



TOWN OF EAST HAMPTON

159 Pantigo Road
East Hampton, New York 11937

KATHEE BURKE-GONZALEZ
Councilwoman

Tel: (631) 324-2620
Fax: (631) 324-6280
kburke-gonzalez@champtony.gov

Airport Statement Town Board Work Session April 7, 2015

Later this month, the East Hampton Town Board will consider an historic series of local laws intended to significantly reduce the ever increasing foot print of aircraft noise which has been negatively impacting East End residents for years.

When the Town Board considers these laws, we should not view it as the end of a process but rather the beginning of an on-going and productive commitment to balance the needs of airport users with the peaceful and rural lifestyle which makes East Hampton an attractive place to live, work and play.

For the past several years, and in particular over the past year, the Town has engaged in studies, public hearings and community outreach to find a solution to the terrible disturbance from aircraft noise. I am greatly indebted to the dozens and dozens – perhaps hundreds – of residents who have helped in this effort. I have made it clear from the start of my service on the Town Board that we did not begin this process with a specific outcome in mind – we have been transparent and open-minded about achieving the right balance.

There are four local laws under consideration:

- The first law calls for a mandatory nighttime curfew, from 11pm to 7am
- The second law calls for an extended curfew on noisy aircraft, from 8pm to 9am
- The third law calls for a ban of all helicopter operations on summer weekends from noon Thursday through noon Monday, May 1st to September 30th, and
- The fourth law would limit noisy aircraft to one trip – a single landing and takeoff – each week during the summer season.

At the public hearing last month and in written comments to the Town Board, we heard from both residents and elected officials that the four laws I proposed in February may not have struck the right balance. I have heard those criticisms and have concluded that we need to modify our approach.

I believe that there is a strong consensus that the first two rules which impose curfews on nighttime, evening and early morning operations are an essential part of any package. In addition, the one-trip-per-week proposal, which limits the volume and frequency of airport use by noisy aircraft types during the summer season, is also an essential component – as it limits the number of disruptions from the noisiest aircraft.

Residents who are impacted by loud and disturbing helicopter noise deserve meaningful relief. At the same time, the Town Board must be sensitive to the potential that the disturbance from helicopters would move from one part of town to another or from one part of the East End to another. Shifting the problem is not the answer, and has never been the answer, as we learned when the FAA's revised helicopter routes simply moved noise and complaints from one neighborhood to another.

Based on preliminary conversations with our expert on traffic diversion, there is a real risk that an unintended consequence of a ban on helicopters on weekends in the summer could be a shift of the impacts to Montauk as well as neighboring communities. I have long said that I will not push our problem on others and I will respect that commitment. According to our consultants, imposing the two curfews and the one-trip-per-week rule is well tailored to address our problem without creating unintended diversion. Therefore, we will hold off on moving forward with the helicopter ban at this time and will closely monitor the 2015 season.

In a letter dated February 9, 2015, the Concerned Citizens of Montauk (CCOM) expressed concern that the proposed legislation if adopted could impact Montauk's "economy, environment or residents' quality of life". The letter went on to state that CCOM believes strongly that the Town Board has "a responsibility to demonstrate whether alternatives to the proposed legislation could achieve similar results for East Hampton while minimizing or eliminating impacts for Montauk."

Mayor Mark Epley from the Village of Southampton expressed concern that eliminating helicopter activity on the weekends and holidays at East Hampton Airport could have a negative impact on the Village if operations were to shift to the Southampton Heliport – which is unmanned and lacks emergency services. In an email to the Town Board he stated, “If we received 10% of your overflow, operations would double leaving us with a serious safety issue.”

Councilwoman Jodi Giglio from the Town of Riverhead requested that the Town Board consider the effects that the proposed legislation would have on all East End Towns not just East Hampton. She said that a number of civic organizations representing Calverton, Wading River, and Jamesport shared her concern that “an unintended consequence of the proposed legislation will be an increase in helicopter noise over their communities from helicopters going from the Long Island Sound to Gabreski Airport.”

At the public hearing on March 12th the Town Board also heard Supervisor Anna Throne-Holst, and Councilwomen Christine Scalera and Bridget Fleming from the Town of Southampton raise similar concerns regarding helicopters diverting to Southampton and Westhampton and the impact that would have on those communities.

Therefore I propose that we schedule a vote to adopt three of the four proposed local laws – the two curfews and the one-trip-per-week limit on noisy aircraft – at our April 16th Town Board meeting. I believe that these three laws will decrease the potential of diversion to other neighboring airports, while providing meaningful relief to those affected by aircraft noise.

Like any balanced approach, the three laws will not make everyone happy. But I believe that the new package of curfews and a one trip limit on noisy aircraft is the most reasonable first step.

According to our noise consultant, HMMH, this one trip limit in conjunction with the two curfews will affect ...

- 75% of helicopter operations and 73% of associated complaints on weekends and holidays during the summer season, and

- 23% of all aircraft operations while addressing 60% of complaints on an annual basis.

That is, in my mind, meaningful relief. It is relief that our residents will receive without shifting the burden to other communities.

I feel it is also important that I address comments that have appeared in local papers by the aviation interests' paid publicists. Let me assure you that once these local laws are enacted, property taxes will not be required to support the East Hampton Airport. The assets at the Airport and revenue generated by the Airport will continue to adequately fund airport operations, capital improvements and potential litigation. Just as I am committed to noise relief for our residents and those in nearby towns, I am also committed to maintaining the Airport as financially self-sufficient.

It is important to understand that:

- Prior to the start of the season, the Town Board will consider a reasonable increase to landing fees. In addition, we will be making class corrections to the landing fee schedule. For example two Robinson helicopters – the R44 and the R22 – pay just \$27.50 to land. Obviously this landing fee needs to be adjusted.
- We will bring expiring leases up to full market value. Coupled with the vacant property, currently available property at the Airport equates to \$20 million in assets.
- The 2015 adopted Airport budget assumes a decrease in landing fee revenue. Even though \$1.7 million was collected in 2014, this year's budget projects \$1.4 million for landing fee revenue – \$300,000 less than what was actually collected.
- The 2015 adopted Airport budget also calls for a \$321,000 contingency to cover unanticipated costs.
- Once the Town's 2014 financial audit is completed, it is anticipated that the Airport fund will have a surplus of \$1.8 million, an increase of \$300,000 over the prior year.

Clearly we will have the cash flow necessary to support the East Hampton Airport.

I want to stress that my intent is for these three laws to be part of a much larger package of actions which I hope will bring both balance and civil dialogue to the problem of aircraft noise. Our objective is to make sure that we have a safe, quiet, economically viable, and environmentally friendly airport.

To that end, I will also be proposing a resolution later this month to commit to the “8-Point Airport Plan”.

Point 1: Local Laws. The first, of course, is the enactment of the three local laws. These laws will ensure peace and quiet at night and in the evening and morning hours and will limit the number of noisy helicopters and jets while still allowing reasonable access to the Airport. Despite our best efforts to achieve a careful balance in these new laws, we recognize that some well-funded but misguided opponents will nevertheless file lawsuits to challenge these laws. Let me make it clear that we will defend our actions whenever and wherever they are challenged.

Point 2: Airport Management Advisory Committee. We will appoint an Airport Management Advisory Committee which will be responsible for advising the Town Board and the Airport Director on the operation, maintenance, finances, capital improvements, and preservation of the East Hampton Airport. The Committee will consolidate into a single advisory group the several existing advisory committees and will include representatives from the range of interests who have been involved in the airport debate.

Point 3: Coordinate with the Congressional Delegation. We will continue to work closely with Congressman Zeldin in his efforts to convince the FAA to require helicopters to maintain a minimum altitude in their flights from New York City to the East End. We applaud the Congressman for his vigorous efforts so far and look forward to his keeping Congressional pressure on the FAA. We will also seek assistance from Senators Schumer and Gillibrand and other interested Members of Congress to ensure that our concerns are part of Congress’ debate over reauthorization of the FAA.

Point 4: Partner with Eastern Region Helicopter Council. We will take the Eastern Region Helicopter Council and other industry stakeholders up on their offer to develop voluntary procedures to mitigate helicopter noise in the short-term.

Point 5: Work with the FAA on Flight Tracks. We will invite airport users, their industry groups, and the FAA to join us in finding long-term solutions to noise problems that the Town cannot solve itself – problems involving flight tracks, altitudes, and flight procedures.

We call upon the FAA to establish a regional task force to look at these problems throughout the East End so that our friends in other Towns are included in the public dialogue and in the search for a regional solution.

Point 6: Improved Technology. We will improve our ability to record and track airport operations and noise problems through installation of an Airport Noise and Operations Monitoring System (ANOMS), and will work with the Air Traffic Control Tower, our operations billing contractor, Vector, and the operator of our complaint system, PlaneNoise, to make sure we have the best data available on operations at the airport.

Point 7: Study the Effectiveness of the New Laws. We will professionally study and evaluate the effectiveness of our initial efforts – including the new local laws – following the 2015 summer season. These studies will include analysis of the financial impact of the restrictions, their effect on noise and complaints, the diversion of traffic to other airports, and the effects of the restrictions on aircraft operators. We will convene a public meeting after the 2015 season to present the results of these studies and to hear from the public about whether any changes are needed in the restrictions for the 2016 season. I believe that I have demonstrated that we support a transparent and vigorous debate about these measures. And I intend to remain open-minded about any changes which are appropriate.

Point 8: Maintain the Airport as Safe and Efficient. In recognition that there is considerable deferred maintenance at the Airport, the Town will redouble its efforts to ensure that the Airport remains safe and efficient and will commit to implementing a methodical capital and maintenance plan for Airport facilities. We will ensure that the Airport remains self-sufficient and that the taxpayers of the Town are not burdened. We will work with the Airport engineer to identify priorities for maintenance and capital improvements, with a focus on maintaining and enhancing safety.

As I stated earlier, we must recognize that our proposed laws are not the end of a process but the beginning of a long-term commitment to achieving – and maintaining – the right balance between airport operations and our community's quality of life. I am committed to the 8-Point Airport Plan as a long-term effort and hope and expect that the community will join me in that effort.