

MINUTES OF MEETING OF THE AIRPORT ZONING BOARD  
 Held on Friday, April 26, 1957  
 In the Office of the Director of Aeronautics  
 Honolulu International Airport, Honolulu, T. H.

Present : Mr. George K. Houghtailing, Chairman  
 Mr. Lin San Lai, Member

Absent : Mr. Olen V. Andrew, Member (on the Mainland)

Also Attending: Mr. Bill H. Stowe, Hq., PACAF/FEAF (Rear)  
 Mr. McKenzie Shannon, 14th Naval District  
 Miss Ruth Brownell, 14th Naval District  
 Brig. Gen. A. R. Kier, 1st Marbrig., Kaneohe  
 Mr. Jack R. Cram, CO, MCAS, Kaneohe  
 Mr. H. A. Bullock, Hq., 7th AF  
 Mr. Ben D. Kosa, Hq., 7th AF  
 Mr. R. K. Campbell, CNAB, 14th Naval District  
 Mr. G. P. Koch, CO, Barber's Point  
 Mr. John V. Dolan, CAA  
 Mr. Mark E. Martin, HAC  
 Mr. Gilbert L. Livingston, HAC  
 Mr. Kazuyoshi Akita, HAC

The meeting of the Airport Zoning Board was called to order by the Chairman, Mr. George K. Houghtailing, at 10:07 a.m., in the Office of the Director of Aeronautics, Honolulu International Airport, Honolulu, T. H.

The Chairman advised that the purpose of the meeting was to consider the request of Rear Admiral Olsen, Commandant, Fourteenth Naval District, to zone, for airport purposes, the areas around Naval Air Station, Barber's Point; Marine Corps Air Station, Kaneohe Bay; and Bonham Auxiliary Landing Field, Kauai. He stated that it was a preliminary meeting to examine the problem before calling a public hearing.

Mr. Martin explained that, when the original Airport Zoning Regulations were adopted in 1953, the possibility of including certain military airports was considered; however, due to the urgency to get the regulations out in order to qualify the Hawaii Aeronautics Commission for Federal aid money (which was being withheld until the airports were properly zoned), the military airports were not included. He added that there were also other important considerations, such as:

1. The costs which the Territory would have to incur in promulgating and enforcing the regulations on behalf of the military (i.e., preparation of maps, photographs, and public hearings); and
2. The possibility of lawsuits resulting from the enforcement of these regulations, where the property owner might feel that he had been damaged in some way and might expect compensation. (The Airport Zoning Board and/or the Territory would be the first party in that case and, if they were penalized financially, it would appear that monetary consideration from the military would be in order if the zoning was for a military airfield.)

In reply to the Chairman's inquiry as to the urgency of the request, Mr. Shannon stated that, as far as the Navy is concerned, with respect to Kaneohe and Bonham, increased aircraft speed, new operating equipment, and noise factors indicate that it is most important that these airports operate under the protection of the

Airport Zoning Regulations on the same basis as civil airports. He added that, as for the financial participation mentioned by Mr. Martin, he felt that the Navy could help with aerial coverage; however, if any lawsuits should later develop, he does not know how they would be resolved or financed.

The Chairman explained that, in civil zoning, the protection of both the airport operators and the users of the adjoining areas was taken into consideration.

Mr. Cram, speaking on behalf of the Kaneohe Marine Corps Air Station, commented that the photographs covering the station and adjacent area, which were completed this year, are available now.

Mr. Martin showed the group the scale photo contour map used at Honolulu International Airport in interpreting the zoning regulations and in determining approximate ground elevations and allowable heights.

Mr. Cram stated that, with the present type of aircraft, they are more concerned with the noise factor, because of the airport location, than with height requirements.

Mr. Koch, speaking in regard to Barber's Point Air Station, stated that they have no problems there at present with regard to noise.

Mr. Martin advised that, when the intent of the Zoning Act was considered in 1953, Mr. Houghtailing felt strongly that it should provide protection for those on the ground as well as for aircraft, but that the Attorney General ruled that the Act was limited to the prevention of hazards to aircraft; that, under the present ruling by the Attorney General, there is no solution, through airport zoning, to the noise problem.

The Chairman stated that the City Planning Commission took the position that the adjoining areas should be used for "compatible" purposes (industrial, etc.), thus minimizing the noise problem.

The Chairman suggested that the military agencies approach the problem from the following standpoint:

1. Prevention of airport hazards as provided in current zoning regulations; and
2. Land use (which should be worked out with the City Planning Commission, spelling out "compatible" uses for adjoining areas).

He further advised that another meeting would be set up to bring out the specific problems and to determine how the Zoning Board should approach these problems.

Mr. Martin advised that the criteria for all of the civil airports within the Territory is very similar to CAA's TSO-N18.

Mr. Stowe suggested that "all" public airports be covered in general terms by the regulations, giving flexibility, with competent authority making appropriate decisions as to whether the full criteria or a reduced criteria would be applied in each case. He advised that some airports are due for expansion but that others are not subject to any expansion.

Mr. Martin stated that he did not feel that such can be done under the present act and that he believed specific airports must be identified and treated individually to take care of variables at each. He added that, before any additional airport is zoned or any changes are made to the existing regulations, the same procedure must be followed as in establishing the original regulations. He added, further, that once the Territory adopts the regulations, HAC will be the enforcement authority although, in case of any appeals or variances, the owning agencies of the airport would be consulted.

With reference to high towers, Mr. Stowe stated that they are pretty well controlled by the Airspace Subcommittee, which passes on all FCC applications for radio or television towers. Mr. Martin stated that, in the case of Honolulu/Hickam Airport, there is no great enforcement problem inasmuch as HAC, which is required to carry out enforcement, has as its agent the City Planning Commission, which routinely reviews all construction plans. Also, HAC has similar agents on the neighbor islands in that regard.

Mr. Martin stated that the present zoning regulations provide for the control of land use in regard to anything that might create hazards to flying aircraft but there is a legal opinion that the act would "not" cover control of land use in regard to protection for inhabitants around airports.


Mr. Kier stated that, if questionable areas are not zoned soon, public opinion may later become very strong to abandon operations and to find a new location.

Mr. Houghtailing suggested that the HAC attorney and the legal officers of the military agencies review the opinion of the Attorney General regarding control of land use. He stated that they would be tacitly condoning the opinion if they do not take a strong stand against it; further, that, if further development takes place at the airports, there would be more difficult problems later unless a firm position had been taken.

It was agreed that the representatives of the military agencies would work with Mr. Martin and, later, present their joint findings to the Zoning Board for review at a subsequent meeting; that, if there are other airports besides the three mentioned, they should be considered at the same time; and, to avoid future damage suits, this matter should be resolved while some of the areas are still vacant.

The meeting was adjourned at 10:50 a.m.

Respectfully submitted,

  
George K. Houghtailing, Chairman