

**MINUTES OF THE TOWN PLAN AND ZONING COMMISSION  
TOWN OF WOODBRIDGE  
SPECIAL MEETING OF JULY 18, 2016**

A special meeting of the Town Plan and Zoning Commission for the Town of Woodbridge was held on Monday, July 18, 2016, in the Senior Center Cafeteria, 4 Meetinghouse Lane, Woodbridge, Connecticut.

**ROLL CALL**

**PRESENT:** Jeff Kaufman, Chairman, Allen Lipson, Kathleen Wallace, and Alan Tyma  
**ALTERNATES:** Stephen Skowronek, Andrew Skolnick, and Andrew Pels  
**EXCUSED:** Lawrence Greenberg  
**ALSO PRESENT:** Terry Gilbertson - Enforcement Officer  
Kristine Sullivan – Land Use Analyst

The Chairman called the meeting to order at 7:36 p.m. Mr. Skowronek was seated for Lawrence Greenberg in his absence. Mr. Pels was seated in place of the vacant full member position on the Commission.

**PUBLIC HEARING CONTINUATION**

**WOODBIDGE VILLAGE ASSOCIATES, LLC**

**Application for proposed changes to the Zoning Regulations to allow an alternative housing planned development.**

*Chairman Kaufman stated that a letter had been received dated July 18, 2016 from Attorney John Knuff, on behalf of the Woodbridge Village Associates, LLC, stating that the application was being withdrawn. Accordingly the public hearing was closed and no further action was required to be taken by the Commission.*

**WORK SESSION**

**JEWISH COMMUNITY CENTER: 360 AMITY ROAD**

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

*Chairman Kaufman noted that since the hearing had been closed on June 27, 2016, staff had received emails from Lori Hoffer and Sheila Wartel that were not shared with the Commission because they were received after the public hearing was closed.*

Prior to discussion and action on the subject application, Chairman Kaufman went over with the Commission confirmation of updating the members who were not in attendance for any hearing and confirmed as follows:

- *Chairman Kaufman questioned if Alan Tyma has familiarized himself with the record of the hearing on April 11, 2016. Alan Tyma responded that he did.*
- *Chairman Kaufman questioned if Stephen Skowronek has familiarized himself with the record of the hearing on June 6, 2016. Stephen Skowronek responded that he did.*

- *Chairman Kaufman questioned if Kathleen Wallace has familiarized herself with the record of the hearings on April 11, 2016, June 6, 2016, and June 27, 2016. Kathleen Wallace responded that she did but it was hard to understand everything on the June 27, 2016 video.*

Chairman Kaufman began the discussion by stating that he believed that everyone had made an effort to come to some kind of a compromise. Everyone hired an acoustic consultant. Everyone hired lawyers.

Chairman Kaufman then commented that the application could be approved if:

- The JCC put up the wall as proposed. Chairman Kaufman noted that he is a little torn by the wall issue because most of the neighbors who were in attendance are not being affected by having a 10-foot wall in their back yard. He then added that he would suggest that the JCC also put up a 5 foot height vegetation between the fence and the neighbors yards.
- That the JCC move the loud speaker system to the fence so that it actually focused in towards the JCC picnic area or pool and not the neighbors.
- That the hours would be 10 a.m. until 7 p.m., between the dates of June 28<sup>th</sup> through Labor Day.
- That there be a maximum number of 200 people at the pool at once.
- That there be no megaphones and no loudspeakers for the additional hours.
- No concession stand.
- That the JCC agree to stop using the buffer area.
- That there be no additional lighting, and;
- No rentals.
- That 30 days prior to the JCC opening, the Zoning Enforcement Officer go out to the site to do an inspection to make sure that everything that was promised would be done per this application.

Commissioner Tyma then spoke about an issue that Chairman Kaufman raised when the Commission first had the public hearing that had to do with noise and activity from the noise. He queried if there was anything that the Chairman wanted to reflect on because it appears that the proposal, as he understood it, did not involve any extension of the camp, so he wondered whether or not the Chairman thought that not allowing the camp to have any additional hours would be important. If the Commission were to add additional time during the week the Commission would certainly not want that to produce longer camp hours. Chairman Kaufman agreed that they would not want longer camp hours. Commissioner Tyma then added that on the weekends if the Commission were to allow any utilization of the pool area by families, limited to 200 people, he assumed that there would not be any programs for the camp on the weekends either. To protect the residents it looks like the loudest sounds come from the camp, and he felt uncomfortable as a Commission member voting for more noise for these residents for the weekend if he thought that it would get to the decibel level of what the camp produces. He thought that added to what the Chairman had listed that that would be an additional condition. Chairman Kaufman responded that the Commission could clarify it by saying that there are no additional hours being added onto the camp time at all.

Commissioner Tyma continued by asking Chairman Kaufman if he was comfortable with the applicant's presentation and the wall as proposed which included the fabric. Chairman Kaufman responded, yes. Commissioner Tyma then asked if the Chairman felt about a condition being added for the maintenance of the wall, with the Zoning Enforcement Officer follow up on that.

Commissioner Lipson then stated that he was opposed to the application. He noted that the history of camp showed that the only reason that the residents of the area agreed to the camp initially and didn't object was because the JCC came back and said the camp would be limited to the weekdays and specific hours on these days. Now the JCC had come back saying they would like to change that agreement. Therefore, going from no noise on weekends the neighbors would have some noise on the weekends. There was an agreement and he didn't think that they should be able to change it.

Chairman Kaufman responded that everyone was allowed to come back and say they had changed their mind or they wanted to add something. It is done all the time.

Commissioner Lipson said that the answer to that request could be no. The neighbors came come back and say no. As a Board member, he did not think that it was appropriate.

Chairman Kaufman then said another way to look at it was that there would be things done to help the noise during the week at the camp. Right now the JCC did not have to do anything. Commissioner Lipson agreed and added, but at the same time where you had no noise and there was no activity, there was now going to be activity.

Commissioner Skowronek noted that he had come in thinking the same way as Commissioner Lipson. He then added that he thought that the JCC had done a great job of offering a new compromise that in exchange for less noise during the week during the working hours they could operate a pool club on the weekend and at nights. If he were one of the neighbors he might see that as beneficial. The neighbors however, were pretty clear that they would prefer the status quo to the proposal.

Commissioner Wallace commented that she also agreed with Commissioner Lipson and did not feel that the JCC had honored the original agreement that was made in 1995. There was no proof and evidence that the berms were actually put in that were agreed to then. The neighbors have shown themselves to be good neighbors by putting up with the camp.

Chairman Kaufman said that he had gone out to the site and there was still one berm that remaining and that when the camp got moved because of the power lines, that's when it should have been addressed again. Commissioner Wallace agreed and added that it should be addressed before the Commission changed the permit from what was agreed upon in 1994.

Commissioner Tyma added that some of what the Commissioners were talking about now was the opportunity to take care of the old things that weren't really well done and to maybe pave the way for something that would be appropriate and certainly better for

Approved Minutes of the Woodbridge Town Plan and Zoning Commission  
Special Meeting of July 18, 2016  
Page 3 of 6

everybody but not fully better. Commissioner Tyma also agreed that the JCC should do what they had agreed to do in 1994 but wanted to look beyond that and say how much better the JCC could make the daytime noise level for the neighbors.

Commissioner Tyma then added that he thought, for the purpose of the Commission, that the Commission's call was not to ratify an agreement between the neighbors and the JCC. He added that he was less concerned about the extension during the week than he was for the weekend.

Chairman Kaufman noted that he saw it as a potentially better situation for the neighbors by putting up the sound wall.

At the end of discussion the Commission acted on the following motion:

- \*\* Commissioner Tyma moved to approve the application with the following conditions:**
- 1. Per the recommendations of Mr. Cote of Cote Acoustical Consulting LLC in a report dated June 15, 2016, with accompanying maps identified as SK-01 and SK-02, the Jewish Community Center shall erect ten foot (10') walls with acoustical panel sheets attached in the locations designated on the submitted plans SK-01 and SK-02.**
  - 2. Evergreen plants (arborvitae/hemlock type), a minimum of 5' in height shall be planted between the required acoustical walls and the neighboring residences.**
  - 3. The loudspeaker(s) for the camp shall be relocated to focus inwards towards the camp rather than towards the neighbors and the camp building.**
  - 4. An extension of hours from 4:30 p.m. to 7 p.m. weekdays and 10 a.m. to 7 p.m. on weekends to commence no earlier than June 28<sup>th</sup> and to close no later than Labor Day with the understanding that there are no additional camp hours during this extension.**
  - 5. A maximum of 200 people shall use the pool at once.**
  - 6. No megaphones or loudspeakers shall be used during the extended pool hours.**
  - 7. No additional lighting shall be provided for the pool.**
  - 8. No rental of the pool shall be allowed during the extended pool hours.**
  - 9. No concessions shall be sold during the extended pool hours.**
  - 10. Thirty (30) days prior to the commencement of use of the additional pool hours, the Zoning Enforcement Officer shall have access to the site to confirm that the site is in compliance with the conditions of this special permit modification.**
  - 11. The buffer areas to the adjoining residential properties shall not be used during the extended pool hours.**
- \*\* Commissioner Skowronek seconded**
- \*\* Voting for: Commissioners Kaufman, Tyma, and Skowronek**
- \*\* Opposed: Commissioners Lipson, Wallace, and Pels**
- \*\* Abstained: No One**

**Motion did not pass having failed to receive a Majority of Affirmative Votes.**

*Following the failure of the prior motion to pass, there was additional discussion by the Commission members, after which the following motion to approve the subject application with the following conditions to protect the public health, safety, convenience and property values was acted on as noted:*

- \*\* Commissioner Tyma moved to approve the application with the following conditions:**
- 1. Per the recommendations of Mr. Cote of Cote Acoustical Consulting LLC in a report dated June 15, 2016, with accompanying maps identified as SK-01 and SK-02, the Jewish Community Center shall erect ten foot (10') walls with acoustical panel sheets attached in the locations designated on the submitted plans SK-01 and SK-02.**
  - 2. Evergreen plants (arborvitae/hemlock type), a minimum of 5' in height shall be planted between the required acoustical walls and the neighboring residences.**
  - 3. The loudspeaker(s) for the camp shall be relocated to focus inwards towards the camp rather than towards the neighbors and the camp building.**
  - 4. Extended hours for the pool shall be limited to between the dates of June 28<sup>th</sup> and Labor Day, on weekdays, Monday through Friday, from 4:30 p.m. to 7 p.m. There shall be no extended weekend hours on Saturday and Sunday. Those extended pool hours shall pertain solely to the use of the pool and shall not be construed to mean additional hours for the operation of the day camp itself.**
  - 5. A maximum of 200 people shall use the pool at once.**
  - 6. No megaphones or loudspeakers shall be used during the extended pool hours.**
  - 7. No additional lighting shall be provided for the pool.**
  - 8. No rental of the pool shall be allowed during the extended pool hours.**
  - 9. No concessions shall be sold during the extended pool hours.**
  - 10. Thirty (30) days prior to the commencement of use of the additional pool hours, the Zoning Enforcement Officer shall have access to the site to confirm that the site is in compliance with the conditions of this special permit modification.**
  - 11. The buffer areas to the adjoining residential properties shall not be used during the extended pool hours.**

**\*\* Commissioner Skowronek seconded**

**\*\* Voting for: Commissioners Kaufman, Wallace, Tyma, Skowronek, and Pels**

**\*\* Opposed: Lipson**

**\*\* Abstained: No One**

**Motion passed by Majority Vote of Approval.**

**MEETING ADJOURNMENT**

- \*\* Commissioner Tyma moved to adjourn the meeting at 8:30 p.m.**
- \*\* Commissioner Lipson seconded**
  
- \*\* Voting for: Commissioners Kaufman, Lipson, Wallace, Tyma, Skowronek, and Pels**
- \*\* Opposed: No One**
- \*\* Abstained: No One**
- Unanimous approval**

**Accordingly, the meeting was adjourned at 8:30 p.m.**

Respectfully submitted,

Ms. Tammy Riccitelli  
Recording Secretary