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Stephen E. Nevas
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April 11, 2022

Sarah Schlechter, Chair
Conservation Commission
Town of Weston
52 Norfield Road
Weston, CT 06883
sschlechter@westonct.gov

Re: Request for Recusal in Inland Wetlands and Watercourses Application to Conservation Commission
Modification of Dog Park Permit 18-01
Lords Highway East & Davis Hill Road

Dear Chair Schlechter,

This office represents Weston residents Freda Welsh, Carolyn Welsh, William Kolbert, Ellen Strauss, Clifford Feller, Joan Dudash, Frank Costello, Dania Feller Anderson and Seth Anderson in connection with the above-captioned Application concerning Town-owned property.

When the above-captioned Application was first presented to the Conservation Commission on Feb 22, 2018, the record shows that you recused yourself:

“I’m a member of the Conservation Commission. I am going to step away. I’m recusing myself because I’ve already publicly, uh, expressed my opinion on the dog park.”

At a second hearing on the same Application on April 26, 2018, the record reflects you took pains to recuse yourself again, saying:

“ Do I need to say I’m recusing myself or can I just walk away? Alright. I’m, I’m recusing myself from the dog park discussion due to previously stated opinions on the dog park.” .

Your decision to recuse yourself was consistent with Connecticut General Statutes Section 22a-42 **Municipal regulation of wetlands and watercourses**, which provides:

Sarah Schlechter, Chair
April 11, 2022
Page two

No member or alternate member of such board or commission shall participate in the hearing or decision of such board or commission of which he is a member upon any matter in which he is directly or indirectly interested in a personal or financial sense.

My clients therefore believe you are required to recuse yourself from consideration of the Modification of the same Application, consideration of which you previously recused yourself from considering, and respectfully request that you do so.

The absence of your recusal raises a significant question about the validity of the vote by which the Commission accepted the Application in this case.

As well, in a letter to the Town Administrator we assert that the Application is incomplete and should be withdrawn. That might be the preferable course in this instance.

Very sincerely,

A handwritten signature in black ink, appearing to read "Stephen E. Nevas", with a stylized flourish at the end.

Stephen E. Nevas

cc: tkulikowski@westonct.gov
ibloom@berchemmoses.com