



David B. Cohen  
Mayor

## Newton Parks & Recreation Commission



Fran L. Towle  
Commissioner

### Meeting Minutes

#### Newton City Hall, War Memorial

September 21, 2009

Attending: Fran Rice, *Chairman*, Arthur Magni, Kathleen Heitman, Lee Mottard, Peter Johnson, Jack Neville, *Alternate*, Peter Kastner, *Alternate*, Fran Towle, *Commissioner*, Bob DeRubeis, *Deputy Commissioner*, Robin McLaughlin, *Secretary*

Absent: Walter Bernheimer, Michael Clarke

Also Attending: Officer O'Connell & Officer Torres, *Newton Police Dog Officers*, Amy Koel, *Chairman*, Dog Off-Leash Advisory Committee (DOLAC), Janice Bourque, Crystal Lake Task Force Chairman, Amy Yuhasz, Planning Dept, Carol Stapleton, Recreation Manager.

Commission Meeting called to order at 7:06 pm.

#### 1. Meeting Minutes from 07-20-09 Meeting accepted 7-0.

#### 2. Commissioner's Reports on Programs, Forestry and Maintenance

- Crystal Lake and Gath Pool had a successful season.
- Camps were full this summer. We believe the economy helped boost attendance. At the end of the season parents, who have paid for more expensive camps, commented they could not believe the great quality of the P & R camps, and they will be back next year.
- New this year for the teens was an overnight camp get-away in the Berkshire Mountains in Kent, CT. The campers and staff were kept busy and everyone had a great time.
- The July 4<sup>th</sup> week-end activities and concerts were enjoyed by all without incident.
- Farmer's Market is open until the end of October. Judy Dore is doing a great job managing the Farmer's Market. Mr. Magni inquired about the attendance of each market location. Commissioner Towle responded the Cold Spring Park Market has been very busy all season and the Post 440 numbers are slowly rising.
- NWLL lighting is complete and being utilized at Lyons Field. The Department of Public Works has completed paving the road. Mr. Kastner commented he lives in the area and did not notice the lights were on, which is a good thing. Mr. Mottard asked if this was special lighting. Commissioner Towle responded yes it is "low spill" lighting.
- NSHS tennis courts are resealed-resurfaced-looks brand new!
- Mike Lewitt of Newton Tennis provides tennis lessons for the City under contract. These lessons have been very popular. Mr. Lewitt has also started a City Wide tennis tournament.

- The Programs & Services Committee of the Board Of Alderman has requested the Parks & Recreation Commission revisit a Swim At Your Own Risk policy at Crystal Lake. (Please review the letter from Alderman Johnson enclosed in your packets). Chairman Rice stated the agenda in October is full; we will review this policy during the November 2009 Commission meeting.
- The easement pathway to Levingston Cove at Crystal Lake has been completed by the Department of Public Works. Mr. Magni asked how the path is accessed. Commissioner Towle responded there is one entrance by Crystal Lake, and then you walk to the end of the pathway and turn back. The pathway will need more work to flow with the master plan.
- The Department had a great summer and the Staff was superb.

### **3. Off Leash Dog Parks**

- Chairman Rice introduced Chairman Koel of the Dog Off Leash Advisory Committee (DOLAC).
- Chairman Koel submitted two new off leash dog park applications:
  1. Hunnewell Park
  2. Newton Center
- Chairman Koel wanted to be clear: Submitting applications does not mean the off leash dog parks are open. There is a process that must be followed before the parks are officially opened.
- Chairman Rice stated these new applications will be on the agenda for the October Meeting and abutters to Hunnewell and Newton Centre will receive notification of the meeting.
- Chairman Koel reported on September 16 there was a meeting with the Nahanton Park Community, the off leash dog park applicant group, the Conservators, members of the Jewish Community Center (JCC) and Deputy Commissioner DeRubeis. There was amicable discussion on the concerns of the harm an off leash dog park could do to the Nahanton Meadow. The Community offered other site suggestions around the park. DOLAC has decided to temporarily withdraw the application for the Nahanton Meadow due to the possible harm to the habitat and wildlife in the area. Scientific data will be collected and the Commission will be informed.
- Chairman Koel reported on September 10 there was a meeting with the Braceland off leash dog park applicant group, Braceland Park abutters, Alderman Albright, and Commission Member Jack Neville. The concerns discussed at the meeting were parking issues, children sledding in the area, fencing, sharing the park and the impact on the Master Plan. All agree it is too early to take a vote and DOLAC is requesting more time to work through the issues.
- Chairman Rice asked if any of the Commission members had any comments. Mr. Neville stated he attended the meeting and some abutters are favorable about the off leash dog park but most are not in favor of the park. Some concerns are the safety of children, non residents coming to the park, parking issues, and people who do not have control of their dogs. Another concern of Mr. Neville and the community is the Master Plan that began in 2007. Braceland is number one for repairs and he does not want this jeopardized. If he had to vote for the off leash dog park tonight he would vote against the dog park.
- Chairman Koel commented that Mr. Neville gave a good summary of the meeting for Braceland Park. There will be another meeting with the community to work out the issues. Chairman Koel believes the issues are solvable.

- Mr. Stock interrupted and asked how the rules will be enforced. For the year that Cold Spring Dog Park has been open there has been little enforcement. There is a small staff, how will the rules be enforced. Chairman Koel responded that she trusts the Police Officers and if there are issues they will work together to work out the issues.
- Chairman Rice asked Police Officers O’Connell and Torres for their observations and comments on the Cold Spring Off-Leash Dog Park. Officer O’Connell reported
  - He and Officer Torres have patrolled the dog park for 30 minutes each shift since it opened in March.
 (Mr. Stock interrupted to say the dog park has been opened since November. Officer O’Connell corrected Mr. Stock stating it is a matter of public record that the dog park has been open since March 2009.)
- Officer O’Connell continued his report:
  - Twenty Nine citations have been issued
  - The Officers walk the trails and patrol all the entrances including Beverly and Duncklee Road
  - There has been a decrease of off leash dogs at 1200 Beacon Street and on the trails
  - Officer O’Connell has patrolled seven times at 6:00 am in plain clothes
- Chairman Rice asked for comments from the meeting attendees:
  - A Cold Spring Park (CSP) off-leash dog park supporter stated the off leash dog park users “police” each other. If the users see a dog off leash the dog owner is asked to put the dog on the leash. The off leash dog park users want this experiment to work. The park is kept clean and the rules are followed. When CSP was an illegal off-leash dog park the rules were not followed.
  - A Friend of Cold Spring Park commented that since CSP has become a legal off-leash park it has given the citizens the clout to police the park. The citizens are able to explain the rules to dog owners and most owners with an off leash dog will apologize and put their dog back on leash. The Police cannot be called to every area in the City they are needed at all times. Citizens need to police themselves. At night if a person drives up to a stop sign and the Police are not around, most people usually stop because it is the law and for the safety of others. People are free and not in cages because we have a conscious and the majority of people follow the rules.
  - A resident of Newton Corner commented when CSP Off leash Dog Park opened she drove down with her three dogs. She did feel the pain of the abutters; there were lots of people, media and Police in the area. She also stated she does not want to drive all the way to Cold Spring Park to take her dogs to an off-leash dog park; there should be other off leash dog parks in the City. We should work with the Commission to find other areas that are available, keeping safety in mind. Then everyone would be happy.
- Chairman Rice asked Commissioner Towle for her comments on the issue. Commissioner Towle commented there are clearly lots of concerns for and against the off –leash dog parks. By the show of support tonight, there is a need for the off-leash dog parks in Newton. There is the issue of finding available open space. Open Space is at a premium. There will be stakeholders at any location that is chosen. It is difficult to keep everyone happy. We will all need to listen and compromises will need to be made.
- Chairman Koel commented that DOLAC is collecting data at Cold Spring Park. There certainly have been bumps along the road and a reasonable conversation will

help to smooth out the bumps. Mr. Stock interrupted Chairman Koel and asked why he should believe her data. Chairman Koel stated that is not her job, she trusts the job being done by the committee.

- Chairman Rice asked Officer O’Connell if the issues at the Cold Spring Off leash dog park has improved. Officer O’Connell commented:
  - There has been improvement since March.
  - There are less off-leash dogs at 1200 Beacon Street and on the trails.
  - In November and December 2008 Officer O’Connell would patrol the trails between 11:00am -1:00 pm for 30 minutes per shift and he would see 6-7 off leash dogs on the trail. Now it is very rare to see an off-leash dog on the trails.
- Eve Cohen of Beverly Rd is offended the neighborhood was not included on the DOLAC committee. Nobody on the committee lives in the neighborhood, they are not listening. She does not want to complain but the neighbors cannot park in front of their houses.
- A DOLAC committee member stated the committee is listening. There is a need for off-leash dog parks the key is finding a win-win location. Enforcement will never be adequate. The goal of all is to find a location where enforcement is not an issue. Confrontation in the community should not be happening.
- Ken Porter inquired if any other communities with dog parks were contacted when research was being done for off-leash dog parks.
- Chairman Koel replied when DOALC was appointed the Task Force contacted Boston, Brookline and other areas, but each City and area has its own constraints. Newton Citizen’s came forward to recommend areas for dog parks. The difficulty is with a volunteer group doing the work.
- Alderman Danberg commented she is here to listen to both sides of the off-leash dog park issues. There is a possibility of a 2nd dog park in Newton. Many people are working towards resolving the issues. Alderman Danberg would like to see many dog parks in Newton, not just one in one neighborhood. She would like to see 8 dog parks, one in each ward. Alderman Danberg does not believe Cold Spring Dog park can just be shut down and people will go back to their previous behavior. Alderman Danberg spoke with Brookline and enforcement was not a real issue. Citizenry helps in this situation, we can all work together to make this work.
- Joan Rosenberg has worked with her community to build a new school, and the “not in my neighborhood” mentality exists everywhere. But Ms. Rosenberg agrees with Alderman Danberg, we need to work together to make this work.
- Mr. Kastner commented there needs to be a clear delineation of responsibilities of the Board of Alderman and the P & R Commission.
- Chairman Rice concluded the Off-Leash Dog Park discussion. Cold Spring Park along with the two new dog park applications (Hunnewell and Newton Center) will be added to the October Commission Agenda.

#### **4. Crystal Lake Task Force – Janice Bourque, Chairman**

- Commissioner Towle Commented the Crystal Lake Task Force has spent a lot of time and have done a great job preparing a plan to submit to the Mayor. And they have been a joy to work with on this project.
- Mr. Magni asked how they were appointed to the Task Force. Janice Bourque responded they were appointed by the Mayor.

- Chairman Bourque stated the Task Force has worked with the Crystal Lake Community to come up with the best plan. The plan will be submitted to the Mayor, the Mayor will submit the plan to the Board of Alderman.
- Mr. Kastner asked if the question of funding was considered with the plan. Chairman Bourque responded yes.
- Chairman Bourque reviewed the process of how the final plan was decided upon. Since the last presentation to the Commission, the issues of parking area being user friendly and the drop off location for buses was revisited and changed in this final plan. The Task Force and the Community have decided on the following requirements for this plan:
  - A new building
  - A building with a programming layout
  - Building efficiency
  - Keep existing trees, if not possible, new trees will be planted
  - Buses will drop off children at the top of the parking lot.
  - Year round use, currently only seasonal use allowed.
- Chairman Rice asked what the estimated cost is for the current plan to be submitted to the Mayor. Chairman Bourque responded the cost is 4.6 million dollars.
- Mr. Kastner asked if there is a storage area. Chairman Bourque responded yes in the lower level of the building. Mr. Kastner asked how much of the green area is lost to parking with this new plan. Chairman Bourque responded about 10 feet of green is lost. Mr. Kastner asked if a snack shack was considered. Chairman Bourque responded yes, but it was preferred to have people bring their own lunch to the park.

Mr. Magni made a motion to approve the concept of the Crystal Lake Master Plan. Mr. Mottard seconded the motion. Motion passed 7-0.

## **5. New Business – No new business**

Meeting adjourned at 8:31 pm.

Respectfully submitted:

*Robin McLaughlin, Secretary*