

ANIMAL AND DOG PARK ADVISORY COMMITTEE MEETING

Friday, June 4, 2021

8:00 am – 9:00 am

Meeting held via Zoom:

<https://us02web.zoom.us/j/84355790611?pwd=Ukd6MjVEdHI1ZWtXOG91NFlnRnRsZz09>

Meeting ID: 843 5579 0611

Passcode: 955378

DRAFT Minutes

Attendees	
Committee Members	
Tom Lopez, Board of Aldermen	
Patricia Klee, Board of Aldermen Alternate	
Kathy Abel, Community Member	
June Lemen, Community Member (Vice-Chair)	X
Amber Logue, Community Member (Chair)	
Megan Villacis, Community Member	X
Bob Langis, Animal Control Officer	
Becky Longval, Nashua Humane Society	
Staff	
Deb Chisholm, Waterways Manager	X
Julie Chizmas, Transportation & Long-Range Planner	X
Sarah Marchant, Community Development Director	
Mike Harris, Parks & Recreation Operations Manager	
Jason Puopolo, Parks & Recreation Superintendent	X
Cecilia Ulibarri, Mayor's Office	X

Prior to beginning the meeting, a "Checklist to Ensure Meetings are Compliant with the Right-to-Know Law During the State of Emergency" was read aloud so all committee members and any members of the public participating virtually via Zoom or by phone were aware of the steps that had been taken for the virtual meeting, including:

- a) Providing public access to the meeting by telephone.
- b) Providing public notice of the necessary information for accessing the meeting.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- d) Adjourning the meeting if the public is unable to access the meeting.

Before beginning with the first agenda topic, a minute was taken to welcome the new Parks and Recreation Department Superintendent, Jason Puopolo, to the Committee. Jason introduced himself and is looking forward to working with the Committee. Mike has enjoyed being on the committee and will continue to participate.

1. Approval of the [May 7, 2021 Meeting Minutes](#)

Due to a lack of quorum, approval of the minutes was tabled until the next meeting.

2. Animal Regulations: Proposed Revisions to [§93-14](#)

Bob's schedule has changed and he no longer works Fridays, but he sent Julie the following correspondence regarding the proposed revisions to §93-14, which she summarized during the meeting:

Since returning to work on the 9th of May I have given more thought to the suggested changes to 93-14. I am still firm in my belief that the best option is to just eliminate the phrase “except that violation of an ordinance relating to dogs shall be punished by a fine of \$25.”

Adding extra aspects, 1st, 2nd offense, 12-month time frame etc., clutters the process on the street. If our computers go down, which happens from time to time, it will prevent researching to decide the number of the offense. All which can be determined later.

During a recent discussion, it was pointed out that many of these issues arise on 2nd shift. NPD 2nd shift is the busiest of the day. Our patrol division needs to be able to arrive on the call, assess the issue, issue the summons, if needed, and move on to the next waiting call. They don't need to be tied up doing research for a violation level incident.

In addition, there is precedence for a “dog” violation being decided under Chapter 1-12 of the City code. This Chapter is also the resolution for our recent Tot Lot addition to the Park & Rec rules.

According to Article 1 Chapter 215 Parks & Rec Section-1 Prohibited acts.

In all parks, playgrounds, pools and other City recreational facilities, no person shall:

J. Bring or allow any dog or horse to be in any park or playground except in areas designated and marked by the Superintendent for dogs and/or horses.

N. Bring a pet into the following fenced-in tot lots, except for a service animal as defined under the Americans with Disabilities Act:
[Added 10-13-2020 by Ord. No. O-20-031]

§ 215-3 Violations and penalties.

Any person violating the provisions of this article shall be subject to punishment as provided in § 1-12 of the City Code. Any snowmobile, minibike or other powered bike operated in lands and other recreational facilities under the jurisdiction of the City without permission may be impounded for a period of 30 days. All expenses, i.e., towing or transportation and storage, shall be paid by the owner of the vehicle prior to redemption, charges to be arrived at by the Chief of Police or his authorized agent.

§ 1-12 General penalty for violation of ordinances.

Whenever in the Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of the Code or any ordinance shall

be punished by a fine of not more than \$1,000 and/or the issuance of a citation. Each day any violation of any provision of the Code or of any ordinance shall continue shall constitute a separate offense.

The goal of my suggested change was to unchain the hands of the courts, to let them decide if the dog violation warranted more than just a \$25 fine. It was not to add extra hoops and red tape for the ACO and Patrol to jump thru and deal with. The laws as written work very well. The Penalty is the problem and needs to be determined at the discretion of the Judge with the input of the Prosecutor and Officer.

The wonderful thing about our system is if it doesn't work, it can be fine-tuned later. This is an issue that can be fixed with a tack hammer, not a sledge hammer.

I am available Sunday thru Thursdays 7am – 3 pm to discuss any concerns.

Bob

Since many committee members were not present, Julie said she would email Bob's correspondence to the full committee for review and consideration.

3. Dog Waste Clean-up Campaign

Julie has not yet heard about the results of the AARP Community Challenge grant, which are expected in June. Efforts continue to explore strategies for reducing the frequency of unbagged dog waste (and bagged waste not properly disposed of), including cameras at tot lots and locations for waste stations downtown.

4. Millyard Dog Park Feasibility Study Update

Julie informed the committee that the feasibility study contract was amended last week to add a Phase I Environmental Site Assessment to be conducted by GZA. The objective of the Phase I is to render an opinion as to whether surficial or historical evidence indicates the presence of Recognized Environmental Conditions which have the potential to result in hazardous substances or petroleum products in the soil, groundwater, and/or soil vapor at the Site.

Julie also briefly summarized the attached notes from the Dog Park Feasibility Subcommittee meeting held on June 2nd and said she would email the notes to the full committee.

5. Animal Shelter and ACO Updates

- ACO:
 - Bob provided the animal call logs for 2020 and 2021. They have been summarized and attached to these minutes. He noted an uptick in calls overall and especially in the wildlife calls, which he attributed to spring. He added that three bears were in the City on Thursday, May 27th – "#1 had been touring the southwest corner of the city, last sighted on East Dunstable near Bicentennial Dr. #2 was initially seen South Main near Osgood Rd. This call came in within minutes of one of the sightings of #1. At almost the same time, a bear was sighted near Birch Hill Dr and last seen along Broad St. As you can conclude Thursday was a hectic day!"

- Humane Society:

Becky was not able to attend the meeting, so there were no Humane Society updates.

6. Other

- Bob's returned to duty on May 9th and his new duty schedule is Sunday - Thursday 7 am – 3 pm. Julie said she would send the full committee an email requesting the meetings be moved. June indicated the 8 am time slot was good for her. Deb asked if the meetings would be shifting to in-person due to the recent changes in the guidance. Julie said she anticipated that the next meeting would be a hybrid format held at City Hall and her understanding is that at least a quorum of committee members would need to be present in-person. She would seek clarification and provide the information in the email seeking a new meeting date.
- Bob also provided the following correspondence outlining concerns with inconsistent park signage and requested the topic be discussed at a future meeting.

Attached you will find a sample of the various signs around town at the parks and school properties.

The signs I have seen around town are no-where near uniform. We have some parks where the signs indicate “No Dogs Allowed in this Gated Field”. Others only remind that dogs must be on leash and must be cleaned up after.



Here is a list of the various signs at the schools & parks

- Charlotte Ave., Birch Hill., Ledge St. & Lincoln Park off Greenlay St., Mt Pleasant St., Fairgrounds Elem. Rousset Field: No signs
- New Searles, Main Dunst, Bicentennial : No Pets/Dog allowed in Playground Area/Field
- Bicentennial School: No Dogs allowed on Playground or Field
- Vietnam Vets Park (Ledge St), Yuddicky Farm, Kirkpatrick Park/David Drescher Field (Shady Lane): No dogs/gated field
- NHSNorth,: Tennis Courts no dogs allowed.
- Broad St School, Dr Crisp, Fairgrounds Jr High, Elm St Jr High: Dog Waste
- Lincoln Park off Coliseum: Signs at entrance to pathway.
- Pennichuck Jr High: No dogs on track/tennis/basketball courts
- Greeley Park, Manchester St.: Leash Law sign
- Sunset Heights School, Artillery Lane(one sign): No dogs allowed
- Amherst St School: no dogs allowed, ball field
- Sgt Ave tennis courts: Tennis Only

According to Article 1 Chapter 215 Parks & Rec Section-1 Prohibited acts.

In all parks, playgrounds, pools and other City recreational facilities, no person shall:

J. Bring or allow any dog or horse to be in any park or playground except in areas designated and marked by the Superintendent for dogs and/or horses.

It appears that the original intent was to designate AND mark areas for dogs and horses (shows how old this is).

Over the years, it may have just been easier to add signs prohibiting certain conduct where problems arose.

Obviously we are never going to, nor should we want too, prevent our pets from joining us in the parks. But a couple questions come to mind:

Where do we want our pets?

Do we want pets in playgrounds, tot lots, around the swings and other fixtures?

On the playing fields?

I believe the answer is NO. Pets have no need to be on or around swings, slides, jungle gyms etc. They also have no business being ON the playing fields, tennis/basketball courts, tracks etc. There are plenty of areas where pets can be walked that are not used for sports. This doesn't mean they can't join the family for little Johnny's soccer game. It just means that Rover stays off the playing field.

Whatever the answer is, it needs to be clear and uniform.

A couple ideas to chew over:

1. An Ordinance prohibiting Pets from being inside playgrounds or on areas designated for organized sports.
2. Replacing the signs that imply pets are welcome in certain areas, "Dogs must be leashed" "Clean up your waste". These suggest pets are welcome at the various fields & playgrounds.

Meeting adjourned at 8:22 am.

Next Scheduled Meeting: Friday, July 2nd at 8:00 AM – 9:00 AM.

Minutes by: Julie Chizmas

Dog Park Feasibility Study Subcommittee

Virtual via Zoom

June 2, 2021

11:30 am – 12:30 pm

Meeting Notes

Julie told the subcommittee that the feasibility study contract was amended last week to add a Phase I Environmental Site Assessment to be conducted by GZA. This was done to address concerns raised at several meetings about the historical use of the site.

Jen said they are working on first two phases of project, existing conditions and outreach

At the June 2nd subcommittee meeting, the attached results of the GPRS survey were reviewed and discussed. GPRS is a private utility locator who uses ground penetrating radar to identify private utilities, which DigSafe does not do. GPRS identified the limits of the underground mesh which is between 6" – 12" square. Limits of the mesh were identified. There are pretty shallow radial grounding wires. The consultants believe a lot of the underground utilities can be avoided and feel the GPRS survey was a very successful pursuit and the information can be used to avoid sinking posts into the existing infrastructure, which is limited to eastern side of property. They will incorporate this into the base plan. Alderwoman Klee said the eastern boundary by the path may change as part of negotiations. It could be sold to adjacent owners for extended parking, which would require quite a bit of work due to the grade. Marisa said that edge isn't really buildable so the boundary change should be ok. They will evaluate constraints related to the tower and utility easements.

Deb noted that the underground electrical utilities weren't that deep and dogs digging has been raised as a concern. She asked if there would be a strategy to apply mesh or something above utilities to prevent dogs from digging down 12 inches. Marisa said there are several options to explore, including not building near that line. Jen added they can put a wide board over the top that can't be penetrated to deter digging and the surface can also be customized.

Public Outreach:

The consultants also summarized the interim results of the public outreach survey. Highlights:

- Survey has been out for about two weeks and there had been just under 300 responses.
- 30% from 03062 zip (S. Nashua), 28% from 03060, 20% from 03064
- 16% do not own a dog
- Over 50% would use the park often or every day. 21% will not use the park and another 25% aren't sure
- 58% will use it after 6 pm so lighting and set hours are important. There is dimmable lighting that intensifies when people are present.
- 72% will drive to park, so safe, accessible parking is important
- Waste receptacle and dog waste stations are top amenities. Water, shade, benches and separate small/less-active dog area are also important.
- 65% definitely or probably would support a free dog park; 23% definitely or probably would not.

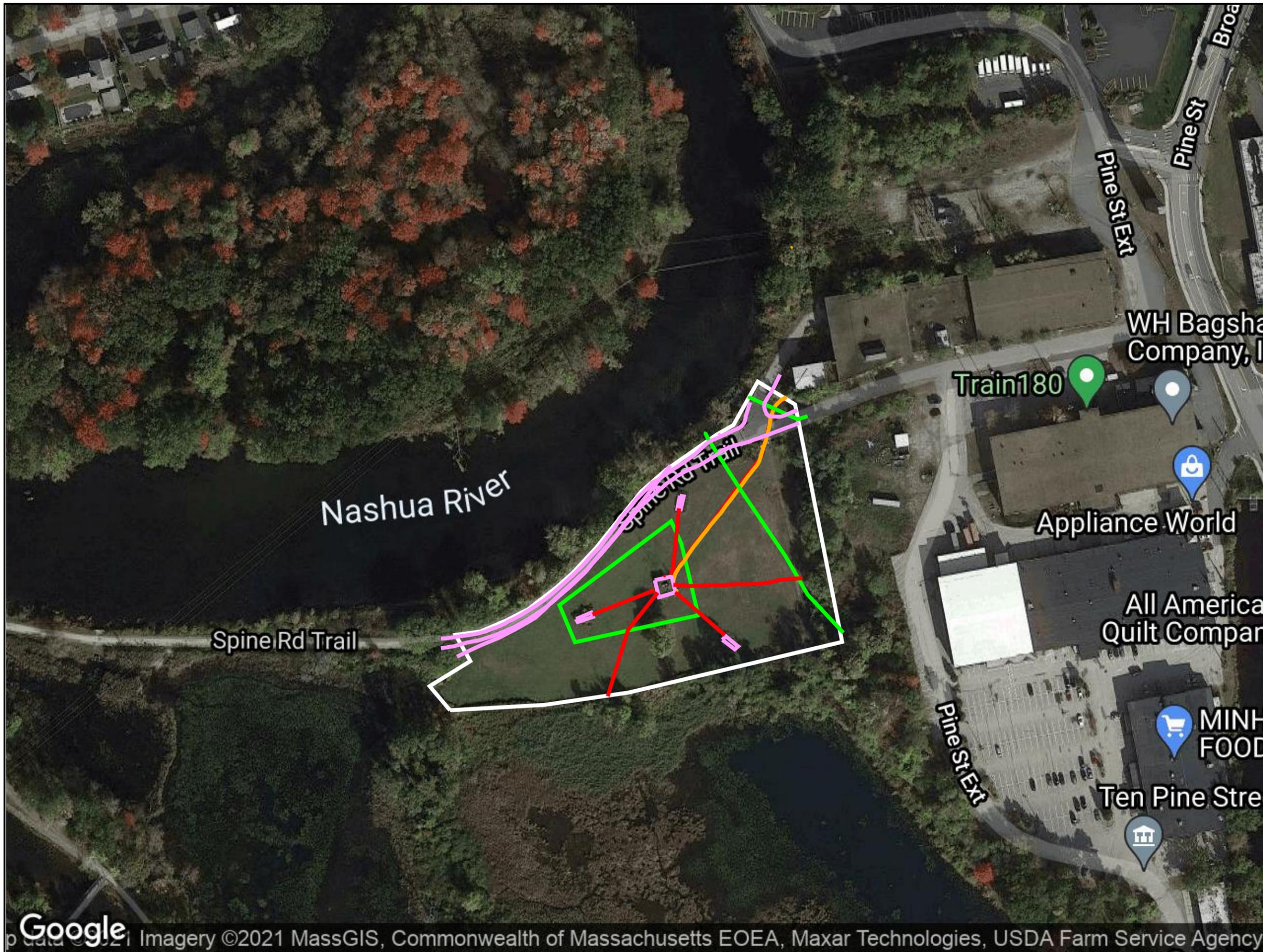
- 42% definitely or probably would contribute financially; 57% definitely or probably would not.
- 40% definitely or probably would volunteer time; 59% definitely or probably would not.
- Lots of comments, both pro and con.

Julie asked for an export of the data to look at the distribution of results and comments by zip code. The survey will stay up for another couple of weeks. Jen thought the response rate was good but this is a big City we should send out reminders and look for new FB groups to have share. Megan will post a reminder on FB and Instagram. Julie posted flyers around the City:

- Library at each dog waste station & inside
- Salem St Community Gardens
- Shattuck St Tot Lot
- Mine Falls Pine St Ext entrance
- Mine Falls 7th Street entrance
- Rail Trail Everett St Community Gardens
- City Hall
- Transit Center

A few more will be posted based on suggestions from the subcommittee:

- Jeannotte's
- Hunt Memorial
- SkyMarket
- Main St Shaw's
- Amherst St Market Basket
- Cotton Mill (Megan)

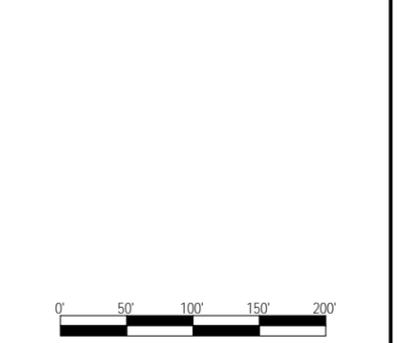


DISCLAIMERS

1. THIS PDF IS AN AUTOMATED OUTPUT CREATED DIRECTLY FROM DATA COLLECTED IN THE FIELD. IT IS INTENDED TO DOCUMENT MARKINGS AND COMMENTS COLLECTED BY GPRS, LLC. THE FIELD FINDINGS MAY BE CORRECTED AND/OR ADDITIONAL DELIVERABLES CREATED AFTER THE DATA IS FURTHER REVIEWED.
2. AERIAL IMAGERY IS SOMETIMES SHIFTED, OUTDATED, OR INACCURATE WHILE THE LINE AND POINT DATA REMAIN AS COLLECTED IN THE FIELD. IN THE EVENT THE AERIAL IMAGE LOCATION NEEDS CORRECTION, ADDITIONAL CAD SERVICES CAN BE ORDERED.
3. GPRS CANNOT GUARANTEE THAT ALL UTILITIES OR OTHER SUBSURFACE FEATURES ON SITE WERE ABLE TO BE LOCATED. ALL FINDINGS ARE SUBJECT TO THE TERMS AND CONDITIONS THAT CAN BE VIEWED AT THIS LINK: <https://gp-radar.com/terms-conditions>
4. GPRS DOES NOT PROVIDE GEOPHYSICAL, GEOLOGICAL, LAND SURVEYING, OR ENGINEERING SERVICES. GPRS IS NOT A LICENSED LAND SURVEYOR. THIS PDF IS NOT A LAND SURVEY AND MAY NOT BE RELIED ON OR USED FOR ANY PURPOSES EXCEPT AS EXPRESSLY STATED HEREIN.
5. FOR ADDITIONAL INFORMATION REGARDING FINDINGS AND EQUIPMENT USED, SEE THE "JOB SUMMARY REPORT" AS WELL AS OTHER SUBMITTALS INCLUDED IN THE SUBMITTAL LETTER SENT VIA EMAIL FOLLOWING COMPLETION OF FIELD WORK.
6. PRIVATE UTILITY LOCATING IS NEVER A REPLACEMENT FOR ONE CALL/811 SERVICES. STATE LAW REQUIRES 811 TO BE CALLED PRIOR TO ANY AND ALL EXCAVATION ACTIVITIES.

LEGEND

	ELECTRICAL
	MISCELLANEOUS
	STORM
	TELECOMM
	UNKNOWN
	LIMITATION OUTLINE



811 Know what's below. Call before you dig.

GPRS IS NOT AFFILIATED WITH 811 BUT DOES RECOMMEND THAT THE SERVICE IS USED ON EVERY PROJECT IN ADDITION TO OUR OWN. SEE NOTE #6 ABOVE.

FOR INFORMATION ONLY

GPRS FINDINGS MAP

PREPARED FOR:
HOYLE TANNER

LOCATION:
MILLYARD DOG PARK
SPINE ROAD TRAIL
NASHUA, NEW HAMPSHIRE

PROJECT MANAGER:
TIMOTHY SCOTT
TIMOTHY.SCOTT@GPRSINC.COM

DATE	2021 MAY 18
DRAWING NO.	1 REV. 0

