



**City of New Smyrna Beach  
Municipal Airport**

**124 Industrial Park Avenue • New Smyrna Beach, FL 32168**

**Phone – 386-424-2199 • Fax – 386-424-2198**

**AGENDA**

July 14, 2011

**NOISE ABATEMENT COMMITTEE AGENDAS AND MINUTES ARE AVAILABLE  
ON THE CITY WEBSITE AT [www.cityofnsb.com](http://www.cityofnsb.com) .**

**TO: NOISE ABATEMENT COMMITTEE MEMBERS**

Norm Decker, Isleboro

Kenneth Petrie, Non-incorporated Resident

Ken Byrnes, ERAU

Danny Perna, Epic Aviation

Edward Charbonneau, Fairgreen

Active GA Pilot, Vacant

Jim Speer, Inlet Shores, Chairman

Richard Abbott, Sugar Mill

Donald Wesolowski, Turnbull Estates

Jeffrey Mitchell, Airport Business Rep.

Airport Business-Vacant

Impacted Resident, Vacant

**This is your official notification of the Noise Abatement Committee Meeting to be held in The City Commission Chambers, 210 Sams Avenue, New Smyrna Beach, Florida 32168 on Tuesday, July 19<sup>th</sup>, 2011 at 6:00pm**

1. Roll Call
2. Approval of Minutes for the August 4, 2010 meeting, January 31, 2011 meeting, April 19, 2011 special meeting and April 19, 2011 workshop.
3. Update of Part 150 Noise Study
4. Board member comments
5. Public Input
6. Adjournment

NOTE: In accordance with resolution No. 11-89, a three-minute limitation of discussion by each individual on a particular item will be imposed unless otherwise granted by the Noise Abatement Committee Chairman.

Sincerely yours,

Rhonda Walker  
Airport Manager

Cc: Mayor & Commission  
City Manager's Office  
Members of Press  
Airport Businesses  
Hangar Tenants

## MINUTES OF THE NOISE ABATEMENT COMMITTEE MEETING

HELD WEDNESDAY, AUGUST 4, 2010 AT 9:00A.M.

CITY COMMISSION CHAMBERS, 210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA

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

Jim Speer, Inlet Shores, Chairman  
Blake Kelly, ERAU  
Jeffrey Mitchell, Airport Business Rep.

Norm Decker, Isleboro  
Donald Wesolowski, Turnbull Estates  
Morissa McCoy, Fairgreen

Also present was: Rhonda Walker, Asst. Public Works Director, & Tammy Dickerson, Administrative Specialist and members of the public.

### APPROVAL OF MINUTES

There was some discussion about the minutes among the Board members.

**A motion was made by Norm Decker to approve the minutes of the meeting held January 20, 2010, seconded by Jeff Mitchell. Motion passed unanimously on a roll-call vote, 6-0.**

### DISCUSSION OF BOARD MEMBER VACANCIES

Ms. Walker discussed the vacant positions.

Mr. Speer asked how people are made aware of the vacant positions.

Ms. Walker stated that we discuss the vacancies at the meetings and it's on the city's website.

### FAR PART 150 UPDATE

Ms. Walker stated that final review of the noise study has to go before a public meeting to allow residents to participate then a follow up with the Noise Abatement Committee, the Airport Advisory Committee, the City Commission and then to the FAA for final approval. She stated that we had previously sent the noise exposure maps to the FAA and they sent them back because our traffic counts were significantly down. She stated that they thought the airport had done something to change the traffic pattern. She stated that the FAA has since determined that the airport is in compliance with the Part 150.

Mr. Speer stated that it seems that the airport is doing the best it can do traffic permitting so what else can the airport do.

Robert Dobbelaar, Air Traffic Control Tower Manager, stated that we could designate a runway use permit and that could go in to effect. He stated that in his opinion that the FAA will say the airport is doing everything it can do to be in compliance.

Ms. Walker stated that her recommendation is to put in to affect a formal runway use permit. She stated then there would be certain days for different runways.

Mr. Dobbelaar stated that he would doubt the FAA would put in effect a formal runway use permit.

Ms. Walker stated that she would like the noise to be moved around the airport not just in one area.

## **BANNER TOW OPERATION UPDATE**

Ms. Walker stated that the gentleman that was interested in the banner towing at the airport has elected to stay at Massey airport.

Mr. Speer stated that it would have increased the noise in the area.

## **DISCUSSION ON CITY'S ECONOMIC ADVISORY BOARD (ARTICLE IN HOMETOWN NEWS 7/9/10)**

## **FULLTIME AIRPORT MANAGER**

## **PARTNERING WITH PRIVATE DEVELOPERS FOR AIRPORT GROWTH**

Mr. Speer stated that the Mayor is promoting for more businesses around the airport. He stated that he also didn't see a need to hire an Airport Manager during the recessionary times since Ms. Walker was doing a good job at being a part time Airport Manager.

## **ADJOURNMENT**

Being no further business, the meeting adjourned at 10:01a.m.

**MINUTES OF THE NOISE ABATEMENT COMMITTEE MEETING**

HELD MONDAY, JANUARY 31, 2011 AT 9:00A.M.

CITY COMMISSION CHAMBERS, 210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA

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

Jim Speer, Inlet Shores, Chairman	Jeffrey Mitchell, Airport Business Rep.
Kenneth Petrie, Non-incorporated Resident	Richard Abbott, Sugar Mill
Nikki Payne, ERAU	Norm Decker, Isleboro

Also present was: Rhonda Walker, Asst. Public Works Director, & Tammy Dickerson, Administrative Specialist and members of the public.

**FAR PART 150 UPDATE**

Ms. Walker stated that she needs to get the Board's comments on Chapters 8 thru 12 of the noise study. She stated that they can be sent to her by email and then she will forward them to the consultant. She asked the Board to get the comments to her in the next two weeks. The Board agreed they would do that.

**DISCUSSION- VOLUNTARY NOISE ABATEMENT PROCEDURES**

Mr. Petrie asked about the noise expert that came to speak to the Board in April 2006. He stated that the Airport Advisory Board had recommended repetitive flight training not starting at 10:00am and ceasing it at 4:00pm because of the inversions. He asked if that had changed.

Ms. Payne stated that she didn't know of any change to that.

Mr. Petrie stated that this noise expert liked our airports policy on the repetitive flight training because of the airport proximity to water and the inversion it causes. He stated that he would like reiterate that policy.

Mr. Speer stated that some students can't fly until after school. He stated that we have to be reasonable.

Ms. Walker stated that those times are not what the final decision by the Board was.

Mr. Petrie stated that he would like to change it back to the times of 10:00am to 4:00pm.

Mr. Speer stated that is not a reasonable request. He stated that a more reasonable request would be to minimize the traffic from 5:00pm to 6:00pm during the dinner hour.

Mr. Petrie stated that he gets traffic off of all the runways. He stated that if the airport went back to the left hand pattern he would get some relief of the noise. He stated that he would like to propose a notification zone that the Airport Advisory Board recommended years ago. He stated that therefore people that are buying property in those zones of the airport will be informed of the noise. He stated that if he wouldn't be informed he wouldn't be in this meeting today.

Ms. Walker stated that if the city had that notification requirement that the county residents still wouldn't of been informed when purchasing a piece of property.

Mr. Speer stated that he thinks that is a valid request.

Mr. Petrie stated that another way to control the noise is charging different fees for different times of the day. He stated that the sound noise expert analysis was that it's louder in the early morning and late in the afternoon.

Mr. Speer stated that there are many conditions that could determine how loud it is.

Mr. Petrie stated the fees he thought the airport should charge for different times of the day.

Mr. Speer stated that he thinks this recommendation needs to be done in writing to the Board and before it's done there should be discussion with other airports that charge landing fees. And who pays for the accounting and how it's done and how much it's going to cost. He stated that the tenants of the airport should not be charged.

Mr. Petrie stated that the FAA won't complain of any fees charged and it would also increase the funds of the airport.

Mr. Speer asked if Embry Riddle paid any landing fees at any of the other airports.

Ms. Payne stated that none of the local airports in the area charge landing fees.

Mr. Petrie stated that the master plan includes extending runway 11-29.

Ms. Walker stated that we haven't started working on that yet. She stated that is not necessarily going to happen it's a wish list for the airport. She stated that there will be studies done before this is considered which could take 2 to 3 years.

Mr. Petrie stated that most things aren't put in a master plan unless you eventually don't want to do them.

Ms. Walker stated that to her knowledge it's been in the master plans for the last 20 years and hasn't been done yet.

## **PUBLIC INPUT**

Paul Rooy, President of the Friends of New Smyrna Beach Airport, stated that it was mentioned that temperature inversions could increase sound such as mist and fog. He stated that the presence of mist and fog during repetitive flight training probably wouldn't occur because they would be below Visual Flight Rules (VFR) minimums. He stated that as far as expanding the repetitive flight operation prohibitions beyond what they are presently they are already prohibited half the time. He asked what business can survive if their activities are prohibited half the time but the flight schools have agreed to these rules. He stated that can we realistically expand that to 68 percent.

Cindy Rhatigan, Tara Trail, stated that she would like to request the meetings be held in the evening. She discussed her written comments with the Board. She stated that she requests no weekends or holidays for repetitive training. She stated that the hours should be from 10:00am to 4:00pm or 9:00am to 5:00pm. She stated that there are other airports that they could be flying in to. She stated that Pearson is open and it's just a field and not in such a populated area such as New Smyrna Beach.

Ms. Payne stated that Pearson is a grass field with no lights and we require a tower for some of the operations.

Ms. Rhatigan stated that there are other airports that they could be flying in to.

Mr. Speer stated that they can fly in to here it's a public airport.

Ms. Rhatigan stated that she knew her request that she hoped that voluntarily the flight schools would do to be good neighbor. She asked what the 800 foot elevation was on runway 11.

Ms. Walker stated that was in effect before she came and she assumes it was to avoid Inlet Shores.

Ms. Rhatigan stated that requests she change the elevation to 800 foot on the other runways so she isn't being hit by every single pattern and also either do all right hand or left hand turns. She stated that she also request to limit the amount of planes in a pattern.

Ed Charbonneau stated that he wanted to turn in his application to the Board for volunteering to be on the Board.

Ms. Walker stated that it will have to go before the Airport Advisory Board for approval and it will be placed on their next agenda.

### **ADJOURNMENT**

Being no further business, the meeting adjourned at 10:25a.m.

# New Smyrna Beach Municipal Airport

## FAR Part 150 Study

### Study Advisory Committee Meeting Summary

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**Meeting Date:** April 19, 2011    **Location:** New Smyrna Beach City Hall  
**Meeting Time:** 1:00 PM

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#### Attendees:

##### Management/Consultants

1. Rhonda Walker, City of NSB
2. Mike Arnold, ESA Airports
3. Ron Seymour, ESA Airports
4. Scott Sindel, ESA Airports

##### Study Advisory Committee Members

1. Norm Decker, Isleboro
  2. Ken Petrie Jr., Bayview Dr.
  3. Edward Charbonneau, Fairgreen
  4. Jeffrey Mitchell, Airport Business Rep
  5. Al Alznauer, Turnbull Estates
  6. Jim Speer, Inlet Shores
  7. Richard Abbott, Sugar Mill
  8. Flight School Reps, ERAU
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#### Summary

Jim Speer, Chairman of the Noise Abatement Committee, called the meeting to order at 1:00 pm on April 19, 2011 at New Smyrna Beach City Hall. Roll call was taken and then Mr. Speer asked if there was any old business that needed to be acknowledged. The meeting was then turned over to Ron Seymour with ESA Airports to discuss the recommendations from the Noise Compatibility Plan (NCP) portion of the FAR Part 150 Study.

Mr. Seymour indicated that the purpose of the presentation was to review the status of the Study, discuss the final operational, land use, and administrative recommendations from the NCP portion of the Study, as well as address the future steps for Study completion. Mr. Seymour then went through a PowerPoint presentation to discuss the NCP recommendations in detail. Mr. Seymour indicated that the final report with FAA determinations of the recommendations would most likely occur sometime in 2012. This time frame includes a two week time period for the public to make comments on the Draft Report following the Public Hearing, which has been on the City website as well as the Airport manager's office for more than 30 days, time for the City of New Smyrna Beach to approve the NCP recommendations, and the mandatory 180 day Federal Aviation Administration review period. During and after the presentation, members of the board and Airport management were allowed to ask questions regarding the recommendations. The main comments/questions were as follows:

Mr. Speer stated that the European 172 mufflers had not been addressed in the Study as previously discussed. The prior discussion included comments from Embry-Riddle where it was stated the new propellers and mufflers would have to get certified by the FAA and the cost would be considerable. Mr. Speer stated he realized the request for new mufflers

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on aircraft was not likely something that could be addressed in this Study, but would like the issue to be raised to bring awareness. Mr. Seymour stated that Mr. Speer should fill out a comment card regarding this issue and it would be included in the Study documentation that will be submitted to the FAA.

Mr. Petrie brought up several issues of new resident notification and overlay zones as well as discussed the traffic patterns that were used in the Study. Mr. Seymour stated that the Study was recommending the use of the 2028 50 DNL contour to be used for new resident notification, however, it would be up to the local jurisdictions to implement the recommendation. Other airports in Florida were pointed out that had adapted similar overlay zone programs. He also stated that the 50 DNL contour is rather large and could involve the multiple jurisdictions working together. Mr. Petrie then asked if all airport overlay zones would be included in the notification of which Mr. Seymour responded that the Study is only involved with noise and noise overlay zones and it would be up to the local jurisdictions to determine which notifications to include. Mr. Petrie then asked if the traffic patterns used for the Study were those found on the back of the voluntary noise abatement procedures guide. Ms. Walker stated that those patterns were not the ones used in the Study and that they were not to scale, just for reference. Mr. Seymour indicated the training patterns modeled in the Study could be found on Page 5-20 of the document and likely encompassed the area displayed on the brochure as well as additional area to account for the natural variability in flight tracks. Mr. Petrie asked if the Study looked in to moving the pattern farther north for Runway 07-25 of which Mr. Seymour replied the Study did, but found moving the pattern would simply be moving noise from one community to another and not really addressing any of the concerns of the residents.

A question was asked if citizens would be able to submit comments on the Study after tonight's public hearing. Mr. Seymour explained that comments will be accepted until May 4<sup>th</sup>, which is two weeks after the Public Hearing.

A member of the Advisory Committee asked "*if the City would purchase a flight tracking system as recommended by the Study?*" Ms. Walker replied that the City would have to look into the matter from a budget standpoint to see if there was money available.

Mr. Speer stated that the irritation level from airport operations was down for most of the New Smyrna Beach communities except for those off of the ends of the runways. He asked "*if or when would the voluntary procedures be implemented by the FAA?*" Ms. Walker responded not until the FAR Part 150 Study was completed and approved, but that the voluntary noise abatement procedures have been in effect for some time. Ms. Walker also commented that Embry-Riddle at some expense made a video for all of their flight students and other flight schools that addresses all of the noise abatement procedures at airports in the surrounding area.

Mr. Speer asked "*if there was a new jet charter operation at the Airport?*" Ms. Walker responded that there was. The new charter operation would be based at EVB, but would operate from Daytona Beach International Airport.

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There was a question for Mr. Seymour, "*Is the \$30,000 (flight tracking) equipment attached to radar since the Airport does not have radar?*" Mr. Seymour responded that the flight tracking system would get radar information from Daytona and that the flight tracking software could be accessible to both Airport personnel and the general public to research noise concerns.

Mr. Speer made the suggestion that Mr. Seymour should inform the City on how to implement the flight tracking system of which Mr. Seymour went into detail as to how the flight tracking system worked. The Embry-Riddle representative confirmed what Mr. Seymour said.

Mr. Speer then let the meeting open for public comments. A resident stated that the airport operations are not quiet and that they come right over her house. She said she had noticed that pattern had changed with greater variance that puts more operations over her house and that she had night overflights at 1:30\_am. She asked the board to make pilots abide by the voluntary noise abatement procedures. She said she had noticed that Embry-Riddle has been trying to fly quieter of which the Embry-Riddle representative stated the Airport could be seeing more operations over the next several months due to runway construction at Daytona Beach International Airport. The resident stated that the twin stars aircraft are her greatest concern used by Embry-Riddle of which the Embry-Riddle representative replied that they were not the only flight school that flew the twin stars, but that their twin stars were louder due to the type of engine. The resident asked, "*If the board had given consideration to changing the times of the voluntary noise abatement procedures, especially the 7:00am start time for flight training activities?*" The board stated they would.

The Embry-Riddle noise abatement video was then played for everyone in attendance to see. It was over all very pleasantly received by the board.

Mr. Speer adjourned the meeting at 2:08 pm.

1 RE: FINAL RECOMMENDATION OF NOISE & LAND USE  
2 COMPATIBILITY STUDY

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7 CITY OF NEW SMYRNA BEACH  
8 FORMAL PUBLIC HEARING  
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April 19, 2011

7:30 p.m.

10 City Commission Chambers  
11 210 Sams Avenue  
New Smyrna Beach, Florida

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14 PRESENT:

Hearing Officer: Mr. James Speer

15 Airport Manager: Ms. Rhonda Walker

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21 Reported by: Sheryl N. Bussinger  
22 Court Reporter  
Santorelly Reporting  
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New Smyrna Beach, Florida

Tuesday, April 19, 2011 - 7:30 p.m.

HEARING OFFICER SPEER: We'll start the public hearing at this time. Could I get a raise of hands of how many people will come up and make a statement for the public record?

Just one. Again, I'd say for the record that the turnout doesn't reflect the number of people that are noise impacted. It just reflects the economy and the flying frequency is down to a tolerable level. With the increase in the economy, we'll again have more people that are going to want to come up and make a public statement.

So, that said, would you come up and have a seat by a microphone and do the same as before, state your name, address and what neighborhood you represent. And I think is she going to use that microphone? Okay.

MS. RHATIGAN: Can you hear me?

HEARING OFFICER SPEER: We can hear you now.

MS. RHATIGAN: Cindy Rhatigan, 1339 Scarlet Trail, New Smyrna Beach, Florida, 32168.

And I agree partly with what you had said about the frequency having, you know, dropped to some

1 degree but I do know of a great deal of other  
2 residents who are impacted but who are very hesitant  
3 to, you know, come forward, either because they feel  
4 exhausted, exasperated, frustrated, they feel that  
5 it's doing no good or they're business people and  
6 they are afraid of any, you know, impact that might  
7 have on their business which is already struggling so  
8 I know of other people that are just as disgruntled  
9 about the noise as I am but who are not able and/or  
10 not willing to show up at these hearings or at these  
11 meetings to, you know, voice their concern or their  
12 fear or their unhappiness about the situation.

13 So I realize that the noise study, you know,  
14 is based on a 30-year model and that, you know, their  
15 findings are what they are but I am outside of that  
16 supposedly 65 decibel area but it doesn't feel like  
17 that when you're standing under it and it's plane  
18 after plane after plane after plane and it's nonstop  
19 and it's a nonstop noise issue. It's very, very  
20 disturbing and it's very nerve-wracking and it's  
21 not healthy. It's not a healthy situation.

22 And I am probably more impacted than most.  
23 A lot of people get up every morning and go off to  
24 their jobs so they're not impacted all day. I happen  
25 to work from my home. I chose my home because I

1 wanted to work from my home. I bought my home before  
2 the tower went in so, since the tower's been in and,  
3 you know, there's been an increase of traffic, which  
4 was needed in order to prove that their funds were  
5 needed to improve on the airport, we've had -- it's  
6 become almost unbearable to live in my home and work  
7 in my home so it -- I am gravely affected by the  
8 airport traffic and it is noisy irregardless of what  
9 your noise study has proven, it is very. And I know  
10 that there many others that are just as unhappy as I  
11 am, even though they are not going to always come to  
12 these meetings and show up because they did in the  
13 beginning but they've felt it was going nowhere and  
14 they gave up.

15 That's pretty much all I have to say

16 HEARING OFFICER SPEER: Record time. Thank  
17 you.

18 MS. RHATIGAN: You're welcome.

19 HEARING OFFICER SPEER: Anyone else?

20 Members of the Noise Abatement Committee are eligible  
21 to speak, if you'd like, also.

22 I guess that completes the number of people  
23 that want to have their say publicly and perhaps if,  
24 like Cindy, other people know neighbors that would  
25 like to complain more anonymously, we can probably

1 take some of these home and hand them out. They have  
2 to turn them in within two weeks, I believe. Is that  
3 correct?

4 MS. WALKER: May 4th.

5 HEARING OFFICER SPEER: It says on here  
6 somewhere. May 4th. They have until May 4th so  
7 that's about two weeks.

8 MS. WALKER: And we'll have the form  
9 uploaded tomorrow.

10 HEARING OFFICER SPEER: Okay.

11 MS. WALKER: It will probably be  
12 tomorrow afternoon because the person who takes care  
13 of that will be out of the office in the morning  
14 but --

15 HEARING OFFICER SPEER: If anyone here knows  
16 of people that really would like to make a statement  
17 but didn't want to come in to do it publicly, please  
18 call them, e-mail them, get ahold of them and  
19 tell them that these forms are available on line at  
20 the city website or they can go to Rhonda's office  
21 and get them and maybe some of us can take a couple  
22 home with us and pass them out to a couple neighbors  
23 that we know would like to have one.

24 MS. WALKER: We also have -- if you  
25 want to mention, we have the entire study for anyone



1 further comments, this public hearing is closed.

2 (Formal Public Hearing concluded at 7:51 p.m.)

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I, SHERYL N. BUSSINGER, CSR, Notary  
Public in and for the County of Volusia and State of  
Florida, do hereby certify that I was authorized to and  
did report the foregoing proceedings and this  
transcript, consisting of 8 pages, is a complete, true  
and correct record of the City of New Smyrna Beach  
Formal Public Hearing held on April 19, 2011.

IN WITNESS HEREIN, I have hereunto set my  
hand and seal this 25th day of April, 2011.

\_\_\_\_\_  
SHERYL N. BUSSINGER, CSR  
Certified Shorthand Reporter  
Notary Public

My notary commission expires: 4-18-15