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MEMORANDUM

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Diane N. Tradd, Assistant City Manager/DPD Director (part 1) and Rachel M. Brown, First Assistant City Solicitor (part 2)

DATE: November 12, 2019

SUBJECT: COUNCIL MOTION OF 8/13/19 BY COUNCILOR CIRILLO REQUEST THE CITY MANAGER HAVE THE PROPER DEPARTMENT SPEARHEAD A PROJECT FOR CONSTRUCTION OF A DOG PARK IN SOUTH LOWELL; AND COUNCIL MOTION 8/13/2019 BY COUNCILOR CIRILLO REQUEST THE CITY MANAGER HAVE THE PROPER DEPARTMENT ORGANIZE A LOWELL DOG ASSOCIATION TO PROMOTE RESPONSIBLE DOG OWNERSHIP AND EDUCATE DOG OWNERS AND OTHERS

The City of Lowell currently has one dog park located at 61 First Street Boulevard in the City's Centralville Neighborhood. The City opened the dog park at this location as a temporary location because it has always been the intention of the Water Department, who owns that parcel, to utilize the property for future department infrastructure needs. This site will need to be permanently closed as a dog park within the next 2-4 years. The Department of Planning and Development (DPD) has been researching possible locations for a new dog park within the City. The department has been trying to find a new location in an effort to dedicate a new dog park before the existing location closes permanently. DPD's search criterion for a dog park is a location that is large enough to accommodate multiple users, have available parking and not nuisance abutting properties. In a community as largely built out as Lowell, it has proven difficult to find many available options to meet the criteria to date.

DPD has identified a potential location on Broadway Street, in the City's Acre Neighborhood as a potential site for a new dog park. This site is across the street from the Francis Gatehouse and is owned by the Department of Conservation and Recreation (DCR). There could be a mutually beneficial land exchange that satisfies both parties but that negotiation process may not align with the timing of closing the existing dog park. If DCR and City officials deem the negotiation process worth pursuing further, DPD will work on exchanging this parcel with DCR and continue searching for other possible locations.

As research into City owned available property suitable for a dog park has proven difficult, DPD staff has also done research into how other densely populated communities has satisfied the desire for dog parks. Many urban communities with limited open space make dog parks available by carving out portions of existing parks and creating gated dog areas. DPD has considered this approach and believes there are some existing parks within the City that could include small dog friendly areas, such as St. Louis Park in Centralville and Donahue Park in South Lowell.

The creation of new recreational facilities of any kind also needs to take into account the City's ability to care for and maintain the site once built. Many of the existing dog parks in communities surrounding Lowell are cared for and maintained by local volunteers.

The Chelmsford Dog Park was built by the Chelmsford Dog Association (CDA) in partnership with the Town of Chelmsford and is currently maintained by volunteers from the CDA.

The Dog Park Advisory Committee (DPAC) is a town committee made up of Chelmsford residents who provides advice to the town (through the town manager) regarding the Chelmsford Dog Park.

The DPAC works closely with the CDA to determine the most effective use of grant monies for park enhancement and maintenance.

Decisions regarding closures and other site related questions come from the Town Manager's office, as advised by the DPAC, who represents the interests of the town, and the CDA who represent the interests of the Dog Park and their members.ⁱ

The Andover Dog Park is located on land given to the Friends of the Andover Dog Park from the Town of Andover.

The Andover Dog Park is free to use and open to the public. The dog park is privately maintained and was funded through private donations.ⁱⁱ

DPD believes in order for any future dog park in Lowell to be successful there must be a group of park stewards dedicated to the site's continued maintenance and ongoing management. The best examples of successful dog parks across the country involve very dedicated volunteers who are committed to the specific location and work with other volunteers on addressing maintenance, fundraising and ongoing management. Lowell should consider community outreach to gauge the interest in local dog owners to create an ongoing park steward program to support a new dog park. These community conversations could also help the City determine the best location for a new dog park and help influence design decisions within the scope of the project. The City had previously identified a private foundation as a possible source for grant funding to support the construction of a dog park. This non-competitive funding is available, but requires the City commit to designating the dog park space as dedicated for that purpose in perpetuity. If the City is going to pursue the creation of a new dog park within the City at this time, DPD strongly suggests we find a location (or locations) where we can commit to remaining a dog park. Creating another temporary location is not a valuable use of City resources or volunteer time.

The City's Law Department has also assessed whether or not it is in a position to organize a Lowell Dog Association to promote responsible dog ownership and educate dog owners and others. We have determined that it would not be appropriate for the City to organize such an association. The occasions on which the City would itself organize an association specific to the interests of particular population segments are limited, and ordinarily a dog association would be properly formed by interested private residents or groups.

However, the Law Department has also worked with the Lowell Police Animal Control Division ("ACD" or "Division") to determine the City's current and upcoming work in connection with dog ownership.

The ACD offers support, education and resources for all animal issues for the residences of the City. The Division educates and guides residents on all matters of contention relating to dogs, domestic animals and wildlife. It offers training, education and outreach throughout the year for all age groups. The ACD works within the Schools, Parks and the Junior Police Academy to educate younger children about how to have positive interactions with dogs and all animals; it also attends Pet Fest every year. At public appearances, the Division provides literature relating to dog ownership, such as information about neutering or spaying. The Division also works to assist the elderly on maintaining care of not only their pets but also themselves by making use of the resources that the City has to offer. The Division further conciliates neighborhood disputes, advocating for the animal owners or the non-animal owners as applicable.

The Animal Control Division also works collaboratively with numerous organizations and is able to use resources from other agencies for dog owners and other pet owners, including but not limited to the Department of Agricultural Resources, the Massachusetts Society for the Prevention of Cruelty to Animals, the Cat Mobile, Lowell Humane and Merrimack feral cat program.

In addition, following approval from ACD, MSPCA has been awarded some grant money to use for education in the City of Lowell to further its missions. MSPCA is required to work with ACD as it uses this grant. ACD will alert MSPCA to the fact that formation of a dog association and education with respect to dog ownership are matters that have been raised by the City Council and this will be taken into consideration as the funds are used.

A member of the Animal Control Division will be present at the City Council meeting on November 12, 2019 to answer additional questions the council may have about the Division's work and outreach.

ⁱ <https://www.chelmsforddogassociation.org/faqs/>

ⁱⁱ <http://www.andoverdogparkma.com/faq>

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cc: Yovani Baez-Rose, Design Planner