

MEMBERS PRESENT:

Chairwoman, Sarah Schlechter, Holly Charlesworth, James Smith, Mary Francois, Abigail Squance

Also Present: Tom Failla, Conservation Planner, Tracy Kulikowski, Land Use Director, First Selectwoman, Samantha Nestor, Town Attorney, Ira Bloom

Ms. Schlechter opened the special meeting at 7:35 PM

CONTINUATION OF PUBLIC HEARING LORDS HIGHWAT EAST, TOWN OF WESTON, DOG PARK MODIFICATION [22-05] Ms. Kulikowski read the legal notice of the continued special meeting into the record for the commission. Ms. Schlechter explained to all who were attending the meeting that the commission is only interested in discussion on matters concerning wetlands and inland watercourses. Tonight's meeting is to review this application because the applicant, the Town of Weston, has submitted a modification to the application.

Attorney Nevus, speaking for his clients, stated that the interveners believe that what is being considered is more than a modification and equivalent to a new application. Mr. Nevus summarized the plans and boundaries of the proposed dog park, stating there is an unreasonable likelihood that will destroy public trust in air, water and natural resources.

Harry Rocheville, PE visited the site of the Moore property on May 3rd 2022 to confirm wetlands distance to the dog park fence and found it was 130 feet. Mr. Rocheville summarized that the modifications proposed have less of an impact then the previously approved plan. The modified dog park is consistent with previous approvals, with no adverse impact on wetlands, downstream drainage systems or any adjacent neighbors. In response to a question posed by Ms. Schlechter, Mr. Rocheville confirmed there is no evidence of any harm to wetlands by the installation of fences, with the planting plan 1000 feet from wetlands with no impact. The objective is to restore vegetation following construction around the driveway as well as better the area then it currently is and to mitigate any disturbances caused during construction. Mr. Rocheville responded to the Trout Unlimited letter to Weston Conservation Commission received on May 10, 2022. Discussion ensued.

MOTION TO CLOSE PUBLIC HEARING

Ms. Schlechter made a motion to close the public hearing and Mr. Smith seconded. All in favor, the motion carried (5-0)

Ms. Schlechter reviewed the many concerns raised during the public hearing, stating these concerns have been seen in the previous application as well as in the discussion of the appellate court. Ms. Schlechter reviewed these concerns with the commission.

- Ms. Schlechter stated there was a concern raised that the application was not complete, the map has not changed from original approval, the commission has recognized that in our original approval and in our discussions, and our site walk, and throughout the public hearing, we

recognize the location of wetland in the southeast corner of the property, we have included that wetland location in our evaluation of application.

- The applicant has measured the distance from the wetland flag that the intervenor's soil scientist placed, determined to be 130 feet from wetland.
- There was a concern raised about excessively steep slopes. The applicant's expert has indicated that the slopes are not excessive or will they be altered. The placement of the dog park has not changed; it has gotten smaller, but in the same location as the original application.
- With the concern of indicated slopes, the slopes have not changed since original application and are not excessive or nor will they be altered. The placement of the Dog Park has not changed.
- Stormwater conditions in the dog park will remain same as existing, the ground will remain in its natural state and the applicant will not clear trees.
- Adjacent properties currently flood, existing conditions are not in purview of this commission, and underground water retention system will improve existing condition.

Ms. Schlechter noted that the commission has already identified in previous ruling that the approved plan had zero impact on wetlands. She further noted, there isn't any evidence presented that the modifications, which reduce the scope of the project will result in adverse impact on wetlands.

Ms. Schlechter requested the commission to take an informal vote. The Commission members concurred that the modifications do not present any change in regulated activity that presents an adverse impact to the wetlands. Ms. Schlechter directed staff to draft findings and a resolution.

MOTION TO ADJOURN

Ms. Francois made a motion to adjourn, Mr. Smith seconded. All in favor, the meeting adjourned at 9:07p.m.

Respectfully submitted,

Marina Zegarelli