



Setti D. Warren
Mayor

Off-Leash Area Working Group
February 5, 2010
9:00 am
Room 222-City Hall
Meeting Minutes



Robert J. DeRubeis
Interim
Commissioner

Attending: Bob DeRubeis, *Interim P & R Commissioner*, Lee McIntyre, *Friends of Cold Spring Park*, Officer Ralph Torres, *Animal Control Officer*, Amy Koel, *DOLAC Chairman*, Ted Kuklinski, *Newton Conservators*, Carol Schein, *P & R Open Space Coordinator*, Carol Stapleton, *Recreation Manager*, Ann Dorfman, *Citizen Representative*

Absent: Susan Albright, *Alderman*, Candace Havens, *Interim Planning Director*, Fran Rice, *P & R Commission Member*, Walter Bernheimer, *P & R Commission Member*

1. Development of criteria for feasible green areas-Phase 1

- Interim Commissioner DeRubeis requested Mr. McIntyre facilitate the discussion on the criteria. Mr. McIntyre facilitated the previous discussion.

- a. ADA Compliance–For off-leash areas that require new construction, assure availability of handicapped access parking and an ADA compliant route into the park (or reasonably able to be made accessible) in compliance with the Americans with Disabilities Act of 1990. The goal is to have accessible off-leash areas to the maximum extent feasible

Ms. Koel asked Interim Commissioner DeRubeis if there has been an update from the Law Department regarding ADA Compliance. Interim Commissioner responded no.

Ms. Dorfman asked if the parentheses should be removed.

Mr. McIntyre asked for a consensus on the language for ADA Compliance, with the parentheses removed. The group agreed to the language and to remove the parentheses.

- b. Aesthetic Impact–Due consideration should be given to the visual impact that an off-leash dog area might have on the character of a park (e.g., fences, signs, etc.).

Mr. McIntyre asked for a consensus on the language for Aesthetic Impact. The group agreed to the language as written.

- c. Conservation Impact–Due consideration should be given to the impact that an off-leash dog area might have on wildlife, habitats, and plants in the proposed and surrounding areas. Special consideration should be given to possible negative impact on environmentally sensitive areas.

Ms. Dorfman suggested making the language one sentence instead of two. The group agreed.

- d. Consideration of Abutters–Off-leash areas should be located in such a way as to have as little impact as feasible on neighbors for things like noise, parking, waste removal, and access to the park.

Ms. Dorfman stated the criteria should not be restricted. The word “feasible” makes the *Consideration of Abutters* language restrictive.

Mr. McIntyre wanted to clarify not all abutters have negative feelings.

Mr. McIntyre read the suggestion by Ms. Dorfman. “Consideration should be given to the impact of abutters, such as noise, etc.”

Ms. Koel recommended being consistent and using the language “Due Consideration”.

Interim Commissioner DeRubeis inquired if considering these items, noise, etc., is part of the Phase 1 or Phase 2 process. Mr. McIntyre stated these items would be considered during Phase 2, after a green space is identified.

- e. Cost–(Should this be included at all??? There was no consensus. If it is included here is some possible language: consideration should be given to the amount of funding (if any) that might be required to create an off-leash area).

Ms. Dorfman stated cost should be considered. A green space may require money to become an OLA. If there is no money available, there will be no OLA.

Interim Commissioner agrees. Certain sites would have a cost.

Mr. McIntyre inquired if cost is a Phase 2 criteria. Interim Commissioner DeRubeis stated yes it will be a Phase 2 criteria but cost will also play a part in some Phase 1 decisions.

Ms. Schein inquired how much money was too much money for an OLA.

Ms. Koel commented an area could be targeted and adopted by a business.

Interim Commissioner DeRubeis stated the group will have to feather out what is “too much” for each of the criteria.

Mr. Kuklinski recommended adding “to utilize funding that may be available” the language needs to be flexible.

Ms. Dorfman stated cost and how to get funding are two different things.

Ms. Stapleton inquired if the cost of maintenance should be included. Interim Commissioner DeRubeis stated cost of maintenance should not be included in the Phase 1 criteria language.

- f. Current Off-Leash Status–The question of whether a site is already being used for off-leash status should be noted. If not, what barriers to the creation of off-leash use might be present? If so, what problems have already been felt? What might be the impact of increased off-leash usage?

Mr. McIntyre stated he has no objections to the spirit of the criteria but questions the language.

Ms. Dorfman suggested removing the question marks. Mr. McIntyre inquired why question marks should be removed.

Ms. Koel recommended having a consistent format.

Group members agreed to both suggestions.

- g. Distribution of Parks–Off-leash areas should be scattered throughout the city so that their impact on any single neighborhood can be mitigated and relatively close access is available to as many residents as possible.

Ms. Dorfman stated she is uncomfortable with this criteria. Most communities have one big dog park and this group has made the decision to have multiple dog parks. Ms. Dorfman questioned if this is a policy decision.

Mr. McIntyre questioned Interim Commissioner DeRubeis if Mayor Warren has made the decision to have multiple dog parks.

Interim Commissioner stated yes he believes the Mayor has made the decision for the City to have multiple dog parks.

Mr. McIntyre stated the group would be committing to a policy that is already in place.

Ms. Dorfman stated this criteria is a pivotal piece that needs to be hashed out and cleared up by OLAWG. The group needs to determine goals.

Ms. Koel recommended being consistent using the language “due consideration” and keeping the criteria language general not restrictive.

Ms. Schein agreed this criteria should be kept at the same level as the other criteria.

Interim Commissioner DeRubeis agreed the criteria should be kept general. More detail will come down the road when evaluating a green space. The group will put the criteria in place and then develop goals for each of the criteria.

- h.** Enforcement–Will the proposed off-leash area facilitate the Newton Animal Control in their responsibilities to oversee both off-leash and non-off-leash areas? Does a proposed site create any special enforcement issues?

Mr. McIntyre inquired if the group would like the question marks removed. The group agreed to remove the question marks.

Mr. McIntyre stated the language should not be negative; OLA’s may help with enforcement in an area by the community being involved.

Interim Commissioner DeRubeis stated the area must be in a location that allows the Officers access to enforce the rules.

- i.** Impact on Other Usage–Off-leash areas should interfere as little as possible with other activities in adjacent or shared space.

Mr. McIntyre stated the language received from Ms. Dorfman includes “compatible with” which would add a restriction. The word “compatible” indicates everyone will be happy and over the past year it has been made clear not everyone will be happy.

Ms. Dorfman stated the word “interfere” is interpreted differently by each individual.

Interim Commissioner DeRubeis stated there are different levels of usage, for example a person walking on the trails is different usage than a little league game being played on the ball field.

Ms. Koel stated she is concerned with this language, when Hunnewell OLA was proposed the Little League showed up at the meeting very upset.

Interim Commissioner DeRubeis stated Phase 1 will determine a possible site and Phase 2 will determine the requirements for an OLA to exist at this site.

Ms. Dorfman recommended using “due consideration” for this criteria.

All group members agreed.

- j.** Park Access–Consideration should be given as to how dog owners will reach the off-leash area and how maintenance (such as emptying waste receptacles) will be conducted.

All group members agreed to the language as written.

- k.** Parking–Consideration must be given to the availability of adequate and appropriate parking, based on anticipated usage.

All group members agreed to the language as written.

- l.** Site Characteristics–Due consideration should be given to the topography of a potential site. For example, drainage, slope, the absence of ticks, the presence of trees or bushes as a natural buffer or for shade, etc., should be considered. Where fencing is proposed, the presence of an existing fence is a plus.

All group members agreed to the language as written.

- m.** Size–An off-leash area should be of adequate size for its intended use
Size–An off-leash area should be of adequate size for its intended use without having undue impact on adjacent activities or abutters.

Mr. McIntyre commented he has received e-mails requesting areas for small dogs.

Ms. Koel recommended leaving out the second half of the sentence “without having undue impact on adjacent activities or abutters.” Abutters were considered in previous criteria.

All group members agreed.

- Ms. Schein inquired what the next step is.
- Interim Commissioner DeRubeis thanked Mr. McIntyre for facilitating the discussion on the criteria.
- Interim Commissioner DeRubeis stated the next step is more difficult. The group needs to apply specifics to the criteria. What does the group consider acceptable for each criteria. The group must reach a consensus.
- Mr. McIntyre is concerned about building a ranking order. A ranking order would tie the group’s hands when looking at different sites. Each site will be different.
- Interim Commissioner DeRubeis agrees. The group needs to determine which criteria will be used for different areas.
- Mr. McIntyre stated the criteria will need to be balanced.
- Interim Commissioner DeRubeis agreed.
- Ms. Koel agreed and suggested the group “dive in” and learn, by applying criteria to a few green spaces.
- Mr. Kuklinski stated when the skateboard park was being discussed, numbers were assigned to the criteria and each skate park committee member went to the parks and performed an evaluation. Mr. Bernheimer added up the numbers and the committee came up with the top ten park choices.
- Mr. McIntyre suggested a sentence from each criteria be added to the ratings.
- Ms. Dorfman suggested the group members work in small groups.
- Interim Commissioner DeRubeis recommended evaluating a small sample of green space so the group does not become overwhelmed.
- Mr. McIntyre suggested taking off the table the proposals that are already out there.
- Ms. Dorfman commented that the carrying capacity needs to be addressed. Ms. Schein stated that in this case carrying capacity for an OLA would be defined as the maximum number of users (people, dogs, cars) a site can handle without detrimental effects on the resource.
- Ms. Koel stated the carrying capacity belongs in the phase II process.
- Interim Commissioner DeRubeis stated each group member go out and evaluate a small sampling of green space and keep it simple. The more numbers that are used to rate, the more subjective the evaluation will be. Rate the green space using all 13 criteria giving a rating of 1, 2, or 3.
- Mr. McIntyre commented the group needs to be careful; a green space does not necessarily have to meet all 13 criteria. This exercise should be used to assure the criteria language is correct.

2. New Business

- Interim Commissioner DeRubeis accepted questions from the public. Harry Sanders of Edmands Park inquired if the Mayor was going to hire an environmental coordinator. Interim Commissioner DeRubeis has not heard if an environmental coordinator is being hired.
- Mr. Sanders inquired if private property is excluded from being considered for OLA's.
- Interim Commissioner DeRubeis stated the OLAWG should continue to look at public green space. And requested Mr. Sanders develop a list of private property available within the City.

Respectfully Submitted,
Robin McLaughlin

Action Items from 02-05-10 Meeting:

<i>Item</i>	<i>Person</i>	<i>Date to be completed</i>
Lee McIntyre will make revisions to the criteria as discussed & forward the revisions to the group for review.	Lee	02-08-10
Each OLAWG member will evaluate two green space locations - applying the revised criteria and using a ranking of 1, 2, 3.	All	02-12-10