

**TOWN OF DARIEN - MINUTES  
PARKS & RECREATION COMMISSION  
REGULAR MEETING / PUBLIC HEARING  
WEDNESDAY, MAY 18, 2011**

**ATTENDANCE:** Jane Branigan; Susan Daly; Bob Marchesi; Mary Flynn; Susan Graham; Andy Hunter; Ericka Morris; Marianne Gutierrez

**STAFF:** Susan Swiatek, Director; Jim Coghlan, Assistant Director

**OTHER:** Jayme Stevenson; Anne Finn; Fran Sessa; Amy Zabetakis; Chris Bosak; Frank Cirillo; Donna Coventry; Meg Orner; Gary Coventry; Sophie Cirillo; Richard Constable; Cheryl Russell; Lance Bailey; Christina Stoops; Connie Melvin; Sascha Sandberg; Nelson Ehinger; Ellyn Coyne; Jenny Glenday; James Cerruti; Debbie Hurn; Dot Kelly; Nina Miller; Ted Hawkins; Caroline Luz; Rick Pfeiffer; Carolyn Brook; Franziska Cerruti; Patti Bumgardner; Brian Kelly; Lee Cushman; Chris Hughan; Sarah Woodberry; Kathy Rawden; Ellen Powis; Ben Saunders; Cecelia Mundt; Mark Daily; Maryanne Wiley; Dennis Frelinghuysen

**CALL TO ORDER**

Ms. Branigan called the meeting to order at 7:35 p.m.

**APPROVE MINUTES OF REGULAR MEETING OF APRIL 13, 2011**

The correction(s) to the regular meeting of April 13, 2011 are as follows:

On page 3, under Chairman Report, the 1<sup>st</sup> sentence should read: "Ms. Branigan said she walked with the Friends of Woodland Park recently, and also met with the Police Chief and six other people to discuss the Dogs in Parks Rules and Regulations."

On page 4, under DISCUSSION ON DOGS IN PARKS RULES AND REGULATIONS, 6<sup>th</sup> paragraph, the 5<sup>th</sup> sentence should read: "They will be creating a draft for a Public Hearing to be held on May 18, 2011, to be followed by a discussion and a vote in June."

On page 7, under PUBLIC COMMENTS, 2<sup>nd</sup> paragraph, 1<sup>st</sup> sentence, change "Cecelia Moundt" to "Cecelia Mundt".

**\*\* MS. DALY MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF APRIL 13, 2011 AS AMENDED.**

**\*\* MR. MARCHESI SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**PUBLIC HEARING ON DRAFT DOGS IN PARKS REGULATIONS  
DATED APRIL 13, 2011**

Ms. Branigan reviewed the rules for the public hearing, explaining that each speaker will have 5 minutes to speak.

Ms. Jayme Stevenson read her prepared letter (attached).

Ms. Branigan then read the following three letters into the record:

**Ms. Susan Cameron:**

Dear Parks & Rec Commissioners,

As a member of first EPC and now P&Z, I know how difficult a balancing act it can be as a commissioner of a town board. I have already expressed my personal feelings on having dogs off leash. Today I am writing to you as a fellow commissioner.

I believe public safety must prevail over individual desire. There have been documented cases of vicious attacks in our parks, the most awful being the mauling of the 2-year old girl at Cherry Lawn.

The police have given the opinion that dogs should be leashed. Their job is to protect and serve.

I fully appreciate the difficult decision you have before you. I just feel when all factors are weighed at the end of the day, public safety must win out.

Best regards,

Susan Cameron

**Police Commissioner's Office:**

Dear Mrs. Branigan:

The Darien Police Commission has reviewed the proposed dogs-off-leash regulations for Town parks which we understand will be discussed at a public hearing to be held on May 18, 2011. While we take no official position on the question of whether or not dogs should be permitted to be off-leash in our parks, as this is within your exclusive jurisdiction, we must make it absolutely clear that the Darien Police Department, inclusive of its animal control officer, will be unable to enforce these regulations. This is because of the numerous sites involved, the variety of permitted hours and the other important responsibilities of our officers, including Animal Control Officer Stahl.

We are similarly concerned about the adoption by any Town agency of rules that cannot be adequately enforced. We request that this letter be read into the record at the hearing so that the public and all Commissioners are fully informed of our position.

Very truly yours,

TOWN OF DARIEN  
PARKS & RECREATION COMMISSION  
REGULAR MEETING  
MAY 18, 2011  
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J. Paul Johnson, Chairman  
Darien Police Commission

**Darien Police Department:**

Dear Commissioner Branigan:

I have received and reviewed the “Draft Dogs in Parks Regulations” dated April 13, 2011 and proffered by the Parks and Recreation Commission. It is my understanding that a hearing on this latest draft proposal is to take place on May 18, 2011. I have some serious concerns regarding the draft as proposed.

Throughout meetings and discussions on the topic, involving persons of divergent interests, the Police Department has made it clear that regulations that differ depending on the day of the week, the season of the year, the activities taking place at a particular location, or various defined areas within a single location would be impossible to objectively enforce. Further, we had asked that any regulations constructed to allow dogs off-leash on “designated trails” be avoided owing to the inherent difficulty in establishing the location of the offense as pertains to the location of the off-leash dog or its owner. Lastly, the use of terms such as “around playgrounds” is far too vague to be of any use.

This latest draft appears to incorporate, to some degree, nearly all of the elements the Police Department had cautioned against. As these issues will impact enforcement, it can also be expected to cause confusion among persons seeking to navigate this draft plan. Being fully aware that regulatory authority on this matter rests with the Parks and Recreation Commission, I would respectfully suggest the Commission give consideration to the concerns raised herein and ask that this letter be made a part of the record.

Sincerely,

Duane J. Lovello  
Chief of Police

Mr. Chris Filmer, 10 Harriet Lane, Friends of Selleck’s Woods, read his prepared letter (attached).

Ms. Amy Zabetakis, Secretary of Friends of Woodland Park, read her prepared letter (attached).

Ms. Kaye Rabin, Darien Land Trust, read her prepared letter (attached).

Ms. Pam Zangrillo, 5 Robin Hood Lane, member of DDOG, read her prepared letter (attached).

*The following comments from the public are summarized and not to be considered verbatim.*

Ms. Anne Finn, 22 Contentment Island Road, said her daughter was severely injured in a vicious dog attack at Cherry Lawn Park. The dog was not leashed. She was here tonight for her child and for every other child and adult that may have been or could potentially face the same horror

her daughter did when she was only two years old. She said her daughter still has horrible facial scars and horrible memories of that day. She feels that all dogs should be on leash at all times. Why should the off leash law be passed when there was a dog attack in Woodland Park, and one in Stamford. She urged the Commission to do the prudent thing and the safe thing for the town as a whole.

Ms. Fran Sessa, 9 Shady Acres Road, said she agrees dogs should be leashed in public, and she is in support of having dogs off leash in Cherry Lawn Park during off-peak hours. Once school is in session, the park is almost empty, and once the cold weather sets in, the park is virtually deserted, except for the dogs and their owners. She felt that dawn-10:30 a.m. is not a reasonable time. She found it insulting to be told she cannot enjoy the park with her dog off leash when the park is deserted. The dogs play in an area that is 200 ft by 200 ft. in a park that is 27.5 acres. She used an aerial map to describe the layout of the park. Statistics have proven that dogs off leash are socialized, friendlier and better adjusted. Dog owners are responsible for their dog's actions and owners should be held responsible. Good dogs should not be punished for the actions of the irresponsible owners.

Mr. Chris Bozak, 23 Hollow Tree Ridge Road, is an Editor of the Hour Newspaper and host of a bird-watching radio show. He understands the dog owners' desire to let their dogs roam freely in the parks, but this is a detriment to nature and those who enjoy it. Selleck's Woods, Dunlop Woods, and Woodland Park would no longer be nature preserves, as was their intended purpose, if opened up to off leash dogs. Free-roaming dogs disrupt ground-dwelling animals. The proposed time for allowing off leash dogs in the parks is the worst possible time for the animals and birds. He has witnessed dogs running freely, with owners not being able to control them, as well as being charged by dogs while he was on an early morning walk. The current leash regulations are rarely enforced.

Mr. Frank Cirillo, 3 Beechwood Road, said his house in Woodland Park borders the park on three sides. His property is completely overrun by dogs off leash now. He said if the Commission did nothing to answer the call of the community that wants dogs off leash, there is an issue now with off leash dogs in the park. Both of his children have been jumped by dogs on their own property, and they have to check the yard for dog excrement before they go out to play. They have witnessed scuffles between leashed and unleashed dogs and have heard dog owners arguing. Unleashed dogs have come onto his patio, front porch, and into his garage. He said that Chip Stahl, Animal Control Officer, can hardly keep up with the summonses he writes to the habitual offenders. He mentioned cities and towns that have instituted off leash areas that are ready to rescind them. Woodland Park is not a great place for dogs to be off leash.

Ms. Donna Coventry, 133 Holmes Avenue, said her home abuts Woodland Park. Her experiences of living next to the park include her and her son being charged by unleashed dogs in their backyard, on their patio, and one roaming into her home as her door was propped open. These incidents have been frightening to her and her son. There was a pack of dogs that fought in her backyard. During a winter snowshoe walk in the park, she noticed both sides of the path filled with dog excrement. Darien is a densely populated, suburban area and should not allow off-leash dogs anytime, anywhere.

Ms. Meg Orner, 38 Intervale Road, Friends of Woodland Park Board member, said she is in favor of keeping the on leash regulation. The park and the Darien Nature Center are used by residents and their children all the time. Dogs off leash are intimidating to senior citizens and children. She said her daughter was almost knocked off the bridge by an unleashed dog. She encountered three large dogs running off leash down the path, and the owner couldn't control the dogs. Safety needs to take precedence over the dog owners' desire to let their dogs run off leash. Darien is a densely populated town, and narrow, wooded trails of Woodland Park are just not the place for off leash dogs. The risk is just too great.

Mr. Gary Coventry, 133 Holmes Avenue, lives to Woodland Park. He said first and foremost, Woodland Park is a nature preserve, not a dog park. Off leash dogs frequently go through his yard. His eight year old son is now becoming more comfortable with dogs, after being afraid of them since he was three because they were constantly in his yard. Mr. Coventry said he was the victim of two dog bites when he was a child. More than 50% of dog bites are to children, and more than 50% of dog bites to children are to the face. He said there was an unleashed dog incident in Woodland Park last week. He said the current dog laws are not being obeyed by dog owners, and relaxing the rules will not help the situation.

Ms. Sophie Cirillo, 3 Beechwood Road, said she is a member of the Friends of Woodland Park. She loves dogs and understands the love for a dog. She is a firm believer that all dogs should be on a leash. She was a physical therapy aide at Darien Physical Therapy, and witnessed and treated firsthand several severe and painful injuries of adults that required therapy after being knocked over by an unleashed dog. She said it is time to have the town gain control of this obvious problem, and get back to the overall safety of its residents.

Mr. Richard Constable, 9 Alpine Lane, said the full name of the park is Woodland Park Nature Preserve. It was designated as such by the Parks & Rec Commission in the 1970's. Darien's Audobon Society conducted an in-depth study of the reserves natural resources, wildlife, habitat, birds, etc., and suggested a layout of trails. That work is now carried on by the Friends of Woodland Park. No dogs should be allowed off leash. The area has now become known as a dog exercise area. People that are not from Darien are using the area. The idea of allowing unleashed dogs in the preserve during designated hours is ludicrous. If dogs must be allowed in, they must be leashed and under control at all times.

Ms. Cheryl Russell, 18 Holly Lane, submitted a conceptual drawing of the Diller property as a dog park. It is a win-win for all of Darien

Mr. Lance Bailey, 18 Ridge Acres, has lived near Cherry Lawn Park for 43 years. He felt that previous speakers had made an eloquent case for the nature preserves. He said that at around 4:00 or 5:00 p.m. everyday, residents using Cherry Lawn Park with their dogs are using it responsibly. The dogs interact well with other dogs, and he has not seen any problems with dogs. Parents of small children allow them to pet the dogs. Dog owners and their dogs are not near the sports activities going on in the park. He felt that a small area in Cherry Lawn Park would be suitable for off-leash dogs.

Ms. Christina Stoops, 11 Woods End Road, said her property abuts Cherry Lawn Park. She has a unique perspective on the park, as she has a plot in Cherry Lawn garden, her kids play there,

and she had been on the Board of the Nature Center for 6 years. She is in support of compromise at Cherry Lawn Park. The dog walking area is very small. She has been impressed with how respectful the dog owners are. In 12 years there, she has not seen any problems with dogs or dog owners. She feels it is important to have morning hours and evening hours for off leash dogs, as well as again during off-season hours.

Ms. Connie Melvin, 133 Stephen Mather Road, said dogs love and need to run, and they are better socialized if allowed to run off leash than on leash dogs. Compromise is needed. She suggested that a split rail fence could be installed backed with deer netting that would keep dogs on the path. This is a technique used quite successfully in Greenwich. She said the dog owners should be responsible for policing themselves and adhering to the off leash hours. There are lots of great dog walkers in the park every morning.

Ms. Sascha Sandberg, 47 Pear Tree Point Road, walks her dog in Woodland Park every morning and enjoys the exercise, socialization, and nature. She doesn't walk the parameters of the park, nor does she use the park on the weekends. She was happy to see the proposal for off-leash hours and to see the potential for sharing. While it might not be the perfect solution for all, it takes the wishes of both sides into account as it should.

Mr. Nelson Ehinger, 18 Oakshade Avenue, said he firmly wants to see the off leash ban in Woodland Park remain in effect. Once the dog is off leash and away from the owner, it is out of sight and could be potentially involved in a confrontation with another dog or person, and it could be disturbing the natural habitat. He felt that there is a tremendous resource in Woodland Park with its miles of trails, but with the lack of enforcement of the leash law, property owners are complaining of their properties being compromised by off leash dogs. A better job has to be done regarding the leash law enforcement.

Ms. Ellyn Coyne, 34 Intervale Road, said she doesn't understand the need to have dogs off leash. She felt that they were inviting other dogs from other areas into their parks by having the off leash hours. She said that dog owners cannot always be assumed to be responsible. She witnessed some dog incidents at Cherry Lawn Park. She said the current leash law is not being enforced at Woodland Park. She encountered two off leash dogs, not from Darien, that entered her property, and she said the dog owners had trouble regaining control of them. She asked how many children need to get bitten in the face or dog owners need to be attacked. She said that one incident of that kind is too many.

Ms. Jenny Glenday, 22 Intervale Road, said her property borders Woodland Park. She doesn't agree with the off leash law in the parks at any time in the town of Darien. She has three small children and is concerned with what could happen with the dogs that are off leash.

Mr. James Cerruti, 104 Leeuwarden Road, said the dog owners of Darien have spent an inordinate amount of time to present facts about the off leash ordinance. He said an offer presented to the Commission for a rational and logical middle ground fell on deaf ears. He wished to commend and further encourage the Parks & Rec Commission in an effort to reach an equitable solution for Darien's parklands usage that it be one that will demonstrate its commitment to ensure all Darien residents have equal access to the parks.

Ms. Debbie Hurn, 4 Edelweiss Lane, spoke of her experience with camping, teaching at the Nature Center, and being a member of the Audobon Society and other groups. She said as a board member of the Friends of Woodland Park, she would like it to be known that she is in support of the off leash hours at Woodland Park and Selleck's Woods. The parks are for everyone, they are not a country club. She said DDOG should be complemented for their efforts. There is not a dog bite problem in the Darien parks. She said the dog walkers are there in the parks everyday, making them a safer and better place.

Ms. Dot Kelly, 6 Lake Drive, thanked the Parks & Rec Commission for taking up the hearing and looking at the off leash laws and its impacts. She felt that it needs to go to a much higher level. The park that offers off leash locations and hours for dogs that is furthest west is Cranbury Park, and that would mean Darien would have a strong monopoly on letting dogs off leash. The impact of having off leash hours should be documented, investigated, and really understood before they change the rules. She is in favor of keeping the leash law as it stands at Selleck's Woods and Woodland Park. She felt that Woodland Park is a gem, and it could use attention from the Parks & Rec Commission.

Ms. Nina Miller, 179 Old Kings Highway South, said this is a Jekyll and Hyde issue for her, and one of contradiction. She suffers from Lyme Disease, and has a dog; she is on the board of Selleck's Woods, but has a problem with deer culls. She said dogs can't run free in Selleck's Woods or Woodland Park at any time, yet she has not seen any problems with dogs and children. She said the owners keep restraint and are helpful and friendly, but there is too much excrement in the park. She wondered if it was time for a dog park, similar to the ones in Stamford, Rowayton, and New Canaan, in Cherry Lawn Park.

Mr. Ted Hawkins, 65 Mansfield Avenue, walks his dog on leash to the park, walks his dog off leash in the park, plays with the Frisbee, and then walks his dog out of the park on leash. Tilley Pond is a quiet downtown oasis. He commuted for 12 years through the park and never encountered any dog problems. It would be inappropriate for dogs to be off leash at any time in the park, but felt a compromise could be reached to offer some off leash hours. He commended the Commission for listening.

Ms. Caroline Luz, 23 Fairview Avenue, said she is in support of a meaningful compromise on this issue. There is risk with any kind of activity that is being undertaken. She has not witnessed any particular problem at Cherry Lawn Park, which she frequents. There is a lot of activity enjoyed in the park by a large group of people in the town, and she urged everyone to find and support the compromise.

Mr. Rick Pfeiffer, 42 Fairview Avenue, said the parks were designated by their predecessors as nature preserves. He said those responsible for managing them had an agenda that deviated from the original purpose. He said he fenced in his yard by Woodland Park to keep his dogs in, and other dogs out. He said the proposed regulations don't reflect what was discussed at a recent meeting. He asked that the Parks & Rec Commission continue to look for a compromise for dog owners, and he hopes that the emphasis will be on responsible dog behavior, not leashed dog behavior.

Ms. Carolyn Brook, 27 Lake Drive, supports the concept of off leash hours, as a fair and reasonable compromise. She walks her dog every morning in Woodland Park and has never seen a dog attack or any unsavory characters. She has only seen respectful dog walkers. The negative acts shouldn't overshadow the positive actions. She commended the Commission for trying to reach a compromise on the hours.

Ms. Franziska Cerruti, 104 Leeuwarden Road, said she has been walking Woodland Park for a long time. She assisted in cleaning up the park. She also helped DDOG gather and coordinate information. She urged the Commission to review the information, do the right thing and find the right compromise.

Ms. Patti Bumgardner, 64 Hanson Road, read her prepared letter (attached).

Mr. Brian Kelly, 12 Abbey Road, a member of the RTM, thanked the Commission for their efforts. He would prefer not to get up at 5:00 a.m. to walk his dog off leash.

Ms. Lee Cushman, 18 Fairview Road, said dogs need to run and play. As a taxpayer, she feels it is fair to have a place for the dogs to go, but that place is not Cherry Lawn Park. She has rarely seen any problems of dog incidents.

Mr. Chris Hughan, 4 Oakshade Avenue, said he recognizes those responsible who have made the nature preserves open space, and he recognizes the need for compromise. He was a victim of a dog bite as a child, as were other members of his family. He frequents Woodland Park as often as he can, and he has never encountered any problems. He understands the point of view expressed by the Friends of Woodland Park. He knows there is a need for compromise.

Ms. Sara Woodberry, 13 Fairview Avenue, is a member of DDOG. She thanked the Commission for hearing all the input given. She has experienced the benefits of off leash laws in other areas, such as NYC's Central Park, where it is in effect every day of the year until 9:00 a.m. every morning. She said Denver, CO has recently committed \$350,000 to improving its off leash dog area because it has been so successful. She didn't understand the difficulty in policing the proposed off leash hours. She explained that the Voice and Sight Command rule is in effect in successful off leash dog areas in other cities. It is a way for the owner to be in control of his dog. She asked that they find a way to experience and share the parks together as a community.

Ms. Kathy Rawden, 366 West Avenue, thanked the Board for resolving this issue. She said the issue has been around for the 25 years she has lived close to Woodland Park, and she doesn't understand why there is a problem and why factions are occurring among residents. If a compromise is reached, then everyone can feel safe. She walks in the park five days a week, and hasn't seen any problems with off leash dogs. Her dog, on leash during a walk, was attacked by a roaming dog that broke through his fence. She said three other dogs in the Holmes Avenue area have been brutally attacked by dogs on leash. If a compromise is reached, they would have the backing of the people that walk their dogs off leash.

Ms. Ellen Powis, 83 Buttonwood Lane, said that the facts have to be the driver in making a decision. She urged the Parks & Rec Commission to look at the problem with the facts, then base the decision on the facts. She had a sheet with some data on it, recording the hours the

children are in the park, the weather, school hours, sports, etc. She said Darien has the least number of dog bites reported. She recommends that their decision be based on facts, not emotion.

Mr. Ben Saunders, 4 Hickory Lane, thanked the Commission for letting the public speak. He is the father of two young boys and commutes daily. He was in support of dogs getting exercise, and he said that a healthy dog is a much safer dog. He was sensitive to Ms. Finn and the accident her daughter suffered, and he was also sensitive to the property owners that live near the park. He said that in the spirit of compromise, it is worth giving the off leash hours a chance. He suggested that they try it for a year and see how it works. And he suggested that the dog owners challenge themselves to pick up after their dog and keep control in the park. He also suggested off leash hours in the evening to accommodate commuters.

Ms. Cecelia Mundt, 149 Old Kings Highway South, said that the parks are public parks, shared by 20,000 residents. There is room to share. There are 5 parks, over 10 acres, and the top 3 parks have over 25 acres. The most common sense solution is a compromise of sharing. She supports the proposal because it supports compromise, and she supports the addition of after-work hours. It is only through compromise that we can get a safe and equitable sharing of our public parks.

Mr. Mark Daily, 59 Holly Lane, member of the RTM District 5 and the Parks & Rec Committee of the RTM, said he applauds the Commission for the efforts in finding a compromise. The parks belong to all taxpayers. The proposal is for dogs to always be on leash except for some specific options. He agrees with the view that one dog bite is one too many.

Ms. Mary Anne Wiley, 39 Hazel Street, said her house is the closest house to Woodland Park. She has seen many things go on there in the 12 years she's lived there. She saw two large dogs fighting on the path, and when she called the police, she was told that they couldn't get there in time. She has fenced in her yard. There is a definite safety issue. Woodland Park is beautiful, and the land was left as a nature preserve and bird preserve.

Mr. Dennis Frelinghuysen, 50 Talmadge Hill Road, said he is concerned with the town's liability on areas that permit behavior where accidents may occur. He knows the law says it is the dog owner's responsibility if the dog bites someone. But when the dog is free running, the owner is not in sight. As taxpayers, he urged everyone to be aware of what they are asking for, and the potential liability they could be opening themselves up to. He does hope for free space for dogs in town. He is also concerned about enforceability. He feels that the taxes are already burdened enough, and he was concerned that more personnel could be needed to enforce this. He is the Co-Steward of the Darien Land Trust Stewardship Committee.

The meeting adjourned at 10:25 p.m.

**NEXT MEETING: Regular Meeting Wednesday, June 15, 2011 7:30 p.m.  
Darien Town Hall, Room 119**

Respectfully submitted,

Carolyn Marr  
Telesco Secretarial Services