

**TOWN OF BEDFORD
PARKS & RECREATION COMMISSION
MEETING MINUTES
March 8, 2011
BEDFORD MEETING ROOM**

Present were: Dennis Tokac (alt), Diane Phelps, Michele Casale (Chairman), Sue Thomas (Vice Chairman), Norm Longval (TC Rep) and Bob Angelini (alt)

Absent: Mac "Dennis" McMahan and Mike Izbicki (TC alt)

Chairman Casale opened the meeting at 7 p.m. and announced the winner of the Parks & Recreation Department "Family Snowman Challenge" which was the Kashiwabara Family who are in the audience who can come up and collect their Pizza Hut gift certificate and their Award.

NEW BUSINESS - PowerPoint Presentation by the "Dog Park Subcommittee"

Fred Hurwitz (Chairman) and Sandy Lamontagne (Vice Chairman) said we are here today to present to you our site for the Dog Park and also to request approval from the Parks & Recreation Commission members. I know this presentation has been passed around and I am going to avoid going through and reading all the slides, but I will give you the key points and please feel free if you have questions to stop me.

This is our proposal of the concept of the park and preliminary design and then we will talk about how to go forward. The purpose is to bring you up to speed and make a request we would like this Commission to recommend that we go forward to the next step which is to go to the Town Council with your support.

The history of this subcommittee is that it was officially put in place in November 2007 and there were 5 sites and some of these sites were eliminated rather quickly. In the last several months we have revisited the materials of those sites and validated them as well as looking for additional properties and this is the one and only at this time that meets the requirements. If you as a commission are unable to approve this site, then we are unable to go forward and we feel there is nothing else for us to do.

The subcommittee is composed of official members appointed by the Town Council and others assisting us. We have had a few who have been very kind with their time and Jane has been of greatest assistance. Jim Scanlon had to resign as an official member when he became a Town Councilor, but he still attends our meeting and is willing to work on the committee as a volunteer.

I believe one our key points is that we have done all the investigation in terms of talking to other Towns who have Dog Parks and we have obtained materials on how to build a

dog park and talked to real estate agents and one thing we came to understand is that having a Dog Park does several things in terms of giving the dog a place to exercise it also makes the community safer. We know there are 3,400 dogs registered in the Town of Bedford and people do take them to exercise sometimes on a leash and sometimes off leash. By providing them with a Dog Park this will off load other facilities that have been having problems. A Dog Park will enhance safety and enhances the experiences of the dogs and for the people. There have been a few surveys 2008 Bedford Olde Towne Day and 2009 Town Election where the committee has asked voters whether or not they were interested in a Dog Park. I will say that the survey stated that not only do dog owners want a Dog Park, but non-dog owners actually preferred so there is a fair amount of support for this in the community.

Last on this list, but I believe it adds a sense of community for people who go to dog parks they have something in common they have dogs, they may not make other connections, the dogs will play and they can talk. One statement if the Town has a dog park before you buy go to the dog park and you will find what is going on in town it is an enhancement to the community itself.

We looked at the requirements approximately 2 acres of land a parking area, fenced in area and buffer areas. Reasonably level, support grass and we did look at other types of surface and some are expensive, but grass is a good alternative including the obvious one of being less expensive. Easy access to car and people with limited mobility. One of the significant advantages is that there are people with companion animals, people who live in condo's and they need a place to exercise their dogs to remain healthy and well behaved. We want to make sure those people are given access to this facility.

We believe it is important to have noise buffer to homes around it. We think it should be centrally located. It is not accessible if it is on one end of Town compared to the other. This is the location that we are focusing on and recommending. This is on Nashua Rd and it is Town owned property. This area is right across from Normandeau entrance on Nashua Rd, right across the street.

The next slide is the layout and features of the fenced in area, you see the parking area and two separated areas with a fence in between one for smaller dogs and an area for larger dogs. We are recommending that as it is a common recommendation from other facilities that we have seen who have this and the people are more satisfied when that existed.

Councilor Longval mentioned there are 16 parking spaces and 3 will be handicapped.

Mr. Hurwitz said as there are no standards for parking spaces for a Dog Park, we went at a higher limited mobility. The picture (pointing to the slide) doesn't really give you the perspective, but the Normandeau sign is behind me and the hill is higher than in this photo. Right to the left is a well house and the fence would be there and that is the parking area. There is the equivalent of a 6 story building where the park is and the top of the hill. There is actually a good buffer zone. I would like to point out that where the

actual fenced in area is there is ledge in this area. The design we are putting forward builds on the flat area.

Our concept on the development of this park, the group was charged with doing this without any funding from the tax payer and we have accepted that challenge. The building of the park will be financed by fund raising and whatever expenses are incurred in maintenance will be ongoing fundraising. We have done some conservative ongoing expenses after build out could be as much as a few thousand dollars a year and this is doable to raise funds. The priorities are basic engineering, water to the site, fencing the waste stations and the parking. When we have enough money we would add in the benches and water fountains. We were trying to stay as conservative and then as funds allowed do the rest.

The biggest price for work at the park is the site work. There is some thought that we can get this for less because there is some value to the trees that need to be cleared. The ledge removal may not be necessary we are hopeful, but we put it in there just in case. The fencing we got the quotes for so we are talking \$50K.

Phase 2 is under \$10K with water fountains. We have a tentative timeline we are on the Town Council schedule for March 23rd should we move ahead after tonight's presentation. We are looking to have the park open in about a year from now. We would like to shorten the time to get the approval and be able to go ahead and get the fundraising going.

We have fundraising ideas and have a draft of a written plan including category one which is early fund raising of small amounts and public awareness. We believe there are some contributors out there, but in order to make request we need to show that we have the community support and contributions. We would expect that before we get final approval from Town Council we would have a fuller fundraising plan and we are not looking to build until we have money. We will be as conservative as you would hope us to be. I will point out that there are a number of fundraising events held in Town for various items and there are specific fund raising events that are available that have to do with dogs and hopefully we can get some attention.

Last, but not least, we tried to target the abutters concerns. We anticipate that the first concern would be the noise to the abutters as we are 200 ft from the property line of the nearest lot and the nearest home is 70-100 ft away. There is a 59 ft rise which is a big deal. For some testing purposes we had some people i.e. like Sandy stand at the bottom and try to talk loud and I was at the top of the ridge. There are a lot of trees there, and you have a rocky slope, dirt and sound absorption. I want to point out that dogs have deeper voices and that gets absorb. We talked about property values and I don't want to over state this, but it seems from all the recommendations and comments it adds to the property value. In terms of whether this is the best use of the piece of land I believe this topography would make it unsuitable as you couldn't fit a baseball field in this area and there really is no room for a soccer field.

We talked about Dog Park Survey and there were two unscientific ones which involved hundreds of people both owners and non-owners. Liability issues we asked the Town's Attorney and it was explained to us if dogs do what they do and people do what people do, whether it be a bite to another person or animal the liability that the Town has is no different than the liability to license dogs. We can have a Dog Park and the owners of the dog are still responsible for their dogs. Another area of concern was the cost to the taxpayer and we are not looking for public we are just funds looking for contributions.

Ms. Phelps asked you mentioned other Towns what other Towns? Mr. Hurwitz said Portsmouth, Derry, Concord, Manchester, Raymond, and Amherst which is a private park which is just over the line. Ms. Lamontagne said Nashua is in the planning stages.

Mr. Angelini stated that at the Benedictine Park that was being used as the Dog Park and the issues there were that dogs were coming from out of town and you mentioned that we have 3,400 dogs in Town, I believe it is a great idea, but is there going to be capacity max for number of dogs in the Park at one time to be safe? Also how would you police that and how do you police dog owners from out of town? I believe the violators' at the Benedictine Park were from out of town and have you thought about how to address that issue. Also what other policies will you have with aggressive dogs? Also would there be a fee charged, because that would be another way of raising money.

Mr. Hurwitz replied we have thought about those issues and in talking to some of the other communities that have Dog Parks they have given us some guidance. We do not have a recommendation right now. Generally the Parks are open to the public and some Dog Parks have membership fees. There are some Dog Parks that have voluntary policing and most tend to be self policed. The communities we talked to believe that the people who are using it have a vested interest and they would go up to and abusers and make a comment. We would like to set up an ethic in the usage of the park to encourage that type of policing. The signage would help us and ongoing education and communication would encourage that. We are not ready to say let's just charge a fee, but that was an attractive thought.

Chairman Casale asked how do you address the over crowing? How would you limit non-Bedford residents? Have you discussed with other Towns if their park was limited? Ms. Lamontagne replied most of the parks do not limit, but most Dog Parks have a set of rules and in the rules are age limits of the dogs, that no dogs shall be in heat, dogs must be neutered, no more than so many dogs in a certain area. I have visited several parks with my dog and I also have a home in Fla and I am at that park everyday. It really is well self policed. People are quick to point out quickly when your dog left a present and ask you to pick that up. That is how they maintain it. There are a lot of out of towners and it is a nice community environment. You will get an occasional miss, but I have seen other people who have picked up after the occasional miss.

Chairman Casale asked will this be a year round park or seasonal? Mr. Hurwitz replied seasonal with day time hours.

Ms. Lamontagne said we were thinking about 8 AM to sunset. Most of the parks in the other communities were year round. We would post the hours and the rules, but basically the park is use at your own risk. Most people don't want to sit in the cold with their dog and the dogs have a hard time running in the snow.

Ms. Thomas asked would the fences be locked at a certain time so there won't be a dog birthday party or something. Mr. Hurwitz said we didn't discuss a lock, but we could visit this option.

Mr. Angelini asked has there been a study of safety for a number of dogs in the area of so many sq ft. If you have 1000 dogs show up or 100 are there is that too many for the size of the park area? Mr. Hurwitz said no we have not found a density study of dogs. We have a limited number of parking spaces and if they find another spot oh well, but are they going to park 2 miles away? I doubt it.

Mr. Angelini asked does this mean we need to put in a cross walk by the Little League parking lot? Ms. Lamontagne said we are not promoting the Little League Complex as dog park parking. Mr. Angelini replied you do know that is what is going to happen.

Ms. Thomas said as a dog owner and if there were to go to the Park and there were a 100 dogs I would go home. The issue at Benedictine was that park was not a Dog Park and people were making it a Dog Park. There were people who wanted to enjoy the park as it is and didn't want to go to the park and be surrounded by dogs. Anyone who goes to a Dog Park knows why you are going there.

Chairman Casale replied that she has visited the Derry Dog Park and it is self policed and if it is too busy you just don't go. Ms. Lamontagne commented that it is not like other parks, and people don't go and stay there all day. There are groups of people that come at the same time say from 8-9 a.m. and another group comes in from 10-11 a.m. so people come and tend to form little groups and then get together asking are you going to the Dog Park and then will meet at the same time. You get the same dogs on the same occasion and spread out throughout the day. It is not like they all show up at once.

Councilor Longval commented that the dogs who come from out of town, it is a State law that all dogs have to be licensed and shots have to be up to date and every Town has a different tag. If you want to charge out of towners it would be easy to see they have a different tag and it wouldn't be a big issue if we chose to do that.

Mr. Tokac commented he had a few questions and the first question is the fence what the structure is, is it chain linked? Ms. Lamontagne stated yes black chain linked buried 4 inches in the ground so the dogs cannot escape underneath.

Mr. Tokac asked are the dogs on leash or off leash? Mr. Hurwitz said it is an off leash park, but if you want to keep your dog on leash you certainly can. There will be two areas, one for smaller dogs and one for larger dogs.

Mr. Tokac replied that he thought that an off leashed park is no longer under the Town ordinance and that there is a leash law now in Town? Ms. Lamontagne said dog parks are not included in the leash law requirement.

Chairman Casale asked if there was any public comment.

Doug Blais (46 Pinecrest Drive), my concern and I appreciate the sound test that your committee did and the presentation, I believe you did a good job, but we can clearly hear at the top of the hill. The elevation there is at a slant and we can hear the high school games on the football field, lacrosse, we hear things that go on at Sportsman's field. We hear things from the Little League Complex and Babe Ruth at Riley Field. In the summer time we can even hear the beeps from the Swim Team lap tests in the morning. As an abutter the additional noise that will be created from this Dog Park is my concern.

John Deachman (42 Pinecrest Drive) you saw in the photos the slope there, but it is more like an amphitheatre and the reason the Greeks built them that way was the sound travels. When someone is up to bat at the ball field we can hear it. We see the lights at the Town pool and the soccer field. That doesn't upset us. We hear the play by play now we are going to add more noise on top of that the barking of the dogs. I didn't want you to have the impression that the wooden area in there blocks the sound. I can sit on the porch and listen to the football games. I do not happen to be a dog owner, but this is an extended burden to an area that already has a fair share of noise.

Councilor Longval stated that he just wanted to point out to abutters that the park would be closed at night and the sounds travels greater distances at night. It is possible that there are a sizeable number of dogs during the day, but there are other sounds you already hear. I am not saying it is a good thing, but I do not believe it will be a disturbance early in the morning.

Mr. Deachman commented that we are talking about the height of the summer 8:30 p.m. at night when you are having a family B-B-Q and you have friends over. Again, I am not suggesting that we are not willing to do our fair share just because we bought our homes knowing the Town pool was there, now we have the Bedford High School and we added the extra noise and traffic with the high school and I feel we have to draw the line and say maybe some place else in Town can share the burden of this Dog Park.

Mr. Hurwitz said I heard a couple of concerns and issues about the summer hours, I would like to offer that we would be glad to meet with you and hear more details and see what we can do to adjust that concern.

David Allen (54 Pinecrest Drive) knowing dogs and people that the time from the parking lot to the enclosed area with a dog that is unleashed I know there could be a loose dog or a door that is opened and the dog can get out. The hill is steep and if the owner cannot catch up to their dog who is running up the hill and if our dog is outside and there is a loose dog, and I can see this happen a fair number of times. There will be problems in between in and out of the park lot and that is my concern.

Ms. Lamontagne said the requirements in the other parks that we have visited stated that the leash law is in effect until the dog is in the park. So the dogs must be leashed before you take them out of the car. They have to be on the leash going into the park. It is a double lock entry then the leash is removed and the dog goes into the second gate and into the general population. This is what I have seen in all the times I have visited Dog Parks and I have not seen any loose dogs outside of the park.

Chairman Casale replied it could happen? Ms. Lamontagne stated that the same thing could happen at a ball game and a dog could jump out of the car. I not saying it never happens, but as a rule it doesn't usually. If you have been to a dog park they just don't bark continually when they play they don't bark too much. It is not 15 dogs in a park and they are all barking continually.

Mr. Hurwitz explained that he and his wife train seeing eye dogs and one of our members is a professional member and one thing that is always misunderstood is dogs are less aggressive off leash then on leash. Like Sandy said dogs that are loose are frequently not barking.

Kathy Allen (54 Pinecrest Drive) mentioned my other concern is when was this property walked? Was it after the snow or prior to that? Mr. Hurwitz said before and I myself walked it again a few weeks ago. Ms. Allen asked if this property is within the Historic District. Mr. Hurwitz replied it is not.

Ms. Allen commented that living at the top of the hill for 18 years there is a big difference between one person standing and yelling and a number of dogs barking. We all know that dogs bark and there is no question about that. I would submit to you as far as the noise level we will hear them. As my neighbors said we hear things across from Rt 101. We knew when we bought our home that we abutted Town property and we didn't anticipate the growth of the Town and I feel we have taken on the share of the noise, the lights, and all the sounds. It is great and I love hearing the kids in the spring and summer. Even the cheers at the soccer game. My biggest concern is that it is so close to an area that is dense with children in the fall, spring, summer and I have a concern about that. You know not everyone is a dog lover and some are afraid of dogs and no one obviously has a crystal ball, but people will use that and if you only have 16 spots people will use the Little League Complex for parking. You have the addition of living with Nashua Rd being the busy road in Town and with the construction and this part of town which is the busiest part of Town not only during school hours, because people use it to commute, the busses. It really is busy and I would think hard about adding the Dog Park to that. I think we already have people coming out of athletic fields and if you head towards the high school it is difficult to see people with the way the street goes and I would be concerned with adding more cars to that. I understand 16 spaces. The other concern I have it you said you are looking for a lot that is 2 acres, will it be 2 acres of fenced. Mr. Hurwitz aid

Ms. Allen said outside of the fenced area within the 2 acres is that also considered dog park property. Ms. Thomas said no. Ms. Allen said what if the dogs are outside.

Chairman Casale said against the Town ordinance. Ms. Allen said a lot of things are. The other comment is the history of the Town I know there are stone walls and there is also an old cellar hole that is something to think about and I don't know if it is close to the park. That is something I would be interested in knowing if it has historical value. Mr. Hurwitz said we are aware and we are avoiding those areas.

Ms. Allen said you mentioned that you have done survey casual survey's I would prefer to see a little more tightened up survey if in fact we are using these are part of our reasoning for yes a dog park and no a dog park. In addition you mentioned a realtor is that really something that we can prove. I can say I decreased because Dog Park within ear shot. That would be hesitant to judge whether it is an appropriate place because of those informal comments.

Ms. Allen said since that is an area I would like to see where you are talking about and I can tell you that the Beech's will tell you there is ledge in there. We are sitting on a hill of ledge so that is something to consider. I do not think it is an appropriate place for that park. I am not sure what the history is with the Benedictine property, but it was unfortunate and dogs were chasing kids, is that property not big enough. Councilor Longval said land trust said no. Ms. Allen in terms of the benefits to the community dog parks people are brought together in a dog park and dog owners and not everyone. I like dogs, but not everyone is.

Councilor Longval said excellent points Kathy the first to address is the noise and that is something everyone is concerned with and I understand that. When they were doing the airport expansion and there were a number of homes and the worst case scenario is that we can purchase some sound barrier fencing that would eliminate that noise. I cannot eliminate the noise on Rt 101. The comment about the children going to the park getting hurt or those who are afraid of dogs. Most kids who are afraid normally do not go near them and other children are fascinated by dogs. This would be an attraction to go see other dogs playing together. Something's that is a site to see. The third point is the ledging you live there; sometimes you can work with ledging and the layout is designed to work around the ledge in the Dog Park.

Mr. Hurwitz said I have mentioned ledge and we are talking about a small area and our design avoids it right now in our park layout, so what we think is a small area it may be an area to expand the size of the park about 20ft. The larger ledge area we have avoided and that is why you see the unusual shape of the park.

Chairman Casale asked about the unofficial survey's can you refresh me. Ms. Lamontagne said they were done at the polls in March 2009 and I believe at Bedford Olde Towne Day in 2008.

Ms. Lamontagne said the committee at the time basically asked would you support a dog park funded by private donations and 148 dog owners and 40 non-dog owners said yes. Again this was before the leash law and some comments they thought Bedford already had a dog park and they thought the Benedictine was a dog park.

Ms. Thomas said as far as a survey goes and the Dog Park was first established in 2007 before these two surveys we all filled out. If I was given a survey a tax free dog park of course, I don't think the survey or any way to get a survey. 200 person surveys because of the way it was done could be said to be specifically accurate because you do not need a big survey. I don't know how you would do a survey. Most people would say yes. I totally understand unless it is in your neighborhood then you think differently. If we sent it out to the Town the results would be close to the same. Not taking town funds, safe and enclosed park why wouldn't you want to have one.

Chairman Casale said especially with the existing ordinances and Park Ordinance about dogs being on a leash. Ms. Thomas said all the time the idea of the survey that was not a reason 80% of dog owners wants it why wouldn't they if it were do you want the Town to build one then you would get different numbers. That is my feeling about the survey.

Ms. Allen said I do not object, I object to that area that is my main objection. A dog park is great but when it begins to encroach the place should be reconsidered.

Chairman Casale asked about the Park hours and will it be open year round? Ms. Lamontagne asked how we determine the hour to close or the date to close. Chairman Casale said we will work with the neighbors. Ms. Thomas said the Town comes up with a date and the Dog Park would probably be a different date than the ball fields. A lot of that has to do with what Jim Stanford said maintaining the parking lot.

Chairman Casale said the hours during open season can be discussed whether dusk is to late or sunset if it is open to late in the summer should this move forward we can work with the neighbors on limiting the hours we can say 7 pm in the summer that is something we can entertain.

Phyllis Crowell (51 Pinecrest Dr) I oppose the Dog Park at that location and I agree with my neighbors. I am not a dog owner, but I just feel that the barking we will be able to hear and that is a way of getting the dogs in the neighborhood going so I wanted to say that.

Mr. Hurwitz said I appreciate the comments and the people are neighbors to all of us and I am respectful of your concerns and we will dedicate some time to digest the feedback and see if we can make specific recommendations about hours and sound barriers. Ms. Casale said when you report back we will invite the neighbors.

Ms. Thomas said this subcommittee started back in 2007 and a lot of different formulations of this subcommittee have worked very hard and looked a lot of properties. This has been an ongoing item on our agenda every month. I want to thank all of the people starting back with Lissa Foote and Jim Scanlon. I have certainly heard the comments tonight and sometimes making motions and approving things are difficult to do as the Parks & Recreation Commission I do believe that the Dog Park subcommittee has done everything we have asked them to do. They looked at multiple sites and were turned down for multiple reasons. I believe this presentation is an excellent one and

therefore we should approve it. This just means that they can go forward to Town Council. Just so the abutters in the audience understand we are step one and they have met with all the burdens to get through to this step. When it goes to the Town Council level the abutters are invited to make public comment again and as you can see from the subcommittees timeline they are going to be attending multiple meetings and I know you probably cannot attend all the meetings, your statements and concerns are on record in the minutes and the Councilors can get a copy of your comments. I just want to make sure the people here tonight understand that I have heard their concerns, but at this level of approval the Commission states that the Dog Park Subcommittee has met with their burden to find an appropriate site and we now move it to the next level.

MOTION made by Sue Thomas to approve the presentation tonight from the Dog Park Subcommittee and recommend that they go present to the Town Council on March 23, 2011. Seconded by Councilor Longval. Vote taken – all in favor. 5-0-1 abstained (Mr. Tokac). Motion passes.

APPROVAL – 2011 Spring Field Schedule

Chairman Casale said the next item is Approval of the Spring Field schedule in the packet that Jane mailed. Ms. Thomas asked if there were any problems with the schedule. Ms. O’Brien mentioned some minor ones, but it is only two dates with the Lacrosse league using the high school field and the high school having events.

MOTION made by Sue Thomas approves the 2011 Spring Field Use Schedule. Seconded by Diane Phelps. Vote taken – all in favor. Motion passes.

OLD BUSINESS – Update on Field Maintenance & Operations Committee

Chairman Casale mentioned that the School Board approved the Bedford Field Maintenance & Operation Committee and so they will meet before March 31st and establish a their charter and present it to us at our next meeting which is scheduled for June 14th. The members of MOLD on this committee will continue to be Jay Joseph, Steve Beals and Dave Costa.

Ms. Thomas explained that this group will look at the Memorandum of Understanding now that the high school has all four grades along with ways the Town and School can deal with maintenance and operation issues together and adding some of the key players in the recreational leagues.

APPROVAL OF MINUTES – December 14, 2010

MOTION made by Councilor Longval to accept the December 14th minutes as presented. Seconded by Diane Phelps. Vote taken – all in favor. 5-0-1 abstained (Sue Thomas). Minutes approved.

Chairman Casale mentioned that the next meeting is here at BCTV Town Meeting Room on Tuesday, June 14th at 7 p.m.

Meeting adjourned 8:15 PM

Submitted by Jane O'Brien