



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

July 31, 2019

REVISED

Email: crodriguez@fam66.us

FAM Construction, LLC
Carlos Rodriguez, Deputy Environmental Manager
3877 Fairfax Ridge Road, Suite 300C
Fairfax, Virginia 22030
(571) 524-8477

Re: Noise Waiver: Nighttime construction activity related to the Transform I-66 Project
ZIB Log Ref.: 2019-1442 related to 2018-1053

Date of Commencement: July 9, 2019

Date of Expiration: July 9, 2020

Dear Mr. Rodriguez:

This letter supersedes the Noise Waiver issued on July 9, 2019 and clarifies the construction activities and hours table found on page two. The July 9, 2019 letter was in response to your request dated June 12, 2019, and received by this office on June 20, 2019, for a Noise Waiver to allow outdoor construction related to the Transform I-66 Project commencing on July 6th, 2019 and valid through July 6th, 2020 on Interstate 66 from Interstate 495 to the western county line. The proposed construction activities will consist of clearing and grubbing, utility location and installation, soil/geotechnical boring, soil sampling, maintenance of traffic (MOT) activities, milling and paving, excavation, compaction, grading, bridge and structure demolition, roadway demolition, caisson drilling, pile driving, bridge construction, sign installation, electrical installation, guardrail and barrier repairs, overhead aerial utility work, installation of lighting, bridge rehabilitation, installation of temporary and permanent concrete barriers, roadway realignment, installation of retaining walls, opening and backfilling of utility trenches, installation of noise barrier walls, removal of noise barrier walls, gantry removal and installation, directional boring, installation of erosion and sediment (E&S) controls, pouring of concrete, and installation of abutments, piers, and girders.

Pursuant to Par. (b) of Sect. 108.1-4-1 of the Fairfax County Noise Ordinance (Chapter 108.1 of the Fairfax County Code), **outdoor construction is prohibited between 9 p.m. and 7 a.m. on Sunday through Thursday, or between 9 p.m. and 9 a.m. on Fridays, Saturdays, and the day before a federal holiday.** Pursuant to Sect. 108.1-6-1 of the Noise Ordinance, any person responsible for any noise source may apply to the Director of the Department of Planning and Zoning for a waiver from the provisions of the Noise Ordinance. The equipment that you are proposing to use during construction includes but is not limited to: bull dozers, earth grading equipment, excavators, loaders, cranes, pile driving equipment, boring equipment, bucket trucks, generators, concrete trucks, pump trucks, air compressors, light plants, vacuum trucks, jackhammers, hoe rams, concrete demolition equipment, skid steers, milling machines, asphalt paving machines, dump trucks, augers, traffic control service trucks, hydro demolition trucks, road sweepers, and directional drilling equipment.



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Department of Planning and Development
Zoning Administration Division
Zoning Permits Branch
12055 Government Center Parkway, Suite 829
Fairfax, Virginia 22035-5507
Phone 703-324-4300 FAX 703-324-1343
www.fairfaxcounty.gov/planning-development

Given the proximity of the construction activities to adjacent residences, the desire to complete the construction as expeditiously as possible, and the need to operate certain heavy construction equipment to perform the construction, your request has been approved pursuant to Par. (b) of Sect. 108.1-4-1 and subject to the following conditions and the construction activities and hours table:

Construction Activities and Hours				
P = Permitted; NP = Not Permitted				
Time of Day	7 a.m. to 11 p.m. (Mon. – Fri.)	9 a.m. to 11 p.m. (Sat., Sun, Fed. Holidays)	11 p.m. to 7 a.m. (Sun. – Thurs.)	11 p.m. to 9 a.m. (Fri., Sat. and day before a Fed. Holiday)
Construction Activity				
Saw Cutting, Jack Hammering, Pile Driving, Hoe Ramming, Blasting, or the use of Woodchippers/Grinders during any construction activity	P	P	NP	NP
Excavation	P	P	P	P
Concrete Pouring & Placing	P	P	P	P
Installation of E&S Controls	P	P	P	P
Clearing & Grubbing	P	P	P	P
Utility/Drainage Installation, Backfilling, Trenching, & Directional Boring	P	P	P	P
Soil/Geotechnical Boring & Soil Sampling	P	P	P	P
Milling, Paving, MOT Installation, & Roadway Realignment	P	P	P	P
Caisson Drilling, & Abutment Installation	P	P	P	P
Bridge & Structure Demolition	P	P	NP	NP
Bridge Construction	P	P	P	P
Sign Installation, Electrical Installation, Gantry Removal, & Guardrail/Barrier Repairs	P	P	P	P
Aerial Utility Work, & Installation of Lighting	P	P	P	P
Removal/Installation of Noise Barriers & Retaining Walls	P	P	P	P

In addition, this Noise Waiver is subject to the following requirements:

Administrative Requirements:

- FAM Construction, LLC shall contact all abutting property owners or the property owner's agent, and provide each with a copy of the construction schedule and the approved Noise Waiver.
- The information contained within this Noise Waiver shall be disseminated to all persons operating construction equipment or vehicles at night, in association with this project. This condition shall include, but not be limited to, employees of FAM Construction, LLC its contractors or sub-contractors, and motor vehicle equipment operators.
- A copy of this Noise Waiver must be kept at the construction site, and a copy made available to any person who requests such information.
- If necessary, changeable copy illuminated message signs are to be used to inform the public of the projected duration dates of this project. The changeable copy illuminated signs are to be installed in accordance with the Virginia Department of Transportation's (VDOT) requirements.
- The Department of Public Safety Communications (571-350-1710) shall be notified, every night before there is a partial closure or complete closure of any roads associated with this project.
- FAM Construction, LLC shall submit additional Noise Waiver Modification Requests, ten (10) business day prior to the commencement of any/all demolition activities related to this project.

Noise and Glare Mitigation Requirements:

- **The use of jackhammers, hoe rams, and pile drivers between the hours of 11 p.m. and 7 a.m. on Sunday through Thursday, or between 11 p.m. and 9 a.m. on Fridays, Saturdays, and the day before a Federal holiday (nighttime) is prohibited.**
- **The use of asphalt saws between the hours of 11 p.m. and 7 a.m. on Sunday through Thursday, or between 11 p.m. and 9 a.m. on Fridays, Saturdays, and the day before a Federal holiday (nighttime) is prohibited.**
- The parking, staging, loading, or unloading of any vehicle associated with this project must be in areas away from residential areas.
- All motorized vehicles and equipment used on this project must be equipped with proper mufflers.
- In order to minimize the use of back-up alarms on commercial vehicles and equipment, arrange your delivery routes accordingly.
- The banging of tail gates is strictly prohibited. Brief the drivers associated with this project daily about this prohibition.
- Moving, removing and placing equipment, components, new materials and spoil shall not take place in any residential area and shall take place in such a manner that the removal, movement

or placement of such equipment, materials, spoil, etc. onto the pavement or other surfaces does not create a distinct or sharp impact or contact with the ground, pavement, in any vehicle or refuse container.

- All lights used to illuminate the project site, including any staging areas related to this project and subject to this Noise Waiver, shall be directed downward and away from all residential area and occupied commercial buildings.
- This Noise Waiver is approved for FAM Construction, LLC their employees, contractors or subcontractors and is valid only for the property detailed above and for the dates and times listed and is not transferable to other construction sites.
- At no time should construction activities on the project site generate sound pressure levels in excess of 90 dBA, when measured at residential property boundaries of the sound source or at any point within any other residential properties affected by the sound, in accordance to Sect. 108.1-5-1(k) of the Fairfax County Noise Ordinance.

The designated emergency contacts for this project and their contact information are detailed below:

Roberto Martinez	Segment 1 Manager	FAM Construction, LLC	(571) 665-0096
Ismael Javierre	Segment 2 Manager	FAM Construction, LLC	(571) 665-0089
Alejandro Soliño	Segment 3 Manager	FAM Construction, LLC	(817) 913-2615

The operation of construction equipment, which is not in accordance with this approval, will be in violation of Section 108-4-1(b) of the Fairfax County Noise Ordinance. **In the event of any complaints from the occupants of nearby properties, this Noise Waiver may be modified or revoked.** Should you have any questions, please contact me at (703) 324-4300.

Sincerely,



Austin Gastrell, Senior Inspector/Planner
Department of Planning and Development
Zoning Permits Branch

ZIB Log Ref.: 2019-1442 related to 2018-1053

cc: John Cook, Supervisor, Braddock District
Catherine Hudgins, Supervisor, Hunter Mill District
Linda Smyth, Supervisor Providence District
Pat Herrity, Supervisor, Springfield District
Kathy Smith, Supervisor, Sully District
Fairfax County Police, Fair Oaks District Station
Fairfax County Police, McLean District Station
Fairfax County Police, Sully District Station
Public Safety and Transportation Operations Center
Barbara Byron, Director, Department of Planning and Development
Eric K. Fisher, Fire & Rescue Department
Tom Cheung, Program Manager, VDOT
Department of Code Compliance
Lorrie Kirst, Assistant Zoning Administrator