

RYE DOGS AT LARGE COMMITTEE MEETING

**Wednesday, May 9, 2018
6:00 p.m. – Rye Town Hall**

***Members Present:* Chairman Ritchie White, Vice-Chair Mike Garvan, Susan Shepcaro, Shawn Joyce, Kevin Kobylinski, Selectmen's Rep Phil Winslow and Police Chief Kevin Walsh**

I. Call to Order and Pledge of Allegiance

Chairman White called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

The members of the committee introduced themselves to the public present at the meeting.

II. Approval of Minutes – 4/19/18

The following clarification was noted:

- Member Shawn Joyce is an abutter to land that has a conservation easement and abuts the Town Forest.

The following correction was noted:

- Page 6, 8th paragraph, 3rd sentence should read: **He does not think they would be successful in court for writing a violation for that.**

Motion by Phil Winslow to approve the minutes of April 19, 2018 as amended. Seconded by Kevin Kobylinski. All in favor.

III. Reports from the Following Committee Members

A. Chief Walsh

1. Information on Dog Issues:

- **2016:**
 - Dog bite reports – (All on the beach) - **5**
 - Some of the dogs are on leashes/some are not
 - Some of the cases involve a dog biting a human
 - Some cases involve dog versus dog
 - Tickets issue for dogs on the beach during times not allowed – **14**
 - Animal Control Calls for service – **67**

- Volume of dogs in the area of Wallis Road Ext. – (8:00 a.m. on different days) – **53, 16-24, 16-44**
- **2017:**
 - Dog bite reports – (variety of areas, 1 on private property) - **7**
 - Tickets for dogs on the beach during times not allowed – **53**
 - Warnings - **27**
 - Total police contact at the beach for dog issues – **80**
 - Non-beach related Animal Control Calls for service – **29**
 - Beach related Animal Control Calls for service - **95**

2. Summary of Laws in other Jurisdictions

Chief Walsh stated that a lot of jurisdictions have leash laws. There are a lot of hours that are put into the dog bite investigations by the officers. The advantage to having a part-time ACO is they can deal with the dog cases so the officers can focus their time on other investigations. The officers do not have to spend their time enforcing animal control laws.

Chief Walsh stated that the Animal Control Officer has just started looking at the recreation area, Parson's Field and the cemetery to see how the land is being used and who is using it. Some of the information came from conversations with the people and some of it came from Rye Beach stickers on the vehicles and out-of-state license plates. He has information from March 28th to April 21st for the committee to review.

3. Discussion with County Attorney on Definition of “Dog Under Control”

Chief Walsh noted that he is working with the attorney on this.

B. Selectman Winslow

1. Report on Discussions with Town Attorney

Selectman Winslow stated that he asked a couple of questions to Attorney Donovan.

If the committee comes up with a proposed solution, can it be put into effect on a temporary basis to see if it's workable prior to it going to warrant?

Attorney Donovan noted that the Selectmen have the authority over town property, roads and streets. In the past, the Selectmen have enacted a temporary beach ordinance contingent upon town meeting approval.

Does the Town have the legal right to restrict non-Rye residents and non-Rye licensed dogs from the Town Forest and other areas in Town?

Attorney Donovan's response is an emphatic “no”. The Town cannot do this.

Who can enact a leash law for the Rye properties?

Attorney Donovan noted that this would be the Conservation Commission because they have the ownership of them. The Town Forest is a Town property; therefore, the Conservation Commission is restricted from establishing regulations there but on all the other property they have they could establish regulations.

Member Joyce stated that he has a copy of the conservation easement and it says that the Commission can restrict. He is curious how the attorney can arrive at that conclusion.

Selectman Winslow stated that he will speak with Attorney Donovan about this.

Member Garvan commented that he is surprised. He thought the Conservation Commission owned the Town Forest.

Selectman Winslow stated that the explanation from Attorney Donovan was that there is a difference between management and control. The Conservation Commission can manage it but since it is a town property the Town controls it.

Chairman White asked if Attorney Donovan could look at all the deeds. He would be very surprised if Conservation owns all that land and not the Town of Rye.

Sally King, Conservation Commission Chair, commented that ultimately it is the Town of Rye. The Commission manages the properties. She pointed out that some properties do not have easements. It varies from property to property. Some of the land is managed by the Rye Conservation Commission and some is managed by a secondary easement holder, which provides better protection of the land.

Selectman Winslow agreed to have Attorney Donovan review four or five of the deeds to look for consistency. He stated that he will also ask if the Town can require that dog walking businesses must put in an application for a permit to walk dogs.

After reviewing the easement, Member Joyce stated that the Conservation easement states that the Town of Rye owns the forest. It is clear in the easement.

Member Garvan agreed to provide four or five easements on parcels with trails for Attorney Donovan's review.

C. Mike Garvan

1. Update on Town Forest Management Plan Completion

Member Garvan noted that Susan Shepcaro has been the Conservation Commission's point person with Charlie Moreno who is working on updating the plan.

Member Shepcaro stated that she has spoken with Mr. Moreno. His method is to go through the forest four or five times, looking at different things each time. He has been in once, which was April 17th. He said he would be in more regularly as the weather got nicer. The intent is to have all the information needed for the report gathered within the next couple of months. She explained that Mr. Moreno is looking at the land to give recommendations, such as an area may need a bog bridge or a trail may need to be rerouted. There are several areas that are in that kind of condition that may need bridges or have the trail moved. Last year he walked the trail and mentioned several locations that may need attention. Right now, his first pass is looking at critical areas and then he will go on to more depth.

Member Garvan noted that he and Sally King spoke with Mr. Moreno a couple of years ago and made him aware of the concerns they had with dogs and general increase in use. Mr. Moreno needs to put this into his thought process when making recommendations for the forest as this would be a critical component, not just for the committee but for the Town.

Chairman White pointed out that the recommendations should line up with the easement.

D. Shawn Joyce

1. Discussion of Dog Issues in Relation to Landowners Abutting Town Forest

Member Joyce submitted copies of a map showing the Town Forest and abutting parcels, which he reviewed for the committee. He submitted a copy of the summation letters that were sent to the Board of Selectmen by the abutters of the Town Forest. He also submitted copies of the Conservation easement. Referring to page 1, he stated that it talks about wildlife conservation native habitat protection. Although the committee talked about it not being a wildlife issue, it is a safety issue. It is a safety issue because the dogs are running the deer and other animals through the abutters' properties where they are legally hunting and trapping. There are also other hunters in the marsh and the dogs are running through there as well. It seems like the foremost purpose of the easement is about wildlife conservation native habitat protection but it seems like that has just been pushed aside.

Referring to page 5, Member Joyce stated it talks about prohibited uses and commercial being one of those. A dog walking business would be a commercial use so it seems that can be prohibited. Referring to page 10, it states "the owner will have the right to limit access to Rye residents only". He pointed out that this contradicts what the Town Attorney is saying. He is not sure if Attorney Donovan had this easement when he made his comments. He stated that Ken Moynahan is a cemetery trustee and he does not feel the cemetery should be used as an access point for the Town Forest. He feels there needs to be limited access points so there can be some control over the dogs. The caretaker of the cemetery said that there have been all kinds of problems with dogs defecating, running through funeral services and eating his lunch. There have been a number of problems with the number of cars and dogs going through the cemetery. It is not an intended use.

Chairman White stated that the Conservation Commission did an information effort to make sure dog owners who were in the Town Forest knew the rules and regulations. He asked Member Garvan to speak to when that started. He wonders if the abutting landowners are seeing any change in the amount of dog activity on their land as a result.

Member Garvan stated that the commission started shortly after Shawn Joyce and Dave Tilton were experiencing a lot of problems this past winter.

Member Shepcaro stated that they started putting up signs right around Thanksgiving.

Member Garvan continued that the commission put up a fence just before Christmas. The fence was put in because it was felt that this area was a major problem point. It was not necessarily to keep dogs out. It was to alert the owners that "this is the boundary". He stated that Member Shepcaro has been diligent about handing out informational brochures and talks to people every day.

Member Joyce stated that starting on 12/7 they emailed the Rye Conservation Commission weekly about the dogs. One weekend alone in February, there were 14 different dogs caught on camera and 6 trespassers. He pointed out that there is a trail that runs right along Dave Tilton's land. He emailed the Conservation Commission and said that the fence has no use there because the issue is happening in a different area. He continued that the fence, with all due respect to Mr. Tilton, is nothing but aggravating to him. Mr. Tilton has made it very clear that he is offended by the fence and it serves no purpose.

Speaking to Member Joyce, Chairman White asked if there was any real change from those efforts.

Member Joyce replied no.

Member Shepcaro stated that Mr. Tilton's son shot a deer and gutted it in the offending corner on his property. Obviously, dogs come because it is right there. That is what really created this firestorm. Once that smell is there it takes a while to go away. After that, he baited the traps and consistently put them out. Many people who walk the woods have found the bait all around the woods. If he didn't want the dogs to come, moving the operation of gutting the deer towards his house would have been much more effective.

Chairman White asked if she would say the dogs are out of control by going up close to the property. It is obviously posted so are the owners of those dogs unable to control the dog?

Member Shepcaro commented that she believes that people were surprised and did not expect this to be happening and therefore, were not prepared. Once regular walkers knew it was there, they made sure their dog was on a leash in that area. (She submitted a map showing the properties abutting the Town Forest.)

Referring to the map, Member Joyce pointed out that it is a tax map and is very inaccurate. It has no bearing about how it really is. He noted that his map is done from Google maps.

Chairman White asked if the takeaway from the reports that have been brought to the commission is that there is an ongoing problem of dogs that are out of owner's control going on to posted private property. He asked if it is a fair assumption that the Town has that problem.

Member Shepcaro stated that they do have that problem but it was very much helped along by deer bones and deer guts.

Chairman White noted that the landowner has a right to do that and he may do it every year. There seems to be an ongoing problem with dogs going onto posted private land against landowners' wishes.

IV. Discussion on the Need for Additional Information

Chief Walsh stated that he presented to the Board of Selectmen information on Lower Marion Township, PA, in regards to their dog program. He also took the opportunity to look up the dog program for the City of Boulder, CO. Both places have leash laws and the dogs are on leashes. For a dog owner to get their dog off a leash, there is a process to do that. He continued that Lower Marion has forty plus pieces of land for public use. Twenty of those parcels, dogs are not even allowed on. The other nineteen allow dogs on a leash. There is one parcel that dogs are allowed off leash in a fenced in area; however, the dog owner and the dog have to go through a dog obedience program and pay a fee. In Boulder, CO, the dogs are on a leash. Again, they have to go through a program to come off the leash. He noted that if Rye was going to mirror either of these programs there would have to be a leash law. To have a dog off a leash, there would need to be a specific fenced in area where that happens. He is in favor of looking at putting all dogs on a leash and having them go through a dog obedience program to come off the leash. He continued that Lower Marion has different areas of public use, which the Town of Rye has. Rye has the largest coastline in the State for beaches, the Town Forest, Parson's Field and many parcels of conservation land. Taking a look at that, is it possible that the committee could come up with certain areas to allow dogs and other areas where they would be restricted? The Town would need an educational and awareness program to put that into place, which may take a couple of years. In the meantime, the Town would come up with a better definition of what the "dog under control" means so that it is a clear cut definition for the police employees to deal with. He would like the committee to take a look at these two programs and think about where they have to compromise. He noted that something has to happen. He reiterated that if the Town is going to follow any of these rules, there needs to be a leash law and dogs on a leash. Then pieces can be taken from the regulations on how to get a dog off the leash. He understands that there are a lot of people that are responsible dog owners that enjoy the land. He has been down at the beaches and seen a dog owner call their dog where the dog goes right back to the owner. There are a lot of responsible dog owners. There is an even mixture of both. However, there are risks, for instance, one woman got knocked into the water, people are getting bit and there are

dogs attacking other dogs. The police officers are being taken from their main tasks because it is now unsafe with the dogs on town land. The committee needs to come up with a solution that can be self-regulated. He pointed out that there are things that happen on private property that may attract a dog. How can it be assured that in the event that something unpredictable happens the owner can control his dog? That is something that the Town has to come up with and he is not sure what that is.

Selectman Winslow stated that if fifty percent of the dogs were on leashes in Rye that would certainly cut down fifty percent of the potential problems. By doing that, they would be looking at employing some of the ideas from Lower Marion and Boulder. In talking with the people in Boulder, they are very pleased with their program and they have had very few concerns. Where there has been concerns, they just pull the tag and the dog has to be on a leash.

Member Kobylinski noted that Boulder has a much bigger population. Rye is a Town of 6,000 people. He does not think they can apply laws from New York City to Rye. It is comparing apples to oranges.

Selectman Winslow stated that it is important that the committee look at the big picture. The big picture is that there are dogs that are aggressive that are currently not on a leash. With the other program, the Town can identify dogs that are not aggressive and allow them to be off a leash, which means the dogs that are aggressive have to be on a leash. That would reduce the problems significantly.

Chairman White stated that before moving forward with solutions, he would like the committee to get to the point where they feel they've accumulated the information that is necessary to go forward. He noted that he had a call from Krista Atwater who suggested having a piece of land in Rye dedicated as a dog park. She agreed there were a lot of issues with dogs. He continued that the Town received an email from Lisa Jacobus who plans to attend a meeting in the future and can clarify the ADA service animal requirements. An email was also received from Mike Whitney who outlined a lot of issues that he has encountered on the beach. He opened to the public for comments.

Lindsey McKenna, 9 Acorn Acres, stated that she has owned a dog for nearly two years and has never encountered a problem. They are at the beach on the weekends. She never takes her dog to the beach at high tide. They are at the woods probably once every weekend. She has never seen a problem.

Mark Epply, 267 Brackett Road, stated that he thought dogs were already not allowed in the cemetery.

Member Joyce replied that they are not allowed. The dogs just run in the cemetery.

Member Garvan noted that he talked to a woman in the Town Forest and went over the rules. The woman went off through the woods and her dogs came out of the cemetery, as they were running all through there.

Member Kobylinski noted that he walked through the Town Forest before the meeting and there were three cars parked in the cemetery location unloading dogs.

Member Garvan stated that in this area they are allowed and they're even allowed on one side of the cemetery.

Member Joyce commented that it was never formalized and they are now talking about stopping it because of the amount of people that are accessing it.

Chief Walsh explained there is no ordinance that says dogs cannot be in the cemetery. The cemetery trustee can set those rules. This is getting into difficult areas with enforcement and who is allowed to set those rules. He feels there would need to be an ordinance in place that says no dogs in the cemetery. Some people park at the end and enter the Town Forest. If the cemetery wishes to end that, he would like to have a conversation with them and speak with the town's prosecutor to see if something needs to be formally in writing.

In regards to conservation land, **Peter Crawford, 171 Brackett Road**, stated that he believes the Town is the legal entity. He believes the cemetery is owned by the Town but is under the control of the cemetery trustees. RSA 36:A states the conservation commission may buy in the name of the town. With regard to the rules, he believes that a person can't be taken to court and be convicted for violating a rule that is set by the Conservation Commission or the Cemetery Trustees.

James Beattie, 1126 Ocean Blvd, stated that he agrees with the Police Chief's plan to recommend beach control. There are a lot of dogs running on the beach and they come up onto his deck. He finds bags of dog waste in the bushes and sitting on the seawall. He continued that another consequence of leashing is the dogs would be quieter.

A resident commented that a law about dogs being under control by the owners is so vague. The only way a dog is under control is when it is on a leash.

Lindsey McKenna stated that her dog is not quite two yet. The dog is very good off leash but has developed a bit of leash aggression. When she is on a leash, she barks very loudly at other dogs. The only way her dog will not bark is when she is off leash.

Member Kobylinski stated they are a Town of people first and dogs second. He commented that he loves his dog; however, people's rights come before dog rights.

A resident pointed out that her mother in-law is afraid to walk the beach without a little squirt thing because the dogs jump on her and knock her over.

Chairman White stated the he thinks they have gotten input on whether there is a problem or not. (He passed out a draft motion for discussion.) Referring to the motion, he stated that he sees that as reporting back to the Selectmen that the committee finds there are dog problems in Rye. There is no solution, no leash law and it doesn't address anything that comes next. It is just answering the first charge to the committee. If the committee votes affirmative, it would be reported back to the Selectmen that the committee found there are dog problems in Rye.

Member Joyce stated he thinks it is true. It is hard to argue with that. There is enough information and enough instances that show there is a problem.

Member Shepcaro stated the she thinks they need to hear from more residents before they vote on something like this.

Chairman White asked how she would suggest that they get more information.

Member Shepcaro noted that they can ask abutters. She has had people walk up to her and say they want to walk their dog. The committee can certainly bring people in to give another side to the story.

Chairman White pointed out that they have accumulated a lot of input that shows there is a problem.

Member Shepcaro commented that the committee has basically solicited negative input. Many people on this committee have already stated where they stand. She thinks it is too quick.

Chief Walsh stated that every year he prepares a budget. He is asked by the Budget Committee if the Animal Control line is enough money. He had said "yes" because he was comparing it to 2017 when there were two part-time employees to deal with the beach issues and the amount of dog calls the department is getting. There has continued to be other dog bite reports. After reviewing his quarterly budget, he told the Budget Committee that he is going to go over budget in that area because it is unsafe. He has had to add hours to the employee to manage and watch what is going on. The Town is paying an employee to watch people and their dogs. This is costing tax payers money to keep it safe.

Referring to the proposed motion, Member Kobylinski stated this is a very general first step in the right direction. With the preponderance of evidence just in regards to the number of bites, tickets from last year and sixty-five percent of the voters wanting further restriction from the recent warrant article, he thinks that is a mountain of evidence to say there is an issue with dogs in Town.

Member Joyce stated the he agrees that there are some people who can control their dogs; however, the reality is there are a lot of people who cannot control their dogs and that is where the problem lies. All the communities around Rye have leash laws so all those people are coming

in to Town. The community has been inundated with people from the outside so it a massive increase in use. There is an issue.

Member Garvan stated that it is not an overly strong statement. Looking at the numbers that Chief Walsh has generated, to go from 14 tickets to 53 tickets is pretty astounding. To go from 67 calls to 124 calls in a year. The Town is seeing an increased use.

Selectman Winslow stated it may be semantics saying that if the dog is not under the owner's control it is automatically a public safety issue. He has seen dogs on the beach that are obviously not under the owner's control because the dog is 100 yards away from its owner but they are not intimidating people and causing major problems. He does not think it can always be said that dogs not under control will always be a problem.

Chairman White stated that what was just described is not necessarily a dog being out of control. The distance from someone does not necessarily mean the dog is out of control. Its when the dog is called by its owner, does it immediately respond and go back.

Motion by Kevin Kobylinski that after reviewing information provided by the Town of Rye Police Department, Board of Selectmen, Conservation Commission, landowners and other residents, the Rye Dogs at Large Committee has determined that generally dogs not under owners' control have negatively impacted "public safety and the public's use and enjoyment of our recreational areas, town owned land and beaches". Seconded by Shawn Joyce.

Vote: 5-1 Opposed: Susan Shepcaro

Mark Eppley asked if it is supposed to be open to public discussion before a vote is taken.

Selectman Winslow commented that they should.

Mr. Eppley stated the issue that he has is with the wording "after reviewing information provided", which did not happen until this meeting. The motion was written before the discussion was even on the table. The charge of the committee for this meeting was to discuss the need for additional information and reports from the committee members.

Chairman White stated that if there was a request from the committee for additional information he would not have handed out the motion.

Mr. Eppley pointed out that Susan Shepcaro asked for additional information.

Chairman White noted that was after the motion was handed out. If there was a request prior to, he wouldn't have handed it out. He apologized that he did not allow public input before the vote was taken and will not allow it to happen again. He asked Mr. Eppley if he would like to give public input.

Mr. Eppley stated that this is too fast, too early and too soon. There is not enough information from other residents in the Town of Rye. He feels its being railroaded.

Sally King stated that she has concerns. Just by the nature that it was said that anyone could speak to problems with dogs. That's prejudicial. It could've been said, "Does anyone want to speak to dogs in Rye?". She does not think that anyone would say rationally there is not something they could do better with dogs in Rye so the Police Department doesn't have the number of incidences; however, this is going very quickly. There seems to be a tendency in general to get to a solution that would require leashes to start off. She thinks that is a jump that is very pre-mature.

Chairman White stated that he does not agree that that is preordained and that is where this is headed. That is certainly not the intent at this point. Speaking to the committee, he asked if anyone wants to undo the vote for additional information. He continued that they could parade a whole pile of people in who would say there are no dog problems but the people who have said there are dog problems create a dog problem. A very small portion of people that have problems with dogs in this Town create a dog problem.

Member Shepcaro stated that the Town just had a vote in March and people voted not to go to a leash law.

Member Kobylinski clarified that at the Deliberative Session the leash law was voted down. The whole Town didn't vote on the leash law.

Chairman White commented that the motion has nothing to do with a leash law.

Member Shepcaro stated it has moved so quickly in that direction.

Chief Walsh stated that he disagrees. Before this committee came together, there was a previous meeting because of this problem. The Selectmen, who are engaged in what goes on in the Town, put a brake on those meetings because they wanted to have oversight of this because it is a safety issue. The Board of Selectmen, past and present, take safety as their number one priority. He reiterated this is a safety problem, not just for people but for dogs as well. He continued that he takes his job seriously as a police officer. He does not want to have to report back to the Board about dog attacks. He does not want to have to look at the Budget Committee and say he is going over the budget because there are all these unanticipated expenses that have come up because of safety issues. The first meeting it was clear and there was a lot of information that showed there is a dog problem. The Chairman is trying to take the first section and ask "Do we have a problem?" "Yes, we do." He stated they need to move on and get some solutions on the table that are reasonable, tangible and everyone can do. He stated that he will not hide the fact that he wants a leash law. He knows that this is probably not going to happen. However, he is confident that if they can admit there is a problem they can come up with some solutions.

Chairman White asked if there is anyone on the committee who voted in the affirmative that would like to reconsider their vote.

No comments for the committee were heard.

Lindsey McKenna stated that she heard Chief Walsh's reports in the beginning but what she hasn't heard is how much use those areas get. There can be 14 tickets and if there are only 20 people who visit the beach in a year, that is a lot of tickets. But, if there are 14,000 people or dogs that visit the beach each year, that is not a lot. She does not feel those numbers mean a lot.

Peter Crawford stated the he agrees with Chief Walsh. However, in this particular incidence, because of the political sensitivity, it might be best to rescind the vote and invite the public to a public hearing, in which input could be accepted. The last thing the committee wants is to have everyone against this from the beginning.

Chairman White asked if it will mean there is no problem if at the next meeting the room is filled with people who say there is no problem.

Peter Crawford replied not necessarily. He noted that all the input from that meeting would be taken into account.

Member Joyce stated that this is basically saying that the committee knows the answer but are prolonging this just to appease people. Who is going to be able to say there is not a problem? The motion is just acknowledging the fact that the Town does have a problem. That is why the committee was formed and that is the charge. It is just saying there is a problem. There is no solution.

Member Kobylinski stated the numbers speak for themselves. There is a problem.

Selectman Winslow stated that this is saying there is a dog problem. In walking the beach, there may be as many as 20 or 30 dogs. Out of those 20 or 30, 1 or 2 might be a problem. Generally, there is not a problem with all dogs. There are problems with a certain number of dogs. Unfortunately, if they move to quickly, they are going to be penalizing people who have their dogs under control for the purposes of restricting the 20% that are a problem. That should be kept in mind moving forward. He does not think they can state that all dogs are a problem. A certain number of dogs are a problem.

Member Garvan stated that one thing that may be making the public nervous is that several people very eloquently have expressed their desire to have a leash law everywhere in Town. That is alarming to those who don't currently have that as a preferred solution. The committee has not gotten to a solution yet but two or three people have expressed a solution.

Chairman White commented that he thinks everyone has ideas on solutions. He continued that if the committee does not pass the motion, they have to continue to accumulate information before they can move forward with solutions. If the committee decides there is not a problem, they will go back to the Selectmen and say there is not a problem. They have to first say there is a problem and then start on the solutions. His thought is to start at the extremes and work their way in. He asked for a straw poll vote on anyone in favor of a town wide leash law at this moment.

Chief Walsh replied “yes”.

No other “yes” votes were heard.

Chairman White noted that right now the majority of the committee is not in favor of a town wide leash law. He continued that another extreme would be that the town does not need to do anything. He asked if anyone believes that the town does not need to take any action.

Member Shepcaro stated that she believes the Police Chief is right. There is a problem. The solution and the direction of the solution is her concern. However, the town has had some issues that clearly need to be addressed. Things can always be done better. She would like to make a permanent solution that is acceptable and could be voted by the whole town as being acceptable to them.

V. Narrow Down Potential Solutions
A. Town Forest
B. Beaches

Chairman White stated he would like the committee to break out the beaches and Town Forest and think about levels of solutions for the next meeting. Those could include things like the hours available for dogs to be on the beach. It might make sense to restrict some beaches. The ideas should be something that is less than a full leash law and more than doing nothing. In regards to the Town Forest, some solutions there may be different than the beach. A solution there may be residents only. Another thing that could be done is a day or two per week where no dogs are allowed in the Town Forest. The green and white trail could be leash only to help solve problems for abutting landowners. There are a variety of things the committee could put together that will not be a leash law but will address some of the problems. If the committee comes up with a solution, the Selectmen have the authority to implement it for a month or two to see what change it makes.

The committee agreed.

Member Garvan stated that they have charged Chief Walsh with speaking with the County Attorney about the definition of “dog under control”. He asked if there are other authorities or other definitions that have had success elsewhere.

Chief Walsh stated that “County Attorney” should be changed to the “Rye Police Prosecutor”. He will show him the definition that is existing in the State statute and speak with him about wording that would be reasonable and hold up in court.

Referring to the idea of a dog park, Chairman White asked if the Conservation Commission would have the authority and ability to be able to instate something like that on land that is under their jurisdiction.

Member Garvan noted that the easement would need to be reviewed to see if this could be permitted.

Chairman White asked if the Conservation Commission could look at the easements to see if there are any pieces of property in the town that a dog park could go on. Also, any pieces that are not owned by the Conservation Commission. Does the Town own any land outside of conservation land that may work?

Selectman Winslow commented there are some parcels of land that have been acquired because of tax issues that may be a possibility.

Chairman White asked if he could gather information on where those are located and if they would be appropriate. This may help to lessen the impact in other areas.

Member Shepcaro asked Chief Walsh his thoughts on a dog park.

Chief Walsh stated that a dog park would enable the education, awareness and enforcement to be in one location, which would be easier for his employees because it would just be in one place. He continued it would require maintenance because some of the issues the department is dealing with are dog on dog attacks.

Member Shepcaro stated there can be issues with dog parks. A dog trainer she knows, Terrence Kirby, said that there can be issues and they can be dangerous.

Chief Walsh agreed.

Chairman White stated that he is not sure what a definition of a dog park is but he is not necessarily thinking of an acre that is all fenced off. It might be 20 or 30 acres with different regulations on that piece of land versus other land. He continued that at this point it is important for the committee to collect ideas for potential solutions, even if they are only partial solutions, and work out these ideas at the next meeting.

VI. Public Input

Lindsey McKenna stated she is a little disappointed in the diversity on the committee, in terms of age. There are a lot of people in Rye that are retired, or approaching, retirement, who are very wealthy. She wishes there was a little more diversity at the table.

Member Kobylinski stated that he is nowhere near retirement.

Chief Walsh commented he is not retired.

Member Shepcaro stated that the age of 45 and under is not represented on the committee. Those people are the future of this town.

Ms. McKenna noted that the way she uses the town's resources might be different from someone who is home all day. Someone from her generation might have different input. In terms of solutions, she would pay a lot of money yearly for a permit for her dog to be off leash. She thinks that a lot of people in Rye would. The money could be used to pay for additional control. If the problems are happening mostly in the summer, maybe the Police Department could hire interns from the colleges to walk around the Town Forest and walk on the beach. They may not be in a position to be able to issue tickets; however, they could wear vests that say animal control and that would show that someone is paying attention. They could have radios so if there was a problem they could call an animal control officer. It creates a visibility that someone is paying attention. For the out of town people, maybe they could be charged for a temporary permit to walk the dog without a leash. This would be done through an app on their phone that would give them a code to access a tag to allow them to have their dog off leash. All the tags would be numbered in order to keep better control of the dogs causing issues.

Speaking to Selectman Winslow, Chairman White asked if he could speak to the Town Attorney about charging nonresident people for access to the Town Forest. He commented that whatever they come up with for solutions, law enforcement has to be a part of it.

Peter Crawford stated the key is training for people who want to get a permit to show the dog can be controlled in order to get the tag. It has to be a positive thing the person has to have before the dog can walk off leash. The dog should be leashed unless they have a tag.

Selectman Winslow encouraged Ms. McKenna to continue to attend the meetings and to bring in other people's ideas as well. He thinks people her age are not well represented on the committee and their ideas should be considered.

Chairman White stated that they have not talked about the abutting landowners to the beach. He asked the committee and members of the public to also think of ideas for this scenario.

Ms. McKenna stated that she would like to see information on salaries for an additional animal control officer. She would also like information on how many dogs are licensed in Rye and how much the fees would need to be to cover additional animal control officers.

Chairman White stated that if the committee came to an agreement on a set of regulations for the beach or town forest they could find out what Chief Walsh thinks it will take for enforcement.

VII. Set Date for Next Meeting

- **Scheduled for Thursday, May 24th, 6:00 p.m.**

VIII. Other Business

- **None**

Adjournment

Motion by Phil Winslow to adjourn at 8:15 p.m. Seconded by Mike Garvan. All in favor.

Respectfully Submitted,
Dyana F. Ledger