

As most of you know, this past Thursday we had a special Township Committee meeting to discuss the helistop application filed with the New Jersey Department of Transportation (NJ DOT) by the Ridge at Back Brook.

The meeting was very well attended (approximately 70 people) and very productive. It was recorded, and you can watch it by clicking on the link on the East Amwell website.

After much discussion by the Township Committee, a member of the Amwell Valley Fire Company, a very experienced helicopter pilot and numerous residents, it became quite clear that there are a number of reasons why East Amwell should oppose the Ridge's plan to put a helistop in the middle of its property. I'd like to summarize those reasons and also discuss a few other points relevant to the Ridge's proposed helistop.

**1. REASONS TO OPPOSE THE RIDGE'S APPLICATION.** The Ridge at Back Brook is located in an environmentally sensitive area. Specifically, an agricultural area that needs special protection because of its (i) wildlife, (ii) streams and other water bodies and (iii) horses and horse trails. Helicopters taking off from, landing at, and at times circling the Ridge pose a serious threat to this environmentally sensitive area.

**Wildlife.** The Sourland Conservancy has told me that the Ridge at Back Brook is located within the greater Sourland Mountain Macrosite Important Bird Area. We are working with the Sourland Conservancy to identify the birds, particularly those that are endangered, threatened or species of concern, that are at risk of being adversely impacted by helicopters taking off, landing or circling the proposed helistop at the Ridge.

**Streams and Other Water Bodies.** At the meeting, several residents pointed out that a fuel spill resulting from a helicopter crash, or the use of foam to extinguish a helicopter fire, could have a significant, perhaps devastating, environmental impact on the Back Brook and/or the water bodies on the Ridge golf course, and could taint the wells of the surrounding residences. I'm going to contact the Raritan Headwaters Association to see if they can provide expert assistance in quantifying this risk.

**Horses and Horse Trails.** The Ridge is surrounded by farms, most of which have horses. Being prey animals, horses do not react well to helicopters.

In addition, a horse riding trail, which is part of the Amwell Trail Association's network of horse riding trails, runs along the perimeter of the Ridge. Best I can tell, that trail gets significant use, particularly during the same months the helicopter traffic in and out of the Ridge would be at its peak.

Riders along that trail will not know when helicopters will be arriving or departing, and thus will have no way to avoid or protect themselves from their horses being frightened by an arriving or departing helicopter. Moreover, because the arrival and departure flight paths will depend on wind direction and other factors, and will be largely discretionary with the pilots, there's no way for riders to know the areas along the trail most likely to have helicopter traffic. Finally, although we've been told that helicopter pilots try to avoid flying over horses, because significant

portions of the riding trail run through and along wooded areas, the helicopter pilots will not be able to determine whether they are flying over people riding horses.

[Potential theory: A person whose property is subject to an easement (the Ridge) cannot take actions that would interfere with the use of that easement by those intended to benefit from the easement (the horse riders). If the Ridge moves forward with the helistop, and the helicopters adversely impact the use of the horse riding trail, is there a potential claim against the Ridge? Also, is the Ridge, knowing of the existence of the riding trail and the impact helicopters have on horses, potentially liable for any injuries suffered by persons riding the trail, as a result of helicopters frightening their horses?]

**2. OUR OWN MEDIVAC HELISTOP.** A helistop at the Ridge provides no public benefit whatsoever, except that it could serve as a “known” takeoff and landing pad for Medivac flights. The Amwell Valley Fire Company has informed me that we average about 10 Medivac landings in East Amwell each year, and only a portion of those would use the Ridge helistop.

I suspect there are other areas in the vicinity of the Ridge that are better suited than the Ridge for Medivac landings. If we could get a landowner of one of those areas to agree to dedicate a roughly 50 foot by 50 foot area to serve as a “known” Medivac landing area, we would benefit the community by providing a better landing area, and thereby eliminate any argument by the Ridge that is providing a public benefit with its helistop.

**3. VIOLATING ITS AGREEMENT WITH EAST AMWELL.** As I mentioned at the Township Committee meeting last Thursday, I’m going to focus on whether a helistop at the Ridge would violate any of the agreements the Ridge made with East Amwell as part of the Ridge obtaining its golf course approvals. If it would, the Township will take legal action against the Ridge to enforce the Township rights. Stay tuned.

**4. WHAT CAN YOU DO.** There are several things you can do to assist with this important issue facing our Township.

First, if you have any information that would be helpful with respect to the wildlife, streams and other water bodies, and horse and horse rider points discussed in 1 above, please let me know. Additionally, if you or someone you know is a horse rider and has had a bad experience with a helicopter while riding, please let me know. One of our residents is working on gathering studies regarding the interaction of horses and helicopters.

Second, if you or someone you know is a landowner near the Ridge and has an small area on your/their property that you believe might be well-suited for a Medivac landing pad, please let me know.

Third, although a representative of the NJ DOT indicated that the volume of letters from the public against a helistop does not have much impact on the NJ DOT, each of you should write a letter expressing your opinion regarding the proposed helistop. Shortly, we will post on the East Amwell website the address(es) to which the letters should be sent.

Finally, if you have any reasons in addition to those set forth in 1 above, why the NJ DOT should reject the Ridge's helistop application, please let me know. Bear in mind, however, that the NJ DOT will only give weight to reasons that are accompanied by objective support.

**5. TIMING.** The public has a 30 day period to submit comments to the NJ DOT, which commences when the Ridge publishes a notice in two newspapers that its application has been determined to be complete by the NJ DOT. The NJ DOT told me earlier this week that the Ridge's application is complete. I don't know whether the Ridge has yet published the required notice in two newspapers.

The Township Committee has 60 days from November 26, or until January 24, 2019, to provide its comments to the NJ DOT.

The Township Committee's goal is to gather all information by the end of December, so we have a reasonable period of time to sort through that information and draft a letter to the NJ DOT opposing the helistop. Thus, we need to act quickly.

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If you have any questions or comments, feel free to email or call me.

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