



~SANFORD AIRPORT AUTHORITY~

**MINUTES OF THE REGULAR MEETING**  
*held at the ORLANDO SANFORD AIRPORT*  
**1200 RED CLEVELAND BOULEVARD, LEVEL II - BOARD ROOM**  
*Tuesday, September 12, 2006 - 9:00 a.m.*

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**I. CALL TO ORDER**

The regular meeting of the Sanford Airport Noise Abatement Committee was called to order at 9:00 a.m. by Chairman Wes Pennington, after which the mission statement was read. There being a quorum present.

Review of minutes of May 9, 2006 and August 9, 2006 meeting. Although a meeting was held in August, the minutes could not be approved due to lack of a quorum. Motion by Jack Dow and seconded by Michael Kern to approve the minutes. Motion carried.

Jack Dow stated that he reviewed five Issue Papers at the August SANAC meeting. Mr. Dow also stated that he received a good report from David Konstan on the sound abatement procedures done at some houses near the Orlando International Airport. Mr. Konstan stated that noise resulting from airplanes has been greatly reduced because of the sound abatement procedures.

Mr. Dow presented the noise report for August. Mr. Dow stated that we do receive an occasional complaint on general aviation which is generally that the planes are too loud and too low. Only one or two complaints per month are general aviation related.

Mr. Konstan stated that Orlando International Airport had only five complaints last month and that the numbers are down. He attributed this drop in the numbers to windows being closed and people having their air conditioner units on.

**+ Air Carrier Report –**

George Moss reported that their situation has not changed, and that they are still flying three B 727 charters, and eight jetstream – 31's out of the northeast.

Mr. Dow stated that Allegiant Air has added new flights to the following four new cities: Fayetteville-NC, Kinston-NC, Huntington-WV, Shreveport, LA. Allegiant Air flies to Roanoke, VA four times a week and this has been a very successful route.

**+ Committee/Public - None**

<b>Total Operations – August 2006</b>	<b>36</b>
<b>Total Noise Complaints</b>	<b>25,163</b>
<b>Noise Complaint Hotline</b>	<b>36</b>

<b>Complaints by Time of Day - August 2006</b>			
<b>Day</b> 0600 - 1900	<b>Evening</b> 1900 - 2200	<b>Night</b> 2200 - 0600	<b>No Time Given</b>
<b>16</b>	<b>10</b>	<b>10</b>	<b>0</b>

**Complaints by Residential Area:**

Heathrow	-	<b>8</b>	Timacuan	-	<b>1</b>
Hills of Lake Mary	-	<b>2</b>	Chase Groves	-	<b>0</b>
Sanford West	-	<b>11</b>	East of Airport (Geneva)	-	<b>12</b>
Lake Golden Area	-	<b>0</b>	Other Areas	-	<b>2</b>
Silver Lake Areas	-	<b>0</b>	Osteen	-	<b>0</b>
Enterprise	-	<b>0</b>	Magnolia Plantation	-	<b>0</b>
New Households	-	<b>0</b>	Repeat Households	-	<b>11</b>

**+ General Aviation Report –**

Michael Kern reported significant progress with the Airport Authority. Mr. Kern stated that at last month's meeting he talked about aircraft acquisition and increase in simulation. He stated that the next big step forward is the development of the new 28,000 sq. ft new building, south of the Operations Center, that was formerly the maintenance hanger. This is a major development. This will be the hanger for the new fleet and that would bring a total of six buildings to the campus. Half of the space would be the maintenance facility for the new aircraft and the other half will be the simulation center. Mr. Kern stated that they would be purchasing a Cirrus fleet and about 15 new simulators. A number of the older aircraft would still be maintained and operated out of the current fleet maintenance center.

Chairman Pennington asked how noisy is the Cirrus. Mr. Kern stated that it is a very quiet airplane and gave a description of the Cirrus. There would be more loft style training in the program that they are looking to get approval from the FAA. Chairman Pennington asked if this was upgrade training. Mr. Kern stated that it is a new direction in primary training. Chairman Pennington asked if Mr. Kern would take them on a tour of the new facility and he responded that he would be happy to do so when it is completed.

**+ FAA Report --** No representative was present at the meeting.

Mr. Dow stated that Stephen Bouchard, Tower Manager at OSIA was re-assigned to Pensacola. Mr. Hal Hewett is the Acting Tower Manager and would be attending SANAC and User Group meetings.

**II. OLD BUSINESS – Avigation - Easement/New Development**

Mr. Dow stated that last month there was a discussion regarding avigation easements and the committee had asked the City and County to present us with the mechanism for avigation easements, which they did. However, there were some questions on three developments. Both

Antonia Gerli and Tony Matthews were going to do some research on whether these three

developments were grand fathered in or if they have easements and present their report today.

Ms. Gerli stated that there are four projects in the works that are required to have aviation easements. Amberlee Townhomes is the big development located near the Airport on Airport Boulevard. Currently the site work is being done, but they have not done the final plat and that is when they are required to do the aviation easement. Ms Gerli explained that a lot of times the project change hands three or four times before they get to the final plat, therefore, it makes more sense to have the last company do the aviation easement because the final plat may not be platted for a few months. Vintage Oaks on Mellonville Avenue is required to have an aviation easement. The other two projects are located south of the Airport - one is across from Red Cleveland Boulevard with 600 units and the other is Pineway Estates, south of Pineway, with 11 one-acre lots.

David Konston asked what was the prior zoning on the land. Ms. Gerli stated that the two developments to the south - Suburban Estates and Pineway Estates would remain suburban estates because one unit per acre is a requirement south of Pineway. The other one south of Red Cleveland Boulevard has changed from suburban estates to low density residential.

Mr. Konstan asked how could an aviation easement be imposed on a piece of property that already has the zoning and where an aviation easement was not a requirement when they got that zoning. Ms. Gerli stated that the City's comprehensive plan states that if it is an existing platted lot it does not require an aviation easement, but if it changes from suburban estate to low density then they are required to have the aviation easement. Mr. Konstan stated they ran into a similar problem and the interpretation they got was the only place they could impose any type of airport restriction was on land where the usage was changing.

Mr. Matthews reported that the County had two projects come in where they required aviation easements. The County required those projects to go through a Development Order process, which is an agreement between the County and the developer. The first project is Sterling Meadows. Mr. Matthews stated that when it got rezoned there was language included that had to go on their plat. Recently, staff has discussed a good method in which to monitor it

Mr. Matthews stated that he would be going out and taking a look at the homeowners association documents because the deed restrictions should indicate that an aviation easement is required. The County is going to put a process in place to make sure that is done. The other project is Cameron Heights with 700 dwelling units; which would be treated in the same manner as Sterling Meadows.

Mr. Matthews stated that there is also a process for existing developments. He explained that if anywhere in the aviation easement boundary there is a subdivision that has been there for a numbers of years but has vacant lots it pre-dates the aviation easement. For, instance, if someone went in to buy a lot in that subdivision before they get their building permit, they must sign an aviation easement. That would cover those pre-existing and cover the new

development. In order to make sure this is done, the developers are required to provide the County with the homeowner's documents to look over.

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Mr. Konstan asked if the wording of the avigation easement states that the homeowner not file suit against the Airport because of noise, or does it simply warns them that there is noise in the area. Mr. Matthew stated that it is just a warning and that if someone brought a house in this area they are called to declare it. They are declaring that they are knowledgeable that they are in an avigation flight area. Mr. Konstan asked if it precludes them from filing suit against the Airport. Ms. Gerli stated that she thought it did preclude them but she would have to check into it.

Mr. Konstan stated that with the true avigation easement it does preclude it except that they cannot impose it on any land that has the zoning already, because it is considered down zoning from what already exists. A noise-impacted area is going to be less than a non-noise impacted area. Mr. Konstan requested a copy of the permit.

Oscar Redden asked if he brought a house where the agreement already existed but was unaware the property was already zoned, because it slipped through the cracks, would he have a right to complain. Mr. Matthews stated that the document was recorded in the public records and if the person from whom he brought the property did not make him aware, then he would have some opportunity towards that person not against the Airport.

Mr. Konstan stated that they have five different levels of notification and the most intense is the avigation easement where purchasers specifically waive their right to any lawsuit. Then it goes down to lesser levels of notification depending upon the zone they are in, and the zone is determined by the DNL. For example, if someone is in the 60 DNL, they totally waive their right.

Mr. Matthews stated that anyone can view the avigation easement boundary and the avigation easement document on the County's website in the Planning Development section.

Chairman Pennington asked if it is a state provision that a residential dwelling cannot be built within the 65 DNL. Mr. Matthews stated that when the County was drafting the language for the comprehensive plan their policy stated that within the 65 DNL residential is prohibited. Ms. Gerli added that was the recommendation from the Part 150 Study.

Mr. Dow requested that Mr. Matthews bring a copy of the permit to be brought to the next meeting.

### III. NEW BUSINESS

Mr. Dow stated that he received a call from a resident in the Wekiva Retreat. The complaint was about commercial aircraft flying over residential property adjacent to the Retreat including over her property. Mr. Dow requested that she provide him with a chart showing the dates and times, which she has not done as of this meeting and he also, invited her to attend today's meeting but she was unable to attend. Mr. Dow stated that we have two monarchs

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flying on Thursdays and Saturdays. Mr. Dow stated that he would continue to check with the resident.

Mr. Dale was curious as to why the complaints have started now that we changed the pattern since this is a long time resident and asked Mr. Dow to investigate.

#### **IV. Future Meetings**

The next SANAC meeting will be held on October 10, 2006 at 9:00 a.m.

#### **V. Adjournment**

There being no further business the meeting was adjourned.

Respectfully submitted,

Jack Dow, Vice President of Operations  
Sanford Airport Authority

#### **Members Present:**

Larry Dale – S AA  
Jack Dow – SAA (V)  
Antonia Gerli – City of Sanford  
Michael Kern – Delta Connection Academy *as Vice Chairman (V)*  
David Konstan – ANAC  
Tony Matthews – Seminole County  
George Moss – BMA, Director of Safety (V)  
John Omana – City of Lake Mary  
Wes Pennington – SANAC Chairman (V)  
Oscar Redden – City of Sanford Impacted (V)

#### **Others Present:**

Phyllis Gibson - SAA

#### **Members Absent:**

Bryce Courtney – MCO ATCT

Richard Gazda, Pan Am Training Center  
Hal Hewett – SFB ATCT  
Bruce Knobbs – MCO TRACON  
Jack Taylor – Seminole County Non-impacted (V)  
James Wilkes – Lake Mary impacted (V)