause for a lot of the concerns that are coming forth tonight. I know Mr. Mayeux. I know him from when he started doing the crop dusting on our sugar cane. We used his helicopters when I was the Economic Development Director to do filming for videos, promoting St. Charles Parish as a place to locate your business or move and reside. I am very pro-business. Anyone who is a life-long resident or has just moved here and sees what development is going on near the bridge, my father was one who was a dreamer and a doer and accomplished much more probably in his lifetime than any of us will see because of the growth and development that was occurring in St. Charles Parish. The business park when we defined it, the parish required M-1 classification for light industrial for business parks. The business park when it was defined also developed building restrictions for the business park which are filed in the Clerk's office and the property owners within the park just like in your homeowners association, you may have restrictions in your neighborhood, Ashton has restrictions that they have to follow, so does the businesses that locate in our park. We know we addressed AV-1 as a use that might be stipulated as (inaudible) in the park because M-1 was defined and it was the use that we were preparing to start and develop. While the use is compatible, my objection is that what you see developed in that park right now with the uses as stated in the analysis, mixed uses would be sheriff's office complex, a variety of businesses like Lamar, the USDA, Mosquito Control Inc. and then you have the public uses of the school and satellite center, the maintenance building for the school system, the animal shelter, the community center. All of them have been developed and they have a desire for expansion and growth on the sites that they have. Beauty is in the eye of the beholder. While some will come before you tonight see the location of the heliport on this lot as the prime location, there are those of us that think it isn't the exact fit. To date, our company, I'm not saying Mr. Mayeux isn't going to do this, but I'm just advising you the justification for where my position is in opposing this is because our company with the business park development has not received any of the plans. The site plan that I have been made aware of is what is in the packet and the architectural rendering that was in an article of the newspaper, in the Herald-Guide is the most information I've gotten on the project. Therefore that is why I

oppose the zoning being changed. The height restrictions that are noted in #3D of the analysis – “height restrictions in and around the AV-1 Aviation District shall conform to all applicable state and/or federal regulations”, specifically what are the height restrictions today? #4 The AV-1 Aviation District location shall be served by a federal or state highway. Judge Edward Dufresne Parkway is not. An effort to continue this roadway to tie into LA 3127 are continuing today as it has been since the onset of this development. Agencies like DEQ, DNR, EPA, Corp of Engineers, etc. and every other alphabet soup you can think of are some of the regulatory agencies that we’re trying and have been trying work consultants and engineers to get this roadway to be connected to 3127 a reality, but they see the vacant land and say no develop your other land before we’re going to allow you to come through with a roadway here. Again, outsiders looking in don’t always have the best insight as to what you are trying to do with your own property. Recently we were working with the parish to tie Judge Edward Dufresne Parkway directly into 310 but that was denied which when Ashton was in the concept stages of their development, there were discussions about an off ramp located on the Esperanza Business Park side of the interstate with the on ramp on the opposite side of the interstate on the Ashton Plantation development side. Because of the proximity to the downslope of the bridge, the ingress of the I-310, the access from the River Road to I-310 and the exit going to 3127, they won’t allow the connection at that site with the transportation being cited AV-1 needing to be located on federal or state highways. I just wanted to make note for the Commission whether or not the federal highway administration has been contacted for the input relating to the location of the heliport and helipad in proximity to I-310. Are there any recommended setback requirements existing for a helipad in relations to the federal interstate highway system. Again, these are questions I’m posing because I think they are the things that need to be answered and hopefully Mr. Mayeux can answer or maybe this Commission will provide the opportunity for these things to be provided before a decision can be made. We have 15 state highways and 4 federal highways located throughout St. Charles Parish. Why would the parish in its first institution in implementing AV-1 zoning not afford the criteria that are defined in that zoning. Every existing airport, airstrip, the existing airline helicopters, the Ama airport and in Jefferson Parish, the entrance of Armstrong International Airport which there are runways in our parish, are all located on state and federal highways. LA 18 and US 61 Airline Hwy. Also in the analysis under special provisions, what FAA regulations are applicable and enforceable for the uses of property in AV-1 districts? What conflict exists between the parish ordinance and FAA regulations for a heliport? If FAA doesn’t regulate the heliport as we have been told in some of the public meetings, do they have recommended provisions or industry standards that local governments can require this type of use to comply in. Can there be a review by an authoritative entity, just as Mr. Lier had suggested when developers come in to do a subdivision or when we do a business park there are specific drainage studies, project studies, those kinds of things, why aren’t those being required or if they are available why don’t we avail ourselves to that information to be made public? The office and building construction, I have questions on whether I’m assuming those would comply with regular building codes. I have a question regarding the hangar, with that building is that inspected or built with building code standards or is there some FAA code of standards that are required for that? Again, a lot of it is just information. Analysis by the department states that the applicant’s intent to relocate his existing heliport from River Road in Luling situated between Monsanto and a residential area to the lot on 579 Judge Edward Dufresne Parkway. Approval allows the owner the opportunity for expansion and provides a greater separation from residential and land uses. Tonight there’s been some discussion on which it is, is it the expansion that he is going to 2 sites as Mr. Gibbs was saying, expanding in two locations or is it an expansion that he’s moving and relocating as it’s stated. Clarification of that again which I’m sure will come when Mr. Mayeux makes his presentation but these are all things that are leading to a lot of the questions that have come up. The special permit use is it site specific or is it applicant specific? Does it transfer with ownership of the property? The reason I ask that is Pintail Contractors is making this application on behalf of 310 Investments, the owner of the property and the special permit use is being applied for in the same manner. I was told by a Commissioner tonight that it is specific to Mr. Mayeux, but he’s not even applying for it. So does it transfer from 310 Investment to Mr. Mayeux or do we have to go through this all over

again as I was alluded to, again I just want clarification. Are any expansions possible at this location or is the proposed site plan and facility at maximum capacity and exactly what is that? Can an additional helipad be put at this site as it is configured? Again if it is sold to some other entity in the future it would be good to know if there is the capability for any additional expansion at the site. Does the size of the lot allow for expansion of the offices and the hangar facility or do they have to come and get a special permit use specific to just what is planned to the site. What is the capacity of the hangar facility and is the Commission considering imposing any limits on the number of flights or time frames of flights allowed with the special permit. The question of sound limit, I'll go ahead and just close and I think most of what I brought up this evening just defines that there is a lot that is still unknown and hoping we can get some clarification from Mr. Mayeux when he makes his presentation and I thank you for your consideration.

Mr. Gibbs: Thank you Ms. Vial. Again this is a public hearing for PZR-2013-23 is there anyone else in the audience care to speak in favor or against.

My name is Fenwick Swann I live at 112 Lac Felicity Drive in Ashton Plantation. I don't know what else I can really add much to this. Besides being a resident I'm also a member of homeowners association board as well and actually the residents representative on the homeowners association board. I have no fiduciary interest in Ashton LLC or Rathborne or any other entity. I am only a resident. I represent the residents. You've heard some of the residents are against, most of the residents I've heard from are against, some are for. But I will tell you that I've heard from residents, I've seen a few tonight that are for that I had not heard from before, but basically what I've got from the people that I've heard from in Ashton Plantation, it is more than 2/3 against and 1/3 for, probably less than 1/3 for. So all I can say right now is that we have concerns and you heard them tonight, you heard that safety and the noise issues and we discussed that at length. I will say that we have in Ashton Plantation 24 pages worth of restrictions that we signed up for. So we understand that we're going to restrict our own use of our own property so that we can keep our property values the way that we expect our property values to be valued. If you look at where Ashton Phase II is going to be, it's closer to it, if you came in as was pointed out, if you come in to try and buy a piece of property in Ashton Phase II and you see a heliport there, are you going to purchase that particular lot that's right there, that's 300 ft. away from that helipad is, you're not going to buy it and if you do buy it, well good luck. All I can say right now, we have a lot of concerns right now and one of them that I also have and I've heard from people is the safety issue of the one way in and one way out as was pointed out we have one way in, way out in Ashton, we don't we do have that back road and it does have a lock on it, it's a keyed lock that can be used by the sheriff's office and ambulance service and the fire department to get into Ashton should there be an emergency. There's also a code access, a 4 digit code access that was sent out to everyone in Ashton, if they don't have it, please contact Ashton Plantation homeowners association and we'll send it out to you again, but you can get access on an emergency basis from Ashton. There isn't that here. Should a helicopter go down in that area, how are you going to get to it to put out a fire if there is also an issue with the train? That's a big issue for us in our community. Back there on that side of the tracks you have the civic center, you've got those schools, the satellite center and you've got the school back, the sheriff's office you've got back there as well, you've got the animal shelter back there, if something happens back there we have a concern and we are concerned for the children as well, we have RK Smith, not Luling, we have RK Smith back there and we have people in Ashton Plantation that do send their children to RK Smith and we have concerns for them and the Satellite Center, we have kids from the high school that goes to the Satellite Center as well, we have concerns, it's not just for our residents in Ashton, it's for the whole parish, for everyone who lives here. All I can say right now is that we have to look at who this is going to affect, who will it affect, who will it help and who will it hurt, potentially hurt. Nothing against Tim I met him for the first time on Monday I think he's a nice guy, but you've got MYU that's going to expand, you've got the contractor that's going to build, you've got the landowners who want to

sell their piece of property, that's who it's going to help and it may help the economy some as well, however who is it going to affect? It's going to affect the residents of Ashton Plantation, we've heard from some people here, you're going to have the possible future residents of Ashton that may never move there because of that. You're going to affect a whole lot more people than you think if you add this heliport there. So all I can say is I'm against it from a resident's standpoint and we're against it from a homeowners association. Thank you.

Mr. Gibbs: Thank you Mr. Swann. Anyone else care to speak in favor or against PZR-2013-23? Seeing none. Commission members any questions or concerns? I would like to say a couple of quick, quick comments. Come up to the podium please. Is there anyone else that would care to speak in favor or against PZR-2013-23 this is a public hearing.

Good Evening, I'm Tim Mayeux with MYU Helicopters, I live at 12611 River Road. I am I guess the one causing all the trouble. I sat here and listening to many things and looking for any questions that yall might have. As yall know, I've been writing down a lot of stuff. I'm new to this, I've never done this before so I'd like to try and take down every concern. I'm going to try to work backwards because my memory is short here. Speaking with the last speaker here, we talked about the concerns, the safety of the parish and the safety, first of all I've been living in this parish for 22 years, I've been in the helicopter business for actually 28, been a pilot for 30. I've done 22,000 hours. It kind of floored me right now the concern of the all the people with the uproar of the safety issues and all that I've actually been operating in St. Charles Parish now for truly I thought about it, I've been saying 22, it's been 25 years and I've never had a single complaint, nobody's had a single issue with me. Twenty two years I've been flying over Ashton Plantation, hospitals, schools, Walmart, you name it, I've done it and I've never had a complaint, but since all of a sudden advertisement has put my name up on the streets. I find myself the center of attention. When it comes to Ashton as Mr. Swann's talked about, the concerns of the children, the safety of the people, I understand all of this, but I'm kind of wondering if Ashton is considered a one way street. I'm not aware of all this stuff but they have one way coming in across the railroad track for emergencies, they've got a back gate for their safety, but their concerned about the public? Do people on Paul Maillard and all have a key to that gate when they're going to be having an emergency to come through Ashton and go out to the River Road? I think that's something ought to be looked into, ought to be a two-way gate there. It looks like a lot of this stuff here is questions about noise. We had a meeting on Monday night that I went, very open meeting, I was there, everybody asked questions. Seems like the majority of the questions were the idea of noise, how I'm going to devalue their property and this is all great concern. I'm concerned about it. For 25 years I've taken the good neighbor approach and it's work, I haven't had any complaints so give me a little credit on that, give me a little credit on my track record. So I've been jotting down a lot of this stuff here, limits on flights really blowing my mind here that I've been here over 25 years before that we farmed on Ashton since 1976, I'm a farm boy at heart so this is my parish and my town and what I call home. We had a meeting on Monday night an open forum, everybody participated and all and everybody is griping about the noise, the noise, the noise, the noise. Well when we showed up there at 7:00 when this meeting was taking place and I purposely had one of my helicopters take off from our present location and fly over the clubhouse at 7:15, land in one of the proposed properties, took off, flew back over Ashton Plantation and residents kept talking, arguing whatever. Seven forty-five that evening I had that helicopter do that again, it flew over Ashton, and back, I thought the Tax Assessor was going to give me away because he went to that meeting and he actually saw that helicopter there and my 9 year old daughter was next to my wife saying mama I think I here daddy. So the helicopter landed at 7:45 landed on it zoned piece of property and took off. Eight o'clock we were still going through the rigmarole (spa) of noise, noise, noise, yall make too much noise. I told the people this, did you hear the helicopter? I think it just went right over their heads, but that was no concern it's noisy. Did yall hear it, did it interrupt us, nobody even heard the noise. So that's how that meeting went. I'll take a few questions here. Ms. Dufresne this is the first time I've ever done this in the parish, I apologize to you that you never saw a rendition

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of the facility. I'm kind of confused too, I'm like who applies for this application, how does it go? The Bosco's and 310 Development is the owner, but the whole process when we first started this I believe we were instructed probably through Planning & Zoning and as a businessman, me wanting to see if I could get the approval before I purchased the property, so we got a little conflict here, what comes first, the egg the chicken and stuff like that. I have brought a few pictures here and I apologize to Ms. Dufresne the only picture she saw has been the picture that has been going around to y'all to get an idea of what I'm proposing. What we are proposing I apologize Ms. Dufresne, but what we are proposing is actually, this would be what the building looks like, from the interstate this would be the look that you would have and these are 4 large doors that 4 helicopters will go in and out. I've actually got a picture of the facility, same concept, in my perfect location right now. It's a \$3 million mini storage. This right here gives you more of an idea what it would look like. To give you an idea right in there would be the 310 interstate system. So from the interstate and from Ashton if they're looking over they will see this facility. We have a helipad out here, there might be helicopters out there from time to time. The way I run my operation is most of y'all would really look at this facility on a day basis and say how in the hell is he staying in business, because all the aircraft sleeps inside, we make our flight, we come back, we push them back in. Here we have right here is basically an overview tract of the building. Here I call (inaudible) and this is what the facility would actually look like considering the 310 up here at the top corridor. Here's another picture that gives you an idea, the facility would be designed on all 3 corners facing Dufresne Canal, they we go back to the front of the business when you would be driving coming through the tree line and Hwy. 90 somebody coming through, they would be looking at what they thought was the front of the building. Then on the 310 side it would have the same look, so cosmetically in my opinion I thought it really accommodated the oddball shape and (inaudible) near the ground. Trying to keep everybody's bag and everything in mind. Here's the parish road, 310, the Lamar Construction site is over here. I think that's 7 acres and then their facility is to the right. Now keep in mind everybody has a very valid concern and I understand that, the property in question is 4 acres and I heard by someone saying that Mr. Mayeux was trying to move out of his 4 acres to a smaller piece, this right here if y'all can look up here to this picture right here, this right here is the facility that I'm working out right now. If you notice, there's trees around the corners, there's trees on the side, Rock Gisclair lives to the left of the building, what you're looking at right there is my present helipad and building from the top. Rock Gisclair lives there, we have other neighbors to the right, others to the left. Twenty three years ago when I moved here I had Rock Gisclair and I had Dr. Huff which passed away approximately 6 years ago. When I moved there, I bought the house, it became a political issue within the parish. Rock Gisclair didn't want me there, Dr. Huff didn't want me there but I went there anyway, they couldn't stop me ok but times have changed. You can call Rock Gisclair, you can go talk to Rock Gisclair today and ask him how does he feel about me now. He will tell you, I have increased the value of all their properties, I've increased the value of everybody's property and I'm the best neighbor that he's ever had. The helicopters are not concern. So with that said, I think that right there ought to speak pretty good for itself. It kind of confuses me right now and I'm starting to wonder about this whole process. It seems like everybody in business around here have a concept that you're supposed to be in business and not want it grow or not want to double your size. If that's the attitude of Planning & Zoning for this community, this is the reason the community is not growing and this is my home, we've got to look at this. I'm talking right now for other people trying to come here. What if I right now was up here talking to y'all saying Mr. Lamar should be not capable of doing anything over 20 construction jobs a year and put a limit on him? Ms. Dufresne can only sell only 20 acres a year no matter what, what are we talking about people? This is what business does, business you want to grow, I want to grow. I want to double my business, everybody is concerned. I'm surprised everybody knows what I'm doing, I need to go talk to them because I don't know what I'm doing. Investors? I'm not a vice-president, I'm not a secretary, I am the owner of MYU's Flying Service. Investors, I don't know who these investors are. I am the sole owner, I created this business and I built this business, this is my life, this isn't even a business, this is Tim Mayeux, my life. So any concerns with this piece of property right here, I kind of got a little slide show here with my iPad and if you look up there, the same piece of property y'all can all see the

property in question look at the open space for safety we have right now I'm coming in flying in a helicopter a thousand feet, look at the view I have. Do I have homes underneath me? Do I have houses underneath me? No. I have an interstate, I have an interstate that have approximately 40-45 ft. clear zone in the middle. I have a 75 ft. servitude on left and right. In times of emergencies, there's no other place that I would like to go down than on the side of that interstate and keeping everybody safety in mind. So in my opinion, this wasn't dreamed up overnight, this was carefully looked at and it's an excellent place for a helipad. It provides safety for the people. It's supplies safety for my operation. There's not another place in St. Charles Parish. I can go buy 20 acres somewhere in the middle of Dufresne Park but what are we going to do to Dufresne Park with surrounding areas in 10 years from now, the people are going to move around the business, all of a sudden we're going to be faced with opposition again. This area here because of the interstate, the highway system (inaudible) makes. If you look at it right here on this view, here it is again, here is the interstate look at the enter and exist to the north to the south, perfect area. Now we're going to come to decibels. I heard a lot of people questioning decibel levels. Well in the meeting Monday night it was brought to my attention that helicopters were loud. Well to educate ourselves on how loud helicopters were everybody here opposing the operation right now I tell them about decibels, they don't want to hear about decibels, helicopters are loud. Do you know what the decibel level is of the interstate? They are not worried about the interstate system, they're worried about helicopters, they are loud. Well believe it or not, you can purchase decibel meters. So I got a little data here that I thought was interesting. Here I am standing in the servitude about 40 ft. from the interstate and if you can look there, there's a decibel reading of 80. As we move along here, I found that the decibel level of the interstate runs on an average of 90-91 decibels 24 hours a day, 24 hours a day. When I backed off from the interstate and I moved to Ashton Boulevard that goes down the street and you get to that point and you're standing right there at any given time it seems like the decibel level was about 70 decibels. I'm going to jump around right here because I'm thinking, but right now I don't know if yall know this but everybody's talking about regulations, subdivisions are supposed to be below 60 or 50 decibels, 7:00 this morning I'm a big coffee drinker, got in my truck, drove around, this right here, yall may not recognize it but this is the clubhouse in Ashton, 7:00 in the morning that's a 67.4 decibel reading. In all the covenants and all this stuff I'm starting to question how the hell was Ashton built next to a subdivision when all the decibel levels should be below 60. So this is one of my little thoughts there. Look at this, what you are looking at right now is me standing still, 7:00 in the morning with a decibel reading. Now let's give a little benefit of the doubt we got wind blowing, but that's what it is, 68, 64, 61, 59, 60, 66. Keeping in mind that he is correct in the fact it is the wind. I pulled a trick on yall, but I did it again, at the same time the wind was blowing, everything looking good, so now I said Tim, let's think about this, let me move to... I think we had one gentleman here that really was for the heliport and he said that he lives on the outer skirts, closer to the 310. Well guess where I went this morning, two minutes after the one by the clubhouse. This is in Ashton approximately on the last street with this noise coming from the 310 interstate. Oh my gosh, 84, 82, 85. All these people that moved into Ashton for this quiet little life I need to know the definition of quiet life, they moved into a loud neighborhood and that's fine, nobody is complains about it, everybody adjust, it just the way it is. Then I decided let's go dodge some cars on the side of the interstate, this is what you get on the side of 310 interstate 24 hours a day at 7:00 in the morning, you got 83, 85, 90, 91, 94, 92, 90, 89. That is what you get when you're getting off that interstate and then sometimes there are big trucks (inaudible). I thought that was a pretty good test of what's going on. I'm just trying to give yall an idea and educate everybody with the decibel levels which you are looking at. Now, to make it fair, I don't want this to be side slanted or whatever. I went standing in my backyard where my helipad is where the devalued property levels have decreased. It's funny I have helipads in my backyard and you can call the tax assessor, but isn't it funny to believe that my home ranks the 5<sup>th</sup> highest tax payer in the Parish of St. Charles. I didn't have an effect on it at all, take it me I write the check. Right now I'm standing in my backyard, look that's the hangar, you see how the doors are, so if you can use your vision, a building with 4 doors, more modern, look at me in my backyard, I'm at 54, 55, this is taken at the same time. This is the life I live every day. This is how quiet it is. Now here's another time we're seeing 61, no, no that's not it, this right here I'm

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telling you it's true so you can see the concept of the operation. This is what you see every day unless the helicopter is out on a flight. Those are helicopters in there, there's my back yard, there's the neighbor's yard, this is the confinement that I'm working in, have been working in for 25 years and never have had any issues. When I leave out of here, I fly over Luling Elementary School every day, 500,000 feet, it all depends, keep in mind I do have a good neighbor policy and this is why we've never had any complaints. Right now I said let's make it fair for everybody, here's the helicopter cranking up. I'm going to put the meter there as it's cranking, right now we're up to 68, 67, bear with me. This would be a normal operation 7:00 in the morning I have a flight to go pick up somebody and I would crank up, you would hear this noise for about 4 minutes, 5 minutes max, the flight leaves at 7:00 it returns 3 hours later, you will hear this noise again for 5 minutes, not 24 hours a day. Right now we're winding up, we're up to 76 decibels, 75. I'm having trouble seeing it right now. I know yall want to hear 200, but it's not. This is a normal operation, what everybody is going to be hearing. Keep in mind this will get up to 90-91 maybe 95 for a quick second when it's turning or rotating, but keep in mind this 75 for a helicopter standing next to it runs about a 85 decibel. I am much closer to this helicopter keep that in mind as far as the decibel levels are going to be louder. Keep in mind, decibel levels on smooth flat ground, whatever your decibel level is, if you are 200 ft. away you double that distance to 400 feet and your decibel level will fall approximately 6 decibels every time you double the distance. Here we go here, she's warmed up and we're leaving out. Now we're moving up right now, we're up to about 89 decibels, it's a little louder because it's getting a (inaudible) making sure we're clearing the building. Watch how that level is going to drop when it actually picks up and move to the left. I think right about here my phone went off and I realized a couldn't (inaudible) so it really messed me up. Right now we're looking at 95, 96, this is actual decibel readings, this isn't me telling yall it's loud, it's not me saying it's quiet, this is actual fact, actual data. So I'm coming along here, it's kind of funny the helicopters are very, very it mixes into the environment. I'm going to click on a few pictures to try to give yall stuff we're talking about here. As you can see up here, I've got a picture here with something else. We've got a malfunction. I can try to hold it up. Is it better for me to approach yall and pass it around so yall can see and then I turn around, I don't know, I would really love to show a lot of these pictures, it's a lot of good information. What we're looking at here is we have a lot of concerns about helicopters being close to interstates. Helicopter pads needing to be on federal highways. Louisiana State Police who would be concerned about safety – bridges, traffic and all, if you pay attention down on Williams Blvd. on the corner of Williams Blvd. and the interstate, I guess it's State Trooper B's office right there, there's a square helipad right there next to the fence. So that shows you how helipads can truly be within tight vicinities and it's not a safety issue. We have one downtown New Orleans on top of the parking lot of the Superdome, which we're flying in all the time, when there's 60-70,000 people walking around, it's not an issue there. All steady, the safety of the helicopters, you take off out of downtown and there is 200 ft. buildings there that have been built around, when you take off the building is not an obstruction. What do we do? We go over the interstate and pass right down the interstate below the top of the buildings (inaudible), it's done like that all the time. You can go right now to the Highway 90 over there by, I need my pictures. So we have Jefferson Parish's helicopter right by the highrise over there in Belle Chasse, I don't know where, but there's a high school right there, football field, the helicopters take off right there and the shopping center right there, that's not an issue, safety is not an issue I feel, this is where this place needs to be. What am I trying to do there? I'm trying to build my business, I'm trying to get the visibility of the public, of the traffic, that's what businesses do to try to grow. That's what I'm trying to do. My facility, I employ 5 people. I have 2 mechanics that work 5 days a week from basically 8-4. I have 2 pilots, I actually have 3 other pilots, 2 of my pilots work 7 on 7 off, so on any given day, I may have 2 mechanics in this building, 2 pilots and I would be the 3<sup>rd</sup> pilot, I float around more on the schedule or no schedule. So that is the work force that we have. Everybody is asking about engineering and stuff like this, what I'm proposing here, we're not breaking any FAR's. I had last week the FAA came to me because we were doing some other inspections and all, actually I drove onto the spot and showed them because in my opinion from what I know, it was ok, but I brought the FAA in to look at it, and they said Timmy, man that looks like a great place. Keep in mind this is not, I think they

caused a bad stink with heliport. This is not a public heliport, this is a private heliport, that I take my customers, my business in and out the oilfield. There's not drone helicopters coming in, they would never meet those strange helicopters in that will really be messing up my good neighbor policy because he's done shot over a subdivision. Everybody that is going to be operating is going to be operating is my employee, he's going to be taking route zones to keep the good neighbor policy. I've done it for 25 years, why can't I try to do it for another 25 years? I heard somebody talking, the limit of flights, the limit of sound, I can't have restriction telling me, it's like telling a taxi driver he can only do things a day, get some more cars, just don't do it, it just doesn't make sense. I think the parish needs more economical films done by my helicopter business to promote new business. Stevie got up here and he had a video, a soundtrack of a helicopter, my gosh that thing was loud, I agree with them. That was over there he took that during the day when the sheriff was having the drill, the terrorist. I circled over that facility I bet you 24 times, circling round and round, we took different people, everybody was amazed how they got the snipers in the ground, snipers in the ditch and the visibility, they really understood the importance of the helicopter in those crisis. I hear and I understand Lamar Contractors concerns. I don't believe that it would be concern, he even stated, he's been trying to do this, I'm kind of concerned that he's going to create Lamar Development, Lamar Industrial Park inside Dufresne Park, I don't see how that would ever happen, but I guess it can, anything is possible. Today I got to get these pictures. Gloria came and visited me today, you might say who the hell is Gloria? You know the helicopters are very, very friendly, people adjust, things adjust, the last 3-4 years Gloria has been showing up and I heard something today and I told my wife, I said babe go take some pictures of Gloria. She ran out to the front of my yard where we've been having this bald eagle for 3-4 years come into my yards, kissing the trees in the front of the house, she's got 2 little babies, oh I'm proud of them, I have a hell of a lot of Christmas lights in my oaks tree, they've been giving the squirrels hell, so Gloria is my thing, so the helicopter is very user friendly. I hear some people now wanting to say something that I'm messing up the activity of the eagle's nest. Well you know eagles used to be, they're still protected, they're not extinct no more. There's more eagles over the last 20 years, their growth is great, they've learned to adapt to us too, but when you do have an eagle's nest, you've got to give it a 1500 ft. perimeter around that eagle's nest, that's the rules there. If you ever noticed at the New Orleans airport, there's an eagle's nest sitting right there on runway 10 as you approach, the airplanes 150 ft. over 310, there's no accidents taking place there. The eagles nest is sitting there. Katrina came in and really knocked it down, for some reason that eagle thought that was a good spot to rebuild in, he rebuilt his nest, it's there. The building, I don't have any plans for selling my building, selling my business, this is what I do. What am I going to do? Retire? I just can't do this, this is my livelihood, I'm not going to lease this building to anybody else. This is going to be my operation. I'm building it boom for visibility, for more growth. What does growth do for yall? Growth puts money into this parish's pocket. I'm a small business. On average I make 3 flights a day, a good day for me. I'm happy, I'm not greedy. If I can average 3 days of flights a day I would be happy. What does that 3 days of flights consist of? Three flights per day in a 24 hour period, people will actually hear a helicopter getting up to 85, 95 decibels for 30 minutes a day, that's it. In these pictures here if I can get this working I actually video of the helicopter landing one, two times yesterday that might be where Mr. Lamar heard this noise too. In these videos, I have the video to prove what I'm talking about. I can't get it running and I want to pass it around. But one of the surprising things when I was taking the decibel levels on the side of 310 interstate which is located in between the property in question and Ashton subdivision was while I standing on the side of the road we have a decibel level running from on average 80-85, 91, 92, big trucks pass, it could spike as high as 100, 101, Coca-Cola truck passed, it went up to 108.6, but the most interesting thing in this video if I can pass it around or if even I could show it, was I had the helicopter come landing at the same time, helicopter was approaching from the south, coming over Highway 90, landing to the north as we would do, most of our times landing and we were running a decibel level of 90, 92 back and forth peaking out, but a the helicopter was coming through to approach the helicopter actually approached the property, it landed and it hovered around where it would be if this were approved. When no cars were passing the helicopter was sitting over there the decibel level wasn't over 85 decibels. So here we are with

something in an industrial park at 85 decibels and the subdivision is really going to have to listen to the louder 90 decibels that are closer to them. So in my opinion, based on technology, based on a decibel machine, it's not my opinion, it's a machine, it's facts, I think the whole discussion of noise is inexistent, it's not even a question, the interstate is much louder, the train is louder. I have decibel readings of the train, I can share all of this if I could get this thing to work. I have pictures of Gloria who's been coming around and tonight she had a nice little fish in her mouth. So we talked about the business and the daily operation, I'm not a 24 hour business, is somebody there 24 hours? No. Nobody is there 24 hours. I am 24 hours on call. When somebody calls, I provide the service, I do get phone calls 1:00 at night, 2:00 at night, it changes, some nights, some weeks, some months I might not do nobody's flights and all of a sudden I get 2 or 3 night flights. My business I can show you is up and down. For example, I'm happy with 3 flights a month. Right now at 3 flights a month, I want to double my business, I'd love to have 6 flights a day. I'm in an industrial park, I'm creating industrial business, right now, people question, I've seen all these ugly surveys, questionnaires, I have no tax value, I have no tax value at all to the property. Well I really didn't know, I write the checks, I'm the secretary, I'm the bookkeeper, anybody in here, anybody in the parish can have my (inaudible). When you call MYU helicopters for the last 30 years, I answer my phone 24 hours a day. I've never had a secretary, I've never had that, so at 2:00 in the morning if you have somebody bitching, you're going to be bitching to me and I'm going to hear it and I'm going to know about it. This is how I conduct my business. What do I do? I have no tax value, well I've just survived in this parish for 25 years, I mind my business, I don't think many people knew about me. I've been here, everybody complaining, but the majority of you didn't know that I existed, so let that speak for itself, but what they don't know is the tax value, it scared the hell out of me, because somebody in here, Lamar Construction started snooping around, trying to find out tax issues, which is public record, so they tried to make that public record and all and they found me I have no tax value, the parish need a new levee system, everybody want to protect the kids which the kids come first to me, the school system comes first. I found out some interesting facts that scared the hell out of me and made me wonder why the hell am I doing this? My tax burden for St. Charles Parish no matter if I get up if I don't get up, before I go to work, I've paid \$297 a day to this parish. My tax bill last year \$109,000.00 for property tax because most people are unaware a helicopter, the equipment I operate, is taxed as property tax, I've been paying these kinds of property taxes most probably for the last 15-20 years, nobody knew about it. I learned about because I heard somebody was trying to get information about my tax records. If I happen to get this approved and I build this facility my tax burden to yall to build schools, to build levee systems, to support this parish will go up to \$180,000.00 per year. That will put me before I get out of bed, I'm a big coffee drinker, before I start drinking my coffee I'm going to give this parish \$465 a day if I go to work or if I don't go to work. Lamar's tax bill is \$25,000 per year, so here we've got people who are spreading bad stuff about me, I have no value, I am not good for nothing, well I am damn good for the money. So I didn't want to bring that up, but it was brought to my attention and I think that it's something that we should all know about. On the average, I have 5 aircraft, 5 aircraft to sit in that building, on the average I fly 2.5 aircraft a day. I don't have enough pilots to fly my aircraft. I provide superior service, I provide a special service and for those aircraft that needs service I have backup for maintenance for one or the other. Growing, everybody is worrying about me growing. Man you all out to be happy for me growing maybe I can get it up to 1000 hours a day for the taxes I think that would be good for everybody to benefit from it. But that's really not my goal. I'm learning how to enjoy life, my family comes first, God comes first and that's what's important and the older I get, the more important it becomes. I don't like this turmoil. Yall really think I'm going to fly and harass all these subdivisions so I have to put up with jawing every day? I don't want it. I want peace, let my record speak for itself, growth. Yall have seen pictures here, yall have seen pictures of what I'm proposing. Everybody is worried about growth, well what if he has 20 helicopters? What if he has 30 helicopters? Well people I don't want to grow, I'm happy where I'm at but if I had 30 helicopters that would be very exciting. But could I have 30 helicopters where I'm at? No. It's about business, what I have, the surrounding area, the economy, New Orleans, the area I work in, can't support anymore helicopters so if I did grow, the growth would come with me having my 4-5 helicopters here

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adding another facility down in Galliano, Fourchon, Houma and you have different bases. So that is the growth that you can talk about. Here I'm very limited to growth, I can't grow. This is a perfect place for me, but there's just not room to grow. My building in which I'm proposing, I don't want to expand it, it doesn't need to expand. Any growth in MYU's Flying Service wouldn't be feasible to have 20 helicopters here, it's just not going to support it. So I hope I have kind of gave an idea of trying to settle the idea of people questioning, suspecting expansion, what is my future, where am I going to go, do I want to sell the business, everyone wants to put me on restrictions, I can't even sell the business now if I wanted to or that's why they are trying to do. How many businesses are yall going to keep in this parish? Lamar don't never want to sell his business? He's just going to hold on to it? Somebody offers him \$40 million next week, they can't sell it, they're not going to sell it? That's a damn lie, that's why they are business men. Traffic, I heard one about one of our people came up here and talked about traffic, the sound, 2007, with 31.4% more traffic on 310, that would be 31.4% more noise, it happens people, it happens. Back to the taxes, MYU's Flying Service (inaudible) operation, I'm the man, in the top 100 taxpayers in St. Charles Parish, I'm rated #84. If I have this new expansion, I'm not proud of it, it scares me, but I will be labeled, one of the top 50 taxpayers in St. Charles Parish, if yall can see to approve this and let me move there. This is information that is not estimated by me, guesstimated by me or hearsay, this is information that our tax assessor has applied on giving me at my new place. We talk about the dangers, the spills, man, we're right there by the railroad track, we're by a river, we're an industrial corridor. Most of the people don't realize a lot of the advantage and this is why this parish is so good, this is why we have (inaudible), this is why we have great school systems. I participate in school systems, young kids coming from Hahnville wanting to make aviation a career, what an opportunity having local kids here, that's over there at the school right up the road, looking into cooking, theaters, aviation, right there in their back yards, opening the door for other children to have the opportunity (inaudible). Emergency exits, we all concerned about emergency exits, the parish, well Ashton is a great example, you got one way in and one out, but they are surrounded by an interstate, a railroad track, you've got to have the right combination to get out of the back way, hope you don't lose your key. Safety, I have an incident in my 30 years of flying I had an incident. I didn't have anybody get hurt, I had to make decisions to destroy my helicopter instead of saving my helicopter I had to take into consideration the people on the ground, the people surrounding me and the people in my aircraft. I'm maneuvered my aircraft into a very small space and I did what I had to do, it was funny, it happened fast, and it's going to make me a better person, it's going to make me a better pilot, because it can happen. There was a helicopter accident this year in the Gulf of Mexico, I'm #12, I'll accept it. How many car crashes have there been this year? Oh my gosh, there's a whole lot of headlights going down 310 they might blind some people, so at what point does all of this start slowing down, toning down? I think I've gave an example of decibel readings, what sound is, everybody up here had wanted to do study's and come up here, their voicing, they've got all the facts, and nobody came up here with nothing. I came up here with the hard facts, let the facts speak for themselves and do not take my word for it or anybody else's word. Yall can get order the decibel reading and do it on your own tomorrow if that's what you think needs to be done, but I am basing it on instrument and technology. Somebody got up here and they've been living here since 1989, everybody has a very, very valid concern, it's their community just as much as it is mine. It's all valid but somewhere we have to have people make the logical decision making that's good for everybody and I know yall have a very hard job, on my end here I ask for yall to approve this so I can grow, this is my home, I want to grow, I want to have the visibility, but if yall stop me now, yall are going to let the people, I'm not doing anything wrong, I'm doing everything within the law, I'm doing everything, complying with everything, if yall stop me now, yall are going to stop me anywhere in St Charles Parish, I will have to go out the parish where I am accepted. I don't want to, this is my home, but if I can grow, St. Charles Parish doesn't want to help me. I think I've been a fair player as much as anybody in this parish. Hell, yall want to takeaway Santa Claus from the children. Santa Claus arrives by MYU helicopters every year, I've been doing that for 9 years, I've never charged anybody for it, I do it out of the goodness of my heart. I give that back to the community. To land on River Road and batture like I wouldn't miss if for the world, yall never experienced this, when you see a helicopter

coming in to land and all the children are running standing on the River Road looking Santa, Santa and when we shut down, they all run up there. It's hard for me, I take out time, my wife and them are there, we're helping Santa, you have all these little children running up and they want to get into that helicopter and I try to pick up as many as I can let them sit there and take pictures. I love children, I have 5 of my own. I don't want no more. I was going to show yall pictures, I'm at what I feel is a very disadvantage, I had a little slide show of what I wanted to show yall, I'm willing to pass the iPad around, I'm willing to come to each and every one of your homes and show yall the pictures, show yall the facts that I have found. I think that there are people in the parish in positions that are aware of me, they live in the vicinity of where I am, they've been in this community, they know I haven't been an issue, I've never been an issue, like I said, I've been doing this for years and years and years. I've been flying over Ashton for years, years, years. Over Walmart years, years, years. I can tell everyone of yall what kind of junk yall have in yall back yard but I kind of keep all of that to myself. Well yall caught me now at pretty much the end of my rope here I have no picture, my closing statement is please take into consideration approving this, I would greatly appreciate it. I'm listening to everybody and it's a mixed audience, everybody has feelings, everybody has emotions, and yes it's a very emotional thing. Please take everybody's emotions into effect, take everybody's tax things into effect, it's not going to hurt the tax value, we are asking to be put in an industrial park, I'm not asking yall for approval to put me in Ashton Subdivision. It is an industrial park. This is where this service should be. I'm asking yall to make good decisions, smart decisions, and base your decisions on facts and not emotions. Thank yall.

Mr. Gibbs: Thank you Mr. Mayeux. This is a public hearing for PZR-2013-23 is there anyone else in the audience that would care to speak in favor or against?

Good evening, my name is Gary Boudreaux, I'm here representing Twiners Properties One and Lamar Contractor located at 481 Judge Edward Dufresne Parkway. I just want yall to know that Twiners Properties One purchased the 10+ acres of property adjacent to and north of the subject property back in 2006. The full intent of the purchase of the property was to relocate our business Lamar Contractors into St. Charles Parish. We also plan on developing the 7 acres north of the subject property into what we call Lamar Business Park. I guess I would like to go on record up front is that we oppose the rezoning from M-1 to AV-1 and also the waiver of the state and federal highway condition that's in the Planning & Zoning documents for AV-1. I just can't fathom yall waiving something that you all put into the ordinance. We also oppose the special use permits for the heliport and helicopter hanger. I guess sitting back hear listening to Mr. Mayeux I appreciate his presentation, but I guess I'm confused at why he's putting on the presentation. This rezoning and special use permit is being asked for, being applied for by Pintail Construction and I310 Investments and Ms. Vial brought this up too and I'm very confused with her is that this special use permit is going to be just for the applicant, if Mayeux is not the applicant, why is he putting on the presentation? What he's saying out here is he may not even be the purchaser of the property. What guarantee? Is there going to be some guarantee in this zoning that's going to state that Mr. Mayeux is going to be the owner of this property? I'm very confused at this whole deal. The next question I have I guess is for Mr. Mayeux, is there going to be a fuel factor, is there going to be fuel storage? If I'm not mistaken I think special permit use I think a fuel storage tank you're supposed to have a special use permit for that also and I don't see an application for that. Is that going to be something that is going to be required of this rezoning? Going back to our intention of purchasing the property, we have full intentions of developing the 7 acres. I know Mr. Mayeux and prior people were questioning the vacant land, but this has been in planning since 2007, which someone else basically said when we had the recession in 2008, it kind of got put on hold, but we have full intentions of bringing the project to life. Is Mr. Mayeux's property or I310 Investments property on the south end of our 7 acres. We plan on building 5 buildings similar to the First American Bank building that's on River Road, 3 story, office building and we're also going to build 16 office warehouses along I310. If you notice that I have it on here, a heliport is approximately 150 ft. from that first building, that's a 3

story office building and our biggest concern is how this heliport/helipad is going to affect what we can do with our piece of property. We purchased this piece of property as M-1 as did I310 Investments back in 2006, they purchased the property M-1. Now all of a sudden we're changing it to AV-1 or attempting to change it to AV-1. What restrictions are going to be put on our property, will we have to restrict what we can build on M-1 property. Am I going to have to do something special to these buildings, they are 3 story buildings. Am I going to have to put lighting on those buildings to notify the helicopter that the building is there? Who's going to pay for that? Why should I have to pay for it? I'm very concerned about what it's going to do to me as far as how I can utilize that property. I think M-1 I can build multi floored buildings, I can lease out or rent out office space to Verizon, they might want to put a cell tower on that site, I'll have to come and get a special use permit I'm sure, but can I put that there with a heliport there? FAA might come in and say no you can't put that there, but I bought the property M-1 and now I can't use it for what I purchased it for. I guess that brings me to the point of the disappointment that I have of a property owner in St. Charles Parish. I'm an adjacent property owner just like Blue Bell Ice Cream and Ms. Vial and Esperanza owns property around there. Economical Janitorial but there was no attempt by the Planning & Zoning to come to us and ask us for input on what we we're going to do with the vacant land. Someone was saying look at all the vacant land around it, it's not being built on, but did anybody come to us and ask us what we were planning on doing with this 7 acres or 10 acres that's on the side of this or the other land that's around it, just to find out if we were going to do to see if we were going to be influenced by this heliport being put. We got a certified letter saying there was going to be a Planning & Zoning meeting on the 5<sup>th</sup> to review this and process the approval or disapproval. It's very disappointing that that's the way it transpired. Next item is FAA regulations, how is that going to affect our plans? Just the brief investigation that I did, there's a document called the Advisor Circulars (ACs) that FAA put out and unfortunately or fortunately I don't know what it is only the suggestions and recommendations by the FAA that they are putting out for Planning & Zoning to use in the communities on guidelines and regulations that the FAA have, that they regulate the airspace, they don't regulate the ground, they just regulate the airspace, just recommendations on what Planning & Zoning should have in their ordinances to try to protect the people and the business owners and even the heliports. My question to the Planning & Zoning is was this even studied or reviewed in your recommendation? I guess what I'm getting at is I'm bringing attention mostly to there's one section in the FAA regulations, I forget where it is exactly right now, but it calls for notification requirements that the FAA for hazards and as it's to navigation. They require but it's a recommendation that Planning & Zoning or whoever is building the heliport could do an aeronautical study of the area and it encompasses a 5,000 radius around the heliport. If you go out 5,000 ft. from the heliport you're going to go well pass the schools, RK Smith School, it's going to the playground, it's going to cover the community center, it's going to go across the highway to Ashton Plantation and it's definitely encompasses Lamar Contractors and Lamar Business Park. What they do is they come up and they look at all the aspects of the existing and proposed manmade objects within the affected area, 5,000 linear foot or 5,000 circle around the area. They look at whether there are schools there, they look whether there are churches, which right across the street from Lamar Contractor at one point was going to be a church, they purchased that property to build a church there, but they sold it and moved on, but they also look at the location of the hospitals which is not close, residential areas, communities, public assembly areas, community center, office buildings. My question to the Planning & Zoning was this study even requested? Why wouldn't Planning & Zoning ask the applicant to contact the FAA and get this study done prior to being at this point right now. I just can't fathom getting to the point without some type of study being done. Once you all approve this AV-1 once it's done and FAA comes out here because it's my understanding that this has to be done no later than 90 days before construction is on this heliport. So if they come in after the fact and say no we don't recommend you putting a heliport here, the property is already zoned AV-1, what's going to happen at that point? FAA restrictions on my amateur just looking over this document, FAA height restrictions on airspace in the area, they have that 5,000 circle around this heliport with the a 1:25 graduation of flight pattern, that comes out from that heliport on that 5,000 feet, at 1:25 my building, the closest building right there is going to be 44 ft. into the airspace

according to FAA whether they are going to say I can't build it or not, I don't know, that's the question that you all are going to have to answer I guess. It's going to go from that point on, I would imagine every one of my buildings are going to be in that airspace. Mr. Gibbs you pointed out earlier again, that the heliport would be great for that location because of all the vacant land. I can show you right now what Lamar Contractors and Twiners Property is planning on putting on this vacant land and if yall would have come to us we could have shown this to you before it got to this point. Mr. Mayeux brought up the New Orleans Airport, over in Kenner, about how safe it and they got planes flying in and out of there every day but I can guarantee you the people over in Kenner back in the early '70's when that plane went down, I don't think they were too enthused about that comment. Mr. Mayeux also is expressing his safety record, he talks about the crash he just had in December of 2013, he failed to bring up the crash that happened in 2005, where Mr. Mayeux reached out a helicopter to take a company looking for barges after Katrina, the plane went down, crashed on the barge and fell into the river and sank, that happened on September 1, 2005, wasn't reported to FAA until September 29, 2005 and it was reported by one of the occupants of the helicopter, it wasn't reported by the pilot and it wasn't reported by Mr. Mayeux. The flight was originated out of Mr. Mayeux's Luling heliport, they were hired by Mr. Mayeux, it wasn't reported by Mr. Mayeux, there is very little oversight on heliports in this entire country.

Mr. Gibbs: Can I ask you a question about that accident though? Was it right when Katrina was going on?

Mr. Boudreaux: It was after Katrina

Mr. Gibbs: Weeks after and we know what was going on many, many months after, maybe there was just a communications problem which we all had.

Mr. Boudreaux: Why would the

Mr. Gibbs: I don't know, I don't know I just know the timing of it is a little curious. Everybody was under a lot of stress and turmoil at the time.

Mr. Boudreaux: I can appreciate that, but I'm just stating facts that I know.

Mr. Gibbs: I'm just asking was anything taken into consideration because of the time?

Mr. Boudreaux: It took 4 weeks to report the accident and it wasn't the pilot nor the

Mr. Gibbs: It took me 3 months to get back to my house, so I can understand

Mr. Boudreaux: But that's his business and he has to communicate with FAA.

Mr. Gibbs: We don't know if he did or not or tried, but you know what was going on at the time. I just want to make that clear.

Mr. Boudreaux: Mr. Mayeux also brought up the fact about the heliport not being utilized, he's the only one going to be use his heliport and nobody else is going to be coming in there, but once a heliport is registered by the FAA, any helicopter can land on that heliport, not just Mr. Mayeux, any helicopter can land in there. I guess I just want to stress the fact that Lamar Contractors and Twiners Property One is going to build this facility. This is a \$15 million plus facility. It's going to house anywhere between 50 and 100 clients. Mayeux's helicopters 1

business. We're going to allow that with possibly a fence which will be put in on the 7 acres adjacent to this property.

Mr. Gibbs: Can I ask you a question about that property too Mr. Boudreaux? I've been on the Planning & Zoning for 5 years now and I know the problems in 2008 and 2009 for all of us, this is the first time I've seen anything like this.

Mr. Boudreaux: I appreciate that, we put it on hold when it hit, we were ready to start the underground infrastructure back in 2008 and that's when the economy hit and then we put it on the scrap until things turned around and we thought the administration was going to change and it did, but our full intention was to do this.

Mr. Gibbs: One other curiosity is why were those 4-6 acres just left, you didn't think about buying those at the time?

Mr. Boudreaux: That's all we wanted, that's all we needed to do Lamar Contractors and the business park.

Mr. Gibbs: But those 4 acres didn't figure in?

Mr. Boudreaux: Exactly. I guess that's all I have, I just hope you all consider all the aspects of this application before you make a decision and try to do what's best for all people involved.

Mr. Gibbs: Thank you Mr. Boudreaux. Again this is a public hearing for PZR-2013-23 is there anyone in the audience care to speak.

Tim Mayeux, I live at 12611 River Road, Luling, La. And I'm the troublemaker. In reference to Mr. Gary's incident he is correct. In 2000 Katrina, there was a lot of activity going on and there were helicopters coming from all over the world to assist. I made the mistake, I had a particular phone call from a helicopter company out of Florida call and ask if he could land in my back yard because he moved from one incident to the other, it was chaotic. Y'all all had hair standing up on the back of your head when you start talking about Katrina, it's a mark in our life that I will never forget. This helicopter company did come to my back yard, he did pick up some local people in Luling, it was not my helicopter, I had no control of that helicopter, the helicopter went flying to look at some barges, the helicopter did go down, there were 2 people and a pilot that went down in the Mississippi River, had to be one of the scariest times for them. They got out, they all survived. Come to find out the helicopter company that they were flying with did not have adequate insurance or whatever, so the passengers of the aircraft tried to sue that company, when they found out he didn't have insurance the lawyers got together and tied me into the lawsuit. We went into court, it was settled, it was not my aircraft, it was not my pilot and that's how that went. As far as heliports, radius and all that please keep in mind, this is a private heliport, we will not have all these different aircraft in here, it's a private heliport, we do not have these restrictions. I have Monsanto Chemical plant in my backyard and with a 1:25 ratio, Monsanto would have to take down half of his refinery down for me to operate. The helipad in my backyard is registered by the FAA as LS 97, it is an approved private heliport. Private heliports do not fall under all this regulation as he's speaking about, as it's a private heliport. There was another comment he said, it is confusing with me with the applicant and I've even had this conversation, he's right how do you not know that I'm going to pull ship and want to sell it to somebody else. To prove it tonight I will pull a check out of my pocket and write 310 a check for the value of the property to prove it's not going to somebody else. This is strictly my thing and it's not going to be sold to nobody in the near future, I can't answer what the future, but I have no plan for that. I will write a check as soon as this is approved and take all of this worry

out of Mr. Gary and them questions, not a problem. I went to get it in October, because when he did come to yall all he said M-1 was all I needed. M-1 would have been all I needed, open land was all I needed, residential was all I needed, but yall have your rules and we're trying to comply with it. I couldn't afford to buy the property get it zoned and then find out it was turned down, I couldn't take that chance. The reason I'm up here talking to you when you ask a question, the most knowledgeable person for the question for the answers, I guess you can say I'm speaking on behalf of 310 property, because they would have to apply it, but yall tell me it gets approved, it goes to Council, I'll buy it, it is what it is. One more thing, when this started in October, I came to yall, it was all up front, there was nothing shady, what yall need, that's the way I do business. Actually I told my wife my thought was to have a cement slab out there before the first of the year. This is approved, this will start immediately. I heard tonight the development plan was to start next year, it was supposed to start 6 years ago. I ready to move today, I'm waiting on the permission of yall to make me move today and you will see progress. Economy or no economy, I'm moving forward. Thank you.

Mr. Gibbs: Thank you Mr. Mayeux. I will repeat this again, this is a public hearing for PZR-2013-23.

I won't be long, Patricia Curry, 303 Lac Cypriere. Just as he just stated, he's not regulated. So basically what that means if this zoning is changed from an M-1 to an AV-1 and he puts this heliport there, there is no one to oversee it if there is a problem and not saying that there will be a problem, what if there is a problem? The goal of zoning regulations is to achieve compatibility among land uses by grouping like issues together, that's why they made it M-1. You're making a change to accommodate 1 person, 1 business, 1 just 1 and I just don't think that's right. Thank you.

Mr. Gibbs: Thank you Ms. Curry. Is there anyone else to speak in favor or against PZR-2013-23?

Brian Soule, representing 310 Investments. I will be brief. Just to let you guys know when this process came to a start, we went to Planning & Zoning, we were asked to follow the procedures, we done what was told, brought the information out, we met with the neighbors, we tried to get input, on our behalf, we've complied with everything that was asked with the facts and ask that you guys do what the Planning & Zoning Board has suggested and we ask that you please accept it. Thank you

Mr. Gibbs: Thank you Mr. Soule. Anyone else to speak in favor or against PZR-2013-23? Seeing none. Commission members any questions or concerns?

Mr. Foster: Fuel storage?

Mr. Romano As defined by the FAA any landing area used for landing and taking off of helicopters include fuel storage.

Mr. Gibbs: Any other questions or concerns? I just want to make one quick comment. I'm so proud to be a part of St. Charles Parish, we've had a group of people come in with passionate opposition, passionate for and we've come together in a very, very amicable way and I applaud you all for your patience and everyone for their comments. Everything has been above board and it was a wonderful experience to do this with you all and believe it or not we have 6 more agenda items. So with that said, I think everyone know by my body language that I'm very pro-business, I'm going to ask my Commission members to follow me with this and approve this. You have a man 22 years in business, I didn't even know who he was, I didn't even know we had a

helicopter business in St. Charles Parish, which says a lot because he's thrived and now he's building a new facility because of his experience and because of his success. The tax base, he made it crystal clear that it is a heavy tax base to St. Charles Parish, the building is going to be a state of the art building for a helipad, the flight path to me has been satisfied, he talks ultra-protection with his flying, he's got an impeccable record and this just makes sense, so I'm asking the Commission members to follow me with the approval. Thank you. With that said, cast your votes.

YEAS: Pierre, Galliano, Booth, Gibbs, Foster, Loupe

NAYS: None

ABSENT: Frangella

Mr. Gibbs: Mr. Mayeux, this will go to the Council on February 17<sup>th</sup> same venue.

Mr. Mayeux: Thank you for your time and your efforts and I thank everyone.

Mr. Gibbs: We've just begun. We got one more item for you.

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Mr. Gibbs: We have a tabled item, do I hear a motion to take it off the table?

Mr. Booth: Yes the next item that's on the agenda that's tabled I make that motion

Mr. Foster: Second the motion.

Mr. Gibbs: Cast your vote please.

YEAS: Pierre, Galliano, Booth, Gibbs, Foster, Loupe

NAYS: None

ABSENT: Frangella

Mr. Gibbs: That passes unanimously. Next item on the agenda is PZSPU-2013-17 requested by Pintail Contracting Services, LLC on behalf of 310 Investments, LLC for a Special Permit Use to locate a heliport at Lot 3, Sq. 13, Esperanza Business Park, 579 Judge Edward Dufresne Parkway (approx. 4 acres). Zoning District M-1 (proposed AV-1). Council District 2.

Mr. Romano: Thank you Mr. Gibbs. This application is for the Special Permit Use for the use of the heliport, just to clarify, he had to get AV-1 zoning first approved by Council before you can do the Special Permit Use for the specific use. In this case it's for the heliport and all the associated items that go along with it. With that said, as the Applicable Regulations detailed above indicate, the applicants must receive rezoning approval of AV-1 zoning before specific special permit uses can occur. The applicants have requested a rezoning of the site at 579 Judge Edward Dufresne Parkway from M-1 to AV-1 and also requesting a special permit for heliport, per the special permit use requirements in the AV-1 Zoning District. This request is pending approval of the rezoning request to AV-1.

If the site is rezoned to AV-1 and the Special Permit Use approved by the Commission and Council, the applicants intend to relocate an existing heliport from River Road in Luling, situated between Monsanto and a residential area, to the lot on 579 Judge Edward Dufresne Parkway. Approval allows the owner an opportunity for expansion and provides a greater separation from residential land uses.

Heliports, as defined by the Federal Aviation Administration are *any landing area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities,*

*fueling, and emergency service facilities.* So as defined, the proposed heliport will include several of the uses listed as special permit uses in AV-1 and consideration of this application includes allowing those other uses associated with heliports to occur as well.

Approval of a Special Permit Use is site specific and tied to the application submitted. Any potential concerns expressed the Commissioners can be adequately addressed through specific stipulations or conditions of approval. In order to receive a recommendation for approval, a special permit use application must meet a majority of the eight criteria (a-h) before the Department recommends approval. This request meets the following criteria:

- a. *Comparison with applicable standards established by the Comprehensive Land Use Plan as applied to the proposed use and site.* The zoning designation for the surrounding area is light-industrial. Many of the uses allowed in AV-1 are also allowed in M-1. The Mixed Use Overlay at this location is consistent with light industrial and civic land uses.
- b. *Compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features.* The site is located in a business park, zoned M-1. No conflicts exist between the allowable uses from each zoning districts.
- c. *Potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district.* The site plan submitted with the application shows one helipad, a hanger and an office. Impacts from the proposed heliport should not create conflicts with existing or future surrounding land uses which are consistent with the M-1 zoning designation.
- d. *Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and uses in the area.* There appears to be adequate vehicular parking on the site. A more thorough review and parking analysis will be completed at the time the permit is submitted. Adequate space exists on the site to provide more parking if it is warranted.
- e. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts, AND;*
- f. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* At minimum, all buildings are required to meet International Building Codes and FAA regulations. Both well-exceed minimum requirements spelled out in the Zoning Ordinance. Lighting of the site above and beyond aviation requirements will be carefully evaluated at permitting to ensure that excessive glare is not produced. The Department also presumes that any such glare generated would be mitigated with FAA restrictions as well, making the issue moot. The submitted site plan shows that the facility has more than the required parking for terminals and associated office space.
- g. *Conformity with the objectives of these regulations and the general purposes of the zone in which the site is located.* All required buffering of aviation uses from other uses are shown on the site plan.

The application meets at least 7 of the 8 special permit use criteria, for that reason, the Department recommends approval.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZSPU-2013-17, anyone in the audience care to speak in favor or against?

Good Evening, again my name is Jim Hooper, address is 400 Lac Verrette Drive, Luling. That's my business address I work for Ashton Plantation Estates and the Ashton Plantation Homeowners Association. Once simple thing I hope that you guys would be able to impose a

stipulation that the heliport be only a private facility and not a public facility. I think that gives us some protection down the road if there is a sale of some kind. Thank you.

Mr. Gibbs: Thank you Mr. Hooper. This is a public hearing for PZSPU-2013-17 anyone else care to speak in favor or against?

Tim Mayeux at 12611 River Road, Luling, La. I am asking for yall to please give me my special permit so I can conduct this operation. I pretty much understand what everybody is saying, one thing I did leave out was this perimeter here, this would all be fenced where it would be very secure. Not anybody could get in, we're going to design it to where people will not conveniently walk into the building. It would be secured, locked down, fenced in, high tech, possibly wrought iron fence, something to that high standard. I'm just asking yall for the special permit with no limitations where I can continue being successful in the parish.

Mr. Gibbs: Mr. Mayeux can you address the public and private thing, the stipulation that was asked for?

Mr. Mayeux: This is going to be a private helipad. It's not going to be for the public. I think it's a little confusing for people, it's not a helipad that people or other helicopters companies are coming to pay to land, to drop off people, Superbowl, now people are landing on this, it's not going to be that, this is my private facility, the reason it's private like that is I can pick up all of my business, whoever I want to fly out of it, but it's not designed for the public, it's only controlled by me and only controlled by pilots that are directed by us, by the our safety code and by our flight path. So this would be private and I have no problem with it. I'm just trying to make sure that yall don't take any of my business I conduct. I can go in and out with passengers.

Mr. Gibbs: But the stipulation he's asking?

Mr. Mayeux: That's fine.

Mr. Gibbs: ok. Thank you Mr. Mayeux. Anyone else to speak in favor or against?

Debbie Dufresne-Vial, Esperanza Land LLC, 14035 River Road, Luling. The only question before the Commission or request would be with site plan. Is the site plan reviewed by FAA in conjunction as far as the layout? When he comes in with the final plan, he has to submit it for review to the FAA?

Mr. Mayeux: No it doesn't have to be reviewed. I think it's being blown out of proportion, into a sense what I do I wish I had the iPad. I have a couple of pictures, I'll pass the iPad around. Basically what you're going to have is, here I'm showing different helipads. This will give you an idea what the helipad looks like, we're making if very complicated, the addition of this building really is just let's say, a commercial building, there's nothing special about it, these 4 doors are my 4 doors that will open and I will actually have a track system. The helicopter lands on a 12x12 pad when it lands they are pushed on these track system, and they are pushed in there and they are closed. The design of the building is not something that FAA gets involved with, most complicated thing will be my fire code, fire marshal and all that. The FAA doesn't get involved with this and also 2 because of it being private, I already checked on it and they're like man get with it, you know what I'm saying?

Ms. Vial: What about the fuel storage?

Mr. Mayeux: The fuel storage by immulation of the parish for setbacks and all the fuel storage would be basically somewhere here within the perimeters off the line wherever the regulations state. Right now in my backyard, I have a fuel facility that's actually a 13,000 gallon tank, but it's built with a cement retainer wall. This facility there I will not have that, this will be most probably about an 8,000 to 9,000 gallon tank that is a double wall, all above the ground, don't need the retention, all by general codes within the fuel tanks system, very neat.

Mr. Gibbs: Thank you Mr. Mayeux. Ms. Vial. Anything else?

Ms. Vial: The only other question is was with the listing of the special permit use, can you clarify why it says about fuel storage. I think you stated it in the analysis.

Mr. Romano: The FAA requires the heliport to have those things.

Ms. Vial: So the fuel storage requirement for a special permit use at parish level is not required.

Ms. Marousek: Fuel storage would be permitted in M-1.

Earl Matherne: if they were permitting a helipad, let's just say they did a helipad, and nothing there and they wanted to come back and add the fuel storage later, then that would be something that they could apply.

Councilman Wilson: Mr. Mayeux, Mr. Hooper came up a while ago and he wanted some type of clause or stipulation that this heliport would be private, you mentioned a moment ago about LS 97.

Mr. Mayeux: I have my heliport or my helipad in my backyard. LS 97 is an FAA identifier. My helipad at a certain time basically you can get it approved, it's not approved by the FAA, the Department of Transportation comes in actually, looks at it, look at the flying zone or whatever and if you want to get it labeled as an identifier, mine is labeled as LS 40, private helipad and with every airport, helipad that's kind of registered it's in a national registry that you can look up. If you go look up Mayeux's Helicopter, that's an identifier, New Orleans is MSY, Lafayette is LFT, everything associated with aviation has an identifier.

Mr. Wilson: Thank you very much.

Mr. Gibbs: This is a public hearing for PZSPU-2013-17, anyone else care to speak in favor or against? Seeing none. Commission members any questions?

Mr. Booth: Just to comment I think we've already whipped this enough, I'd like to put the stipulation in it if it makes everybody feel good that this is a private helipad.

Mr. Gibbs: I'm not going to go into the whole dissertation again, everybody remembers what I said, I ask the Commission members for your support on this with the stipulation, cast your vote please.

YEAS: Pierre, Galliano, Booth, Gibbs, Foster, Loupe

NAYS: None

ABSENT: Frangella

Mr. Gibbs: And that passes unanimously.

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