

**Morris Ordinance Committee
Agenda
Monday, March 06, 2023
6:00 p.m.
Community Hall
Hybrid Meeting**

Morris Community Hall is inviting you to a scheduled Zoom meeting.

Topic: Ordinance Committee

Time: Mar 6, 2023 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87210442157?pwd=OTNUanBadHFNdK1hdmlxU05Vb29HQT09>

Meeting ID: 872 1044 2157

Passcode: 497325

One tap mobile

+13052241968,,87210442157#,,,,*497325# US

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Meeting ID: 872 1044 2157

Passcode: 497325

Find your local number: <https://us02web.zoom.us/j/kes4kao2d1>

- **Call to order**
- **Minutes of January 09, 2023 and January 23, 2023**
- **New Business**
- **Old Business**
 - **Noise Ordinance**
 - **Preamble**
 - **Correspondence**
- **Public comment**
- **Adjourn**

**Please be respectful of all and wear masks during meeting.
thank**

Daniel and Gloria Masopust
noise ordinance

To: 1stselectman@townofmorrisct.com; mmdoyle@optonline.net; Town Clerk
03/02/2023 9:36 PM

3

Please forward this to all members of the Noise Ordinance Committee, we would like this read aloud at the March 6 Noise Ordinance Meeting. We reside at 85 Thomaston Rd. about 1/2 mile from South Farms. Our experience of past outdoor music events with an ending time of 11pm has disrupted the enjoyment of our own property and needless to say our sleep. All traffic departing from these events is audible at our residence, creating a noise issue well beyond the ending time. We therefore strongly recommend an end time no later than 9pm to preserve tranquility and property values of the adjacent residential community.

Daniel and Gloria Masopust

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Daniel Masopust

Owner & Grower
Brierwood Nurseries, Inc.
85 Thomaston Rd.
Morris, CT 06763

Patty Jensen

1

Inbox

Ordinance letter

To: townckerk@townofmorris.com; 1stselectman@townofmorrisct.com; mmdoyle@optonline.net

03/02/2023 3:28 PM

3

Please READ ALOUD and attach the following statement to the agenda for the March 6, 2023 meeting of the Ordinance Committee.

Dear Members of the Ordinance Committee,

I oppose the noise variance extension past 9pm. A curfew of 9pm establishes a reasonable time that takes all of the surrounding residential homes right to peace and quiet into consideration, such as bedtime for children and working professionals.

There are many music venues in surrounding communities that adhere to a 9pm or 10pm curfew. Including Morris concerts on the Beach, Warren Woods, March Farms and others.

Existing farm land has been accommodated with an extensive new planning and zoning regulation allowing for a commercial concert venue business. This new regulation impacts the surrounded neighborhood homes purchased for the vast majority their largest life investment. The noise, traffic, parking and littering will effect their everyday life and devalue their properties for resale.

The farm land tax discount does not and should not apply to a commercial entertainment use of land. This is not Agritourism. This is not a festival or fair, but a lease agreement with a commercial entertainment company representing great monetary wealth to the Lessor. A commercial business not in line with farming or open space/land or separate farm related revenue under the definition of Agritourism.

In closing, I propose waiting to see the effects of this extensive new regulation on the neighbors and community as a whole before extending the noise ordinance curfew. I recommend no additional exceptions at this time.

Thank you for your time and attention.

Patty Jensen

Sent from my iPhone

FW: noise ordinance

To: Bridget Garrity; Bev Huntley; Ben Paletsky; mmdoyle@optonline.net

03/02/2023 2:59 PM

1

4

To Town of Morris 2.docx

13.5 KB

1 Attachment

From: Keith & Deb

Sent: Thursday, March 2, 2023 1:35 PM

To: townclerk@townofmorrisct.com

Subject: noise ordinance

Please read as part of public comment, in its entirety at the P & Z meeting February 15, 2023 prior to any vote on the issue, Thank You

Keith and Deb Goepel

33 Higbie Rd.

February 14, 2023

To Morris Planning and Zoning Chairperson,

Please read as part of public comment, in its entirety at the P & Z meeting February 15, 2023 prior to any vote on the issue, Thank You

We live next door to a venue, and feel the extended "end time" hours would affect us in numerous ways- increased noise, lights, traffic and people walking about. This would seem to be the beginning of a slippery slope of exceptions and allowances. There is no reason for noise to be allowed to continue past 10:00 pm in a residential area on any day of the week.

Please keep in mind that a 10:00 pm "end time" just starts the process of an event closing. The traffic and noise continue on until the last car leaves. A business model needs to be structured for its location. If a new business locates itself adjacent to residentially zoned land, then there should be limitations to its activities. If you build a new home at the end of an existing runway you have very little room to complain about noise. Conversely, a new business built in an existing neighborhood should recognize its limits.

Extending the hours allowed to be open takes away from the rights of others. If denied, it is not taking anything away from the business since they didn't have the right in the first place.

With the purpose of maintaining quality of life and property values for the residents of Morris, we ask that the "end time" not be extended past 10:00 pm on any day.

Thank you and best regards,

Keith and Deborah Goepel

03/02/2023 2:58 PM

4

-----Original Message----- From: **Catherine CURTIN** Sent: Thursday, March 2, 2023 1:28 PM To: townclerk@townofmorrisct.com Subject: Noise ordinances Sent from my iPhone Please be aware of the existing problems such as closing your windows and doors in the middle of summer because the noise. Rattling the doors and windows is better than the noise coming from the events being held at the farm which is less than 1/2 mile from our street .Every house has to do the same .Lock our doors in daylight pick up garbage the next day from our yards that has been thrown from cars that don't belong on our street .Radios on full blast speeds way over the 15 mph posted two years ago a truck didn't make the corner an landed between two trees bob the property across from us . This is what we have had in the past now for the benefit of the few you consider to raise the time for the benefit of the same few,.Certainly not for the residents who have been affected by this over the past years and the board seems to have a deaf ear about this issue .

1

Inbox

Statement - please attach to OC agenda 3/6/23

To: mmdoyle@optonline.net; Town Clerk

03/02/2023 8:56 AM

2

Show Image

Please READ ALOUD and attach the following statement to the agenda for the March 6, 2023 meeting of the Ordinance Committee:

Dear members of the Ordinance Committee,

First, I am requesting that the committee continue to offer hybrid meetings with a Zoom option so that residents are able to Zoom in or review recorded videos of these important discussions. Many can't make it in person but would gladly Zoom in to offer public comment, while others have conflicting obligations and *depend* on video recordings to stay informed. We are able to keep pace with P&Z developments because of their recorded videos. In contrast, I feel "in the dark" about your proceedings because I usually cannot attend in person. This is unfair and inequitable access of information for Morris residents. Quite honestly, town officials should ensure that there are video recordings of *all* governance meetings for total transparency. If this is due to technical limitations, I hope you will speak with officials to find a way to set up the video component.

On the topic of the noise ordinance, I am writing to express my opposition to an 11 p.m. end time.

After reviewing end times for other small towns through the state of CT website -

<https://portal.ct.gov/DEEP/Air/Planning/Noise-Control>, my understanding is that most use a 10 or 9 p.m. end time. I do realize that Morris's existing ordinance specifies an 11 p.m. end time:

I appreciate that your committee wants to revise the code to adapt to the evolution of "noise" in our town. We should be grateful that the Twilight Concerts of 2020 highlighted the issues of sound travel and how sound impacts our rural community.

Please keep in mind *the realities* of an 11 p.m. end time:

- The ordinance will be especially important for the businesses in town who stand to profit off of ventures that produce volume in the evening hours (i.e. events)
- Event organizers will want to keep paying attendees satisfied (not necessarily the local residents).
- As we've seen in the past, events aren't entirely WRAPPED UP at a specified time. Let's be honest - events will run 10-20 minutes over, and then you have the noise produced by the

aftermath: crowds dispersing, cars leaving, brakes squeaking, engines revving, people loitering.

- The event attendees: We're not talking about local residents who are cognizant of the local ordinance and are likely to "keep it down" at the end of the night. We're talking about people who come from out of town and disregard their impact on adjacent properties.
- So, in reality, an 11 p.m. end time actually means total "quiet" isn't achieved until maybe 12 a.m.

With all that said, I believe Morris should err on the safe side and stick to a consistent 9 p.m. end time for the entire week to allow for residual "wrap up" noise. That way, evening quiet can actually be achieved by 10 p.m.

Thanks very much for your attention to this statement.

Sincerely,

Aneta Klusak

Volume in Morris

To: mmdoyle@optonline.net

03/02/2023 8:37 AM

1

Dear All,

I absolutely support events and bussiness in Morris.

I am however asking you to limit the time to 8pm during the week and 9pm on Friday and Saturdays.

Or an alternative is to have no amplified venues that go off the properties. The echoing and travel of sound is very real and disruptive.

As a tax payer of Morris I moved here for the quiet tranquil town.

Good neighbors would be in support of this request and honor and respect their neighbors.

Thank you,

Lori Lundenmuth

Sent from my Galaxy

James Lanouette
Noise Ordinance

To: mmdoyle@optonline.net; Laurie Halloran

03/01/2023 7:58 PM

2

Please pass this along to all members of OC and read aloud at the next 3/6/2023 meeting. We are against the consideration of extending the noise Ordinance to 11:00 p.m. on any night of the week. If the 10:00 p.m. ordinance has been effective and reasonable for all residents so far, than why the sudden change? What are the advantages and to whom? Wouldn't the late hours carry over even longer with traffic, lights, people and possibly disorderly conducts? The 11:00 p.m. request for such a drastic impact on the tax paying residents and neighbors reflects a sense of inconsiderateness to the community as a whole. Most neighbors and residents I know , live or move to Morris to escape noise, hustle & bustle and want only to live in peace, quiet and privacy. I would find it surprising that a new homeowner moving into Morris would consider and eleven o'clock Ordinance as a benefit to live here! Please continue to enforce an earlier Year- round end time for Morris, CT. Respectfully, Claudia and James Lanouette 61 Lakeside Rd. Sent from my iPad

1

Inbox

FW: 11 pm. cut off times

To: mmdoyle@optonline.net; Bridget Garrity; Bev Huntley; Ben Paletsky

02/28/2023 9:15 AM

4

From: Richard Donegan

Sent: Tuesday, February 28, 2023 9:05 AM

Cc: 1stselectman@townofmorrisct.com; selectmen@townofmorrisct.com; Planning & Zoning <planningandzoning@townofmorrisct.com>; townclerk@townofmorrisct.com

Subject: 11 pm. cut off times

Please forward this to all members of the Ordinance Committee and thank you so much. My name is Richard Donegan. I live at 92 Litchfield Rd., about a half mile up Rt. 63 from South Farms. I'm writing this in regards to the noise I hear from the events hosted by South Farms, and would like this read aloud if at all possible at the March 6th meeting of the ordinance Committee, or at the date it may be rescheduled to and thank you.

I would like to say in no uncertain terms that whatever is being done to curb the amplified noise from traveling into other neighborhoods ISN'T working well. I am almost always either kept awake or woke up from the noise that travels from these events. I have heard a lot about the "science" of noise travel in the last few years. How the weather, foliage, humidity, terrain etc. all play a part in it. I have heard that there are acceptable decibel levels and South Farms will not exceed them. I have heard there are checks and balances in place so the noise doesn't exceed the acceptable limits.....I'm here to tell you that these precautions are either failing miserably, or they're not even trying to work with their neighbors.

I once called Ben Paletsky during one of these events, it was on July 4th. He politely told me I was the only one complaining, and the noise was below acceptable levels. I dispute that. In the first case, just because I may have been the only one that knew how to get a hold of Ben doesn't mean the other neighbors weren't frustrated also. If there was a contact number that they would have had, I'm sure there would have been more calls. Secondly, I do not believe for one second that Ben is walking around with a decibel meter to make sure it doesn't get too loud, yet that was his immediate response. Now mind you I wasn't calling to "complain", I was really just calling as a neighbor to let him know his safeguards weren't working. I've met Ben, we've talked in person, and I have no animosity towards him what so ever. But the bottom line is the situation today is little to no different than when all this controversy started over the Twilight Concert Series.....

We all live in a residential town, and we need to figure out a way for businesses that create noise as a part of their livelihood to do it without hurting others. It seems that what ever South Farms wants, South Farms gets, and I would wonder why this is? When I bought my property and moved here 10 years ago none of this was happening. We had the peace and quiet we expected. How can it be that 10 years later we're embroiled in legal battles over noise, all for the sake of one persons business? Why aren't the other 2,250 people given serious consideration?

I'm not sure where all this will lead in the future, but I will say this. I am adamantly opposed to an 11pm noise cutoff. I am adamantly opposed to a 10 pm. noise cutoff, but I think that's set in stone already, and I am adamantly opposed to a business that can't comply with the existing noise laws yet keeps getting special attention from the very people we've trusted as a town to protect us from this.

Thank you for your time, Richard Donegan.

Huntley , Benjamin Paletsky

Cc: Tom Weik <1stselectman@townofmorrisct.com>, Vinnie Aiello

Subject: Re: Noise ordinance

FYI. I received this yesterday. Not familiar with these people.

Maureen

----- Original Message -----

From:

To: mmdoyle@optonline.net

Sent: Saturday, February 11, 2023 6:41 PM

Subject: Noise ordinance

Commenting on Ben Paletsky noise ordinance to end at 11 pm, I'd like to say that in my opinion, that is too late! Many of us go to sleep between 9-10 pm. Many of us have animals that don't do well with noise. Please consider an earlier time so that we may all be in accordance. We all have to live in peace with each other.

Thank you . **Lorraine and Ed Beauchaine.**

P.S. Earlier closing means less drinking which can lead to less accidents.

Sent from my iPad

8Sent from my iPad

-----Original Message----- From: **1st Selectman**

<1stselectman@townofmorrisct.com> Sent: Monday, February 13, 2023 6:21 PM

To: MICHAEL QUADLAND Cc: Laurie Halloran <townclerk@townofmorrisct.com>

Subject: Re: Noise. Michael, Thank you for your comments. I will forward them to

the Ordinance Committee. Tom Sent from my iPhone > On Feb 13, 2023, at 4:33 PM,

MICHAEL QUADLAND > wrote: > > > I am concerned about the extension of time to 11:00pm. As we've said all > along many of us moved to Morris for its peace and serenity. Including the > ability to dine or just sit outside into a summary evening undisturbed. > Thank you. > Sent from my iPhone

FW: Noise ordinance and time to be read at meeting held for this reason

To: Bev Huntley; Bridget Garrity; Ben Paletsky; mmdoyle@optonline.net

02/07/2023 3:52 PM

4

-----Original Message----- From: 1st Selectman <1stselectman@townofmorrisct.com> Sent: Tuesday,

February 7, 2023 3:21 PM To: Town Clerk <townclerk@townofmorrisct.com> Subject: FW: Noise ordinance and time to be read at meeting held for this reason -----Original Message----- From:

Catherine CURTIN Sent: Tuesday, February 7, 2023 3:15 PM To:

1stselectman@townofmorrisct.com Subject: Noise ordinance and time to be read at meeting held for this reason Sent from my iPhone This is a request from myself and other owners on Straits Turnpike lane less than 1/4 mile from South farms in Morris . Over the last few years especially in the summer our windows were not open and still rattled with vibration from the amount of deafening music n noise coming from the event at the above named properties. The traffic prowling around the neighborhood that didn't belong there. There is not a valid reason for the noise ordinance to increase the amount of time to 11 pm except the request is being made by a board member . If u wish to be a board member you should not be allowed to make any request concerning your personal property if u wish to do so anyone who has requests should resign their position and apply just as the rest of property owners in Morris have to do This is a definite conflict of interest and certainly not a fair decision being made by the elected members of this board .

From: renee normandin

Sent: Monday, February 6, 2023 2:13 PM

To: townclerk@townofmorrisct.com; 1st Selectman

<1stselectman@townofmorrisct.com>

Subject: Ordinance Committee

Good afternoon. It is my understanding that today's meeting 2/6/23 has been cancelled. Since these meetings are usually held at times when I and many others are working and can't attend I would like to be heard for the record at your next meeting that I am against the 11pm venue ending time. What seems like an eternity ago and from my recollection that the OC and P&Z and as always the Selectman's office were going to collaborate together at a joint meeting, with public input on venues, noise and time limits. I oppose the 11pm end time and thought there was a possible meet in the middle by MOST of 10pm. And again the question of how often never seemed to get answered. Seems to me this issue keeps getting dragged out and swept under the rug if you will ... and then next thing you know there is another meeting, which again many can not attend and then decisions are made and we are told "we had our chance to speak" May I ask the town "How many times do we have to speak to actually be heard"?

Renee Normandin