

**DANBURY AVIATION COMMISSION**  
**MEETING MINUTES**

Danbury Aviation Commission -- 7:00 p.m.  
Danbury City Hall: 155 Deer Hill Ave., Danbury, CT 06810  
Third Floor / Room 3C / Tuesday, March 20, 2012

**01 Meeting Called to Order By Chairman Ashkar.**

**02 Roll Call:**

Present: Commissioners Ashkar, Zilinek, Baker

Absent: Frizzell, Oppermann

**03 Motion made to accept the regular meeting minutes of February 21, 2012 as written by Commissioner Baker, seconded by Commissioner Zilinek, and unanimously approved.**

**04 Liaison Report:**

Commissioner Oppermann was unable to attend. No liaison report was presented.

**05 Administrator's Monthly Report:**

Mr. Estefan reported he has received the motor back from the repair shop for the rotating beacon. A team will be put together to install. The hazard beacon on top of Wooster Heights ran into an FAA problem. One half says the new LED beacon is approved; the other half says funding will not be provided for new hazard beacons that is LED. If it is not funded by the FAA our liability insurance will be on the line. We have put together a plan to have all hazard beacons and the rotating beacon refurbished and was trying to go solar which is now on hold waiting for approval from the FAA. I will be taking an old beacon out of storage and will install at the Wooster Heights location.

**Motion made by Commissioner Baker to accept the Administrator's Report, seconded by Commissioner Zilinek, and unanimously approved.**

Chairman Ashkar reported that this commission is not a paid commission and we are appointed by the Mayor.

**Motion made by Commissioner Zilinek to open Public Speaking, seconded by Commissioner Baker, and unanimously approved.**

***Public Speaking:***

Mr. Wayne Toher/Reliant Air advised that he would be more than happy to volunteer on the commission.

Mr. Chris Orifici/WestConn Aviation agreed that an FBO member should be on the aviation commission.

Chairman Ashkar advised Mr. Chris Orifici's letter dated March 16, 2012, which was distributed to the commission will be added to the minutes as an addendum.

**Motion was made to close public speaking by Commissioner Zilinek, seconded by Commissioner Baker, and unanimously approved.**

**Old Business**

*Danbury Aviation, Proposed Hangar Project/Lease*

Mr. Estefan advised this item was left on the agenda until all matters have been resolved including city council; planning commission; Mayor, etc.

**New Business**

*Curtis Aero/Curt Brunjes, proposed move of existing Category B Permit to Business Aircraft Center; proposed sale of 19 Miry Brook Road and transfer of existing land lease; proposed forfeiture of current FBO status, as outlined in attached email dated March 7, 2012.*

Mr. Estefan read into minutes said email dated March 7, 2012. Mr. Estefan advised that Mr. Brunjes has every right to sell his property; however, he has no access if he gives up FBO status to the airport. He also advised a change like this

would have to go to the FAA which was forwarded to them for comment as well as a major change to the Master Plan. He also advised only the Aviation Commission can approve or disapprove permits on the field. Mr. Estefan advised that the commission should table this item to get additional information from legal and the proposed applicants.

Chairman Ashkar recommended the proposed applicants meet with Legal and Mr. Estefan prior to the next meeting to resolve all issues.

Mr. Brunjes/Curtiss Aero stated that there are some competitive changes going on at the airport and I believe five FBO's is too many at the airport especially one that is small. As business standpoint, I cannot compete as an FBO.

Mr. Estefan advised if Curtis Aero forfeits it's FBO status, the FAA will have to grant a thru the fence operations which they prefer not to do; as they have deeded access to the city ramp because they are an FBO.

Mr. Toher recommended that the Minimum Standards should be revised to cover these proposed changes. Mr. Estefan advised that any proposed changes would have to be listed in the newspaper and a public hearing held. Mr. Brunjes agreed that the Minimum Standards be reviewed and revised.

Mr. Estefan advised he has sent to the FAA Mr. Brunjes' request; Mr. Orifici requested his comments be forward to the FAA as well.

**Motion was made by Commissioner Zilinek to table the Curtiss Aero proposals as listed on the agenda, seconded by Commissioner Baker, and unanimously approved.**

**Motion made to adjourn by Commissioner Baker, seconded by Commissioner Zilinek, and unanimously approved.**

**Ald**



Alice Dyer &lt;a.dyer@danbury-ct.gov&gt;

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## Fwd: Airport Commission requests

1 message

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**Michael Safranek** <m.safranek@danbury-ct.gov>

Wed, Mar 7, 2012 at 2:43 PM

To: Alice Dyer &lt;a.dyer@danbury-ct.gov&gt;

----- Forwarded message -----

From: **Curtis Brunjes** <Curtis@curtissaero.net>

Date: Wed, Mar 7, 2012 at 2:36 PM

Subject: Airport Commission requests

To: "P.Estefan@ci.danbury.ct.us" &lt;P.Estefan@ci.danbury.ct.us&gt;

Cc: "I.pinter@danbury-ct.gov" &lt;I.pinter@danbury-ct.gov&gt;, "John Ashkar (john.ashkar@cbmoves.com)" &lt;john.ashkar@cbmoves.com&gt;

Paul-

Please put Curtiss Aero, and myself personally, on the agenda for the Commission meeting in March for the following issues.

1. Curtiss Aero proposes to move our existing flight training permit to BAC. We have and will bring an executed Lease Agreement and Operating License form.
2. I wish to advise the Commission that I will be selling my property at 19 Miry Brook to a private party who will be using the facility for aviation, but predominantly non-commercial, purposes. The property is privately owned by me, so its transfer isn't governed by the Commission, but I wish to make the change of ownership transparent.
3. I wish to transfer my existing land lease to the buyer of my property. He will be present at the meeting and bring his financial records. He is committed to perpetuating the aviation use of the property and will continue to furnish tiedowns to existing tenants.
4. The property at 19 Miry Brook wishes to continue to be a fuel permit holder. This will be an exemption from the current minimum standards because the 19 Miry Brook property will forfeit FBO status with the transfer of the flight permit to the new location. This exemption is justified in order best serve the needs of the aviation community as outlined below:
  - a. The fuel at 19 Miry Brook is the only 24-hour, self-service facility at Danbury.
  - b. It is the only fuel storage available and possible for the southeast corner of the field and therefore safely and conveniently services a large number of aircraft owners from that corner of the field.
  - c. The new property owner wishes to continue to pay the annual permit fee of \$1500 and the \$.125/gallon charge for sales.
  - d. Because the fuel farm is on private property, it can be continued as a private fuel supply, but this would raise an issue that has not yet been dealt with in Danbury—we feel that it will be easier and better for all involved to continue to license and tax the fuel facility than to start a debate about what types of activity would be permissible.

e. This exemption from the minimum standards is consistent with other exemptions made by the Commission to support aviation interests—namely the exemption granted to Centennial Helicopters for reduced permit fees and the exemption granted to Danbury Aviation to hold a single permit at a non-FBO facility.

Recent changes in the competitive environment in DXR are encouraging all the changes that we are making. The former Sadler property, now Westconn, is being developed into a very nice FBO. Curtiss Aero is not now, in light of 4 other DXR-based FBOs, a viable FBO entity. I am therefore selling the property and accepting its conversion to its alternative— aircraft storage.

Curtiss Aero, and myself personally, are dedicated to the continued development and success of the DXR airport and DXR-based businesses. We believe strongly that the 4 items before the Committee are in the best interests of the aviation community.

Thank you for your consideration.

Thank you.

Curt

### **Curtis Brunjes**

 **Description:**  
**ca%20logo%20white**

19 Miry Brook Road

Danbury, CT 06810

203-702-7192 (office)

203-798-7567 (fax)

877-418-4522 (toll-free)

347-262-0529 (mobile)

# WestConn Aviation, LLC

March 16, 2012

Airport Commission  
c/o Mr. Paul Estefan  
Danbury Municipal Airport  
P.O. Box 2299  
Danbury, CT 06813

Re: Curtis Aero/Curt Brunjes Request To Forfeit FBO Status and  
Continue With FBO Privileges At Reduced Fee

Commission Members:

The items represented by Curtis Aero/Curt Brunjes before the Commission do **NOT** "best serve the needs of the aviation community" and are **NOT** "in the best interests of the aviation community". It is clear that the special exemptions that Curtis Aero/Curt Brunjes seeks are unmistakably in the best interest of Mr. Brunjes personally, by maximizing the marketability and value of his property.

Not only would these requested exemptions, if approved, compromise several key parts of the minimum standards that, in fact, protect FBO's and the City, they would create an unfair advantage allowing this site to continue with FBO privileges at a discounted fee schedule.

In response to Curtis Aero/Curt Brunjes representations, a. through e., I offer the following:

- a. The fuel at 19 Miry Brook is the only 24-hour, self-service facility at Danbury.

Most airports throughout the country do not offer 24-hour fuel. Doing so invites traffic after hours and, in fact, may be considered more of invitation for noise after hours than for providing any real benefit to the airport. Furthermore, in light of the tight access constraints at the Curtis site, continued unsupervised fueling of aircraft after hours is not a question of if, but when there will be a catastrophic event. If allowed to continue under a reduced fee base, Curtis Aero/Curt Brunjes will have exclusive access to the after hours fuel sales market at DXR over full fee paying FBO's.

It would be in the best interest of safety to allow the new owners to fuel their owned registered aircraft only and require any persons utilizing the fuel farm at Curtis to be trained to the required standards the city enforces upon the FBO's.

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**Phone(203) 826-9510** **Info@westconnaviation.com**

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- b. It is the only fuel storage available and possible for the southeast corner of the field and therefore safely and conveniently services a large number of aircraft owners from that corner of the field.

I am not sure upon what data Mr. Brunjes bases his statement "the only ... possible" location for fuel storage. Safety standards have become more stringent since installation of the Curtis fuel tank and, yes, at today's safety standards, you could not install a tank on a limited site like Curtis. This supports the safety concerns raised in item a. above. Furthermore, fuel is currently stored and available at the WestConn site located on the Southeast corner of the field. His statement is, therefore, factually incorrect.

- c. The new property owner wishes to continue to pay the annual permit fee of \$1500 and the \$.125/gallon charge for sales.

This wish, if granted, benefits only the new owner in that it will grant this new owner a competitive edge. He will be able to act in the capacity of an FBO selling fuel, hold a lease on airport property, collect tie down rents on airport leased land, and ultimately perform other FBO services while paying a substantially discounted fee schedule and being exempt from a Through The Fence Fees (TTFF).

- d. Because the fuel farm is on private property, it can be continued as a private fuel supply, but this would raise an issue that has not yet been dealt with in Danbury - we feel it would be easier and better for all involved to continue to license and tax the fuel facility than to start a debate about what types of activity would be permissible.

The concept presented by Curtis Aero/Curt Brunjes is far more controversial than the simple sale of his property, forfeiture of the FBO license, surrender of the land lease and that the new owner stores and fuels solely their owned and registered aircraft. The new owner should be subject to the annual permit fee of \$1500, and a higher tax than the \$.125/gallon charge for sales and a Through The Fence Fee (TTFF) for airport access.

The savings this new owner would realize by buying its private fuel wholesale and by passing the FBO overhead to cover airport fees and FBO profit would be far in excess of the annual \$1500.00 permit fee. As far as the \$.125/gallon charge, the new operator would be subject to this cost

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regardless if the new owner fueled their own aircraft or purchased fuel from a Danbury FBO.

- e. This exemption from the minimum is consistent with other exemptions made by the Commission to support aviation interests - namely the exemption granted to Centennial Helicopters for reduced permit fees and the exemption granted to Danbury Aviation to hold a single permit on a non-FBO facility.

These examples stated by Curtis Aero/Curt Brunjes regarding Centennial Helicopters and Danbury Aviation are distinctly inconsistent and clearly do not support Curtis Aero/Curt Brunjes's request. The Centennial Helicopters adoption was the creation of a special category under an existing category for an unmistakably different aviation use, i.e., Rotorcraft vs. fixed wing instruction. Centennial Helicopters would not be in direct competition with nor enjoy a competitive edge over fixed wing schools by having a reduced fee schedule. It also should be noted that this special category imposes some broad limitations on Centennial Helicopters operations, and any new special categories that are considered by the Commission should also include carefully thought out restrictions to protect the businesses operating at the airport that are paying the full fee schedule.

Curtis Aero/Curt Brunjes naming Danbury Aviation as an example of an exemption based on a single user permit is also dissimilar and offers no support for Curtis Aero/Curt Brunjes request to operate in the form of a FBO, maintain a land lease with the city on airport property while not being an FBO, and all at a reduced special fee schedule. The Commission should note that the exemption for the Danbury Aviation / New England Aircraft Sales lease was made for a "**non FBO facility**" permit category type, to be issued to a city land lease holder at Danbury Airport not based at an FBO. What Curtis Aero/Curt Brunjes seeks has no relationship to the Danbury Aviation example. Instead they desire to create an exemption that permits what is "**specifically prohibited**" by the Danbury Aviation exemption.

The Danbury Aviation / New England Aircraft sales lease dated July 14, 1989, specifically describes the allowed business activities under the terms of the lease to be "**for purposes of conducting business as an airport tenant at Danbury Municipal Airport, as defined in the minimum standards**". Whereas the Curtis Aero lease dated September 1, 2005 specifically describes the allowed business activities under the terms of the lease to be "**for the purpose of conducting business as a**

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**fixed-based operator (FBO) at Danbury Municipal Airport, as defined in the minimum standards".** In fact Danbury Aviation / New England Aircraft sales arrangements prohibit the sale of aircraft fuel.

Bottom line - what Curtis Aero/Curt Brunjes seeks is an exemption from the established FBO fees while continuing to perform the activities and privileges of an FBO, such as fuel sales, rental aircraft parking/storage, and permission to continue to lease City land. Simply, they desire to generate revenue from FBO activities while paying a reduced fee schedule.

Curtis Aero/Curt Brunjes also states "Curtis Aero is not now, in light of 4 other FBOs, a viable FBO entity". This statement leads the Commission to believe that there has been an increase of FBO's at DXR caused by the improvements at WestConn Aviation. The number of FBO's has not changed at DXR since the Curtis Aero lease was in place as of September 2005.

All the FBO's are feeling the difficulties of the current economic conditions. If the Commission offers any relief, it should be a plan that benefits all the operators at Danbury Municipal Airport not an individual new landowner. An approach that would benefit all operators would certainly be welcomed and "in the best interests of the aviation community".

I would like the Commission to review publicly the following major issues that will be relevant if the Commission grants this exemption:

1. How will the Commission handle any future applications from adjoining property owners (some with deeded access) seeking the ability to install a fuel system and sell aviation fuel and compete with fee paying FBO's?
2. Does the Aviation Commission have the authority to deviate from the adopted minimum standards to the level requested by Curtis Aero/Curt Brunjes without the review and approval of the FAA?
3. What will be the Commission's ruling when WestConn approaches the Commission in April for an exemption from the fuel permit fees due to the "fact" that WestConn does not own fueling equipment, or stores, pumps or sells fuel? All the fuel at WestConn is stored, pumped and supplied by Reliant Aircraft which also pays the fueling fees.
4. Lastly, how will the Commission rule on the many variations of exemption requests that will follow this very expansive controversial request being made by Curtis Aero/Curt Brunjes?

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In closing, I am confident that the above highlighted responses and concerns will assist the Commission in the conclusion that the items before the Commission are not only, not justified but would not best serve the needs or be in the best interest of the aviation community at the Danbury Municipal Airport.

Chris Orifici



Managing Member  
WestConn Aviation, LLC

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