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DATE APPROVED:

TOWN OF WESTON  
OFFICE OF LAND USE DIRECTOR

CONSERVATION COMMISSION MINUTES FOR MAY 3, 2018

PAGE #18-16

MEMBERS PRESENT:

Michiel Zegers, Robert Turner, Ed Schwarz, Jim Smith and Michael Reiner

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The Special meeting of the Weston Conservation Commission opened at 7:30 p.m.

DELIBERATIONS: TOWN OF WESTON MOORE PROPERTY MAP 17, BLOCK 1, LOT 17  
LORDS HIGHWAY EAST, PROPOSED WESTON DOG PARK

Mr. Turner stated on the record that he listened to all four hours of the prior hearing and read all the documents in the file and is qualified to sit on the deliberations.

Mr. Zegers clarified for the Commission that the property is not in the reservoir watershed but it is in the Saugatuck River Watershed.

Mr. Zegers then addressed the concerns of Intervenors. He began with the removal and damage of the trees and believes the only concern would be how it would affect the water flow into the wetlands. He noted that the revised plan would be retaining more trees and more of the larger trees by using the existing wood road. Mr. Turner commented that there is no under-story of bushes and that's what leads to so much runoff on the property. Mr. Schwarz commented that the bulk of water running to Lords Highway should be caught in the Cultecs. Discussion ensued.

Mr. Zegers then addressed the pollution from the millings and the plan has changed so they are not going to use asphalt millings they are going to use 3/4" processed gravel so that point has become moot.

Discussion then proceeded to the concern of amplified runoff, ponding and flooding and erosion on adjacent properties with Mr. Zegers noting that there is conflicting information between the two parties, but those are engineering aspects. Mr. Smith noted that the runoff from the parking lot will be going towards the wetlands because it is much further south. Mr. Schwarz suggested that the Town could make the driveway and parking area smaller so that all the drainage would go into the Cultecs. Mr. Zegers then addressed the concern that adjacent properties already flood noting the existing conditions are not in the Commission's purview. Mr. Turner commented that as long as they were not making it any worse than existing conditions, it's not the Commission's business.

Mr. Zegers then addressed the concern that the Moore Property is part of an established greenway and stated that he does not see how that has an effect on the wetlands. Mr. Schwarz noted that there is no prohibition of putting a dog park in a greenway and is another moot point. Mr. Smith and Mr. Turner agreed that it doesn't apply.

Discussion then proceeded to feasible and prudent alternatives, and Mr. Zegers noted that the Commission can't consider another property, the alternatives only apply to this property. He further noted that if they were to require that the Town find an alternative on the site it would require the Commission to find that there would be potential impacts to the wetlands. They can make it an option for the Town, but can't require unless there is impacts to the wetlands.

Mr. Zegers addressed the concern regarding the urine and feces contaminating the wetlands and commented that he did not believe that anyone provided studies or scientific information that proves that there will be any pollutants migrating out of the dog park. Mr. Schwarz commented that they heard if the feces and urine go into the land it is basically like a septic field and won't migrate but there are just so many facts they don't know, how many dogs, how much feces won't be picked up, etc. Mr. Zegers commented that there are thousands of dog parks in the country so if there was a pollution problem, there would have to be information out there.

Mr. Schwarz then brought discussion to the potential of reducing the size of the size of the dog park. Mr. Smith questioned whether they could just shrink it into that square area shown on the plan. Mr. Turner noted that if it were smaller it would reduce the roadway as well. Mr. Zegers commented that it would be up to the Town and the dog park people.

After discussion, the following motion was made:

#### MOTION FOR APPROVAL

Mr. Zegers made a motion to approve the application from the Town of Weston for the dog park, on the property known as the Moore Property, as shown on the site plans prepared by John Conte, P.E., Town Engineer, dated 10/30/17, last revised 4/25/18, consisting of 4 pages. The Commission has reviewed all the items presented by the Intervenors and we feel that they have not shown that there would be significant impact to the wetlands. The approval is subject to the Standard Conditions A-G. The Commission will also approve, at the Town's discretion, moving the dog park to alternate locations for the chain link fencing for the dog park, to the west of the driveway shown on the plan or closer to Lords Highway East, shown on the map as location A and location B. It can be no larger than the original proposed 3.5 acre dog park area, and they must stay at least 30 feet from the property line to the western border. Mr. Schwarz seconded. The motion was voted on and carried by a 4-1 vote (for: Chairman Zegers, Turner, Smith and Reiner; opposed: Schwarz). T. vonRosenvinge absent. S. Schlecter recused.

#### MOTION TO ADJOURN

Mr. Zegers made a motion to adjourn the meeting and Mr. Reiner seconded. All in favor, the meeting adjourned at 8:50 p.m.

Respectfully submitted,

Delana Lustberg  
Recording Secretary