

Weston Conservation Commission
24 School Road
Weston, Connecticut 06883-1028

PERMIT

To conduct a regulated activity or activities under the Inland Wetlands and Watercourses Regulations. This Permit shall expire five years from the date of approval. If permitted activity will not be completed by the expiration date, Application for Permit Renewal must be submitted prior to that date.

<u>Application/Permit Number</u> 18-01	<u>Date of Approval:</u> May 3, 2018
<u>Permit Number</u> 18-01	<u>Expiration Date:</u> May 3, 2023
<u>Map</u> 17 Block 1 Lot 17	
<u>Address of Permitted Property:</u> Lords Highway East	

Name of Owner(s): **Town of Weston**

<u>Name of Applicant/Authorized Agent:</u> Town of Weston/John Conte	<u>Address:</u> 56 Norfield Road
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Activity or Activities: establishment of a dog park with parking

Reference: Map(s)Plan(s) Title: Latest Revision Date:

See attached list of documents

Under the provisions of Connecticut General Statutes (CGS) Section 22a-36 to 22a-45 and the Town of Weston's Inland Wetlands and Watercourses Regulations, and having reviewed all facts and circumstances bearing on the application, the Commission finds that the proposed activity will have no substantial adverse impact on inland wetlands or watercourses, provided that the approved plan and the standard conditions and any special conditions of this Permit are fully implemented. The duty and obligation to comply with the approved plan and the standards conditions and any special conditions shall rest exclusively with the Applicant and all heirs, successors and assigns. All Permits are subject to the following general conditions:

- A. Prior to the commencement of any work on the site, the Contractor Compliance Agreement must be signed and returned to the Commission's office by the contractor who will perform the permitted activity.
- B. **Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** Erosion controls are to be inspected by the applicant weekly

and after rains and all deficiencies must be remediated within twenty-four hours of finding them. The applicant shall maintain such control measures until written permission is received from the Conservation Planner to remove such measures.

- C. Upon completion of the work, the Applicant or the Applicant's Designated Agent shall submit a letter to the Conservation Commission stating that the property was developed and the work completed as permitted.
- D. Per CGS Sec. 22a-42a (d) (2), as amended, "Any permit issued under this section shall be valid for five years. Any such permit shall be renewed upon request of the permit holder unless the agency finds that there has been a substantial change in circumstances which requires a new permit application, provided no permit may be valid for more than 10 years."
- E. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.
- F. Applicant agrees, represents, and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.
- G. The deposition and/or removal of any earth, loam, topsoil, humus, sand, gravel, clay, stone, or quarry stone to and from the property shall be subject to Section 240-36 C. of the Zoning Regulations of the Town of Weston.

The Commission also approved, 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.

If you have any questions regarding this decision, please feel free to contact me at (203) 222-2681.

Sincerely,



David R. Pattee
Conservation Planner

**CONSERVATION COMMISSION APPLICATION 18-01; TOWN OF WESTON
PROPOSED DOG PARK; LORDS HIGHWAY EAST, MOORE PROPERTY; MBL 17-1-17**

Date/Date Recd	Pages	Document Title
5/10/2018	1	The Weston Forum Legal Notice Publication of Decision
5/10/2018	1	Email from AnnMarie Fontana to Stephen Nevas Re: PDF copy of Intervention sent to Commission
5/10/2018	2	Conservation Commission Special Meeting Draft Minutes for 5-3-18
5/9/2018	6	Conservation Commission Special Meeting Draft Minutes for 4-26-18
5/7/2018	1	Conservation Commission Special Meeting Draft Motions for 5-3-18
5/7/2018	1	FOI Request from Steve Nevas to Conservation Commission
5/7/2018	2	FOI Request from Steve Nevas to Conservation Commission
5/7/2018	1	Legal Notice Decision
5/3/2018	1	Conservation Commission Special Meeting Agenda for 5-3-18
4/30/2018	1	Conservation Commission Special Meeting Draft Motions for 4-26-18
4/26/2018		CD of Videos taken by Sid Dudash on 4-16-18
4/26/2018		CD of Videos taken by Robert Casson on 4-16-18
4/26/2018	1	Letter from Robert & Jane Atkinson to Commission
4/26/2018	8	Intervenor's Supplemental Memorandum
4/26/2018	1	Exhibit A to Intervenor's Supplemental Memo: GIS Map
4/26/2018	18	Exhibit B to Intervenor's Supplemental Memo: Report from JMM Wetland Consulting Services, LLC
4/26/2018	2	Exhibit C to Intervenor's Supplemental Memo: New Canaan Article
4/26/2018	2	Exhibit D to Intervenor's Supplemental Memo: Ridgefield Article
4/26/2018	3	Exhibit E to Intervenor's Supplemental Memo: Report from SavaTree
4/26/2018	2	Exhibit F to Intervenor's Supp Memo: 4-30-10 Memo:Town Engineer to First Selectman Re Cemetery
4/26/2018	5	Exhibit G to Intervenor's Supplemental Memo: Report from Trinkaus Engineering, LLC
4/26/2018	1	Conservation Commission Special Meeting Agenda for 4-26-18
4/25/2018	1	Letter from Town Engineer to Commission Re: Cultec Recharger
4/25/2018	34	Letter from Town Engineer to Commission Encl: WMCC Consulting Engineers Re Amended Drainage Eval
4/25/2018	4	Letter from Town Engineer to Commission; Enclosure: Property Survey
4/20/2018	4	Certificate of Mailing [Special Meeting Agenda for 4-26-18]

4/19/2018	2	Revised Access Driveway Plan: Letter from Town Engineer to Commission
4/19/2018	33	Att to Revised Access Driveway Plan: WMC Consulting Engineers Re: Drainage Evaluation
4/19/2018	1	App A to Revised Access Driveway Plan: Public Drinking Water Source Protection Areas for Weston CT
4/19/2018	20	Att to Rev Access Driveway: Intro Saugatuck Rvr Watershed & Saugatuck Rvr Watershed Partnership
4/19/2018	1	Appendix B to Revised Access Driveway Plan: Appendix G of Joanne Butler's Letter and Exhibits
4/19/2018	3	Revised Access Driveway Plan: Attachment: Revised Property Survey
4/2/2018	2	News Alert: Dog Park vote passes in Weston
3/22/2018	1	Conservation Commission Special Meeting Minutes for 3-22-18
3-13 to 3-15-18	2	Email to Stephen Nevas from T. Kulikowski Re: P.H. & 3-5-18 Letter
3/14/2018	1	Notice of Continued Public Hearing for 4-26-18
3/14/2018	1	Notice of Continued Public Hearing for 3-26-18 – Meeting Canceled
3/13/2018	1	Letter from First Selectman to Commission Re: 28-day Extension
3/5/2018	2	Letter to Commission from S. Nevas Re: Incomplete Application
2/27/2018	1	Email to Stephen Nevas from T. Kulikowski Re: Submission Deadline
2/26/2018	1	Notice of Continued Public Hearing for 3-26-18
4/3/17/2-22-18	104	Joanne Butler's Letter and Exhibits
4-3-17/2-22-18	1	Appendix G of Joanne Butler's Letter and Exhibits
2/22/2018	8	From John Conte: Revised Drainage Report
2-20-18/2-22-18	4	Email of John Conte & HydroCAD Software Solutions LLC
2/22/2018	1	Property Survey Alternate Road Access [Page 1 of 3]
2/22/2018	1	Portion of Property Survey
2/22/2018	1	Portion of Property Survey [Page 2 of 3]
2-13-18/2-22-18	1	GIS Map of 9, 11 & 15 Lords Highway East
Aug 2008/2-22-18	12	Report: The Nature Conservancy's Saugatuck River Watershed
2/22/2018	1	Drainage Map 30
2/22/2018	9	Pictures of Moore Property and Surrounding Property
2/22/2018	2	Email from Lisa Brodlie to Tracy Kulikowski
2/22/2018	4	Conservation Commission Special Meeting Minutes for 2-22-18
2/22/2018	1	Conservation Commission Special Meeting Agenda for 2-22-18
2-15-18/2-21-18	82	Submission of Robert Casson: Letter / Attachments / CD
2/20/2018	7	Petition to Intervene Pursuant to CGS 22a-19
2-16-18/2-20-18	9	Appendix A to Intervention Petition: Report from SavATree
10-2-06/2-20-18	1	Appendix B-1 to Intervention Petition: Memo Re: Asphalt Millings

2/20/2018	2	Appendix B-2 to Intervention Petition: Flyer Re: Asphalt Paving
2-17-18/2-20-18	3	Appendix C to Intervention Petition: Letter from Trinkaus Engineering
2/20/2018	1	Appendix C-1 to Intervention Petition: Weston Cemetery Commission Meeting Minutes for 11-18-09
2/20/2018	2	Appendix D-1 to Intervention Petition: Affidavit from Dudash
2-11-18/2-20-18	13	Exhibit A to Intervention Petition: Photos from Dudash
2/20/2018	2	Appendix D-2 to Intervention Petition: Affidavit from Matluck
2/20/2018	2	Exhibit 1 to Intervention Petition: Thumb Drive from Matluck
2/20/2018	1	Appendix E to Intervention Petition: Map of Weston Transfer Station
2/15/2018	1	The Weston Forum Legal Notice Publication of Public Hearing
2/12/2018	1	Email from John Matluck to Tracy Kulikowski Re: Dog Park Concerns
2/10/2018	1	Conservation Commission Site Walk Minutes for 2-10-18
2/8/2018	2ffb	Email of Jonathan Luiz & Stephen Nevas Re: Moore Property
2/8/2015	1	The Weston Forum Legal Notice Publication of Public Hearing
2/7/2018	1	Conservation Commission Site Walk Agenda for 2-10-18
2/6/2018	1	Legal Notice of Public Hearing for 2-22-18
2/6/2018	5	Certificate of Mailing [Notice of Public Hearing]
2/6/2018	1	List of Abutting Neighbors
2/6/2018	2	Map of Property MBL 17-1-17 250 foot buffer
2/6/2018	26	Vision Field Cards for 24 Abutting Neighbors
2/6/2018	14	Petition to Convene a Public Hearing
1/31/2018	1	2018 Calendar / Dates in the Public Hearing Process
1/31/2018	1	Notice of Receipt of Application to Abutting Neighbors
1/25/2018	5	Certificate of Mailing [Notice of Receipt of Application]
1/25/2018	1	List of Abutting Neighbors
1/25/2018	1	GIS Map of MBL 17-1-17
1/25/2018	26	Vision Field Cards for 24 Abutting Neighbors
1/25/2018	3	Conservation Commission Regular Meeting Minutes for 1-25-18
1/25/2018	1	Conservation Commission Regular Meeting Agenda for 1-25-18
1/23/2018	4	Inland Wetlands and Watercourses Application Form
1/23/2018	1	Cover Letter from Town Engineer to Commission
1/23/2018	1	Table of Contents for Applicant's Submission
1-22-18/1-23-18	3	Applicant's Submission: Project Description
1/23/2018	14	Appendix A to Applicant's Submission: Soils Report

1/23/2018	5	Appendix B to Applicant's Submission: Drainage Report
1/23/2018	6	Appendix C to Applicant's Submission: Letter from W/HD
1/23/2018	3	Appendix D to Applicant's Submission: Cost Estimates
1/23/2018	8	Appendix E to Applicant's Submission: Traffic Counts
1/23/2018	11	Appendix F to Applicant's Submission: Highway Capacity Analysis
1/23/2018	5	Appendix G to Applicant's Submission: Agreement Letter: Town of Weston/Weston Dog Park, Inc.
1/23/2018	1	Appendix H to Applicant's Submission: Dog Park Rules
1/23/2018	5	App I to Applicant's Sub: Letter from Weston American LL/Weston Parks & Rec/Weston Soccer Club
1/23/2018	2	Appendix J to Applicant's Submission: Aquifer Protection Areas
1/23/2018	4	Appendix K to Applicant's Submission: Previous Soil Reports for Davis Hill Road Access
1/23/2018	4	Property Survey

**APPELLATE COURT
STATE OF CONNECTICUT**

PAC-200014

DANIA FELLER ANDERSON ET AL.

v.

TOWN OF WESTON CONSERVATION COMMISSION

NOVEMBER 20, 2020

ORDER ON PETITION FOR CERTIFICATION TO APPEAL

ON CONSIDERATION OF THE PETITION BY THE PLAINTIFFS FOR
CERTIFICATION TO APPEAL, IT IS HEREBY **O R D E R E D** DENIED.

BY THE COURT,

 / S /
RENE L. ROBERTSON
ASSISTANT CLERK-APPELLATE

NOTICE SENT: November 20, 2020
HON. TAGGART D. ADAMS
COUNSEL OF RECORD
CLERK, SUPERIOR COURT, FST CV18-6036841-S

STATE OF CONNECTICUT
JUDICIAL DISTRICT

DOCKET NO. CV 18 6036841-S 2020 AUG 26 P 12 34 SUPERIOR COURT

DANIA FELLER ANDERSON, : JUDICIAL DISTRICT OF
SETH ANDERSON, SIDNEY A DUDASH, : STAMFORD/NORWALK
JOAN DUDASH, BRIAN O. WELSH, :
CAROLYN L. WELSH, FRED A WELSH, : AT STAMFORD.
DENNIS SARITSKY, FRANK COSTELLO,
CLIFFORD FELLER

V.

CONSERVATION COMMISSION OF : AUGUST 26, 2020
THE TOWN OF WESTON

MEMORANDUM OF DECISION
RE: APPEAL FROM DECISION OF WESTON CONSERVATION COMMISSION

I. INTRODUCTION

Dania Anderson, and the nine other residents of the Town of Weston, Connecticut (Town) identified in the above caption, appeal the decision of the Weston Conservation Commission (Commission) dated May 3, 2018, approving the Town's application for a wetlands permit on Town owned property in connection with the Town's plan to establish a dog park of 3.5 acres in size, including a 1,200 foot access road, a 22 vehicle parking area and an 80 foot turn around area. The Town property on which the dog park is to be located is approximately 36.5 acres in size, and has been referred to in the record as the "Moore Property". In April 2018, Weston voters passed a measure approving the establishment of a dog park on the Moore Property by a vote of 888 to 798. Docket Entry (DE) 109.00, pp. 435-436; Return of Record (ROR) 71.

This court heard limited testimony and full arguments at the trial of this case on January 14, 2020. In arriving at its decision the court has read and considered the briefs of the parties, the entire record of the proceedings before the Commission, including all testimony, documents, and other materials, some of which were submitted in the form of flash drives.

II. JURISDICTION

The plaintiffs, Sidney and Joan Dudash, are statutorily aggrieved as abutting landowners to the Town property. It is claimed that Freda Welsh and Carolyn Welsh also own abutting property, and this is not contested by the Town. Other plaintiffs, the Andersons, Welsh, Savitsky, Costello and Feller are classically aggrieved because they intervened in the proceedings before the Commission while it was considering the Town's application. *Finley v. Inland Wetland Commission of the Town of Orange*, 289 Conn. 12, 25-26 (2008) (person who intervenes in administrative proceeding is entitled to appeal the decision). On February 20, 2018 eight individuals intervened in the proceedings before the Commission pursuant to General Statutes §22a-19 (permitting such intervention in any local administrative proceeding affecting air, water or other natural resources of Connecticut). DE 109.00, pp. 130-136; ROR 37.

III. STANDARD OF REVIEW

The standard of judicial review of administrative agency action centers on the concept of "substantial evidence." The leading commentator on Connecticut land use law has described the concept as limiting a court's authority to reverse a land use agency decision on factual findings, if there is substantial evidence in the record to support those findings. Attorney (and former Superior Court Judge) Robert Fuller points out that the doctrine imposes important limitations on the power of a court to overturn a decision of an administrative agency and provides a more restrictive standard of review than standards using weight of the evidence or clearly erroneous

action, stating “[i]t is something less than weight of the evidence.” Fuller, *Connecticut Land Use and Practice*, 4th ed. §33:12, pp. 325-326 (2015) found at 9A Connecticut Practice Series.

In a recent opinion the Connecticut Appellate Court affirmed this court’s decision in *Putnam Park Apartments, Inc. v. Planning and Zoning Commission of Town of Greenwich*, 193 Conn.App. 42 (2019) and described the substantial evidence rule as:

“similar to the sufficiency of the evidence standard applied in judicial review of jury verdicts, and evidence is sufficient to sustain an agency finding if it affords a substantial basis of fact from which the fact in issue can be reasonably inferred [I]t must be enough to justify, if the trial were to a jury, a refusal to direct a verdict when the conclusion sought to be drawn from it is one of fact for the jury The substantial evidence rule is a compromise between opposing theories of broad or de novo review and restricted review or complete abstention. It is broad enough and capable of sufficient flexibility in its application to enable the reviewing court to correct whatever ascertainable abuses may arise in administrative adjudication. On the other hand, it is review of such breadth as is entirely consistent with effective administration... The corollary to this rule is that absent substantial evidence in the record, a court may not affirm the decision of the board.”

Id., 54 [quoting from *Meriden v Planning and Zoning Commission*, 146 Conn. App. 240, 246-247 (2012)]. See also, *Farmer v. Easton Conservation Commission*, Superior Court, judicial district of Fairfield at Bridgeport, CV 17-6063560 (March 23, 2018, Radcliff, J.)(2018 WL 1883579)

The *Putnam Parks Apartment* court drew on a long line of Connecticut Supreme Court cases elaborating on and defining the substantial evidence rule. E.g. *Tarullo v Inland Wetlands and Watercourses Commission*, 263 Conn. 572, 584 (2003) (“the possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency’s finding from being supported by substantial evidence” [quoting *Samperi v. Inland Wetlands Agency*, 226 Conn. 579, 587-588 (1993) and citing *Huck v Inland Wetlands and Watercourses Agency*, 203 Conn. 525, 540-542 (1087)].

IV. THE ADMINISTRATIVE RECORD

There is some confusion in the administrative record of this matter. In part, the confusion stems from very poor transcripts of the several public meetings held by the Commission. This necessitated the filing of "corrected" transcripts and the filing of various returns of record in the court docket. See e.g. Docket Entries 109.00, 110.00, 112.00, 116.00, 117.00, 118.00 and 124.00. After some false starts in preparing this decision the court accepts the Commission's statement that the "entire" record is found at Docket Entries 109.00 and 124.00. See DE 124.00 at 1.

V. DISCUSSION

The plaintiffs assert a number of claims in support of their appeal. Among other things, they emphasize the claimed failure by the Town and the Commission to identify, locate, and inventory wetlands in or close to the proposed dog park in violation of Commission Regulation §215-3. C; failure to identify and take into account the steep slopes of the area and flooding and ponding of adjacent land, and not requiring the Town, as applicant, to describe how the dog park would "change, diminish or enhance" the function of the wetland involved. The plaintiffs also claim the Commission violated its Regulation §215-11 by not stating on the record its reasons for its decision. The court will discuss those claims in the following portions of this decision.

In considering the dog park application the Commission was charged with the limited task of determining whether the proposed use would have an adverse effect on wetlands.

"The sine qua non of review of inland wetlands applications is a determination whether the proposed activity will cause an *adverse impact* to a wetland or a watercourse."

River Bend Associates, Inc. v Conservation & Inland Wetlands Commission, 269 Conn. 57, 74 (2004) (italics in original). "A significant potential for impact to wetlands is insufficient the impact must be likely *and adverse*..." *Patchen v. City of Milford Inland Wetlands Agency*, 2015

WL1244327, Superior Court, judicial district of Ansonia-Milford (Stevens, J., February 25, 2015) quoting *Cocchiola Paving Inc. v Oxford Conservation Commission*, Superior Court, judicial district of Ansonia-Milford, CV 14-6015102 (January 8, 2015, Hiller, J.) This limited jurisdiction conferred on the Weston Commission was recognized by its Chairman Michiel Zegers who commented near the outset of the hearings that "our charge in Weston ... is [to] address the ... wetlands and watercourse regulations in town. We don't address other issues, unless those issues impact the wetlands." DE 124.00 at p. 6 of 437; ROR 104b at p. 1. In response to a direct question from Commissioner Rosenvinge, John Conte, Town Engineer, who presented the Town's application, affirmed that there was no argument being made that the dog park would impact wetlands. DE 124.00, p. 16 of 437; ROR 104b, 11.

Conte expressed his disagreement with a report submitted by the plaintiff's engineer expert, Steven Trinkaus that is found at DE 109.00; ROR 41, pp 153-156. Specifically, Conte disputed Trinkhaus' conclusion that the dog park project would increase the volume of surface waters and further stated the small amount of drainage would not affect the wetlands which were 520 feet away. DE 124.00, pp. 10 and 20 of 437; ROR 104b, pp. 5-6. of 437; ROR 104b, 15. Nevertheless, Conte made some changes to accommodate the Trinkaus view resulting in a part of the project being "over-designed", in Conte's opinion. DN 124.00, pp. 10-11 of 437; ROR 104b, 5-6.

The Westport Weston Health Department provided two letters to Conte from its director, Mark A.R. Cooper. The first stated his opinion that "the added nitrogen from dog urine at the proposed park ... would be diminutive with no off site impact." The second emphasized the proper use of dog feces receptacles in the proposed park. In addition, Conte stressed to the Commission that rules regarding pick-up of solid waste would be strictly enforced and in the

proposed dog park there would be additional receptacles for dog waste. DE 124.00; ROR 104b, pp.32, 35-36, 40-41. Further, Conte repeatedly emphasized to the Commission any increased water drainage would not affect the wetlands. DE 124.00, 20-21 of 437; ROR 104b, 15-16.

At a continued public hearing on April 26, 2018 soil scientist Otto Theall stated there were no wetlands or watercourses within one hundred feet of the dog park's proposed road and parking area DE 124.00, p. 158 of 437; ROR 104d; 18. As pointed out by the plaintiffs in their reply brief, Mr. Theall candidly testified at the Commission's April 23, 2018 hearing that he had not done any research on "how likely [dog parks] are to contaminate nearby wetlands. I was asked to delineate wetlands." Reply Brief, DE 131.00 at 18; DE 124.00 p. 215 of 437; ROR 104d p. 75. In that regard, Theall reported there were no wetlands found within a hundred feet of the proposed road based on fifty soil samples taken in the subject area. DE 109.00, pp. 18-21 of 605; ROR 5, pp 18-21.

Plaintiffs contend that the Commission overlooked, or ignored, evidence and information provided by Robert Casson, a Weston resident opposing the dog park who took a video in April 2018 near the wetlands in question during a rainy day (2.3 inches) showing water runoff in that area. This narrated video was shown to the Commission at its April 26, 2018 meeting by Casson who does not live close to the proposed dog park. DE 124.00, p 118 of 437, ROR 35. Mr. Casson, who describes himself as a biologist, also submitted a lengthy and thoughtful written document in opposition to the Town's dog park application. DE 109.00, pp. 181-273. He made three main arguments: (1) the Town had not made an adequate assessment of all the "environmental factors associated" with the selection, design, operation and maintenance of the dog park leaving open the possibility of contamination of *inter alia* wetlands, woodlands and animals; (2) the Town ignored the potential benefits the Moore Property as a whole, and (3) the

Town's proposed use of Recycled Asphalt Product (RAT) for the surface of the proposed road was dangerous. The RAT proposal was eventually dropped in favor of a gravel roadway.

The Commission also had before it a report of Wengell, McDonnell and Costello, Inc., consulting engineers (WMC) sent to Conte. DE 109:00, pp. 504-537. ROR 80. This report concluded:

Any minor increase in flow to the wetland area as a result of the construction of the access drive and parking lot associated with the Dog Park would require storm-water runoff to travel 500 ft. overland through the natural terrain and forest litter before reaching any point of concern. It is our opinion that any increases in peak flows during the 50-yr. storm event are negligible and will not result in adverse impacts to the wetlands or areas down gradient east of Davis Hill Road.

Id., 505.

There were also pictures and reports of erosion in the southern portion of the proposed dog park compiled by James McManus and George Logan, two soil scientists who were consultants hired by the plaintiffs. In their written report before the Commission (found at DE 109.00, pp. 554-560 and ROR 85) McManus and Logan made the following comments and conclusions:

"A careful review of the area of the proposed 20-foot wide, gravel access road and parking areas, as well as the area of the proposed dog park, did not reveal any regulated wetlands and watercourses. However, regulated resources were observed within the eastern and southeastern portions of the overall site adjacent to Davis Hill Road"

Id 554-555. As a conclusion, McManus and Logan opined that plans for the dog park were incomplete because the wetland outside the dog park had "not been fully delineated and evaluated" and "there is no assessment or analysis of potential short-term and long-term, direct and/or indirect impacts to regulated areas in the submitted record... We are of the opinion that there is a reasonable likelihood of unreasonable pollution and degradation of on-site and off-site regulated wetlands." Id., 559-560; ROR 85. The court notes that earlier in their report dated April 25, 2018 McManus and Logan stated their opinion in a significantly different fashion, i.e. that an increase in nutrients from dog feces and urine "will change the physical characteristics of

the wetlands . . . [and] will result in an *adverse physical impact* to the regulated resource.” DE 109.00 at p. 556; ROR 85 at p. 556 (emphasis in original).

The information before the Commission contained varying estimates as to how many trees would have to be cut down primarily as a result of constructing the planned road. In his initial report to the Commission the Town Engineer Conte said no trees, except those that were dead, would be removed. DE 109.00, p. 275 of 605; ROR 49.

A report by a group, SaveATree, submitted by the plaintiffs estimated that 140 trees would be required to be removed by the construction at the proposed new road. DE 109.00, p. 143 of 605; ROR 38. On April 19, 2018 Conte appears to have reported to the Commission that a change in the alignment at the new road would reduce the number of trees to be cut by seventeen.¹ DE 109.00, p. 437; ROR 72.

On February 10, 2018 five Commission members walked the proposed the dog park site, and the minutes of this event noted they viewed the locations identified for the driveway, the dog park enclosure and “the wetland area” DE 109.00, p. 127 of 605; ROR 34. This event took place over two months prior to the Commission’s decision to approve the Town’s application.

The plaintiffs have contended that the Commission ignored or down played the issues raised by potential runoff, erosion, etc. The evidence supporting this contention is not persuasive as shown by the WMG report just discussed. Moreover, at a non-public Commission meeting that took place on May 3, 2018 the Commission noted the Town’s plans to remove fewer trees than originally planned and, as noted earlier, to use gravel for the road rather than asphalt millings. The Commission also discussed differences of opinion expressed by the plaintiffs

¹ The Court is not entirely clear how the number of seventeen was reached.

hydrologist and the Town's expert with respect to water runoff. The Commissioners found the Town's hydrologist more credible on this point. DE 124.00, pp. 342-347; ROR 104e at 19-22.

At the same meeting the Commissioners discussed the plaintiff's claim that the Town's application was incomplete because the wetlands in the subject were not delineated fully. This claim was dismissed because the Commission accepted the wetlands boundaries as flagged by the plaintiffs' soil scientist when making its determination. DE 124.00, pp. 354-358; ROR 104e 29-33. Subsequently at the meeting, the Commission approved the Town's application. DE 124.00, p. 404 of 437; ROR 104f, p. 79. During the meeting and before a vote, members of the Commission commented that the plaintiffs (referred to as "interveners" as that point) did not want the dog park, but noted the Commission's jurisdiction was limited to wetlands and the application should be approved because, in the words of the Commission chair, "nobody has shown there would be significant impact on the wetlands." DE 124.00, pp. 392-395; ROR 104e, pp. 67-70.

Shortly thereafter the Commission voted, 4 to 1, to approve the Town application with the finding that "the Commission has reviewed all the items presented by the Interveners and we feel they have not shown there would be significant impact to the wetlands." DE 109.00, p. 603 of 605; ROR 104e. This finding, stated both in the transcript of the Commission's proceedings and the motion for approval suffices as a statement of reasons for the Commission's action.

After a careful review of the full administrative record of the Commission, the court has no doubt the record contains substantial evidence to support the Commission's decision to approve the Town's application to site a dog park on the Moore property. There was strong evidence presented by John Conte, the Town Engineer, and WMC, that water flows and other natural events would not affect the nearby wetlands. There was little persuasive evidence that

dog urine or feces would be a problem or have an adverse impact of those wetlands. Soil scientist Otto Theall specifically offered no findings on the likelihood a dog park would contaminate the nearby wetlands.

The plaintiff made specific objections that the Commission was not compliant with its own regulations namely sections 215. 3C, 215-7.D (5) and 215-7.E (3).² The first regulation (215. 3C) requires the Town to inventory and maintain current records of regulated areas within the town. The parties agree that the wetlands at issue do not appear on the Weston Wetlands Map. However, the court does not find the omission fatal to the Commission's decision, because new wetlands are discovered, located or created all the time. In addition, the Commission had full information about the specific wetlands at issue at the time it considered and ruled on the Town's application. The Commission's review was not hampered by the fact that the specific wetlands were not included on the Weston Wetlands Map.

Regulation 215-7D(5) requires an applicant to describe how its project "will change, diminish or enhance the ecological communities or functions of the wetlands . . . involved in the application." The Town Engineer stated on more than one occasion that the subject application would have no such effect. Even though the plaintiff's experts opined otherwise, the Commission had substantial evidence to support its agreement with the Town Engineer.

Plaintiffs also assert the Commission did not properly enforce its Regulation § 215-7E (3) requiring an applicant to certify whether "water runoff from the improved site will impact streets or other municipal or private property." DE 124:00 p. 424 of 437. The plaintiffs' assertion is plainly wrong. The Town's application is found at DE 109.00, pp. 9-11, and the box signifying "water runoff from the improved site will impact streets or other municipal or private

² These regulations are found at DE 124.00, pp. 415-437; ROR 105.

property *within the adjoining municipality*" is not checked. This is perfectly appropriate because this portion of the application refers to proper notice being given to "adjoining municipalities," a circumstance not pertinent to the dog park application before this court.

VI. CONCLUSION

The plaintiffs in their initial petition to the Commission and by this appeal have evinced sincere concern over the effect of the proposed dog park and the attendant access road and parking facilities. The Commission for its part was diligent in assessing the information presented by the plaintiffs, the applicant Town and other sources and careful to recognize both the limitations and responsibilities of its duties and jurisdiction.

For the reasons stated above the court finds there is substantial evidence to support the Commission's determination, and the appeal is dismissed.

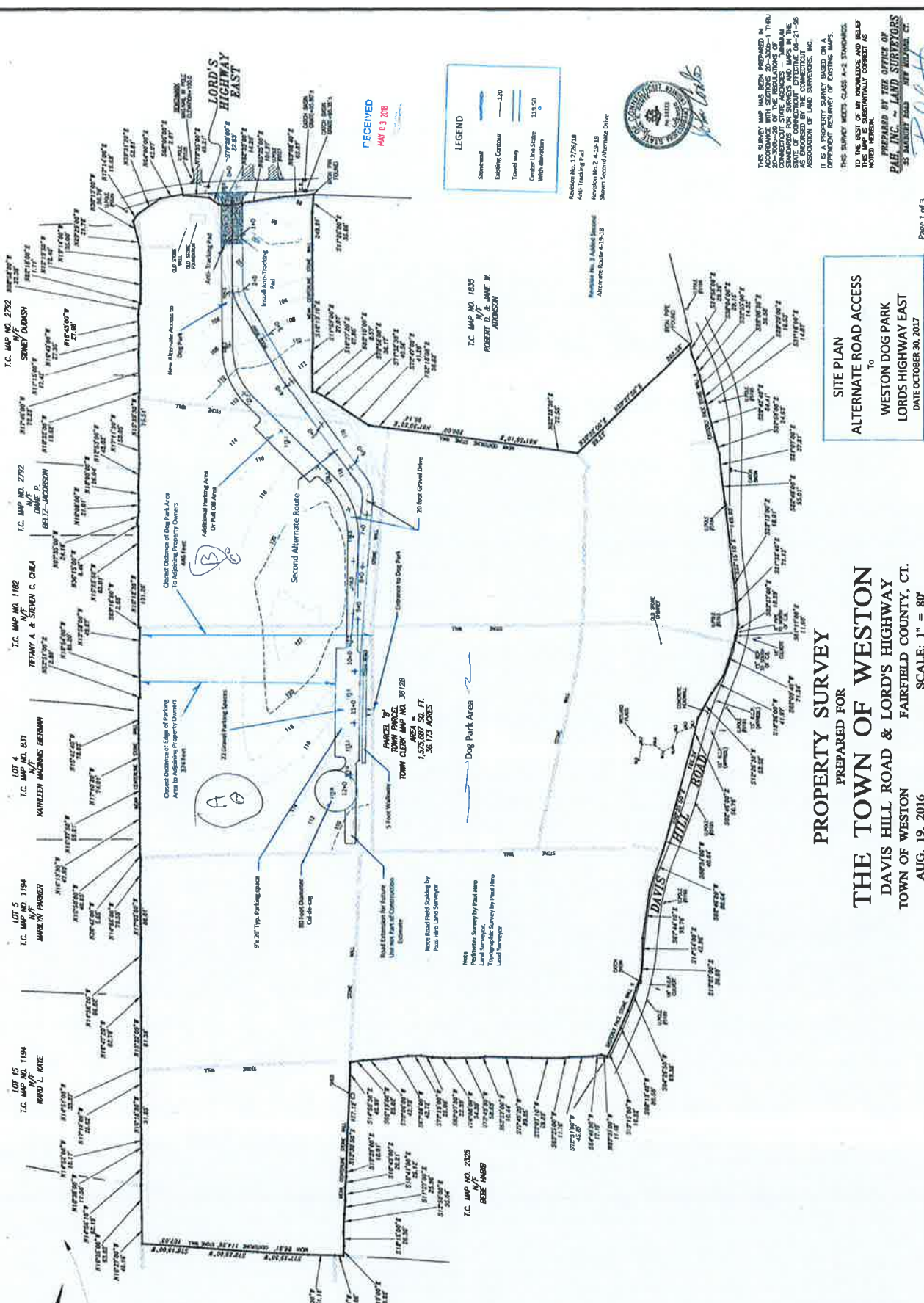
BY THE COURT,



TAGGARD D. ADAMS,
JUDGE TRIAL REFeree

Decision entered in
accordance with the
foregoing 8-26-2020, JDNV
Notice sent. Andrew Lorenzo

Andrew Lorenzo
TAC



RECEIVED
MAY 13 2016

LEGEND

- Surveyed
- Existing Contour
- Towed Way
- Center Line Center
- With obstruction



THIS SURVEY MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF THE STATE OF CONNECTICUT, DEPARTMENT OF CONSTRUCTION, DIVISION OF LAND SURVEYING, INC. IT IS A PROPERTY SURVEY BASED ON A DEPENDENT RECOVERY OF EXISTING MAPS. THIS SURVEY MEETS CLASS A-2 STANDARDS. TO THE BEST OF MY KNOWLEDGE AND BELIEF, NO MATERIAL ERROR HAS BEEN MADE IN THIS SURVEY. PREPARED BY THE OFFICE OF PAUL J. H. H. H. LAND SURVEYORS 245 MARKET STREET NEW HAVEN, CT 06510

SITE PLAN
ALTERNATE ROAD ACCESS
TO
WESTON DOG PARK
LORDS HIGHWAY EAST
DATE OCTOBER 30, 2017

PROPERTY SURVEY
PREPARED FOR
THE TOWN OF WESTON
DAVIS HILL ROAD & LORDS HIGHWAY
TOWN OF WESTON
FAIRFIELD COUNTY, CT.
AUG. 19, 2016
REvised OCT. 17, 2017 FOR PARTIAL TOPOGRAPHY
SCALE: 1" = 80'

T.C. MAP NO. 2792
SNEY DUDASH

T.C. MAP NO. 2792
JANE P. BELTZ-JACOBSON

T.C. MAP NO. 1182
TRIFANY A. & STEVEN C. CHIA

LOT 4
T.C. MAP NO. 831
KARLEEN MACMANS BERMAN

LOT 5
T.C. MAP NO. 1194
MAGNIN PARKER

LOT 15
T.C. MAP NO. 1194
MAUD L. RAYE

T.C. MAP NO. 1035
N/E
ROBERT ALTMANSON

T.C. MAP NO. 2305
BOBE HUBB

OPEN SPACE
T.C. MAP NO. 36128

- NOTES:**
- 1) REFER TO THE TOWN CLERK'S OFFICE FOR THE RECORDS OF THE TOWN OF WESTON FOR THE RECORDS OF THE TOWN OF WESTON.
 - 2) THIS MAP REPRESENTS A DEPENDENT RECOVERY OF EXISTING MAPS AND IS NOT A RE-SURVEY.
 - 3) THIS MAP IS BASED ON THE RECORDS OF THE TOWN OF WESTON.
 - 4) INTERFERING OBSTACLES OR UNRECORDED ENCUMBRANCES HAVE BEEN NOTED AND SHOWN HEREIN.
 - 5) THE PROPERTY BOUNDARIES SHOWN HEREIN WERE DEDUCED FROM THE RECORDS OF THE TOWN OF WESTON.
 - 6) THE PROPERTY BOUNDARIES SHOWN HEREIN WERE DEDUCED FROM THE RECORDS OF THE TOWN OF WESTON.



Construction Notes
Standard Specifications
for
Roads & Incidental Construction

SECTION 3.09
SEWERAGE

3.09.01 - Description: This section shall include the construction and installation of all sewer lines, manholes, catch basins, and structures. The work shall be in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.09.02 - Construction Methods: All work shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.09.03 - Materials: All materials shall be of the highest quality and shall be approved by the Engineer. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

SECTION 3.10
ROULED GRANULAR BASE

3.10.01 - Description: This section shall include the construction and installation of all rouled granular base courses. The work shall be in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.10.02 - Construction Methods: All work shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.10.03 - Materials: All materials shall be of the highest quality and shall be approved by the Engineer. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

SECTION 3.11
CALCULATING AND CURBING

3.11.01 - Description: This section shall include the construction and installation of all calculating and curbing. The work shall be in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.11.02 - Construction Methods: All work shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.11.03 - Materials: All materials shall be of the highest quality and shall be approved by the Engineer. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.11.04 - Installation: All installation shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.11.05 - Maintenance: All maintenance shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.11.06 - Safety: All safety measures shall be taken in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.11.07 - Inspection: All inspection shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

SECTION 3.12
TEMPORARY SILT FENCE

3.12.01 - Description: This section shall include the construction and installation of all temporary silt fences. The work shall be in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.12.02 - Construction Methods: All work shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.12.03 - Materials: All materials shall be of the highest quality and shall be approved by the Engineer. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.12.04 - Installation: All installation shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

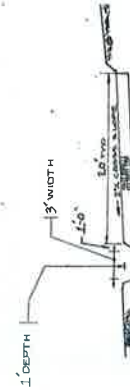
3.12.05 - Maintenance: All maintenance shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.12.06 - Safety: All safety measures shall be taken in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

3.12.07 - Inspection: All inspection shall be done in accordance with the Standard Specifications for Roads and Incidental Construction, and any amendments thereto. The work shall be completed in a timely manner and to the satisfaction of the Engineer.

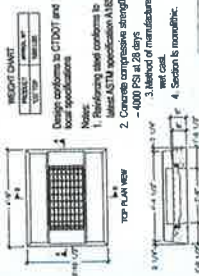


5 Foot Gravel Walkway



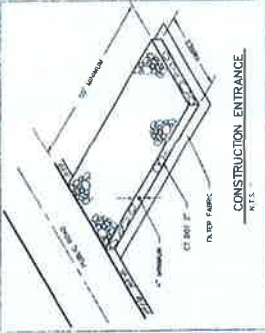
DRIVEWAY & GUTTER DETAIL

TYPE C/C CATCH BASIN TOP

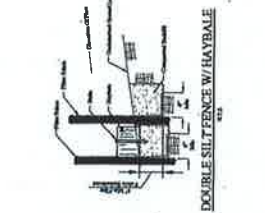


SECTION A-A
SECTION B-B
SECTION C-C

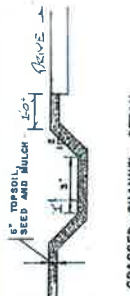
Notes:
1. Reinforcing steel conforms to local specifications.
2. Concrete compressive strength - 4000 PSI at 28 days.
3. Method of manufacture: wet cast.
4. Slope to manhole.



CONSTRUCTION ENTRANCE



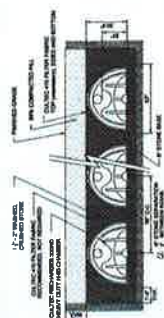
DOUBLE SILT FENCE W/ HAYBALE



GRASSED CHANNEL DETAIL



TEMPORARY SILT FENCE CHECK DAM

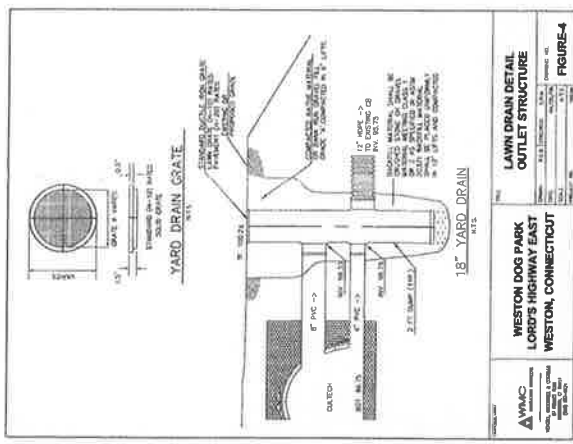
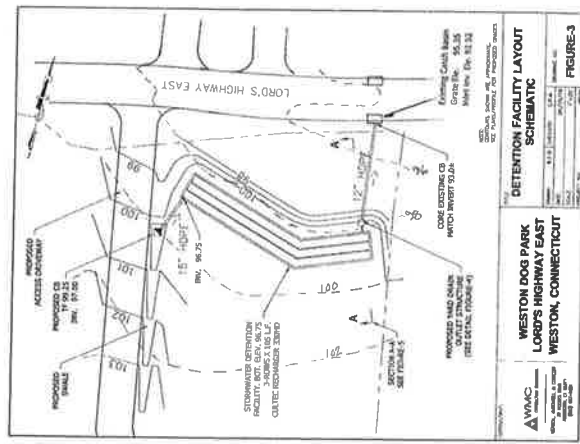
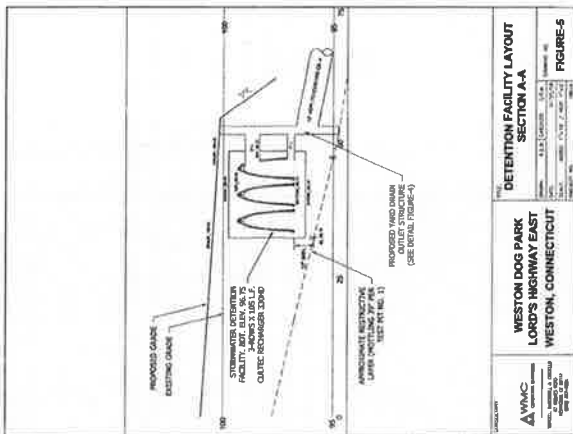


TYPICAL CROSS SECTION RECHARGE @ 330HD UNPAVED H2O CHAMBER SYSTEM

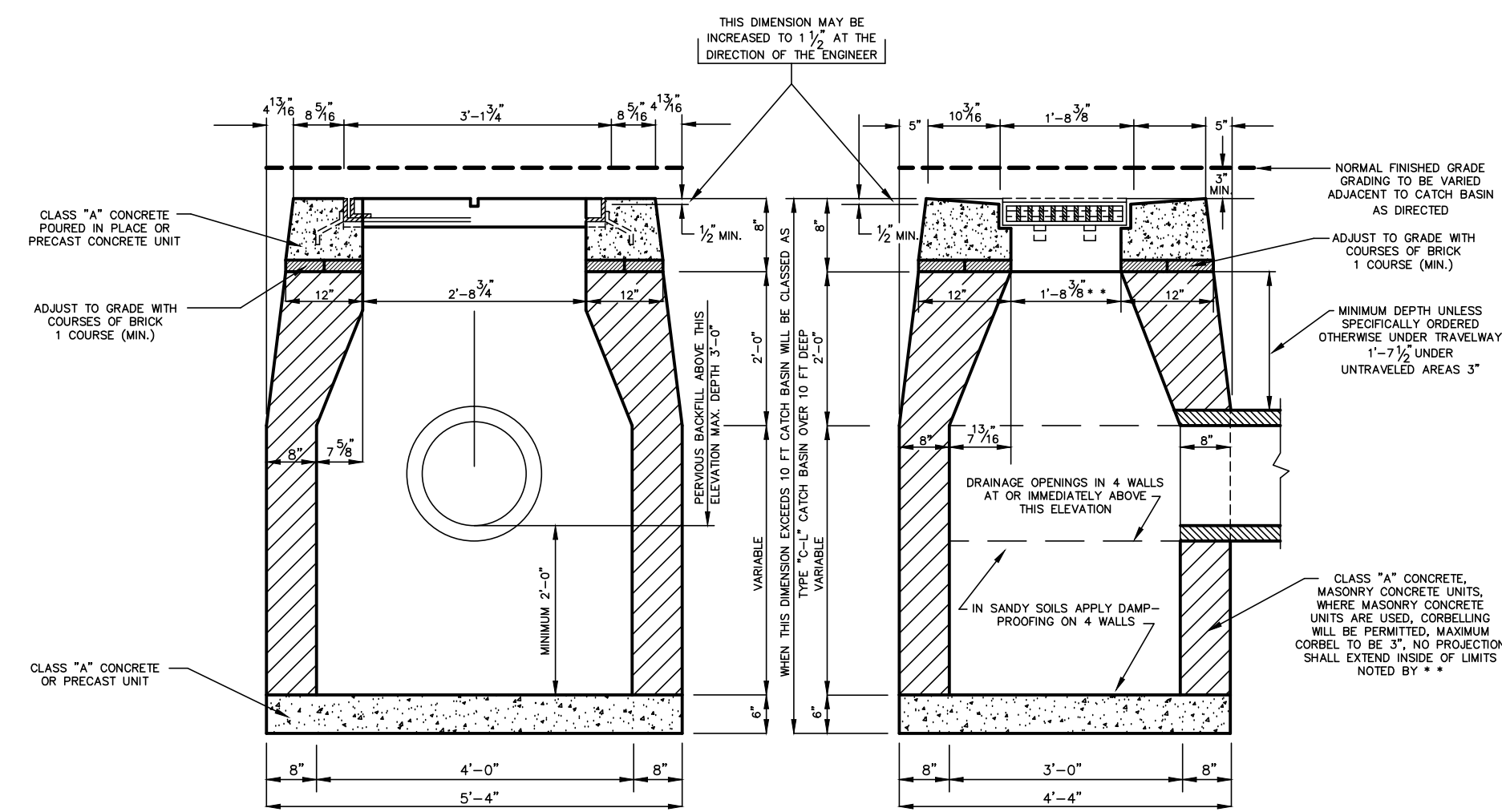
CONSTRUCTION NOTES & DETAILS
ALTERNATE ROAD ACCESS
TO
WESTON DOG PARK
LORDS HIGHWAY EAST
DATE OCTOBER 30, 2017



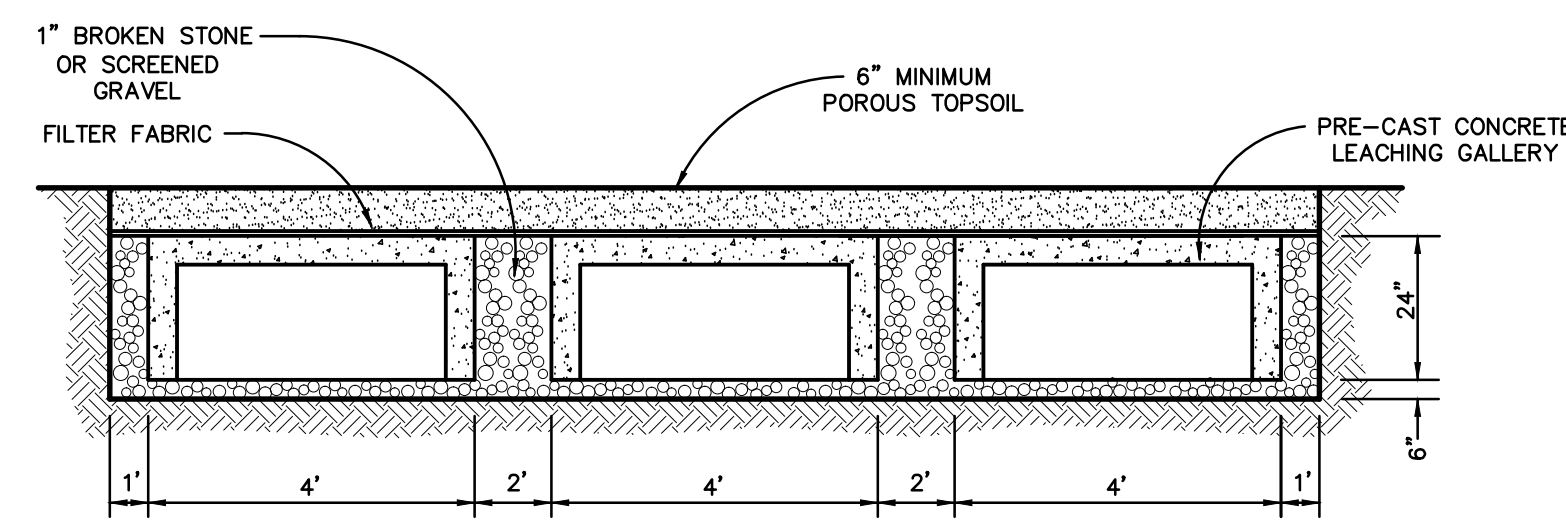
Revision No. 1
Detail of Driveway & Gutter Detail
Revision No. 2
Detail of Driveway & Gutter Detail
Revision No. 3
Detail of Driveway & Gutter Detail
Revision No. 4
Detail of Driveway & Gutter Detail
Revision No. 5
Detail of Driveway & Gutter Detail



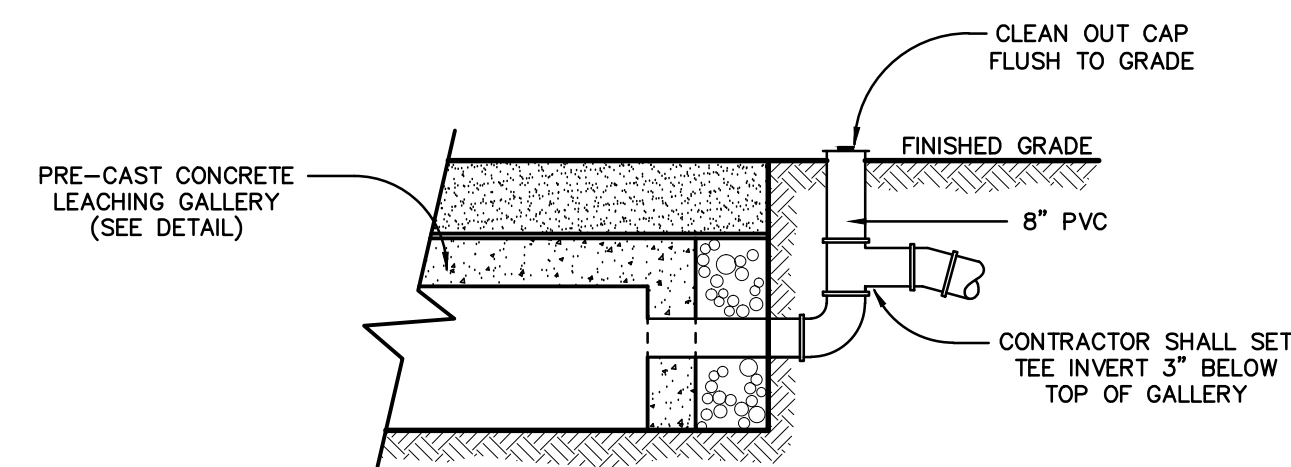
CONSTRUCTION DETAILS
 for
CULTEC RECHARGER SYSTEM
WESTON DOG PARK
LORDS HIGHWAY EAST
 WESTON, CT Date: 4-25-18



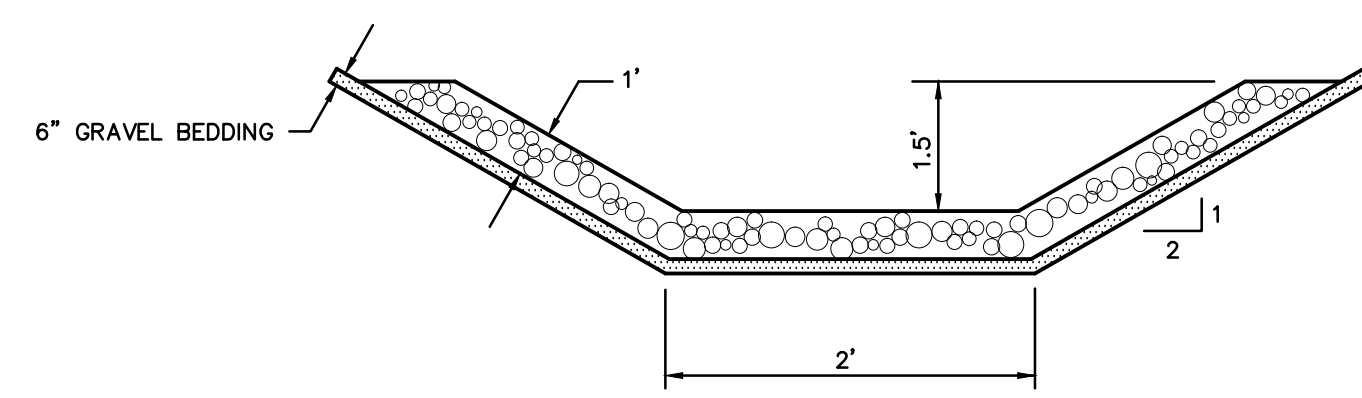
CATCH BASIN DETAIL
N.T.S.



24" x 48" UNDERGROUND DETENTION SYSTEM GALLERY DETAIL
N.T.S.



UNDERGROUND DETENTION SYSTEM HIGH LEVEL OVERFLOW OUTLET DETAIL
N.T.S.

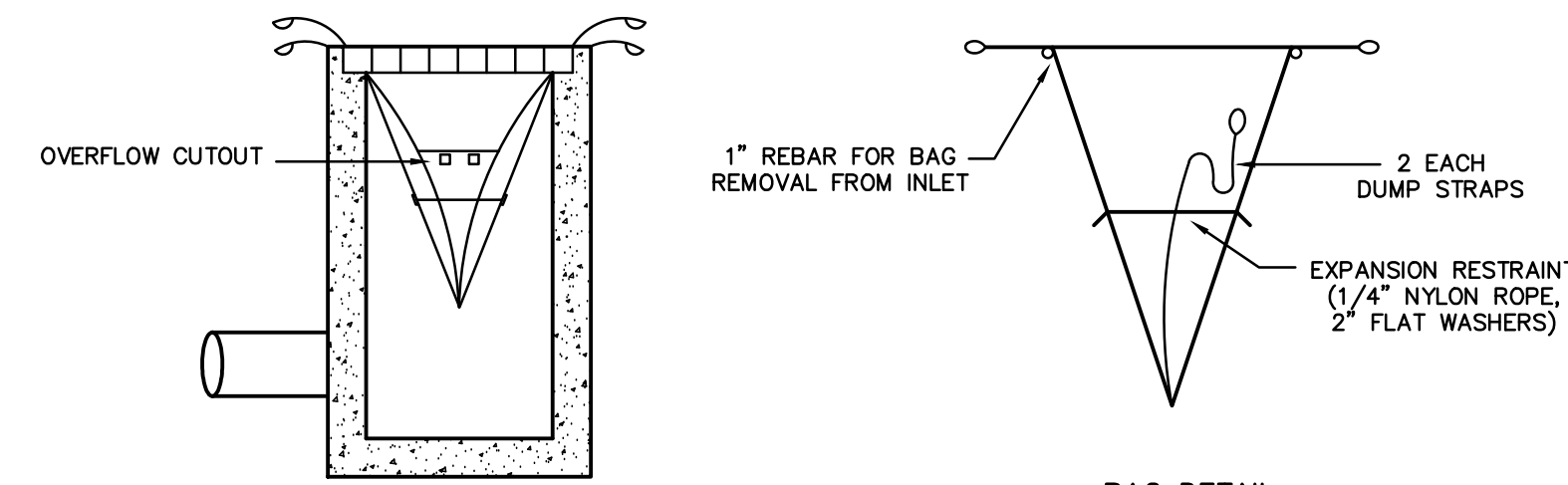


MODIFIED RIP RAP - THIS MATERIAL SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

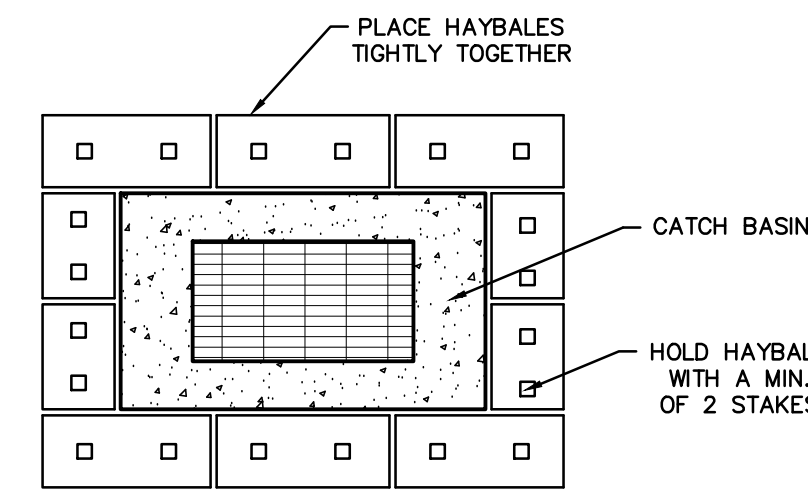
STONE SIZE	PERCENT OF THE MASS
10" OR OVER	0
6" TO 10"	20-50
4" TO 6"	30-60
2" TO 4"	30-60
1" TO 2"	10-20
LESS THAN 1"	0-10

SOURCE - U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE, STORRS, CONNECTICUT

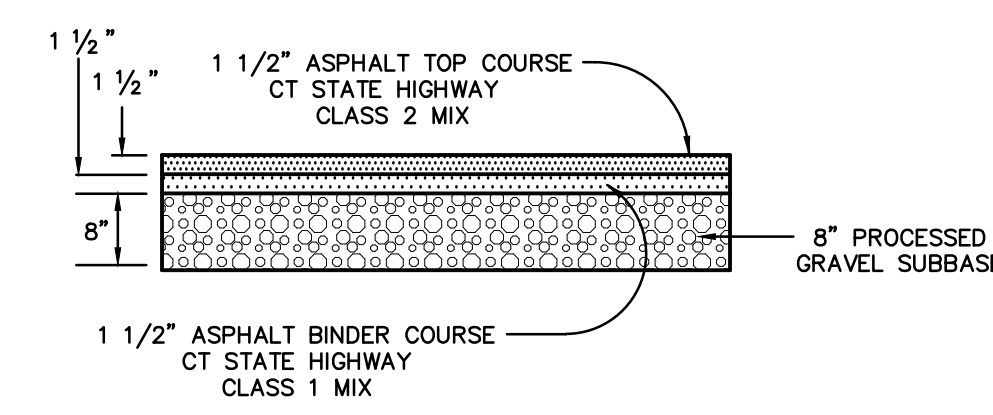
RIP RAP CHANNEL DETAIL
N.T.S.



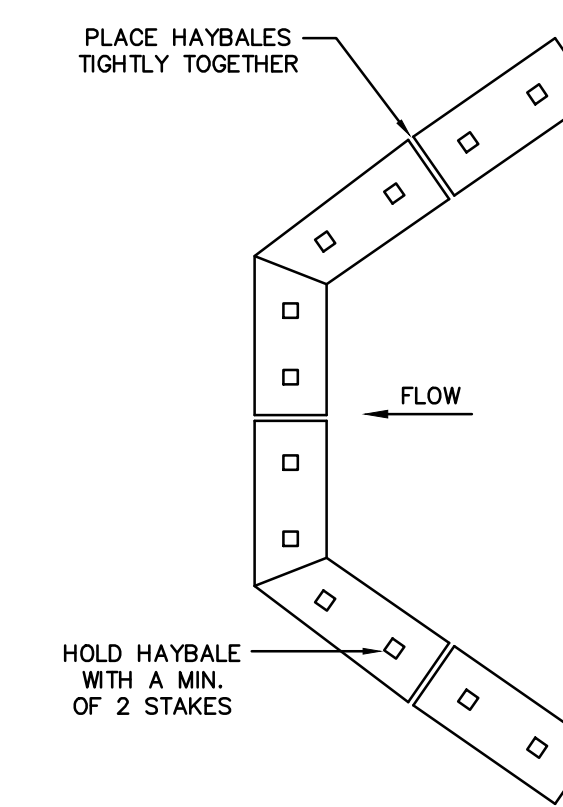
SILT SACK DETAIL
N.T.S.



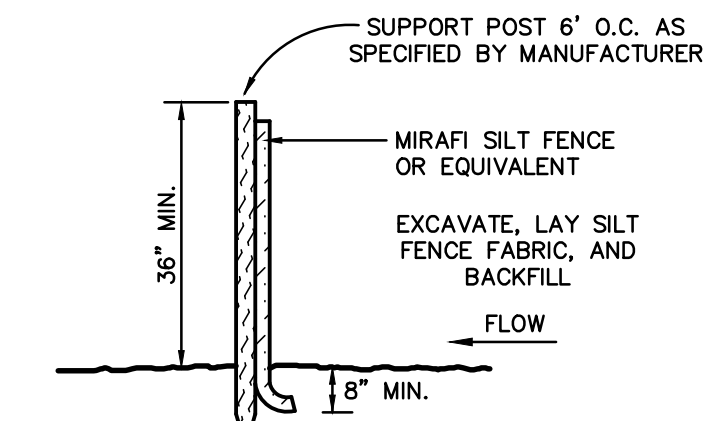
HAYBALE RING DETAIL
N.T.S.



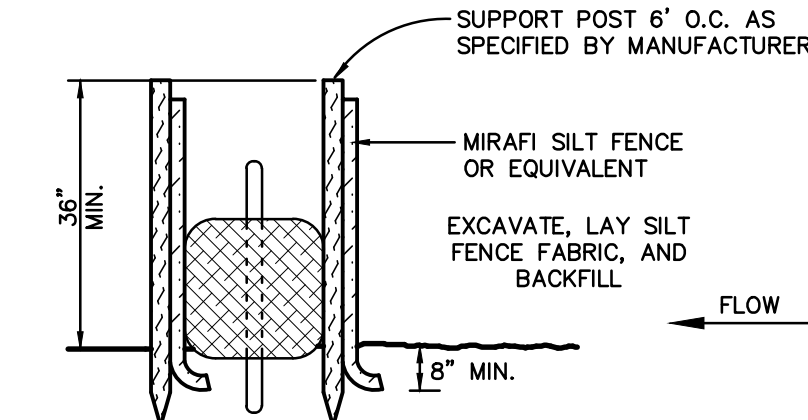
PAVED APRON DETAIL
N.T.S.



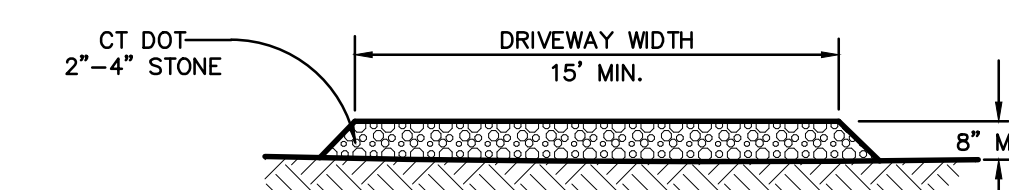
HAYBALE CHECK DAM DETAIL
N.T.S.



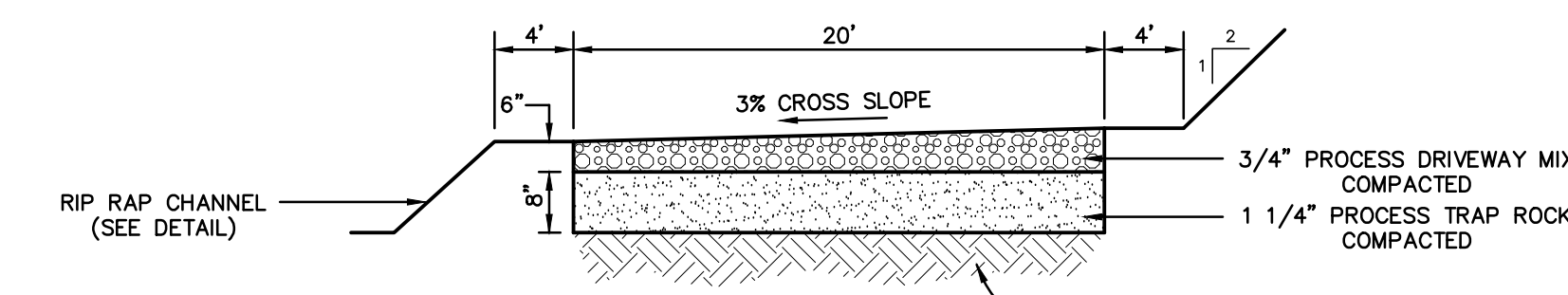
SILT FENCE DETAIL
N.T.S.



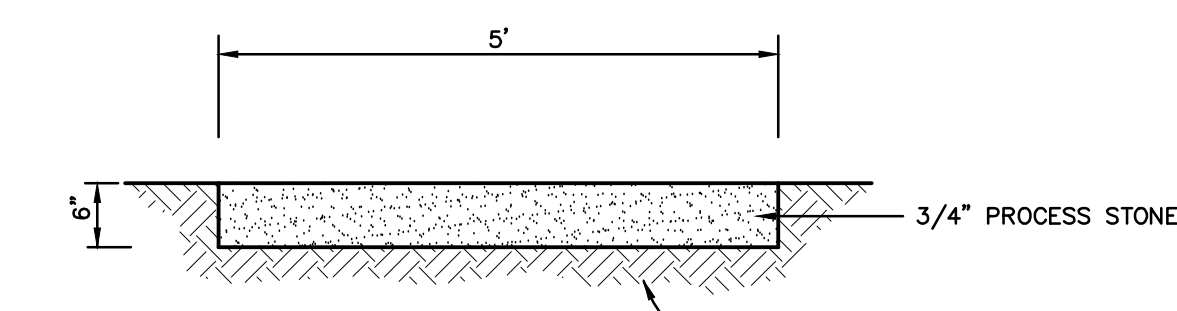
DOUBLE ROW SILT FENCE BACKED WITH STAKED HAYBALE DETAIL
N.T.S.



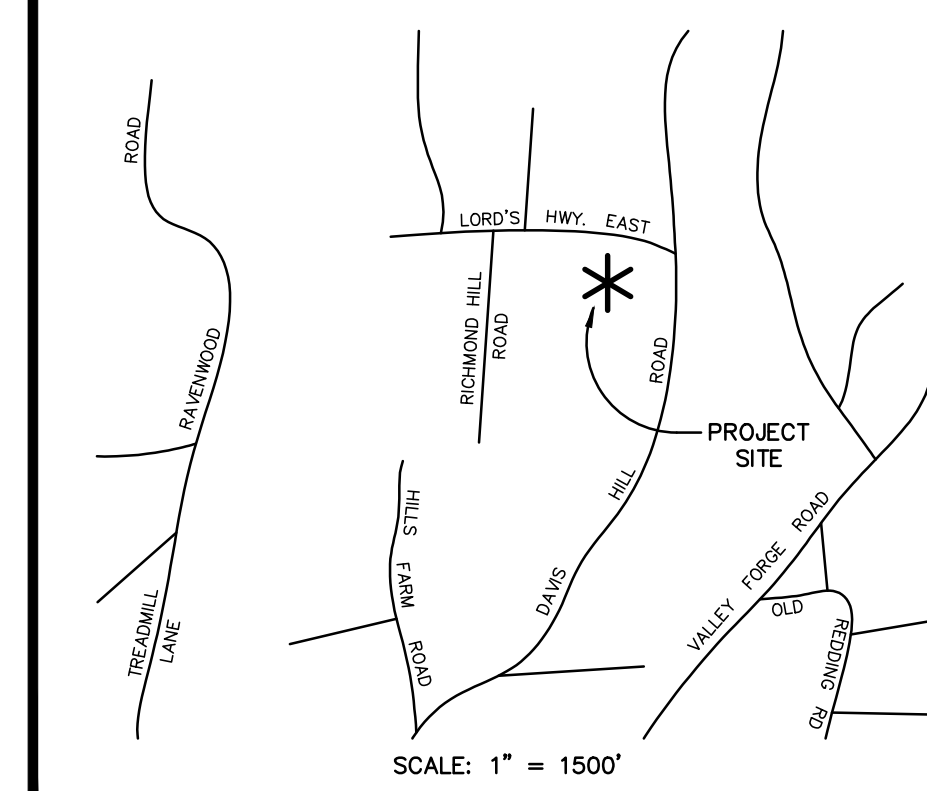
CONSTRUCTION ENTRANCE DETAIL
N.T.S.



GRAVEL DRIVEWAY DETAIL
N.T.S.



GRAVEL WALK DETAIL
N.T.S.

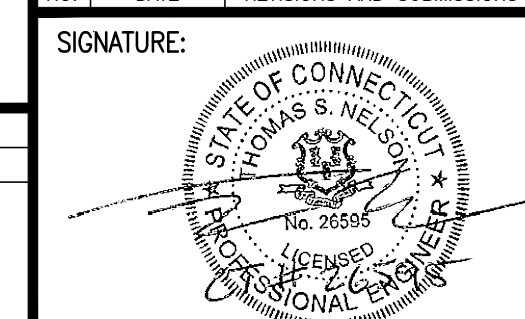


ORIENTATION

THIS DRAWING AND DETAILS ON IT, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF THE ENGINEER AND MAY BE USED FOR THIS SPECIFIC PROJECT AND SHALL NOT BE LOANED, COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

NO.	DATE	REVISIONS AND SUBMISSIONS
4	3-23-22	REVISED AND ISSUED TO THE TOWN OF WESTON
3	1-18-22	REVISED AND ISSUED TO THE TOWN OF WESTON
2	7-30-21	REVISED AND ISSUED TO THE TOWN OF WESTON
1	5-28-21	ISSUED TO THE TOWN OF WESTON

SIGNATURE: _____ DRAWING NO: DT1



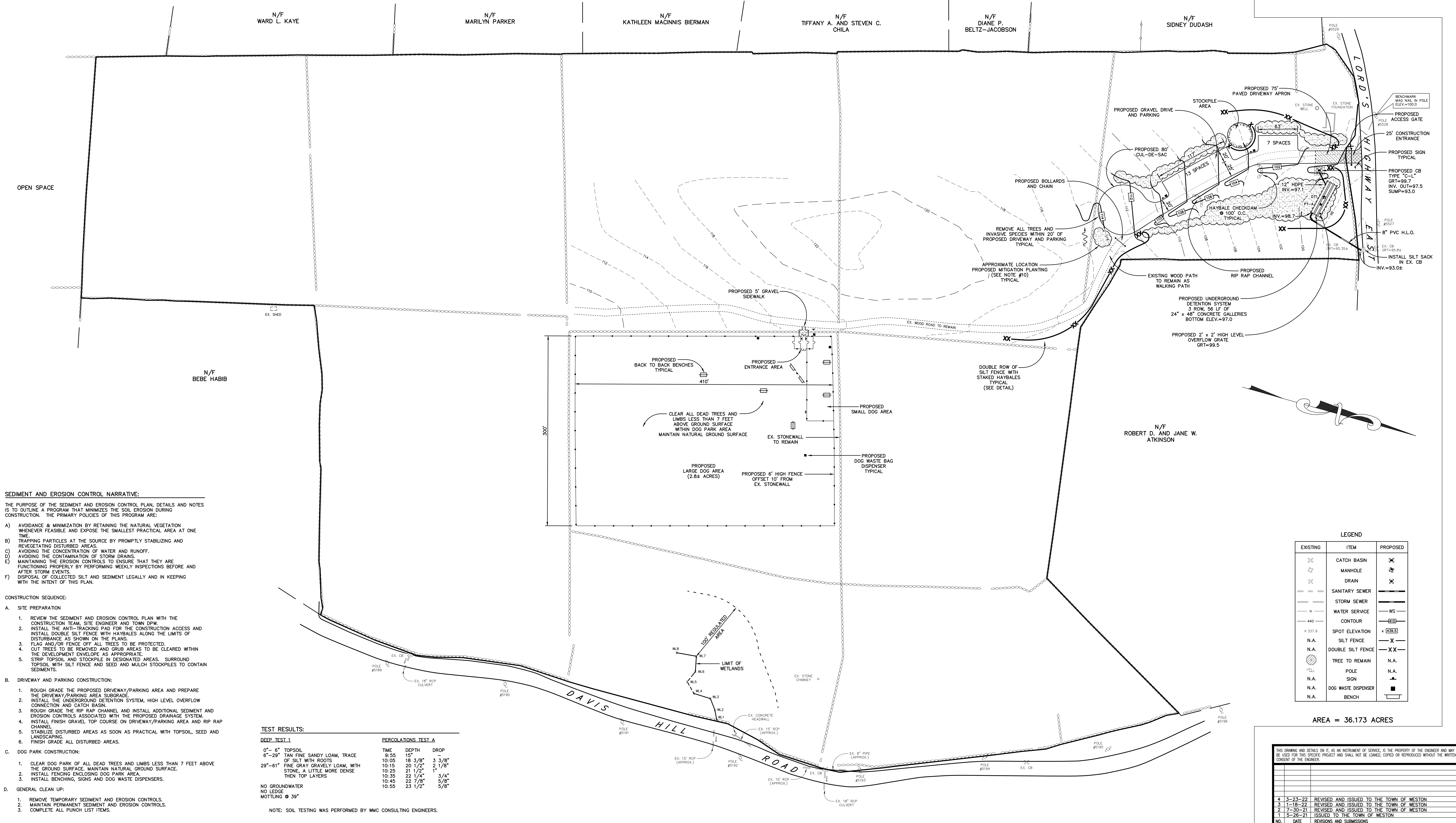
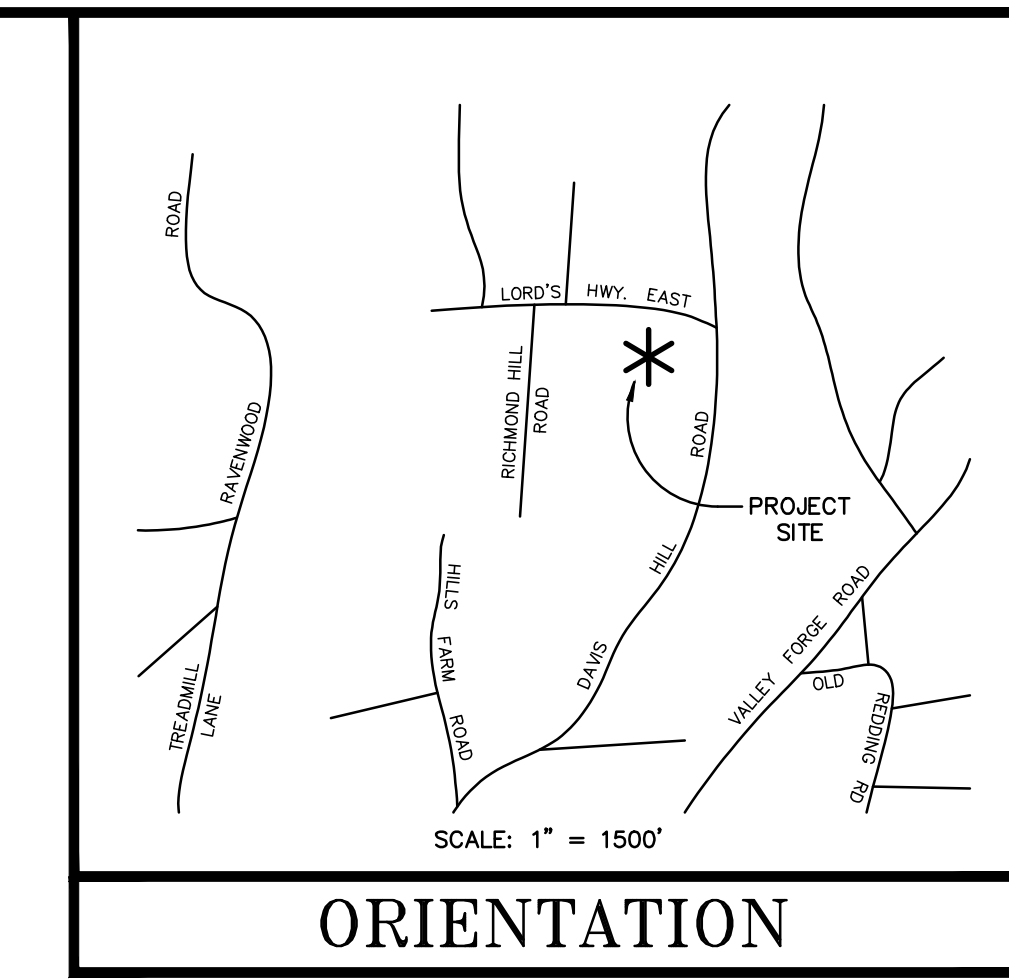
NOTES:

- EXISTING UTILITIES, STRUCTURES, TOPOGRAPHY AND PROPERTY LINE INFORMATION SHOWN HEREON ARE TAKEN FROM THE "PROPERTY SURVEY" PREPARED FOR THE TOWN OF WESTON BY PAH, INC. - LAND SURVEYORS OF NEW MILFORD, CT, DATED AUGUST 19, 2016, LAST REVISED OCTOBER 17, 2017.
- LOCATIONS OF EXISTING UNDERGROUND STRUCTURES AND UTILITIES INDICATED HEREON ARE TAKEN FROM DESIGN DRAWINGS, FIELD OBSERVATIONS, AND OTHER SOURCES OF INFORMATION AND ARE NOT TO BE CONSTRUED AS AN ACCURATE "AS-BUILT" SURVEY. THE CONTRACTOR SHALL EXCAVATE TEST HOLES, CONTACT CALL BEFORE YOU DIG, AND PERFORM WHATEVER ADDITIONAL VERIFICATION NECESSARY TO VERIFY THE EXISTING INFORMATION. THE PROJECT ENGINEER SHALL BE PROMPTLY NOTIFIED OF ANY APPARENT CONFLICTS BETWEEN EXISTING UTILITIES AND PROPOSED WORK.
- THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED GRAVEL DRIVEWAY, PARKING AREAS, SITE GRADING, STORMWATER MANAGEMENT AND SOIL EROSION CONTROLS ASSOCIATED WITH THE CONSTRUCTION OF THE NEW DOG PARK.
- COORDINATE SIGN, BENCH AND DOG WASTE DISPENSER LOCATIONS WITH TOWN OF WESTON DOG PARK COMMITTEE.
- ALL CONSTRUCTION SHALL CONFORM TO THE TOWN OF WESTON STANDARD DETAILS AND SPECIFICATIONS. IN THE ABSENCE OF LOCAL STANDARDS, THE WORK SHALL CONFORM TO THE REQUIREMENTS OF THE CONNECTICUT DEPARTMENT OF TRANSPORTATION SPECIFICATION FORM 81B, LATEST EDITION.
- SOIL AND EROSION CONTROL MEASURES SHOWN HEREON SHALL BE PROPERLY INSTALLED PRIOR TO THE START OF CONSTRUCTION, INSPECTED AND REPAIRED WEEKLY AND BEFORE AND AFTER STORM EVENTS, AND MAINTAINED IN FUNCTIONAL CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.
- THE STORMWATER MANAGEMENT FACILITIES SHOWN ON THIS PLAN, IF PROPERLY INSTALLED AND MAINTAINED, SHALL CONTROL THE STORMWATER RUNOFF FROM THE SITE.
- SITE GRADING INDICATED ON THIS PLAN IS IN CONFORMANCE WITH THE WESTON ZONING REGULATIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO THE COMMENCEMENT OF THE WORK.
- SEE THE "NOFA - ORGANIC LAND CARE ACCREDITATION PRACTICUM" PREPARED BY DR. TOM FAILLA, WESTON, CT TREE WARDEN, DATED AUGUST 30, 2021, LAST REVISED SEPTEMBER 26, 2021, FOR ADDITIONAL INFORMATION ON THE PROPOSED MITIGATION PLANTING PLAN.

GENERAL SEDIMENT AND EROSION CONTROL NOTES:

- SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
- COORDINATE THE CONSTRUCTION WITH THE TOWN OF WESTON DPW PRIOR TO BEGINNING WORK.
- EXISTING TREES TO BE SAVED SHALL BE PROTECTED BY FLAGGING AND/OR SNOW FENCING AT THE DRIP LINE WHICH SHALL BE MAINTAINED DURING CONSTRUCTION.
- DUE TO THE VARIABLE LOCATION OF CONSTRUCTION, THE USE OF ANTI-TRACKING APRONS WILL BE ON AN "AS-NEEDED" BASIS DETERMINED IN THE FIELD. WHEN ANTI-TRACKING APRONS ARE USED, THEY SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. APRONS SHALL CONSIST OF 2" - 4" CRUSHED STONE WITH A MINIMUM THICKNESS OF 8 INCHES. EACH APRON SHALL BE APPROXIMATELY 25 FEET LONG AND EXTEND THE WIDTH OF THE CONSTRUCTION ACCESS.
- SILT FENCE AND OTHER SEDIMENT CONTROL MEASURES MUST BE INSTALLED IN ACCORDANCE WITH THE DRAWINGS AND SPECIFIC MANUFACTURER'S RECOMMENDATIONS.
- SILT FENCE SHALL BE MIRAFI ENVROFENCE OR EQUIVALENT APPROVED BY THE DESIGN ENGINEER.
- ADDITIONAL SEDIMENT AND EROSION CONTROLS MAY BE INSTALLED DURING THE CONSTRUCTION PERIOD IF FOUND NECESSARY BY THE INSPECTING ENGINEER OR ANY GOVERNING AGENCY.
- AFTER EACH STORM EVENT OR AT LEAST ONCE WEEKLY, ALL SEDIMENT AND EROSION CONTROLS WILL BE INSPECTED. CORRECTIVE MEASURES TO MITIGATE ENVIRONMENTAL CONCERNS WILL BE ORDERED BY THE DESIGN ENGINEER AND/OR GOVERNING AGENCY, IF REQUIRED.
- ALL PERMANENT AND TEMPORARY SEDIMENT CONTROL MEASURES WILL BE MAINTAINED IN EFFECTIVE CONDITION THROUGHOUT THE CONSTRUCTION PERIOD. UPON COMPLETION OF WORK, ALL TEMPORARY SEDIMENT CONTROL DEVICES SHALL BE REMOVED FROM THE SITE AND ANY COLLECTED SEDIMENTS FROM THE DEVICES SHALL BE DISPOSED OF LEGALLY AND IN KEEPING WITH THE INTENT OF THIS PLAN.
- LAND DISTURBANCE SHALL BE KEPT TO A MINIMUM. ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED. APPLY GRASS SEED AT A RATE OF APPROXIMATELY 120 LBS./ACRE. SEED MIX WILL VARY FROM UPLAND TO WETLAND BUFFER AREAS. MULCH AFTER SEEDING UPLAND AT A RATIO OF 1000 LBS./ACRE.
- EFFECTED PORTIONS OF OFFSITE ROADS MUST BE SWEEPED CLEAN WHEN REQUIRED.
- ALL EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE "CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL," DATED MAY 2002.

TOTAL AREA OF ACTIVITY = 4.1± ACRES
 DOG PARK = 2.8± ACRES
 ROADWAY AND PARKING = 1.3± ACRES



SEDIMENT AND EROSION CONTROL NARRATIVE:

THE PURPOSE OF THE SEDIMENT AND EROSION CONTROL PLAN, DETAILS AND NOTES IS TO OUTLINE A PROGRAM THAT MINIMIZES THE SOIL EROSION DURING CONSTRUCTION. THE PRIMARY POLICIES OF THIS PROGRAM ARE:

- AVOIDANCE & MINIMIZATION BY RETAINING THE NATURAL VEGETATION WHENEVER FEASIBLE AND EXPOSE THE SMALLEST PRACTICAL AREA AT ONE TIME.
- TRAPPING PARTICLES AT THE SOURCE BY PROMPTLY STABILIZING AND REVEGETATING DISTURBED AREAS.
- AVOIDING THE CONCENTRATION OF WATER AND RUNOFF.
- AVOIDING THE CONTAMINATION OF STORM DRAINS.
- MAINTAINING THE EROSION CONTROLS TO ENSURE THAT THEY ARE FUNCTIONING PROPERLY BY PERFORMING WEEKLY INSPECTIONS BEFORE AND AFTER STORM EVENTS.
- DISPOSAL OF COLLECTED SILT AND SEDIMENT LEGALLY AND IN KEEPING WITH THE INTENT OF THIS PLAN.

CONSTRUCTION SEQUENCE:

- SITE PREPARATION**
 - REVIEW THE SEDIMENT AND EROSION CONTROL PLAN WITH THE CONSTRUCTION TEAM, SITE ENGINEER AND TOWN DPW.
 - INSTALL THE ANTI-TRACKING PAD FOR THE CONSTRUCTION ACCESS AND INSTALL DOUBLE SILT FENCE WITH HAYBALES ALONG THE LIMITS OF DISTURBANCE AS SHOWN ON THE PLANS.
 - FLAG AND/OR FENCE OFF ALL TREES TO BE PROTECTED.
 - CUT TREES TO BE REMOVED AND GRUB AREAS TO BE CLEARED WITHIN THE DEVELOPMENT ENVELOPE AS APPROPRIATE.
 - STRIP TOPSOIL AND STOCKPILE IN DESIGNATED AREAS. SURROUND TOPSOIL WITH SILT FENCE AND SEED AND MULCH STOCKPILES TO CONTAIN SEDIMENTS.
- DRIVEWAY AND PARKING CONSTRUCTION:**
 - ROUGH GRADE THE PROPOSED DRIVEWAY/PARKING AREA AND PREPARE THE DRIVEWAY/PARKING AREA SUBGRADE.
 - INSTALL THE UNDERGROUND DETENTION SYSTEM, HIGH LEVEL OVERFLOW CONNECTION AND CATCH BASIN.
 - ROUGH GRADE THE RIP RAP CHANNEL AND INSTALL ADDITIONAL SEDIMENT AND EROSION CONTROLS ASSOCIATED WITH THE PROPOSED DRAINAGE SYSTEM.
 - INSTALL FINISH GRAVEL TOP COURSE ON DRIVEWAY/PARKING AREA AND RIP RAP CHANNEL.
 - STABILIZE DISTURBED AREAS AS SOON AS PRACTICAL WITH TOPSOIL, SEED AND LANDSCAPING.
 - FINISH GRADE ALL DISTURBED AREAS.
- DOG PARK CONSTRUCTION:**
 - CLEAR DOG PARK OF ALL DEAD TREES AND LIMBS LESS THAN 7 FEET ABOVE THE GROUND SURFACE. MAINTAIN NATURAL GROUND SURFACE.
 - INSTALL FENCING ENVELOPING DOG PARK AREA.
 - INSTALL BENCHING, SIGNS AND DOG WASTE DISPENSERS.
- GENERAL CLEAN UP:**
 - REMOVE TEMPORARY SEDIMENT AND EROSION CONTROLS.
 - MAINTAIN PERMANENT SEDIMENT AND EROSION CONTROLS.
 - COMPLETE ALL PUNCH LIST ITEMS.

TEST RESULTS:

DEEP TEST 1	PERCOLATIONS TEST A		
	TIME	DEPTH	DROP
0" - 6" TOPSOIL	9:55	15"	-
6" - 20" TAN FINE SANDY LOAM, TRACE OF SILT WITH ROOTS	10:05	18 3/8"	3 3/8"
20" - 61" FINE GRAY GRAVELLY LOAM, WITH STONE, A LITTLE MORE DENSE THEN TOP LAYERS	10:15	20 1/2"	2 1/8"
	10:25	21 1/2"	1"
	10:35	22 1/4"	3/4"
	10:45	22 7/8"	5/8"
	10:55	23 1/2"	5/8"

NO GROUNDWATER
 NO LEDGE
 MOTTLING @ 39"

NOTE: SOIL TESTING WAS PERFORMED BY WMC CONSULTING ENGINEERS.

LEGEND

EXISTING	ITEM	PROPOSED
(Symbol)	CATCH BASIN	(Symbol)
(Symbol)	MANHOLE	(Symbol)
(Symbol)	DRAIN	(Symbol)
(Symbol)	SANITARY SEWER	(Symbol)
(Symbol)	STORM SEWER	(Symbol)
(Symbol)	WATER SERVICE	(Symbol)
(Symbol)	CONTOUR	(Symbol)
(Symbol)	SPOT ELEVATION	(Symbol)
(Symbol)	SILT FENCE	(Symbol)
(Symbol)	DOUBLE SILT FENCE	(Symbol)
(Symbol)	TREE TO REMAIN	(Symbol)
(Symbol)	POLE	(Symbol)
(Symbol)	SIGN	(Symbol)
(Symbol)	DOG WASTE DISPENSER	(Symbol)
(Symbol)	BENCH	(Symbol)

AREA = 36.173 ACRES

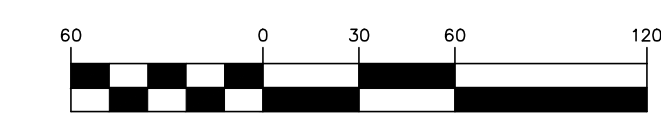
4	3-23-22	REVISED AND ISSUED TO THE TOWN OF WESTON
3	1-18-22	REVISED AND ISSUED TO THE TOWN OF WESTON
2	7-30-21	REVISED AND ISSUED TO THE TOWN OF WESTON
1	5-28-21	ISSUED TO THE TOWN OF WESTON

McChord Engineering Associates, Inc.
 Civil Engineers and Land Planners
 1 Grumman Hill Road
 Wilton, CT 06897 (203) 834-0569

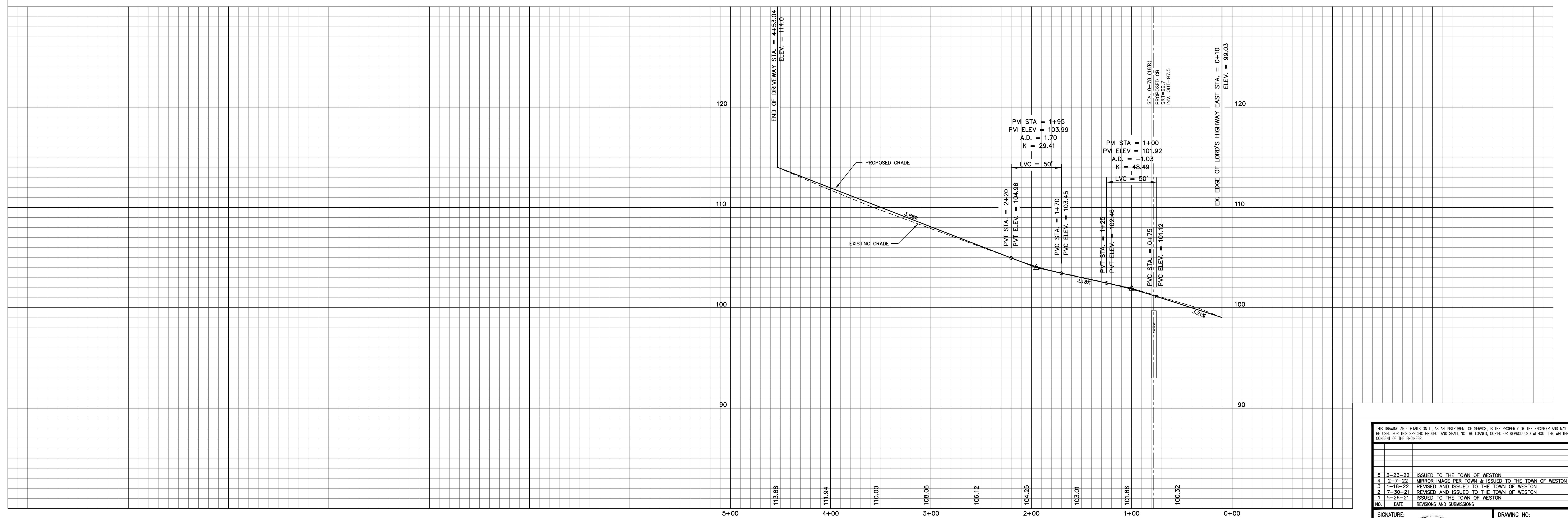
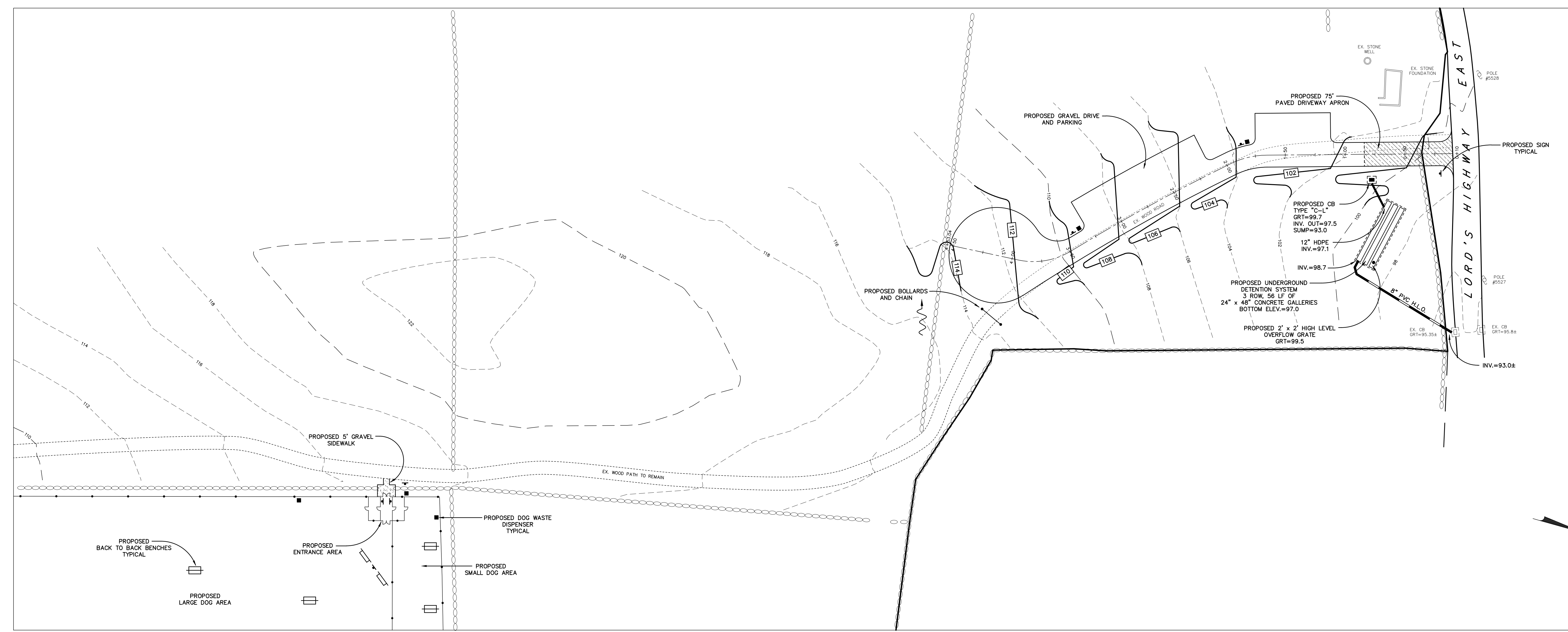
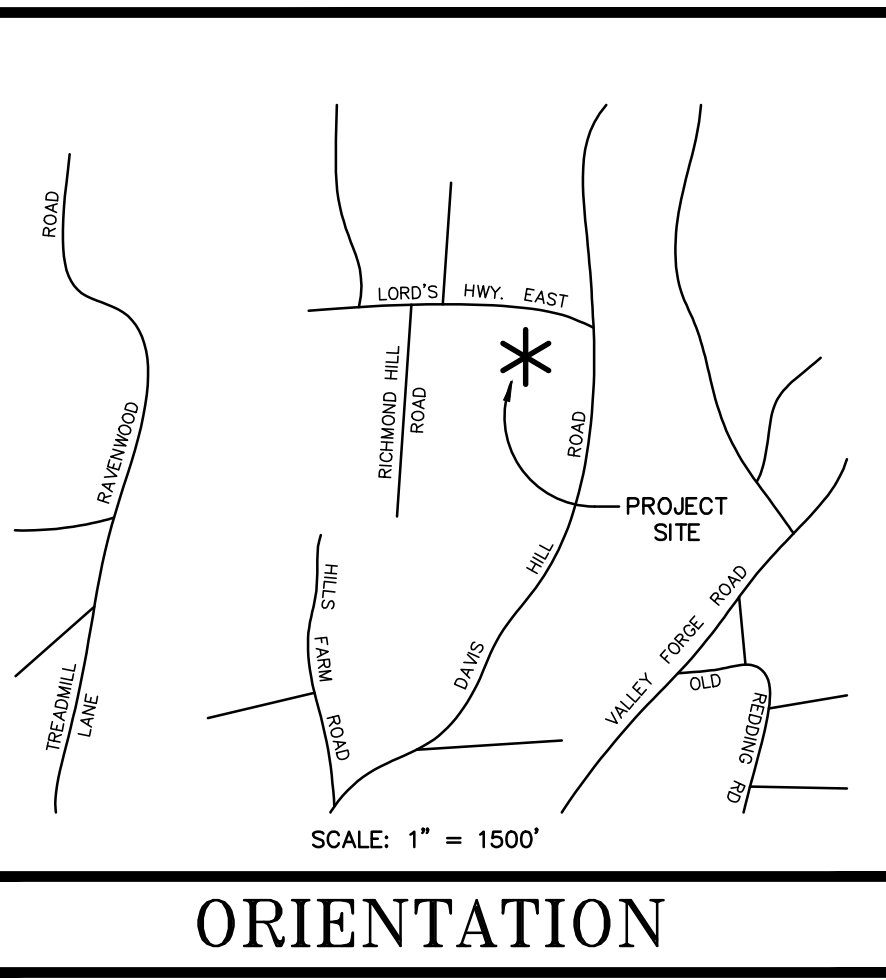
PLAN PREPARED FOR
 THE TOWN OF WESTON
 WESTON, CONNECTICUT

OVERALL SITE PLAN
 "WESTON DOG PARK"
 DAVIS HILL ROAD AND LORD'S HIGHWAY EAST
 WESTON, CONNECTICUT

JOB NO: 2181A-1 DATE: MAY 26, 2021
 DRAWN BY: DRS CHECKED BY: TSN, HMR
 SCALE: 1" = 60'



SIGNATURE: [Signature]
 DRAWING NO: SE1
 SHEET 1 OF 3



THIS DRAWING AND DETAILS ON IT, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF THE ENGINEER AND MAY BE USED FOR THIS SPECIFIC PROJECT AND SHALL NOT BE LOANED, COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

NO.	DATE	REVISIONS AND SUBMISSIONS
5	3-23-22	ISSUED TO THE TOWN OF WESTON
4	2-7-22	MIRROR IMAGE PER TOWN & ISSUED TO THE TOWN OF WESTON
3	1-18-22	REVISED AND ISSUED TO THE TOWN OF WESTON
2	7-30-21	REVISED AND ISSUED TO THE TOWN OF WESTON
1	5-28-21	ISSUED TO THE TOWN OF WESTON

SIGNATURE: _____

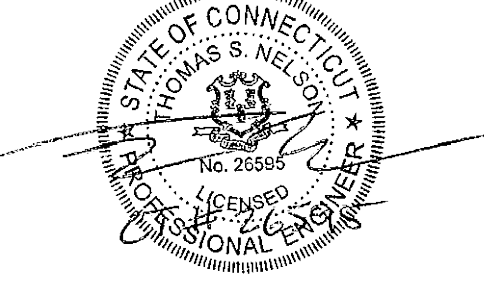
DRAWING NO: _____

McChord Engineering Associates, Inc.
Civil Engineers and Land Planners
1 Grumman Hill Road
Wilton, CT 06897 (203) 834-0569

PLAN PREPARED FOR
THE TOWN OF WESTON
WESTON, CONNECTICUT

PLAN AND PROFILE
"WESTON DOG PARK"
DAVIS HILL ROAD AND LORD'S HIGHWAY EAST
WESTON, CONNECTICUT

JOB NO: 2181A-1 DATE: MAY 26, 2021
DRAWN BY: DRS CHECKED BY: TSN, HMR
SCALE: HORIZ: 1"=40', VERT: 1"=4'



PP1