

RESOLUTION 2009-2

WHEREAS, the O'Hare Noise Compatibility Commission (O'Hare Commission) is an intergovernmental entity whose responsibilities pursuant to the Intergovernmental Agreement Relating to the O'Hare Noise Compatibility Commission (Intergovernmental Agreement) among the City of Chicago and various other municipalities and school districts include directing the further development of the noise compatibility program for the O'Hare Affected Area, establishing criteria for the allocation of Approved PFCs for Approved Projects in the O'Hare Affected Area (as those capitalized terms are defined in the Intergovernmental Agreement), and advising the City of Chicago concerning Chicago O'Hare International Airport (O'Hare) related noise issues;

WHEREAS, on September 30, 2005, the Federal Aviation Administration (FAA) issued a Record of Decision (ROD) regarding the O'Hare Modernization Program (OMP), whose implementation will alter the areas affected by aircraft noise, and consequently the particular dwellings impacted by such noise and potential eligibility to receive sound insulation;

WHEREAS, Section 9.1 of the FAA's ROD requires that sound insulation be offered to eligible residences that the FAA projects will affect by implementing the OMP, specifically residences that experience a yearly average day-night sound level (DNL) increase of 1.5 decibels or more within the 65 DNL or greater contour of the OMP Build-Out Noise Contour (Build-Out Noise Contour), or which are newly within the 65 DNL or greater noise contour according to the projected Build-Out Noise Contour map;

WHEREAS, pursuant to the FAA ROD and a survey conducted by the City of Chicago Department of Aviation, there are approximately 6,080 dwellings which will be eligible for sound insulation by the conclusion of the OMP Build-Out, planned for 2014;

WHEREAS, the implementation of the OMP is proceeding in stages, and the 2006, 2007, 2008, and 2009 Program years, involving the sound insulation of approximately 3,163 dwellings, are in support of Phase I of the OMP, with the remainder to follow in the years leading to 2014 and Full Build-Out;

WHEREAS, the O'Hare Commission intends to offer sound insulation to the eligible residences that the FAA has projected will be impacted by the implementation of the OMP, and as required by the ROD, in a process that, as described above, will require several Program years to implement;

WHEREAS, pursuant to the Intergovernmental Agreement, the O'Hare Commission desires to establish criteria for the 2009 Program Year of the

Residential Sound Insulation Program (Program) at O'Hare using the projected Build-Out Noise Contour;

WHEREAS, the O'Hare Commission finds that it is reasonable to continue with the Program required by the ROD by offering sound insulation to residences located in the areas that the FAA has determined will be impacted by aircraft noise associated with Phase I of the OMP, although it is understood that sound insulation of the eligible residences located in these areas will require more than one Program year;

WHEREAS, the O'Hare Commission desires to continue the practice of block-rounding, as first adopted in 2001 in O'Hare Commission Resolution No. 2001-8 in order to sound-insulate those homes on both sides of the street and up to the next intersection or street change, provided that the homes are on a block where an individual home is within the 65 DNL of the Build-Out Noise Contour;

WHEREAS, the O'Hare Commission has adopted criteria for determining the eligibility of dwellings to receive sound insulation under the Program in O'Hare Commission Resolution Nos. 2006-3, 2007-4, 2007-5 and 2008-3, which will now include multi-unit residences;

WHEREAS, the O'Hare Commission determined that no dwelling (e.g. single family home or multi-family building) for which a building permit for new construction is or was obtained after September 30, 2005 (Eligibility Date) shall be eligible to participate in the Program, pursuant to the FAA correspondence to the Department of Aviation dated August 10, 2006 regarding Residential Sound Insulation Program eligibility;

WHEREAS, the O'Hare Commission has identified the dwellings located in the areas that are associated with the construction in Phase I of the Build-Out Noise Contour and will continue to use the boundaries (Regional Groupings) as established in the Fairness Policy as first adopted in 2006 in O'Hare Commission Resolution No. 2006-3 and in subsequent Resolution Nos. 2007-4, 2007-5 and 2008-3;

WHEREAS, the O'Hare Commission has established a Multi-Owner Building Policy to provide guidance for the implementation of sound insulation to multi-owner buildings which are managed by governing boards, management companies, or other formal management structures for the 2009 Program Year and beyond, as set forth in O'Hare Commission Resolution No. 2009-1;

WHEREAS, for the 2009 Program Year, the O'Hare Commission finds that it is reasonable to offer sound insulation to multi-family and multi-owner buildings as established in the Multi-Owner Building Policy as newly adopted in Resolution 2009-1, now that the specifications for the sound insulation of buildings containing more than four stories have been developed;

WHEREAS, because the only remaining dwellings eligible for sound insulation associated with Phase I of the OMP (after the dwellings in Park Ridge Regional Grouping 2 and Chicago Regional Grouping 3 have been sound insulated) are those dwellings located in the Schiller Park 1 Regional Grouping and the Chicago 1 Regional Grouping, the O'Hare Commission recommends that:

- I. single-family and multi-family buildings within the Park Ridge 2 (PR2) and Chicago 3 (CH3) Regional Groupings be included in the 2009 Program Year, and
- II. in order to sound-insulate as close to 1,000 homes as possible in the 2009 Program Year, should owners of the eligible dwellings within the Regional Groupings identified in Exhibit A of this Resolution decline participation in the Program, and subject to availability in the Program, multi-owner buildings within the Schiller Park 1 (SP1) and Chicago 1 (CH1) Regional Groupings shall be included in the 2009 Program Year as Alternates;

WHEREAS, the O'Hare Commission finds that the chart attached to this Resolution as Exhibit A identifies the single-family, multi-family, and multi-owner buildings within the Regional Groupings that are eligible for participation in the 2009 Program Year and achieves the goals set forth above;

NOW THEREFORE, be it hereby resolved by the O'Hare Commission that:

1. The above recitals are hereby incorporated by reference as if expressly set forth herein.
2. Subject to available funding, the 2009 Program Year should offer sound insulation to the residences listed on Exhibit A of this resolution.

DATED this 6th day of March, 2009.

Ayes: 21 Nays: 0 Absent: 8 Pass: X



Arlene J. Mulder, Mayor of Arlington Heights
Commission Chairperson

Attachment: Exhibit A 2009 Residential Sound Insulation Program

Exhibit A 2009 Residential Sound Insulation Program

REGIONAL GROUPINGS*	REMAINING HOMES		TOTAL
	SINGLE	MULTI	
Park Ridge (PR2)	243	143	386
Chicago (CH3)	565	56	621
Total			1007
Alternates			
Schiller Park (SP1)	0	110	110
Chicago (CH1)	0	90	90
Total			200
TOTAL ELIGIBLE DWELLINGS**			1207

*Regional Groupings within the Phase I of the O'Hare Modernization Program.

**Total allocation of homes exceeds 1,000. The ONCC anticipates some number of homeowners will decline the Program.

***Dwellings identified as Alternates will be included into the Program based on availability and in the order listed above.