SECTION 61

Performance, Maintenance and Operations

61.0 Purpose

The purpose of performance standards is to establish certain nuisance factors that, if committed orexceeded in the use of land, buildings and other structures, will be detrimental to the use, enjoyment and value of other land, buildings and structures, will be detrimental to the public health, safety and welfare and will be contrary to the comprehensive plan of zoning. The use of land, buildings, and other structures, wherever located, will be established and conducted to conform to the performance standards specified.

61.1 General

The Enforcement Officer will not issue a Certificate of Zoning Compliance unless the proposed *use* of land, *building* and other *structures* will be established and conducted in accordance with the performance standards and with the standards stated in other relevant Town, codes, ordinances or regulations, whichever is the more restrictive.

The performance standards specified will be of continuing application. The Enforcement Officer is authorized to evaluate and take measurements to determine compliance.

61.2 Smoke, Gas or Fumes

☐ Does the project protect the air quality of the community?

No dust, dirt, fly ash, smoke, gas or fumes will be emitted into the air from any *lot* so as to endanger the public health and safety, to impair safety on or the value and reasonable *use* of any other *lot*, or to constitute a critical source of air pollution.

61.2.1 Air Pollution

In addition, no smoke or particulate matter will be so emitted to have opacity greater than Ringleman #2 for more than five (5) minutes any twelve-hour (12) period.

Open Burning

Chapter 99 of the *Town Code* requires a permit from the Municipal Open Burning Official to burn an open fire.

Noise

Chapter 152 of the Town Code authorizes the Department of Public Services to enforce noiselevels occurring from 10:00 P.M. to 7 A.M. Monday through Saturday and 10:00 P.M. to 9:00 A.M. on Sundays.

61.3 Noise

☐ Has noise pollution been limited so as to not diminish any resident's quality-of-life?

No noise will be transmitted outside the lot where it originates when noise has a decibel level, octave band, intermittence or beat frequency that endangers public health or safety, or impairs the value or reasonable use of any other lot, except that of time signals or other noise necessarily involved in the construction or demolition of buildings or structures.

61.3.1 Adaptive Technologies

Nothing in this section will be construed as prohibitive of the necessary installation of devices to assist in listening or communicating.

Install sound containment or noise reduction structures to decrease sound levels when proposing a use that may generate noise.

61.4 Vibration

☐ Have mechanical activities or other sources of vibration been structurally buffered?

No vibration will be transmitted outside the lot where it originates, except vibration necessarily involved in the construction or demolition of buildings or structures.

Consider adopting a waste removal plan to prevent refuse overflow and associated odors.

61.5 Odors

☐ Have emissions of offensive odors been eliminated or shielded from travelling off-site?

No offensive odors will be emitted into the air from any *lot* so as to impair the value and reasonable use of any other *lot*.

61.6 Glare or Heat

☐ Is outside lighting of the site be limited in hours or output to reduce "sky glow"?

☐ Are trees or light-colored surfaces employed to reduce the collective "heat island" effect?

No light will be transmitted outside the *lot* where it originates so as to endanger public health or safety, including the public safety on any *street* or highway, or to impair the value and reasonable *use* of any other *lot*.

Choose shielded, "down lit" light fixtures for safe and secure egress from buildings with careful thought as to avoiding distracting or harmful light glare off-site.

61.6.1 Light Pollution

In Residence Districts, the source of any lighting located out-of-doors on any *lot* will not be visible from any other *lot*.

61.7 Refuse or Pollution

- ☐ Do operations include support for proper disposal of office or household hazardous waste stream?
- ☐ Does the Statement of Use include a waste management plan for separation of recyclables?
- ☐ Does the project adequately address how daily operations will protect public and environmental health?
- ☐ Is wastewater reduced and water reuse encouraged?
- ☐ Is biodiversity preserved via conservation of water quality, natural hydrology or native wildlife habitat of wetlands?

No refuse or other waste materials will be dumped, burned or buried on any lot, except with approval of the Connecticut River Area Health District.

Place trash containers in easily accessible and contained areas to avoid dumping on a lot.

61.7.1 Water Pollution

No refuse or other waste materials and no liquids will be dumped on any *lot* or dumped or discharged into any river, stream, estuary, water course, storm drain, pond, lake, swamp or marsh so as to constitute a source of water pollution.

61.8 Danger

- ☐ Have precautions been made for the safe storage or handling of hazardous materials?

Properly label and store flammable or hazardous materials.

No material that is dangerous due to explosion, extreme fire hazard or radioactivity will be used, stored, manufactured, processed or assembled, except in accordance with applicable codes, ordinances and regulations of the Town of Old Saybrook, State of Connecticut and Federal Government.

61.9 Radio Interference

- ☐ Have all precautions been taken to avoid interfering with private, public or emergency communications?

No *use* on any *lot* will cause interference with radio and television reception on any other *lot*, and any *use* will conform to the regulations of the Federal Communications Commission concerning electromagnetic radiation and interference.

The State Department of Public Utility Control's Siting Council regulates the locations and operation of cell and personal communication system equipment.

61.10 Energy Inefficiency

- ☐ Is energy consumption reduced by increased efficiency of construction techniques or reliability of installed mechanical systems?
- ☐ Is on-site renewable energy self-supply available?

No open space subdivision will be permitted by the Planning Commission, nor any planned residential development or other property with two (2) or more dwelling units, nor any Site Plan approval or Special Exception for non-residential development will be approved by the Zoning Commission, without demonstrating energy-efficient patterns of development (roads, sidewalks or underground facilities), the use of solar or other renewable forms of energy, or energy conservation.