

**MINUTES OF TOWN OF DARIEN
PARKS & RECREATION COMMISSION
MARCH 18, 2009**

ATTENDANCE: Jane Branigan, Chairman; Vin Burke; Susan Daly; Marianne Gutierrez; Robert Marchesi; Merrie Hawley; Susan Graham

STAFF: Sue Swiatek, Director; James Coghlan, Assistant Director.

PUBLIC HEARING

Public Hearing on the Requested Change to the Leash Regulation in Woodland Park

Ms. Branigan reviewed the ground rules for public participation with those present.

Public Comments:

1. Frank Cirillo, 3 Beechwood Road, Darien, introduced himself as a five-year resident who lives adjacent to the park, with his back lot near May Pond. He is a former dog owner and understands the needs for physical activity for a dog's cardiovascular benefit. He thanks the dog owners who have entered the park by walking up along his driveway with their dogs on a leash, and appreciates their obeying the leash laws. However he has witnessed first hand several off-leash activities with families of small children being fearful of loose dogs, and altercations where owners could not control their dogs. He has also seen dog fights where the owners with dogs on the leash would have to pick up their dogs to shield them from aggressive off-leash dogs. He has had a number of occasions where loose dogs have entered his property where his young children are playing. Several times, loose dogs have gone through the yard, on to the patio and have sniffed his hors d'oeuvres at picnics on his property. He has considered buying a fence to contain his children, but cannot justify the expense of installing a fence just to keep the dogs off the leash from entering his property. He said most of the violations occur on weekends after the dog warden's hours of duty. He urged the commission to maintain the leash laws, and asked the dog walkers to at the minimum to please read signs as there are many violators of the dog leash and waste pick-up laws.

2. Amy Zabetakis, 3 Holmes /court, Darien, represented the Friends of Woodland Park, and submitted a letter listing the group's opposition to the proposal to allow dogs off leash. She stated that it is inappropriate and poses a danger to the park's wildlife and to individuals walking, to have dogs off leash to in a dedicated nature preserve. She provided a background overview of Woodland Park as a Nature Preserve of 65 acres purchased in 1959, and remains the largest tract of natural woodland in the Town. Referring to a study commissioned by the Town by the Nature Center Planning Division of the National Audubon Society, she quoted the report and read "...the most serious threat to wildlife within the park will come from free-running of dogs and cats.", which disturbs wildlife habitats and disrupts the Parks ecosystem.

The Friend's of Woodland Park strongly opposes any change to the current leash laws, and would prefer to see an increased effort being put forward to enforce the existing laws.

3. Sasha Sandberg, 47 Pear Tree Point Road, Darien, introduced herself as a "dog-walker", who enjoys the physical exercise and social benefits of the dog owners that use the park. She sees no problem with dogs off the leash. She does not go on weekends, just early mornings on weekdays, and has no problem with the other dogs, as they don't roam or run off, they stay close to their owners. As a taxpayer, she and other dog owners have rights to have a place for their dogs to interact even with limits. She agrees that dogs should not be allowed on the beach or at Cherry Lawn since there are too many children. She should like to see designated hours and off-limit paths that are near homes. She has never seen problems at the park with dogs off the leash, and believes the pros and cons can be respected from each side to come together to make a plan work.

4. Richard Constable, 9 Alpine Lane, Darien, said he is a 44-year resident, who greatly appreciates the open space of the Park, which is a great asset to the Town. Dogs are permitted in the park providing they are under control by the owner and are on a leash at all times. He stated that under the recommendation of the National Audubon Society reconstructed trails for walkers ,and areas for bird watchers were dedicated with no dogs as part of the rules of a nature preserve. This has been difficult to enforce and over time the dog owners has placed the park at risk of losing its nature preserve status. He strongly urged the maintenance of laws requiring dogs to be on a leash at all times and better enforcement of the leash law. The dogs off the leash has made for a less than enjoyable experience for other park users and has resulted in a decrease in park usage.

5. Carolyn Brock, (no address provided) is a 14-year resident and 7am user of the park with her dog. She wants to be fair and accommodating to both sides, and respectful to others. She feels that people who cannot use the park to due fears of dogs off leash are valid. She requests specific hours where dogs would be permitted off the leash. She recognizes the Park as a Nature Preserve, but claims that dogs are part of nature, and that times have changed since the Audubon Society report of the 1970's. There are many more dog owners since then, and they need a place with space to allow them to run free. She added that there has never been an issue, and they always walk on the interior areas only. She recommends parameters and specific hours to allow dog owners in the park with dogs off the leash.

6. Donna Coventry, 133 Holmes Avenue, Darien, stated that she lives near Mr. Cirillo and has many negative encounters with dogs off the leash. /she has a five year old child, and one time a dog came up from behind her and jumped on her, knocked her down, and would not get off. The dog's owner could not get control of the dog. Another time, a dog entered into her home while she was unloading one bag of groceries. Three months ago, at 6:00 a.m. there was a dog in her driveway, far away from the trail, with no owner in sight. She strongly opposes a change in the leash laws, and fears that dogs off the leash pose a serious risk to the public.

7. Connie Melvin, 133 Stephen Mather Drive, Darien, said she had the opportunity to hear a well-known doctor speak in New Canaan regarding the behavior of dogs with leash laws that limit the dogs freedom to interact. In fact, studies show that dogs on leashes are more defensive when they are limited to the extent of a leash. Dog parks are simply large cages whereby the dogs do not get the exercise like they would by running with others. She sees a solution with banking trails or fencing off areas. With over 1,000 dog owners she sees a compromise with all contributing to the construction of a some type of fencing to provide an adequate dog running area.

8. Sean Shay, 135 Leroy Avenue, Darien, said he very much enjoys gardening, boating, paddle tennis, ball fields, and the many spaces provided by the Town of Darien. He has never seen problems where owners could not keep their dogs under control. He never saw dogs eating hors d'oeuvres from the patios of neighbors. He would be happy with a compromise of hours where dogs would be permitted off the leash.

9. Julie Frank, 19 Whaling Road, Darien, says she owns three dogs and there is never a problem or injury while the dogs are playing. Dogs are better off the leash, as there is less leash rage. She recommends fencing areas, and proposes hours. Both parties are responsible people that should be able to work together to have inland trails only and limited hours.

10. Meg Orner, 38 Intervale Road, Darien, stated that the dog problem has increased and several times dogs have appeared in her yard. Unfortunately not all dog owners are responsible. Recently three big dogs were loose in her back yard, and she asked the owner to please put the dogs back on the leash, and he refused. She added that the leash law is already abused, what will happen if there is no leash law?

11. Dot Kelly, 6 Lake Drive, Darien thanked the Committee for providing a valuable resource with Turtle Pond and other park improvements where she has had involvement. She believes that the leash law is the right, because it does not interfere with the rights of others and prevents walkers from being disturbed. She said dogs are not always in control, and you can't make a rule just for those dogs who don't listen. She asked to enforce the leash law should be maintained. There is an unofficial rule in the park is that you have to tell people that a dog is a dog.

12. Beth Howe, 10 Robinson Street, Darien, lives by the park and has used the park for years for her dog. She stated that there could be a compromise of hours where dogs would be permitted off the leash such as 6:15 a.m. to 7:30 am on weekdays. She said she feels lucky to have off leash dogs allowed. She added that dogs off the leash encourage nature. Dog owners are responsible and will abide by the hours; and 95% of people who use the park are dog people. She added that dogs are always welcome to her home.

In addition to the twelve residents who spoke, a petition signed by residents was presented as a request for daily “Off-Leash hours at Woodland Park. The letter was read and is summarized as follows: “We support changing the leash laws in Darien as they apply in Woodland Park, to provide dedicated hours each day during which it is legal for dogs to run off leash.” We suggest dogs be allowed to run off leash in the park from daylight until a designated hour, and again from a designated afternoon hour until dusk.

There were additional questions relative to the sequence of events or next steps in the voting process.

Ms. Branigan clarified that they will be taking a vote in April, but that this commission is a has parks only jurisdiction. Ordinance regulations go through the RTM, Representative Town Meeting, and they are going back and forth on the issue of changing the ordinance on leash length. That is different from the Parks and Recreation Commission.

A public comment relative to the addition of a dog park was asked. Ms. Branigan answered that each year there has been \$30,000 in the budget for a dog park, and each year it has been turned down by the Finance Department or by the Board of Selectmen.

The public hearing was closed at 8:30 p.m.

REGULAR MEETING

The regular meeting was called to order at 8:35 p.m.

APPROVE MINUTES OF FEBRUARY 11, 2009 MEETING

The following corrections to the February 11, 2009 minutes were requested:

Motion 1: Gutierrez moved, and Daly seconded

Page 1, each of the dollar amounts should be listed at \$,000 rather than \$__M

In the first paragraph, third sentence after regarding, add “the plan.” Replace Selectmen that with “had”, and last paragraph, last sentence, dactions should be “day-cations”

Page 4, paragraph 3 Summer School should be Summer “Program”

**** MS GUTIERREZ MOVED TO APPROVE THE MINUTES AS CORRECTED.**

**** MS. DALY SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

STATUS REPORT: WEED BEACH MASTER PLAN

Ms. Branigan stated that Mr. Hovell is out of town and although Ms. Parnon from the WBBC was scheduled to present a status report, she was unable to attend. There is nothing significant to report, other than they have met with the architect regarding the bath house and plans are just about completed. They are getting requisitions signed and ready to issue purchase orders.

Mr. Burke stated that he went to Weed Beach and saw four sail boats, and he wondered what they were. Ms. Swaitek said they were shrink-wrapped sailing boats for the junior sailing program or chase boats for the instructors. An update will be provided for the next meeting.

Mr. Marchesi asked about moving forward for the walking trails portion of the project. Ms. Swaitek indicated that there was a movement for donation-fundraising for that portion of the project, but they chose not to pursue that direction, and that there was some discussion about the boy scouts, but she was not sure about exactly sure how to proceed. They were just getting through with the playground portion, and would go from there.

REPORTS

BUDGET

The budget was passed along to the Board of Selectmen then on to the Board of Finance and was approved with very little change .3%—only about \$1,750. She indicated she had sent an e-mail with the complete budget for the members to print out and view in detail.

As far as capital projects, there are only three projects remaining:

- The improvements to the Weed Beach paddle courts, which is a 5-year project , which will begin in 2010.
- Resurfacing the tennis courts at Cherry Lawn Park
- Parks & Recreation Equipment Reserve—we lost the Diller property project.

Normally there is a tour of the project, which was scheduled for this week, but the Board of Finance at their meeting cancelled, since there are only three projects—not much to look at. In lieu of a tour, they have requested an additional write up on the projects, with pictures, and we are scheduled to present this on next Tuesday night, March 24, and she will e-mail members with the time and agenda. She encouraged members to attend in support of the Commission.

DIRECTOR'S REPORT

Ms. Swiatek read her written report as presented.

Administration: She commented on the equipment maintenance, that all been painted and are in good shape. The guard chairs have all been repaired and repainted, and prep the concession stand. The areas along Tilley park along the islands have been cleared and will look great when plants come up. Park permit requests for spring and summer have begun, and the fields are getting ready for spring practices.

Projects: Final plans on the bathhouse and warming hut have been completed, and a brief update was provided in the second item earlier on the agenda. Specs for the refinishing of the gym bleachers will be re-bid on April 6. Tilley Park lights and posts have been received are in storage with installation specs underway. They have also taken on a new task of clean up of the Darien Senior Center.

ASSISTANT DIRECTOR'S REPORT

Mr. Coghlan read from his written report as presented. The Spring-Summer Brochure has been mailed to all Darien households about three weeks ago. The artwork is hopefully going to be on display in the office, and hopefully the artist can be used to feature other work from the department. The on-line registration began for the summer camp registration for the Darien Youth Commission and is at about 61% of registrations taking place on line. Lifeguards are in place for the season, with fifteen guards returning. Mr. Coghlan is also interviewing for a Waterfront Coordinator.

There was a discussion relative to the slow start to beach sticker applications, and the low response to on-line renewals. Ms. Swiatek said that weather plays a key factor with residents motivation to get their stickers, and the registration verification process is a bit confusing on-line. Some residents prefer to just mail in a check rather than use a credit card on-line.

CHAIRMAN'S REPORT

Ms. Branigan commented on her return from vacation and thanked Mr. Goodyear for filling in as the acting chairman.

PLAYGROUND BY THE SOUND

Ms. Daly showed an in-kind ad on the donors wall that ran in the Darien/Rowayton/NewCaanan Magazine. She said she was happy to report that the fundraising program was successful and the work on the brick campaign is being completed.

Once the old building is down and walk-ways are engineered, the bricks will go down, probably by Memorial Day. The Brick Program is in the process of being produced by the same company that did Cherry Lawn.

ANY OTHER BUSINESS

There was no other business.

PUBLIC COMMENTS

There were no responses to the public comments.

- ** MS. GUTIERREZ MOVED TO ADJOURN.**
- ** MS. HAWLEY SECONDED.**
- ** THE MOTION TO ADJOURN PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:15 p.m.

NEXT MEETING: Public Hearing and Regular Meeting April 15, 2009 7:30 pm; Room 119
Darien Town Hall

Respectfully submitted,

Marilyn Knox,
Telesco Secretarial Services