



# County of Fairfax, Virginia

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

July 25, 2019

Email: Ricky Meyer <rmeyer@shirleycontracting.com>

Shirley Contracting Company, LLC (Shirley)  
Ricky L. Meyer, Contract Manager  
8435 Backlick Road  
Lorton, VA 22079

Re: **Noise Waiver:** Leesburg Pike (Route 7) Corridor Improvements  
From the intersection of Leesburg Pike and Reston Ave  
To the intersection of Leesburg Pike and Jarrett Valley Dr  
Dranesville and Hunter Mill Districts  
ZIB Ref.: 2019-1506

Dear Mr. Meyer:

This letter is in response to your letter dated June 27, 2019, requesting a reconsideration of limitations placed on a Noise Waiver dated May 3, 2019. That Noise Waiver prohibited construction on Friday and Saturday nights. In your June 27, 2019 request, you state that the nighttime construction provides for a safer environment for the motorist and work crews and fewer disruptions to traffic for this operation. In addition, you state that Shirley will have to “work through the weekends in order to complete all the work that has to be done in order to switch traffic to a new phase of construction through the intersection after the weekend work is completed.”

After further consideration of the justifications set forth in your June 27, 2019 request, this office is approving your request to include Friday and Saturday nights as part of the Noise Waiver. The date range for such approval shall commence on July 26, 2019 and shall end on July 25, 2020.

Based on the provisions presented in Sect. 108.1-6-1 of the Noise Ordinance, as authorized agent for the Director of the Department of Planning and Development, I hereby approve the waiver from Sect. 108.1-4-1(b) of the Noise Ordinance, which prohibits: *“Any action related to the construction, repair, maintenance, remodeling or demolition, grading or other improvement of real property in the outdoors 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.”*



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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](http://www.fairfaxcounty.gov/planning-development)

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This Noise Waiver is granted to Shirley, and their subcontractors, and is approved for the nighttime construction activity referenced above, between 9 p.m. and 7 a.m. on Sunday through Thursday, and between 9 p.m. and 9 a.m. on Fridays, Saturdays, and the day before a Federal holiday, commencing on July 26, 2019 and ending on July 25, 2020.

This Noise Waiver approval is subject to the following conditions:

**Administrative Requirements:**

- Shirley 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 Shirley, their subcontractors, and motor vehicle and 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.

**Noise and Glare Mitigation Requirements:**

- **The use of asphalt saws, jackhammers and other impact tools 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.**
- 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.
- To minimize the use of backup alarms on commercial vehicles and equipment, arrange your delivery routes accordingly. The use of OSHA approved non-tonal backup alarms is recommended for nighttime construction.
- 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 Shirley, their employees, and subcontractors and is valid only for the location detailed above and for the dates and times listed and is not transferable to other construction sites.

As provided in the request for the Noise Waiver, only the following equipment and associated personnel are authorized to be employed during nighttime hours:

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Pick-up Trucks	Excavators
Dump Trucks	Low-boys & Hi-flat Trailers
Milling Machines	Bucket Trucks
Paving Machines	Dozers
Rollers	Sweepers
Bobcats	Cranes

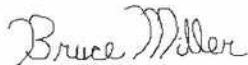
The designated emergency contacts for this project and their contact information are detailed below:

**Mike Cook, Project Superintendent, 703-930-1022**  
**John Alexander, Project Manager, 703-898-1906**  
**Rick Meyer, Contract Manager, 703-856-2870**

In conjunction with this approval and in consideration of all residents in close proximity to this location, your staff is urged to exercise care in regulating the noise emanating from this activity. This includes limiting the amount of backing up of vehicles and equipment to reduce the use of their backup warning devices. In addition, you are urged to direct your drivers to use nonresidential streets whenever possible. These conditions are made in view of the fact that this office has received complaints regarding noise and lights from similar projects in the past. **In the event of any complaints from the occupants of nearby properties, this Noise Waiver may be modified or revoked.**

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. Should you have any questions, please contact me at (703) 324-4300 or (703) 324-1391.

Sincerely,



Bruce Miller  
Zoning/Property Maintenance Inspector  
Sign Permit Section

cc: John W. Foust, Supervisor, Dranesville District  
Catherine M. Hudgins, Supervisor, Hunter Mill District  
Fairfax County Police, McLean District and Reston District Stations  
Tom Cheung, Program Manager, VDOT  
Eric K. Fisher, Fire & Rescue Department  
DPSC Bridge  
Department of Code Compliance  
Lorrie Kirst, Assistant Zoning Administrator