

## Public Hearing Opening Statement by Presiding Official

My name is Tom Failla. I am the Town of Weston Tree Warden. Today, I serve as the official presiding over this Public Hearing. The purpose of the hearing is to take comments on the Dec. 13, 2013 posting of Notices of Removal (see example image) on 117 dead and live trees seven inches in diameter or larger within a defined area on the town Moore property of approximately one acre immediately south of the chain at Lords Highway East. In addition, a placard (see image) facing the road near the chain states all smaller trees and shrubs are to be removed as well. With me to assist with this meeting are: Nicholas Bamonte, from the town attorney's office, who will serve as parliamentarian to answer procedural questions, and Tracy Kulikowski, town land use director, who will help with the meeting technology.

The postings were made at the request of town officials in control of the property for purposes of construction and improvements within the one acre. Those improvements include a 20-foot accessway, two parking areas for seven and 13 cars and a turnaround for emergency vehicles, a storm water system and associated regrading as described in the Overall Site Plan "Weston Dog Park" SE1 revised 3-23-22 prepared by McChord Engineering Associates. Assisting with the tree inventory on Nov. 8, 10, 11, Dec. 9 and the notice postings on Dec. 13 were Deputy Tree Warden's Phylis Gary and Ben Lampel.

This administrative hearing scheduled for 4 p.m. Jan. 11, 2023 on Zoom complies with Conn. Gen. Statutes 23-59. It was legally noticed Dec. 29, 2023 on the Weston Town Clerk's Bulletin board the Town of Weston website under Legal Notices and the Tree Warden page.

<https://www.westonct.gov/government/municipal-departments/tree-warden>

The notice was also emailed to interested parties. Notices were also posted Jan. 2, 2023 near the chain at the Lords Highway East property entrance. A notice was published in The Hour of Norwalk, CT on Jan. 3, 2023. All documents related to this hearing have been posted on the Tree Warden page on the town website. This includes all written comments received since the initial posting Dec. 13, 2022 on the trees and the placard at the property along the Lords Highway East frontage and until today Jan. 11, 2023. These remarks will also be entered into the record today and posted after the hearing closes.

Before I take comments, here are the ground rules for the hearing:

First, this hearing is for members of the public to offer comments relative to the noticed trees. You will be recognized by raising your hand. When your turn comes, please state your name and address and limit your comments to three minutes or less. Please avoid repeating information already covered. In the meantime, please mute your audio.

Second, the tree warden is here to listen fairly and impartially. He will not engage in discussion about the condition of the trees nor the reason for the notice of removal, which has already been established on the notices of removal and in this opening statement. Under the statute Sec. 23-59, the tree warden has three days from the close of this hearing to render a decision. The decision will be informed by comments from members of the public and documents posted on the Tree Warden page.

Now I will open the hearing for comments from members of the public.

Closing comment:

I believe we have heard all comments. At this point, I close the public hearing. No more information will be accepted. The tree warden will render a written decision within three days, which will be emailed no later than 4p Jan. 14 to the Town of Weston Board of Selectmen and interested parties and posted at the property.

On or about January 17, the decision will also be posted on the Town Clerk's bulletin board, the town web site under Legal Decisions and the Tree Warden Page.

Sect. 23-59 states: "the party aggrieved by such decision may, within ten days, appeal therefrom to the superior court."

# NOTICE OF TREE REMOVAL

This tree, the property of the Town of Weston will be ordered removed by me ten (10) days following this date or thereafter, and is posted in accordance with Section 23-59, Chapter 451, of the Connecticut General Statutes or as thereafter amended. Any person or organization objecting to such removal may appeal to me in writing before the ten (10) day period ends.

Posted this 13 day of December 2022

Signature \_\_\_\_\_

*J. D. Fuller*

Tree Warden  
Town of Weston  
56 Norfield Road  
Weston, CT 06883  
[treewarden@westonct.gov](mailto:treewarden@westonct.gov)

(203) 331-6035

Reason for Removal:

Construction improvements and modifications to area

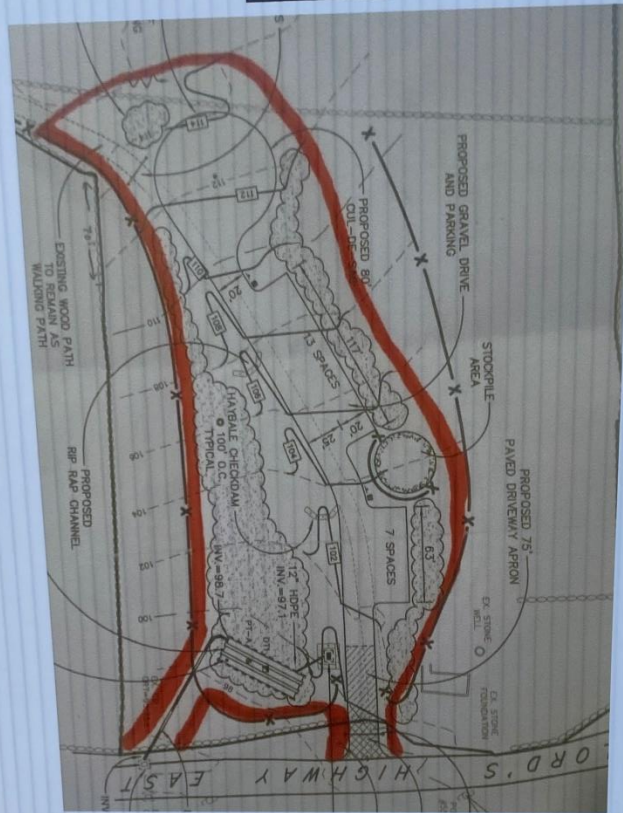
DBH Size: 31

Type: ASH

Location: ✓



SOUTH



EAST

WEST

NORTH

**NOTICE OF REMOVALS** – All trees and shrubs within the area marked in red on this plot plan of Town of Weston property will be ordered removed by me ten (10) days following this date or thereafter. Trees seven inches in diameter or larger are also individually posted and numbered. This notice is posted in accordance with Section 23-59, Chapter 451, of the Connecticut General Statutes or as thereafter amended. Any person or organization objecting to such removal may appeal to me in writing before the ten (10) day period ends.

By order of the Tree Warden, Town of Weston, 56 Norfield Road Weston, CT 06883  
[treewarden@westonct.gov](mailto:treewarden@westonct.gov) – 203-331-6035

Posted this 15 day of December 2022

Reason for Removal: Construction improvements and modifications to the area





Office of Tree Warden, Town of Weston  
Notice of Public Hearing, January 11, 2023 at 4:00 p.m. via Zoom  
Regarding the December 13, 2022 Posting of Tree Removals  
On the Town of Weston Moore Property, Lords Highway East  
(Assessor Map 17 Block 1 Lot 17)

Under the provisions of Conn. State General Statute Sec. 23-59, Powers and duties of tree wardens, the tree warden is required to conduct a public hearing if the tree warden receives any objections in writing within ten days of the posting. Such written objections were received between December 14, 2022 and December 23, 2022. Therefore, a virtual public hearing will take place using Zoom at 4 p.m. local time January 11, 2023.

Pursuant to Public Act 22-3, the tree warden will hold a public hearing on January 11, 2023 at 4:00 p.m. via Zoom.

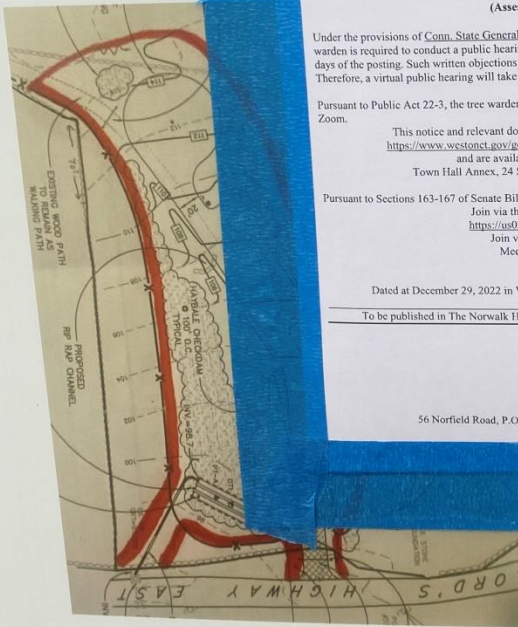
This notice and relevant documents will be posted on the Town website:  
<https://www.westonct.gov/government/municipal-departments/tree-warden>  
and are available in the Land Use Department,  
Town Hall Annex, 24 School Road, M-Th 9:00 a.m. – 4:30 p.m.

Pursuant to Sections 163-167 of Senate Bill 1202, the meeting will take place by internet/phone.  
Join via the Zoom Meeting via Internet:  
<https://us02web.zoom.us/j/83238587607>  
Join via Phone: 1 646 558 8656  
Meeting ID: 832 3858 7607  
Passcode: 646977

Dated at December 29, 2022 in Weston, CT by Dr. Tom Failla, Weston Tree Warden

To be published in The Norwalk Hour on Tuesday, January 3, 2023

56 Norfield Road, P.O. Box 1007, Weston, CT 06883 Tel: (203) 222-2618



NORTH

**NOTICE OF REMOVALS** – All trees and shrubs within the area marked in red on this plot of Town of Weston property will be ordered removed by me ten (10) days following this notice or thereafter. Trees seven inches in diameter or larger are also individually posted and numbered. This notice is posted in accordance with Section 23-59, Chapter 451, of the Connecticut General Statutes or as thereafter amended. Any person or organization objecting to such removal may appeal to me in writing before the ten (10) day period ends.

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