

MINUTES OF THE NOISE ABATEMENT COMMITTEE MEETING  
HELD THURSDAY, SEPTEMBER 22, 2005  
THE DEBERRY ROOM, 200 CANAL ST., NEW SMYRNA BEACH, FLORIDA

Mr. Gunter called the meeting to order with the following answering present to roll call:

Fred Gunter, Chairman  
Greg Arnette  
Wendy Michels  
John Baker  
Steven Zeh  
Andrei Raevsky  
Norm Decker  
Patricia Doyle  
Roxy Karchner \*(voted by Airport Advisory Board 8-10-05 to replace Theo Mundell)

**APPROVAL OF MINUTES**

The August 4<sup>th</sup>, 2005 minutes were amended as follows:

Page 1 Line 3 of Old Business to read: “ suggestions were made by Fred Gunter to members to organize work teams to ~~establish~~ *evaluate* flight rules and ~~look at solutions~~ *and make recommendations* that would be copied to Rhonda Walker for distribution and then would become public record.

Page 2 Line 10 “there was a discussion by Mr. Leibowitz and Larry Sauser of the Air Traffic Control Tower regarding increasing the pattern approach and take-off to 1000 feet ~~instead of 500 feet~~ *current pattern is 800 feet by the flight regulation.*

Page 3 Line 6, “Fred Gunter stated that as the city grows in value, then ~~there is a~~ *we should expect a natural increase in air traffic as the volume of the city increases.*

Page 3, Line 13 “Fred Gunter asked that Ms.Tyner bring a statement in writing to the next meeting *regarding her issues and recommendations that she wants this committee to consider.*

All in favor of accepting minutes as given and corrected.

**OLD BUSINESS**

Fred Gunter stated that the Airport Advisory Board voted at their meeting on August 10, 2005 to a change to the voting member section of the NAC by-laws. The by-law change allows 5 members from the city affected *neighborhoods*, which includes 1 impacted citizen, along with 5 members from the airport community for a total of 10 members. Current members will represent those neighborhoods that don't have a member on the committee. Every year when office comes up, then a different neighborhood's representative can be chosen if so elected.

Andrei Raevsky's statement of issue and recommendation, sent to Rhonda Walker August 11, was read by Fred Gunter with no further comments or input from Andrei at this time.

## **NEW BUSINESS AND PUBLIC PARTICIPATION**

Mr. Gunter read Randall Hitchcock's Statement of Issue and Recommendations, sent to Rhonda Walker, September 2, 2005, thanked him for his input and let him know that most of his issues have been delegated to committee studies, but are open for public comment and discussion.

Comment from Greg Arnette in comparing an airport in South Hampton, New York where no control tower is present – they have implemented an Automated Terminal Information System (ATIS) which is a recording for everyone entering the flight pattern checking in from 5 to 10 miles out – that states there is a city noise abatement policy in effect. This can be implemented by our Air Traffic Control Tower in the same form of an ATIS that states *our* city noise abatement policy once established, and would probably help a lot. Also the ATCT can guide pilots in over non-residential areas and disburse traffic between left and right-hand turns if safety permits. The ATCT has already begun to disburse traffic on calm wind days and will continue to do so. Mr. Arnette asked Mr. Hitchcock if it has gotten any better and he stated it has – except that the weather has been a factor lately because of lots of rain. Mr. Hitchcock states that he has really focused on the planes that keep doing repeated circling and it does seem to be more flights from Embry Riddle rather than Epic Aviation.

Danny Perna of Epic Aviation agrees that violations being cited to pilots not following the ATIS would really help the noise problem – or a hand-out of some kind if possible. Danny also mentioned a statistic obtained from a convention that general aviation is expected to triple in size by the year 2020.

Mr. Leibowitz of Turnbull Bay Rd. asked if the aviation industry has ever considered the design of a quieter engine?

Danny Perna answered that Epic Aviation is the first company in Florida to use a new diesel engine from Germany that has lowered the rpm of the prop (where the noise comes from) and meets the strict noise abatement restrictions in Germany and Sweden along with all EPA standards. It almost doubles the cost of an engine overhaul, but you won't even be able to hear it over your house.

Wendy Michels of Embry Riddle stated she will contact the director of fleet maintenance at the college and see if they've done any research into the engine.

Mr. Perna also suggests that he and the residents with the worst complaints should all take a flight over their house and see what the actual heights are so there is a better understanding by all of what "300 and 500" feet is. Also mentioned the importance of

the realtor honesty policy for disclosure of airport noise to prospective buyers or developments around the perimeters of the airport.

Question posed to public from Greg Arnette as to whether the most noise comes from the jets or flight schools or what? Randall Hitchcock and all of the Liebowitz family answered it's not the jets – it's the frequency of the planes. It never stops – before the noise from one goes away, there is another one coming – from 7:00 a.m. to 10:00 p.m. and later. Suggestion made by Greg to use full length of runway when possible might help also.

Statement made by Wendy Michels that Embry-Riddle would fully cooperate with city whether policy is voluntary or mandatory regarding touch and go's and any violations if tail number is available along with time, will be dealt with very firmly. She stated after three reprimands, flight instructor loses their job.

Steve Zeh stated in regard to the realtor involvement that there have been very few complaints received at the Board of Realtors. If there are more complaints the Board would look into a disclosure policy. Greg Arnette stated that the information should be required to be disclosed whether there have been complaints or not, for new sales. Problem needs to be fixed now while we are a small community.

Mr. Gunter noted that there *are* noise definitions within the city ordinance. With recommendations from the NAC and the AAB, the City of New Smyrna Beach could take action in further defining the ordinance; that notification needs to be part of a real estate contract for anything that is bought and sold within the City Of New Smyrna Beach, either in a map form or as a statement.

Randall Hitchcock asked if there is a point that the city would limit the total amount of traffic that would be coming in to the airport based on the size of the airport not the size of the community. Mr. Gunter stated that this is under study by the committee and a recommendation will be made to the AAB and they will convey to the City of NSB.

Reviewed highlights for comment of first part of meeting.

**COMMITTEE COMMENT AND WORKSHOPS** regarding the following to be recommended to the AAB:

1. Develop and illustrate a Noise Exposure Map – completed this year in Master Plan of Airport that illustrates current and future.
2. Undertake Noise Compatibility Program
  - a. Must be FAA approved ( if funds available)
  - b. Must contain *voluntary* noise reduction plans that have not effectively worked.
    1. Touch & Go Policy:
      - a. Consider restricting to a specific time frame
      - b. 010:00 hrs to 16:00 hrs.
      - c. Consider allowing only Monday through Friday only
      - d. At ATCT discretion

- e. Consider no Touch & Go on weekends and holidays
    - 2. Develop communication about voluntary policies to:
      - a. Flight Schools
      - b. Notice to Airman Bulletin
      - c. Notice to surrounding airports and communities (Spruce Creek)
      - d. Develop ATIS broadcast
    - 3. Monitor and adjust as needed
  - c. Compatibility Program must contain an effective Land Use Plan so problem does not recur with more developments in proximity of the airport.
3. Develop Airport Noise Abatement Discipline Policy
- a. Design complaint form for reporting violations of restrictions.  
(The City of New Smyrna Beach can establish *voluntary* noise abatement procedures, but can't enforce it. Our tower is an independent contract tower that is funded by the FAA therefore the FAA wouldn't enforce the policy until all other means have been unsuccessful and a noise study has been funded and conducted.)
    - 1. Paper form
    - 2. Electronic form
  - b. First violation filed with airport authority
    - 1. Logged into data base
    - 2. Verifies ownership of Aircraft
    - 3. System generates written complaint warning to owner/operator of aircraft
      - indicating complaint
      - outlining policy
      - delineates remedy steps
  - c. Second violation generates summons to appear to code enforcement
    - possible fine
    - possible referral to FAA
  - d. Third violation automatic referral to FAA for possible action
    - terminates Airport privileges
4. Develop Real Estate Notification Policy
- a. Delineate Airport Noise Disclosure Ordinance for all real estate transactions
    - 1. Identifies property in relation to Noise Exposure Zones
      - Incorporated City limits
      - Unincorporated City limits
  - b. FDOT & FAA has model letters or will help develop notification
  - c. Notify Board of Realtors for endorsement and enforcement
  - d. Notify County and request compliance for all Deed filings in Noise Exposure Zones
  - e. Notify Department of Professional Regulation of local policy.
5. Initiate FAA Title 14 Part 150 Study for Noise Abatement Study Finding

(if necessary)

### **OTHER COMMENTS AND DISCUSSION:**

Rhonda Walker stated that the ATCT has made a change that runways 6,11 and 2 are the runways to be used in calm wind so as to rotate the usage – which “moves the planes” out over the marsh. A lot of noise could “go away” once the actual policy is set in place because most pilots will abide by such, and when the radar is fully operational, low flying planes will be spotted on the radar and the tower will know and notify the violators. The STARS (Standard Terminal Automation Replacement System), (radar), is hoped to be in full operation some time in November.

Training procedures at flight schools are slowly being revised, per Wendy Michels, that would allow students to have a “shorter” approach to the runway and alleviate some of the noise. But it still depends on the amount of traffic in the pattern and the tower determines if some planes need to “stay out” longer.

Chuck Criswell, manager of the ATCT, was interviewed by Wendy Michels regarding the noise problem and he stated that :

1. About 60% of the traffic is touch and goes, but it varies with time of year
2. The average amount of touch and goes per day is 400 (up to 700) with quantity based on traffic density (when denied)
3. A training aircraft generally requests from 2 – 4 touch and goes
3. They are most frequent in early morning and late afternoon
  - a. After time changes – more just before dark – trying to get done
4. No specific day of the week with more quantity
5. Largest issue for noise is the Spruce Creek pilots because touch and goes aren't allowed at their airport – so they come here – and their planes are some of the noisiest.

Will draw up outline of issues and recommendations to be presented at next Airport Advisory Board meeting on Tuesday, October 4<sup>th</sup>. Fred Gunter discussed the possibility of meeting just prior to the Airport Advisory Board meeting to go over the recommendations before the presentation. Will check availability of Commission Chambers for time slot prior to 7:00 AAB meeting.

### **NO OTHER NEW BUSINESS**

**MOTION TO ADJOURN** by Mr. Gunter, **SECONDED** by Greg Arnette  
All in favor.

### **ADJOURNMENT**

Meeting adjourned at 8:40.

