

**MINUTES OF THE TOWN PLAN AND ZONING COMMISSION  
TOWN OF WOODBRIDGE  
SPECIAL MEETING OF MARCH 21, 2016**

A special meeting of the Town Plan and Zoning Commission for the Town of Woodbridge was held on Monday, March 21, 2016, in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

**ROLL CALL**

**PRESENT:** Jeff Kaufman, Chairman, Allen Lipson, Lawrence Greenberg, Alan Tyma and Kathleen Wallace  
**ALTERNATES:** Stephen Skowronek, Andrew Pels, and Andrew Skolnick  
**EXCUSED:** Philip DeGennaro  
**ALSO PRESENT:** Terry Gilbertson, Zoning Enforcement Officer (ZEO)  
Anthony Anastasio - Board of Selectmen Liaison

The Chairman called the meeting to order at 7:38 p.m. Mr. Skowronek was seated for Philip DeGennaro in his absence.

**PUBLIC HEARINGS**

**JEWISH COMMUNITY CENTER (JCC): 360 AMITY ROAD**

**Application for modifications to the special permit for use of the day camp pool and buildings.**

The Chairman opened the public hearing on the application. Shelley Gans, Director of the JCC, was present to discuss the application. Ms. Gans noted:

- The JCC is asking for a modification to its special permit for the hours of use for the outdoor pool and camp facility.
- The 1995 the original camp plans approved for the camp showed a tennis center, ball field, arts building, pool and day camp.
- The JCC scaled back those plans being only ready to move forward with the camp operation at that time.
- Many members of the JCC have asked for access of the camp and pool as an affordable option for summer recreation.
- The Board of Directors felt that they would not be doing their jobs and I would not be doing mine if that possibility was not pursued in earnest.
- She was coming before the Commission as the representative of the JCC Board of Directors and the voice of the community that the JCC serves.
- On behalf of the JCC she was asking to lift the time restriction to allow for weekend and weekday use until dusk.
- As a good neighbor the JCC has provided free membership to the JCC's health and fitness facility to all of the Shady Lane residents for the past 20 years, and she was pleased to say that many have taken full advantage of that neighborly gesture. That would also extend to access to the outdoor pool.
- The JCC has been a good neighbor to the town as well. After storms Sandy and Irene the JCC provided warm showers and a place to recharge cell phones and spirits.
- The JCC has partnered with the town on numerous programs.

- Back in 2011 the Commission was asked to weigh in on the JCC's right to use the camp facility on the weekend in order for the JCC to hold its annual 5k run.
- At that time, the response which is on file, concluded that "none of the TPZ approvals regarding the use of the JCC ballfields and day camp and tennis facility contain any limitations regarding the hours or days that the property at 360 Amity Road, owned and occupied by the JCC, can be used."
- Based on that finding the Board of the JCC believed its current permit allowed it to pursue the opening of the camp pool for extended hours, and the JCC began to market that option.
- The Commission's staff contacted the JCC and informed it that an application to modify the hours was needed and that is why the JCC has made the current application.
- The JCC is asking permission to extend its hours so that the families that it represents can escape the heat and enjoy some summer fun together.
- She hoped it's these families that the Commission would consider when it made its decision.

*Ms. Gans provided photos to the Commission of the pool area being used this past summer.*

Chairman Kaufman told Ms. Gans that the JCC is great for the town but there are concerns by the neighbors, mostly regarding the noise. Chairman Kaufman then discussed the different concerns regarding extension of hours of operation until dusk which included:

- Would it be a club, and if so, how many people will be allowed in there.
- Are there plans for a concession stand.
- Would it be rented out at night for birthday parties.

Ms. Gans responded:

- They will not be renting out the facility because they only intend to be open until dusk.
- To answer if there will be an occasional birthday party held there – that she hoped so.
- She believed people would bring snacks and popsicles could be sold.
- She believed that they would live within the noise ordinances that everyone else in town lives within.
- The JCC is hoping to have 50 families.
- The JCC looked at the budget and how many life guards that they would need and in order for them to enter into the project and be able to afford the lifeguards, they think about 50 families would be the limit.

Chairman Kaufman noted that on the 1998 site plan it shows sections of trees and a raised area and it seems up there now, a number of those trees have been cut down and that that area that was going to be the buffer is now actually used by the JCC. He question if there was any possibility of reinstalling that buffer.

Ms. Gans noted that the extended hours would not be like the camp. It would be a more of a relaxing environment.

Commissioner Tyma questioned if Ms. Gans had started to advertise the pool being opened without realizing the letter from the TPZ to the JCC dated March 19, 2001 about the limitations on the pool hours existing.

Ms. Gans responded that she was made aware of that letter after she had done the advertising.

Commissioner Tyma then asked Ms. Gans if there was anything from the letter dated March 19, 2001 that she disagrees with. She responded “No”.

Chairman Kaufman reiterated that noise is a problem. While noting that any club is noisy, the camp fields have encroached into what on the original application plan showed a buffer area which no longer exists. What use to be approximately a 200’ buffer is now only a 100’ buffer because the JCC has cleared it out and put picnic table’s 100’ feet from houses. That adds to the noise.

**The following correspondence was noted as being received by the Commission in opposition to the application:**

*Email dated March 9, 2016 – Sheila Wartel*

*Letter dated March 14, 2016 – Jay Charkow*

*Letter undated and received on March 15, 2016 – Lawrence J. Wartel M.D.*

*Letter undated and received on March 15, 2016 – Sheila A. Wartel*

*Letter undated and received on March 15, 2016 – Hedy Kober and Xoli Redmond*

*Letter dated March 16, 2016 – Lori Ann Hoffer*

*Letter dated March 19, 2016 and received on March 21, 2016 – Yang Cao and Yang Wu*

*Letter dated March 20, 2016 and received on March 21, 2016 – Xoli Redmond*

The Chairman asked if anyone was present that wanted to speak in favor or opposition of the modification. Present to speak in favor of the modification were:

Bob Felice, 9 Westward Road, who is a member of the JCC and the President of the JCC Board. Mr. Felice expressed how his family has spent many times in the JCC facility building memories and that is what the JCC stands for - keeping families stronger and keeping them solid and whole. Mr. Felice added how the pool is another opportunity for families to build those memories together. It is not the JCC’s intent to become the Woodbridge Club – it is just the family use of the swimming pool and that is the intent.

Jessica Halprin, 4 Elderslie Lane, who is a member of the JCC Board, whose oldest daughter attended the JCC Summer Camp last year for 7 weeks, noted how she loved it. Mrs. Halprin added that both she and her husband work full-time during the week and that she would like to enjoy the weekends together with her family and the JCC community at the outdoor pool.

Present to speak in opposition of the modification were:

Larry Wartel, 9 Shady Lane. Mr. Wartel read statements from his neighbors – Herb and Betsy Hennessy who were unable to attend, and live at 15 Shady Lane. The Hennessy’s statement expressed their concerns with the many promises that were made more than 22 Approved Minutes of the Woodbridge Town Plan and Zoning Commission Special Meeting of March 21, 2016

years ago before the camp was built to get the camp approved such as limited hours of usage, short duration of use – 6 weeks, and natural sound barriers – berms, bushes, and trees. There was no mention of usage of sound amplification and any tree demolition. The camp space has now moved to the Hennessy's property line with no protection. The proposed increase of the time of use to evenings and weekends which would disturb the Hennessy's peace and serenity. The Hennessy's urged the Commission to deny the JCC's recent request and to support the neighborhood and uphold the original agreement.

Marco Anthony was present to speak on behalf of Hedy Kober and Xoli Redmond, 147 Pease Road, who were unavailable to attend the meeting. Mr. Anthony read a statement with Ms. Kober and Mr. Redmond's concerns to the Commission which included the noise from the camp on a daily basis which interferes with their daily lives and that if the modification was granted, it would reduce the neighborhoods quality of living and will also decrease the value of the neighborhood properties in a way that was unanticipated.

Mr. Anthony then added that he has a child that attends the JCC and feels that the JCC is a great place to be but did not feel that the proposed modification was approached in the proper way.

Lori Hoffer, 16 Shady Lane, whose property directly borders the day camp facility, noted her concerns that when the Commission approved the camp facilities hours of operation it was granted with restrictions to protect the neighborhood from noise and to limit the disruptiveness to the neighborhood in the evenings and on the weekends. The noise bounces off of the water and echoes up to the neighborhood.

She questioned how the number of attendees would be controlled.

She noted that the JCC has said that the proposal is not to increase their revenue but they cite one of the purposes of the application for extended usage is to boost their revenue. As neighbors they are asking and hoping that the Commission will listen and not deviate from the original attachment of the special use permit and the associated restrictions of the operations of the day camp and to protect the neighborhood.

Jessica Hoffer, 16 Shady Lane, expressed her concerns with the noise at the JCC and the possibility of "unrestricted use" and increase of hours.

Jeff and Pam Waldron, 153 Pease Road, could not be in attendance for the hearing but had given a letter to Sheila Wartel with their concerns. The letter was read to the Commission in which the Waldron's concerns including the noise issues and the extended hours proposed where expressed.

Jay Charkow, 10 Shady Lane, noted that when you look and see the neighbors you see the same ones here showing consistency. When you see the people representing the JCC, you see different faces. If this permit is approved, the neighborhood will become hell, more so than it is now.

Yang Wu and Yang Cao, 139 Pease Road, spoke against the proposed permit modification. Mr. Wu expressed his concerns regarding the application and the attitude that the JCC has towards the neighborhood and the noise issues. He believes that the trust between the

neighbors and the JCC is broken. There are some evenings where there are kids playing by the pool and near property lines unsupervised and this is a safety issue.

Sheila Wartel, 9 Shady Lane, discussed why the neighbors get so upset, which is the lack consistency. She hoped that the Commission will side with the neighbors when considering the proposed modification.

Larry Wartel, 9 Shady Lane, noted that the JCC says they want to service their members – but they advertise to non-members and guests. He belongs to both the JCC and the Country Club of Woodbridge. Last year the Country Club of Woodbridge offered the JCC a discounted rate for their members for day passes. There was a time when the JCC would talk to the neighbors and the neighbors would talk to them and work out a compromise. The pool accommodates 350 campers. The neighbors don't want anything there on the weekends or nights. The neighborhood property values will suffer. They are depending on the Commission to protect them.

*Mr. Wartel then read a statement to the Commission regarding the rights of the neighbors which was not received by the Commission prior to the meeting, and included the request to keep the Public Hearing open to give the property owners time to address all factors and to allow the neighbors to retain legal counsel.*

Continuing to speak in favor of the modification was:

Paul Portnoy, 1140 Johnson Road, who is a member of the JCC Board. He voiced his frustration as to some of the things discussed that evening and wanted to point out that they started the process believing that they had the ability to do those things and apparently were mistaken, but he wanted to set the record straight that when the process started the JCC thought that they were in compliance and right now are trying to continue to adhere to the process.

Continuing to speak in opposition of the modification was:

Jennifer Hoffer, 16 Shady Lane, expressed her concern how the noise has gotten out of hand over the past few years and would like to look forward to a peaceful summer at home on the weekends.

Speaking in favor of the application was:

Scott Hurwitz, 19 Robin Road, Vice President of the JCC spoke and noted that he wanted to address specific questions that had been presented.

- The JCC would propose to use 7 p.m. as a close time instead of using “dusk”.
- There will be no loud speakers or amplification during the extra hours.
- There will be no cooking concessions during the extra hours.
- They would propose that no more than 200 people could use the facility at any one time.
- There will not be lighting at the facility.
- The weekend hours would have no use of the pool before 10 a.m.
- They would like to have the opportunity to have birthday parties there.
- He does not see renting third party users during the extended hours.

- They would like to open in accordance of the date that they requested but would use Labor Day as the cutoff date if required.
- Those limitations were intended for any new/extended hours and not intended to modify what is currently being done.

Chairman Kaufman mentioned that he thought it might be a good gesture on the JCC's part to fix the buffer area that was removed and put plantings in there.

ZEO Terry Gilbertson stated that he believed that there had been some dying trees in that area that were responsibly removed, but agreed that it would be a good idea for a restoration of the buffer area. The original approval shows a buffer area that was comprised of either a berm or a fence, but in either case also had with a vegetated barrier. He also noted that changes to the location of the power lines had resulted in moving of the day camp closer towards Shady Lane.

At the conclusion of the discussion, it was the consensus of the Commission to continue this Public Hearing until the next regular meeting to be held on April 4, 2016.

### MEETING ADJOURNMENT

- \*\* **Commissioner Lipson moved to adjourn the meeting at 9:40 p.m.**
- \*\* **Commissioner Wallace seconded**
- \*\* **Voting for: Commissioners Kaufman, Lipson, Greenberg, Wallace, Tyma and Skowronek**
- \*\* **Opposed: No One**
- \*\* **Abstained: No One**
- Unanimous approval**

**Accordingly, the meeting was adjourned at 9:40 p.m.**

Respectfully submitted,

Ms. Tammy Riccitelli  
Recording Secretary