

## **Amherst Dog Park Task Force**

### **APPROVED MINUTES**

May 21, 2020, 7:00 pm

Present: Nina Allen, Michael Chesworth, Ted Diamond, Gina Fusco, Ana Devlin Gauthier, Jack Jemsek, Ellen Keiter, Jim Pistrang, and Dave Ziomek

Jim Pistrang called the meeting to order. Ellen Keiter volunteered to serve as secretary.

Task members unanimously approved the meeting minutes of December 10, 2019 and January 21, 2020.

#### Project and Bid Status

Dave Ziomek reported that the Town received 13 construction bids with estimates ranging from \$300K to \$600K. There are not a lot of projects due to Covid 19 and contractors are eager for work. The Town selected Valiant-America from New Bedford, MA. Their bid includes the shade structures and dog watering stations, but excludes the entrance kiosk and the equipment shed. Jim Pistrang asked about the selection process and what consideration was given to hiring a long distance contractor. Dave replied that the law requires a municipality to accept the lowest qualified bidder, and Valiant-America has great references. Ted Diamond asked if the Town examined Valiant-America's proposed list of materials since there is a wide range of quality in asphalt, fencing, etc. Dave assured the Task Force that the contractor must meet all specs determined by Town engineer Jason Skeels. The DPW will examine the quality of fill, parking lot pavement, and walkway material. DPW employees will be on site every day of construction.

Dave Ziomek is working with the Stanton Foundation to draft a memorandum of understanding between the Foundation and the Town of Amherst to process the \$225K grant. Dave hopes to proceed as soon as the Stanton money is received and all final approvals are met. He will work with Mass Wildlife's Natural Heritage & Endangered Species Program to survey for signs of grasshopper sparrow nesting activity. Dave noted one of the largest construction steps is to level the bowl-shaped topography with enough fill to build the ADA walkways and support the shade structures.

Thanks to four significant sources of funding—\$25K from the Stanton Foundation for park design and \$225K for park construction, \$90K in CPA funds, and over \$45K in private and in-kind donations—the Town is financially prepared to move forward with the project.

#### Fundraising Campaign Status

Jim Pistrang noted that although numerous private donors have made contributions to the dog park, it is not the time to ask businesses for financial or in-kind support. Ted Diamond said the Task Force will need to solicit during construction and even after the

park opens. He suggested the Task Force consider ongoing sponsorship opportunities.

#### Public Comment

Nola Stephen of Trillium Way in Amherst Woods inquired if the contract has been signed with Valiant-America. She expressed concern about the grasshopper sparrows and other wildlife as well as possible noise and odor from the dog park. She asked to know the final cost to tax payers, and suggested this is not the time to fund a dog park when money is so badly needed elsewhere.

Jim Pistrang replied that although the contract is not yet signed, he anticipates it will be finalized next month. He reiterated that the dog park will occupy 1.5 acres of the 55 acre capped landfill. Construction will be postponed if there is evidence of grasshopper sparrow nesting. Jim stated that money donated to the dog park couldn't be used or redirected to other areas of need. The dog park is not taking money from any part of the town budget. The \$90K granted by the Community Preservation Act is the only "town" money (CPA money must be allocated toward conservation, recreation, or historic restoration). Jim conceded the DPW will need to mow and empty trash at the dog park, but this does not require an increase in budget or necessitate hiring additional staff. The Stanton Foundation offers maintenance grants, which the Town may decide to apply for in the future. The Task Force will also establish a Friends of the Amherst Dog Park group to support and address any maintenance issues.

Peggy Matthews, vice president of the Amherst Woods Homeowners Association, said no one from the Town reached out to neighbors or abutters to inform them of the project. She said most residents in Amherst Woods are unaware of the proposed dog park. She asked the Task Force to post the list of bird authorities that were consulted on the project; she would also like to read all documents citing the possible impact of the dog park on a protected habitat. Peggy inquired whether the park could be moved if it is found problematic to co-exist adjacent to protected habitat.

Jack Jemsek noted that many people already walk their dogs in the habitat area, while the dog park will be enclosed and located next to Old Belchertown Road. Jim Pistrang said the three-year planning process has been a public one: all task force meetings were announced and open to the public, and there have been multiple newspaper articles. The project came before Town Meeting, the Planning Board, the Conservation Committee, and several other committees. Although choices for park location were limited, the Task Force remained committed to not using already existing public space.

Dave Ziomek offered to meet with Amherst Woods residents on the dog park site to answer questions; he asked those concerned to email him a few available dates. He assured neighbors that nothing could proceed without full knowledge and approval of the Natural Heritage Program and the Environmental Protection Agency (since the park is on a capped landfill). Once the solar array is installed across Route 9, the Town will be required to fence the 50 acres of landfill adjacent to the dog park, which will be

permanently preserved in conservation restriction held by the Kestral Trust. The Robert Frost Trail and sledding hill will remain un-fenced and accessible for all residents.

Colleen Osten of Larkspur Drive asked if people will be able to continue walking their dogs along the existing loop. Dave Ziomek said Natural Heritage does not want people walking through an endangered species habitat. The Town will construct a five-foot fence around the property in 2021 or 2022 (which is separate from the dog park project). Natural Heritage and the Department of Environmental Protection require the fence. Colleen expressed dismay that the dog park will be built next to a protected bird habitat. Dave assured her this has been an exhaustive process and the Town has worked with state and federal experts and regulators. Colleen was also concerned that homeowners were not contacted. Jim Pistrang noted there are no residential abutters to the dog park; the closest properties are the businesses on Research Drive and the transfer station across Route 9.

Nola Stephen asked about parking and whether owners will be required to clean up after their dogs. Jim Pistrang replied there will be 18 parking spaces on Old Belchertown Road and all rules and requirements for using the park can be read on the dog park website.

Jim will send out a Doodle poll to schedule the next meeting, likely the week of June 18.

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Meeting adjourned at 8:45 pm