



Town of New Fairfield

*Selectmen's Office
4 Brush Hill Road
New Fairfield, Connecticut*

**BOARD OF SELECTMEN
REGULAR MEETING
ZOOM MEETING**

Join Zoom Meeting
<https://zoom.us/j/94855342240>
Meeting ID: 948 5534 2240
Dial In: (929) 205 6099

**Thursday, November 12, 2020
7:30 P.M.
AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Public Comment & Participation
4. Correspondence & Announcements
5. Approve Minutes of Board of Selectmen Regular Meeting October 22, 2020
6. Budget Transfers
7. Personnel Report
8. Appointments

Old Business

9. Candlewood Lake Authority Public Safety Update
10. COVID-19 Update
11. STEAP Grant Update
12. Noise Ordinance
13. Driveway Approval Aberdeen Acres Re-Subdivision

New Business

14. COVID Relief for Small Business
15. Public Comment
16. Teamsters Local 677-911 Dispatchers Grievance. Discuss and possibly vote to approve MOA

Executive Session Anticipated

17. Adjournment

Received for Record NOV 10 2020
at 4 h 24 m P M and recorded by
Pamela J. Dohan
Pamela J. Dohan, Town Clerk, New Fairfield, CT



STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT

11/9/2020

Town of New Fairfield
The Honorable Pat Del Monaco
4 Brush Hill Road
New Fairfield, CT 06812-8896

Dear First Selectman Del Monaco:

Governor Ned Lamont and I would like to congratulate you and the Town of New Fairfield on your \$128,205.00 grant through the 2020 Small Town Economic Assistance Program (STEAP) for the following project:

PROJECT NAME: COVID Related HVAC Improvements
PROJECT DESCRIPTION: Air quality improvements at town hall
Qualifies for COVID-Related Project Provision: YES
Other Comments (if applicable): N/A

Please confirm your award no later than 12/9/2020, by contacting Acting Undersecretary Martin Heft at the Office of Policy and Management at Martin.Heft@ct.gov.

The Department of Public Health will administer your award. We are providing a copy of this letter to Thomas Okafor of Department of Public Health. After confirming your award with Martin Heft, please contact Thomas Okafor, at Thomas.Okafor@ct.gov as soon as possible to begin the grant contract process.

You should not proceed with any anticipated STEAP-funded project work until you are fully aware of any contractual terms required by the administering agency. This letter does not constitute a contract.

Please keep in mind that your receipt of these STEAP funds will be contingent upon your compliance with the rules and regulations of the agency that administers your award, and reimbursement(s) of funds will not occur without a fully executed agreement between the municipality and the state administering agency.

Thank you and best of luck with your project.

Sincerely,

A handwritten signature in cursive script that reads "Melissa McCaw".

Melissa McCaw, Secretary

C: Martin Heft, Acting Undersecretary, OPM
Thomas Okafor- Department of Public Health



TOWN OF NEW FAIRFIELD
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
4 Brush Hill Road
New Fairfield, CT
06812-2619

TOWN ENGINEER
Antonio Iadarola, P.E.

October 25, 2020

Planning Commission
4 Brush Hill Rd.
New Fairfield, CT, 06812

RE: Aberdeen Acres Re-Subdivision
Site Plan Revision
Revised Common Driveway Design

Dear Chairman and Commission Members:

I have reviewed a Letter Dated October 19, 2020 Prepared by Artel Engineering Group, LLC, Revised Common Driveway Plan dated September 4, 2020, and Revised Common Driveway Profile also dated September 4, 2020 all prepared by Artel Engineering Group, LLC.

Please be advised that these plans incorporate my review comments that I was not able to put on the record since the Commission approved this resubdivision prior to me submitting them. In addition, I have reviewed the request to waive the driveway grade from maximum of 12 percent to max of 13.7 percent and I have no opposition to doing this since it provides for considerably less disturbance and fits into the existing site features better. Should the Commission approve this waiver then a positive referral in a form of a letter shall be made to the Board of Selectman.

I have also revised my Bond requirements to a total of \$50,000 since the commission allowed this driveway to be constructed of millings instead of bituminous concrete.

In addition to the existing driveway requirements that the Town has, the developer must also comply to these additional requirements for the construction of this common driveway

1. Construct common driveway so that it meets all Town's ordinances and regulations in addition to complying to all of the approved plans and specifications as recorded and approved by the Planning Commission.
2. Final width must not be less than 18 feet, unobstructed.
3. Proposed drainage must be installed to facilitate draining of the common driveway and in this case a slight crown may need to installed to do that.
4. A bond in the amount of \$50,000.00 must be posted with the First Selectman before any work can start on this Common Driveway. No incremental bond reductions will be given on this project.

BUILDING & GROUNDS DIVISION ♦ ENGINEERING ♦ HIGHWAY DIVISION ♦
RECYCLING DIVISION ♦ VEHICLE MAINTENANCE
OFFICE LOCATION: TOWN GARAGE 188 ROUTE 37, NEW FAIRFIELD, CONNECTICUT 06812
PHONE: (203) 312-5628 ♦ FAX: (203) 312-5678
PART-TIME TOWN ENGINEER HOME PHONE 203-746-0503

5. Common Driveway must be constructed to a point as determined by the Town Engineer in the field up to and including a portion of the single driveways serving the individual proposed homes.
6. A maintenance agreement must be submitted to the Town Engineer for approval and once approved, filed on the land records for both lots. Proof of filing is required. The Bond will not be release until this is completed.
7. All erosion and sediment control must be installed and approved prior to the construction of the Common Driveway. These measures must be maintained until the project is completed and no threat of any erosion exists.
8. The portion of driveway within the Town's ROW and just past that point must be paved. Current drainage design anticipates a hard surface wearing course such as compacted millings.
9. Construction Inspections of this driveway are required. It is the responsibility of the applicant to make sure that the Town Engineer has been scheduled to perform inspections at critical points during construction and that at least 48 hrs. notice has been provided. These inspections include installation of Erosion and Sediment controls, clearing and grubbing/establishment of subbase also known as box out of the driveway, verification of grades at subbase level, Installation of gravel base for Common driveway, compaction inspection of gravel base, verification of grades on gravel base, inspection of drainage system prior to backfilling, paving inspection, final inspection for sediment and erosion removal. The Town Engineer will bill the applicant for these inspections and invoices must be paid prior to release of the Bond.
10. An as-built from a licensed surveyor must submitted for final approval and release of the bond. It must show location of the common driveway within the accessway, grades of the driveway, all drainage system components including inverts. It is highly recommended that the driveway be surveyed often during construction to make sure that it is being constructed in the proper location and to the proper grades so that there are no issues with final as-built when submitted.
11. Unforeseen conditions may require addition work and that work may be directed by the Town Engineer at his sole discretion during the construction of the common driveway.
12. A preconstruction meeting is always recommended and should be done well in advance of the start of construction.

If you have any questions or concerns, please call me.

Sincerely,

Tony Iadarola

Tony Iadarola, P.E.
Town Engineer

cc: First Selectman Office
File

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RECYCLING DIVISION ♦ VEHICLE MAINTENANCE
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§ XX-1

Purpose.

It is the intention of this chapter to carry out and effectuate the public policy of the State of Connecticut, the federal government and the Town of New Fairfield concerning the regulation of those activities causing excessive noise and noise disturbance within the Town of New Fairfield. It is recognized that excessive noise is a serious hazard to the health, welfare and quality of life of all citizens and that each person has a right to an environment free from noise that may jeopardize their health, safety or welfare.

§ XX-2

Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter.

BACKGROUND NOISE. Noise which exists at a point as a result of the combination of many distant sources, individually indistinguishable. In statistical terms, it is the level which is exceeded 90% of the time (L90) in which the measurement is taken.

COMMERCIAL ZONE. Those areas designated for commercial use in the Zoning Regulations of the Town of New Fairfield.

DAYTIME HOURS. Hours between 7:30 a.m. and 7:30 p.m., Monday through Saturday, and the hours between 10:00 a.m. and 7:30 p.m. on Sundays and holidays.

DECIBEL. A unit of measurement of the sound level.

EMERGENCY. Any occurrence involving actual or imminent danger to persons or damage to property which demands immediate action.

EXCESSIVE NOISE. Any sound, the intensity of which exceeds the standard set forth in § XX-3 of this chapter.

INTRUSION ALARM. A device with an audible signal which, when activated, indicates intrusion by an unauthorized person. Such alarm may be attached to, or within, a building, structure, property or vehicle.

LAWN CARE AND MAINTENANCE EQUIPMENT. All engine- or motor-powered garden or maintenance tools intended for occasional use in residential districts, typically capable of being used by a homeowner, including, but not limited to, lawn mowers, riding tractors, snow blowers, and including equipment intended for infrequent service work in inhabited areas, typically requiring skilled operators, including, but not limited to, chainsaws, log chippers or paving rollers.

MOTOR VEHICLE. Shall be given that meaning which is provided for by Connecticut General Statutes, § 14-1(a)(47).

MOTORBOAT. Shall be given that meaning which is provided for by Connecticut General Statutes, SS15-127.

NIGHTTIME HOURS. The hours between 7:30 p.m. and 7:30 a.m., Sunday evening through Saturday morning, except that "nighttime hours" shall mean the hours between 7:30 p.m. Saturday and 10:00 a.m. on Sunday and 7:30 p.m. of the day preceding a recognized national holiday and 10:00 a.m. on said holiday.

PERSON. Any individual, firm, partnership, association, syndicate, company, trust, corporation, municipality, agency or political or administrative subdivision of the State or other legal entity of any kind.

PREMISES. Any building, structure, land or portion thereof, including all appurtenances, and shall include yards, lots, courts, inner yards and real properties without buildings or improvements owned or controlled by a person.

PROPERTY LINE. That real or imaginary line along the ground surface and its vertical extension which separates real property owned or controlled by any person from contiguous real property owned or controlled by another person, and separates real property from the public right-of-way.

PUBLIC PLACES. Those areas within the jurisdiction of the Town of New Fairfield that are open for use by the public, including, but not limited to,

- (1) School grounds, town parks and other property owned by the Town of New Fairfield,
- (2) State Parks,
- (3) Recreational areas within the jurisdiction of New Fairfield associated with Candlewood Lake, Squantz Pond, and Ball Pond, whether privately or publicly owned, and
- (4) Retail spaces.

RESIDENTIAL ZONE. Those areas designated for residential use in the Zoning Regulations of the Town of New Fairfield.

SOUND. A transmission of energy through solid, liquid or gaseous media in the form of vibrations which constitute alterations in pressure or position of the particles in the medium and which, in air, evoke physiological sensations, including, but not limited to, an auditory response when impinging on the ear.

SOUND LEVEL METER. An instrument, including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels. The sound level meter shall conform to the ANSI Specifications for Sound Level Meters, S1.4-1971.

SOUND REPRODUCTIVE DEVICES. May include but is not limited to speakers, megaphones, horns, or other device that broadcasts and magnifies sound.

VESSEL. Shall be given that meaning which is provided for by Connecticut General Statutes, SS15-127.

XX-3 Prohibited Activities and Noise Levels.

A. The following activities shall be prohibited:

- (1) The use of Sound Reproductive Devices to broadcast sound, whether on land or on a waterbody within the jurisdiction of New Fairfield, in a manner that a reasonable person would conclude disturbs the right of residents and visitors to the peaceful enjoyment of their home and public places, except during events specifically sponsored or permitted by the Town of New Fairfield.
- (2) Permitting any animal, bird or fowl in one's possession or under one's control to make any frequent or continued noise beyond 15 minutes of such character or intensity that a reasonable person would conclude it disturbs the right of residents and visitors to the peaceful enjoyment of their home and public places.
- (3) Noise emitted repeatedly from a specific motor vehicle, including motorcycles and motorboats, that is not muffled to meet standard practices and is emitted in a manner that a reasonable person would conclude disturbs the right of residents and visitors to the peaceful enjoyment of their home and public places.

(4) Noise from lawn, garden, and tree trimming operations in a residential zone during the nighttime in a manner that a reasonable person would conclude disturbs the right of residents and visitors to the peaceful enjoyment of their home and public places.

B. Exceeding the noise levels specified in this section shall be prohibited.

(1) Noise zones within the Town of New Fairfield shall be classified according to the zoning applicable to the parcel or tract of land from which noise is emitted and the surrounding parcels or tracts on which noise is received, provided that any parcel whose use is lawfully nonconforming to its zone at the time this article is enacted shall be classified for noise emission purposes according to the zone appropriate for the nonconforming use.

(2) It shall be unlawful for any person to emit or cause to be emitted any noise beyond the boundaries of his/her premises, vehicle, vessel, motorboat, or recreational gathering in excess of the noise levels established in this section. Measurements ~~shall~~ shall be taken either on the property from which the excessive noise has been heard or at a point that is located at least approximately ten or more feet beyond the boundary of the emitter's premises, vehicle, vessel, motorboat, or recreational gathering. The emitter's premises includes his/her individual unit of land or ground or contiguous parcels under the same ownership, as indicated by the public land records.

Zone In Which Emitter

Is Located

Zone in Which Receptor is Located

	Residential			
	Industrial (dBA)	Commercial (dBA)	Daytime Hours (dBA)	Nighttime Hours (dBA)
Industrial	65	60	55	45
Commercial	60	60	55	45
Residential/ Recreational	55	55	55	45

(3) A person conducting sound measurements shall have been trained in the techniques and principles of sound measuring equipment and instrumentation. Instruments used to determine sound level measurements shall be sound level meters as defined by this article.

(4) In those individual cases where the background noise levels caused by sources not subject to this article exceed the standards contained herein, a source shall be considered to cause excessive noise if the noise emitted by such source exceeds the background noise level by five dBA, provided that no source subject to the provisions of § XX-3 shall emit noise in excess of 80 dBA at any time, and provided that this section does not decrease the permissible levels set forth in any other section of this article.

§ XX-4

Exclusions. Maximum noise levels established pursuant to § XX-3 hereof shall not apply to any noise emitted by or related to:

- A. Natural phenomena.
- B. Any bell or chime from any building clock, school or church.
- C. Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm system used in an emergency situation. This exclusion does not include, however, intrusion alarms attached to any building, structure, or property not terminating within 30 minutes after being activated or any intrusion alarm attached to a vehicle not terminating within 10 minutes after being activated. The repetition of activation of the audible signal of an intrusion alarm due to malfunction, lack of proper maintenance, or lack of reasonable care shall be considered excessive noise.
- D. Warning devices required by OSHA or other state or federal safety regulations.
- E. Noise created as a result of an emergency, including, but not limited to, the use of emergency generators.
- G. Activities sponsored by or specially licensed or under permit from the Town of New Fairfield ~~or the New Fairfield Public Schools~~, including, but not limited to, parades, sporting events, concerts, recreational activities, ~~the Hahlawah Rifle and Pistol Club~~, ~~the New Fairfield/Sherman Animal Welfare Society~~ and firework displays. This exclusion applies only if noise discharged from exhausts is adequately muffled to prevent loud and/or explosive noise therefrom. Moreover, patriotic or public celebrations may not extend longer than one calendar day. Shooting from the ~~Hahlawah Rifle and Pistol Club~~ may not run beyond the hours of 10:00AM-12:30 on Sunday mornings.
- H. Noise from snow removal equipment, provided that such equipment shall be maintained in good repair so as to minimize noise, and noise discharged from exhausts shall be adequately muffled to prevent loud and/or explosive noises therefrom.
- I. Utility maintenance, including, but not limited to, the removal of fallen trees and the installation and repair of utility wires and poles.
- J. Town of New Fairfield construction, road repair, and tree removal operations or tree removal operations under an Emergency Declaration.
- K. Activities conducted by the Town of New Fairfield in a governmental capacity or by the State of Connecticut or by the government of the United States.

§ XX-5

Motor vehicle noise.

All motor vehicles operated within the limits of the Town of New Fairfield shall be subject to the noise standards and decibel levels act forth by Connecticut General Statutes, §§ 14-80 and 14-80a, and the regulations issued thereunder.

§ XX-6

Administration and Penalties for offenses.

- A. Enforcement of this chapter rests with the Chief of Police or his/her delegate. In the case of Candlewood Lake or Squantz Pond State Park, the Connecticut Department of Energy and Environmental Protection may also enforce the requirements of this chapter.
- B. Any person violating this chapter shall be fined two hundred fifty dollars per citation or the maximum dollar amount allowed by state statute.

§ XX-7

Variances.

Any person living or doing business within the Town of New Fairfield may apply for a variance from one or more of the provisions of this article in accordance with the procedures established by this chapter. No variance shall be issued unless it has been demonstrated that the proposed activity will not violate any provisions of the Connecticut Department of Environmental Protection regulations as set forth in Connecticut General Statutes, § 22a-69 et seq.