

**JOINT LAND USE STUDY IMPLEMENTATION  
NAS JRB NEW ORLEANS**



**---MEETING MINUTES---**

**Adopted 4/14/14**

Technical Group Meeting

March 13, 2014, 4:00pm – 5:30pm

Plaquemines Parish Library, 8442 Louisiana 23, Belle Chasse, LA

Participants:

- Diana Alfortish | Pivach Real Estate
- Phyllis Difebbo | PPG, Planning, Zoning and Permitting
- Belinda Hazel | PPG Assessor's Office
- Allen Hero | Hero Lands Co.
- Bruce Keller | NAS JRB New Orleans
- Terri Wilkinson | Jefferson Parish Planning
- Jim Woodard | PPG, Planning, Zoning and Permitting Board
- Todd Eppley | PPG, Planning, Zoning and Permitting Board
- Bonnie Buras | Realtor, Coldwell Banker TEC Realtors
- Ken Dugas | PPG Engineer

Absent:

- Suzanne Farrar | Stonebridge Neighborhood Association
- Tiffany Scot Wilken | JP, Director of Code Enforcement
- Michael Stack | LaDOTD
- Nancy Fridge | Pleasant Ridge Estates Neighborhood Association
- Robert Spears | PPG, GIS Dept
- Leo Palazzo | PPG, Parish Attorney
- Benny Puckett | PPG, Grant Administrator
- Jeff DiMarco | PPG, Planning, Zoning and Permitting Board

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- Dwight Norton | GCR Inc.
  - Tyler Antrup | GCR Inc.
  - Michael Lauer | PlanningWorks
  - Tyson Smith | White and Smith

Discussion:



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**RE: March 12, 2014 Technical Committee Meeting Minutes [DRAFT]**

**a. Recap from the February 12, 2014 Meeting**

D. Norton asked B. Keller if he had prepared a response to questions raised at the 2/12 meeting regarding the siting of base housing and other structures in relation to the noise contours and accident potential zones. B. Keller distributed maps depicting the noise and accident potential above an aerial view of the base, pointing out that the housing is sited outside of the accident potential zones and between 65-70 DNL. D. Alfortish asked whether the base implemented the proposed noise mitigation techniques on their housing and when the housing was built, B. Keller stated that he wasn't sure but would continue to research the matter. D. Alfortish pointed out that the on base housing appears much denser than what would be allowed in similar zones outside the base. T. Wilkinson asked about the density of the multi-family units, whether they are doubles or four-plexes. B. Keller responded that there is a variety including townhouses and several with greater than four units.

**b. Review and Approve Minutes from the 2/12/14 Technical Committee Meeting**

D. Norton asked that the committee review the draft minutes from the 2/12/14 meeting and asked for any questions or edits. On the motion of B. Keller, seconded by T. Wilkinson, minutes were approved unanimously.

**c. Real Estate Disclosure**

T. Smith presented a summary of the possible real estate disclosure methods that could be used to notify potential purchasers or lessees of property of their location within an APZ or noise contour. He discussed the current "Property Disclosure Document for Residential Real Estate" from the Louisiana Real Estate Commission and the possibility of including these attributes on this form. D. Alfortish clarified that the seller fills out this form, not their Realtor and that for sale by owner transactions also do not require these forms. B. Buras expressed that any requirements to disclose need to be implemented across the board and must be mandatory for everyone to be fair and effective.

A. Hero stated that in the 1980s it was believed that the Federal government was requiring sellers to disclose the proximity to the base in sales documents. D. Alfortish added that they were advised to disclose to avoid exposure but when a sale came through with a VA loan without disclosure, everyone who had been doing it stopped. J. Woodard expressed hesitation to label particular properties based on relatively arbitrary boundaries, could affect the value of the property.

B. Keller noted that the discussion on disclosure seems to revolve around implementation. He noted that there could be some state level participation or the incorporation of the pertinent information into the Parish's master plan. M. Lauer clarified that doing that would make the information available to those who did their due diligence.

D. Alfortish stated that everyone who lives in the area knows the base is there and suggested that there could be a sign at the Parish line that says "Entering the vicinity of a Naval Air Base" and pointed them to the library or online for more information. D. Norton noted that Belle Chasse is growing and there are a number of people moving from outside the area. A. Alfortish stated that most of the newcomers are moving to the area *because* of the base. T. Smith discussed a case study from San Antonio in which purchasers are told that there was a JLUS conducted and that they might be impacted and refers them to the JLUS website for more information.

B. Keller expressed the importance of working on the State level particularly with current and future cuts to defense spending given the economic impact of the State's military bases. T. Smith

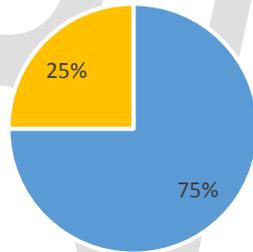
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summarized the options based upon discussion as 1. Signage, 2. A vague voluntary notice, 3. Agreement to pursue State Legislature or Real Estate Commission to explore State level implementation, or 4. Uninterested in disclosure at all. B. Buras asked for clarification on who would receive the voluntary disclosure forms. There was then an open discussion about the possibility of including this type of disclosure on purchase agreements where buyers can check to receive more information on a variety of topics.

J. Woodard suggested that the information could be included on a “Moving to Belle Chasse” page on the Parish website. M. Lauer asked B. Keller about the possibility of base closures outside of BRAC and how it relates to community support for bases. B. Keller noted that creating any appearance of community support for the base will be positive for the bases prospects. There was then an open discussion about websites that could host information including the PPG website, school board, sheriff, and the assessor. T. Smith then opened up the following pre-determined polling questions just to confirm the group’s opinions.

Even if not required by the State, enforcement of mandatory disclosure should be regulated by the Parish

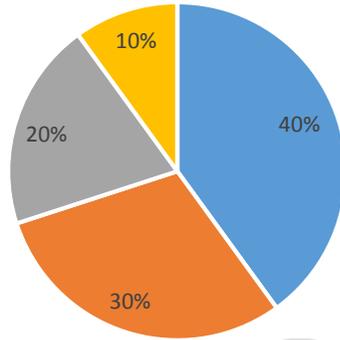


■ Strongly disagree ■ Disagree ■ Uncertain ■ Agree ■ Strongly agree ■ Need more info

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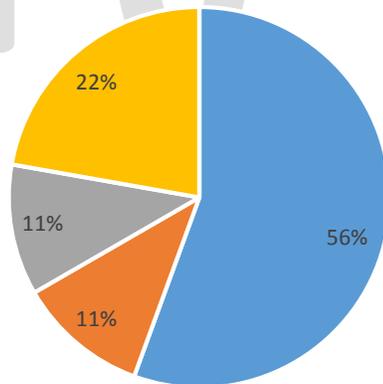
**RE: March 12, 2014 Technical Committee Meeting Minutes [DRAFT]**

Even if not required by the State, the Parish should  
require notification



- Strongly disagree
- Disagree
- Uncertain
- Agree
- Strongly agree
- Need more info

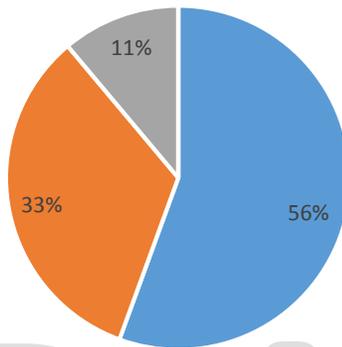
Community should support adding Military Impact  
Disclosures at the State level



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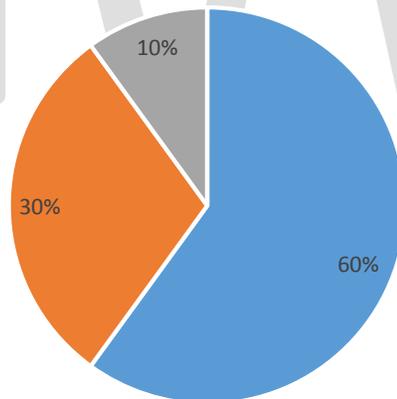
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Disclosure should be mandatory for residential  
property sales



- Strongly disagree
- Disagree
- Uncertain
- Agree
- Strongly agree
- Need more info

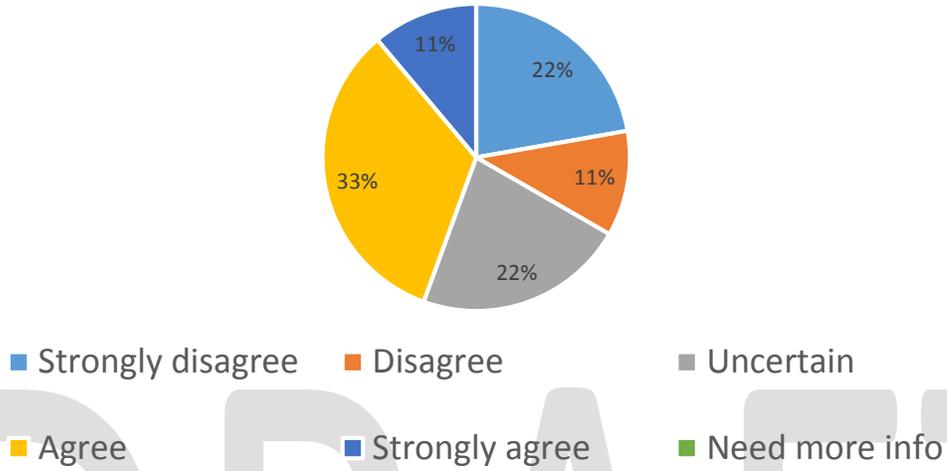
Disclosure should be mandatory for non-residential  
property sales



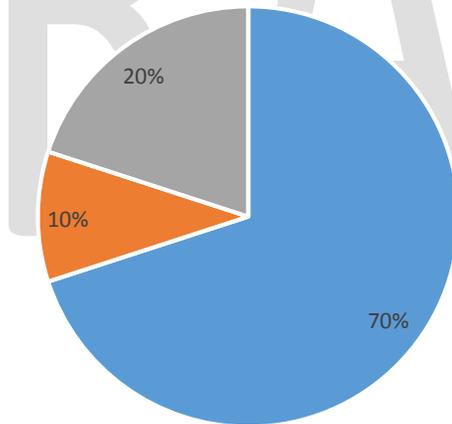
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Disclosure should be voluntary for property sales



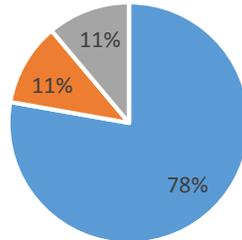
Disclosure should be mandatory for residential leases



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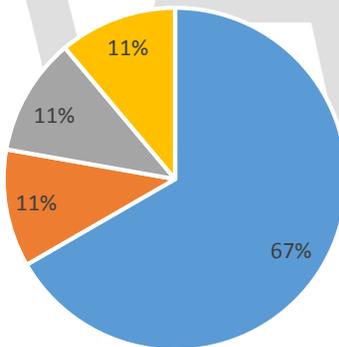
**RE: March 12, 2014 Technical Committee Meeting Minutes [DRAFT]**

Disclosure should be mandatory for non-residential leases



■ Strongly disagree ■ Disagree ■ Uncertain  
■ Agree ■ Strongly agree ■ Need more info

Failure to disclose should be a basis for lease termination



**d. Review Memorandum of Understanding**

T. Smith then summarized the draft MOU that was provided to the committee for review. T. Wilkinson asked about the threshold for land use, wanted to make sure it wasn't just all land use actions that trigger notification to the base. A. Hero suggested that there be a "Special Advisor" from the Navy base that would sit on the zoning board to speak to the impacts on the base of any potential issues that come before them. D. Alfortish noted that the MOU should include reverse actions for example, if the base were constructing new housing or infrastructure that they would need to notify

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the community before. There was a general discussion about what notification periods are appropriate based on how each Parish works.

It was asked that the following documents be posted on the internal committee website for the committee to review:

- a. OPNAVINST 11010.36C
- b. DoD Instr. 4165.57

It was requested that other pertinent partners be added to the notifications in the MOU like the Army Corps and levee district. B. Keller noted that there are already informal mechanisms set up with those organizations that work well, but it would be worthwhile to come up with a complete list of potential partners offline.

D. Alfortish noted that there is a lot included in the draft MOU than notification, particularly portions that refer to adopting the MIPD overlay, etc. T. Wilkinson stated that “consideration” is the word used to describe the MIPD overlay, and that the MOU could not work if there are no “teeth” to enforce it. D. Alfortish expressed her fear that agreeing to the MOU would mean that the committee agrees to the MIPD overlay and other changes that the community would agree to any future big changes. \*\*Amendment from 4/15/14 meeting: B. Keller noted that for the purposes of the MOU the MIPD could be just a line on a map showing who would be notified of what if things happen. B. Hazel asked if the current process for notification was not working. B. Keller noted that formalizing those processes would show a greater willingness by the community to work with the base. T. Wilkinson continued that Jefferson Parish has been working to increase their notifications buffers for different activities and that formalizing notification is within everyone’s interest given the base’s economic impact on the region.

D. Norton asked the group over the next few weeks to consider changes to the draft to be incorporated into the next draft, particularly the group’s expressed desire to remove Part IV B and C.

**e. Next Steps**

Next meeting set for April 14 at 4pm in the Plaquemines Public Library. There will be a policy committee meeting on April 15.

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Technical Group Meeting March 12, 2014 4:00pm

Name	Organization	Email
Tyler Antruf	GSR	tantump@gsr.com
Michael Lawer	Planning Works	
Tyson Smith	White & Smith LLC	
John Woodard	P. P. GOVT	
Bobby Roberts	Plan Planning & Zoning Board	
Lloyd Eppley	Pinch Real Estate	
Diane Appich	Hero Lands Co	
Allen Akers	Caldwell Bank TEL Realtors	<del>AKERS</del>
Bonnie Burns	US NAVY	
BRUCE KELLER	JEFFERSON PREST PLANING	
TERRI WILKINSON	FLAQ PARISA ENG	
KEN DUGAS	PPAO	
Belinda Hazel		