

Marc Hansen
201 Chestnut Ave.
Washington Grove

Mayor and Council of Washington Grove
McCathran Hall
Washington Grove

Dear Mayor and Council,

With this letter, I am transmitting to you the final Report of the Washington Grove Dog Park Workgroup. The Workgroup was formed pursuant to Council Resolution 2017-04.

The Resolution charged the Workgroup with the responsibility of recommending the location of a dog park within the Town. After considerable deliberation, the Workgroup unanimously recommended a site in the West Woods, which is located along the North side of the existing, unpaved roadway into the West Woods. The site has been marked with flagging tape and stakes. The Report explains the Workgroup's reasons for choosing this site in the West Woods.

The Workgroup also recommended that the Council place the dog park on the same footing as the other recreational facilities in the Town such as the tennis courts and the lake. The Workgroup recommends that the Council form a dog park committee, and consider adopting the rules of operation set out in the Report.

I would like to take this opportunity formally to thank my fellow members of the Workgroup: Meredith Horan, Lisa Kokes, Joan Mahaffey, Virginia Quesada, Nick Suzich, and Mary Warfield. Their hard work and spirit of constructive compromise allowed the Workgroup to arrive at a successful resolution to the

challenging assignment of finding a site for a proposed dog park within Washington Grove. In my view, the work of this group is an example of Washington Grove at its best.

Finally, thank you for the opportunity to serve the Town.

Respectfully,

Marc Hansen

Marc Hansen, Chair
Dog Park Workgroup
Date: 3/8/18

**Washington Grove
Dog Park Workgroup
Report**

March 3, 2018

The Mission of the Dog Park Workgroup

The Town Council adopted Resolution 2017-04 (Resolution) on July 10, 2017. The Resolution established a Dog Park Workgroup (DPW) to make recommendations on the following matters:

- 1) The location of a dog park;
- 2) The rules of operation for a dog park and who should have operational responsibility;
- 3) Whether there should be a trial period for a dog park and, if so, what criteria should be used to determine if the dog park should be made permanent; and
- 4) Any other matters the DPW might deem relevant to the creation and operation of a dog park in the Town.

The Council adopted the Resolution in response to a petition submitted under the Town Charter by the required number of Town voters requesting that the Council establish a dog park. The petition, however, did not designate a proposed site for a dog park. So that the issue of whether to create a dog park could be considered, the Council created the DPW to provide recommendations on a proposed site for a dog park, including the size of the dog park and other details concerning the operation of a dog park.

DGW's mission, therefore, was not to make a recommendation on the ultimate question of whether there should be a dog park in Washington Grove. Rather, the Council instructed DPW to recommend a site in Town assuming that a dog park were to be established in the Town.

The Mayor appointed the following Town residents to the DPW: Marc Hansen(Chair), Meredith Horan, Lisa Kokes, Joan Mahaffey, Nick Suzich, Virginia Quesada, and Mary Warfield.

The Process Followed by DPW.

The group met for the first time on Saturday, August 28, 2017, and met on Saturdays through the fall and into early 2018. Meetings were held in either the Council Room or Octagon of McCathran Hall. All meetings were advertised in the monthly Town Bulletin and on the Town website.

Pursuant to the Maryland Open Meetings Act, DPW's meetings were open to the public, and at each meeting, members of the public were invited to make comments concerning the work of DPW. As the meetings went on, the public comment portion of DPW's meetings became a larger part of each session.

The Resolution instructed DPW to make a report to the Council by December 1, 2017. DPW found that it was not able to comply with this deadline and requested the Council for an extension. DPW's request was granted and the Council extended the deadline for DPW's report to March 3, 2018.

The first few meetings were directed at educating each other on the nature of a dog park. Members were encouraged to visit existing dog parks within the County and develop a sense of rules and regulations, appropriate size, site considerations, *etc.* Members visited existing Montgomery County parks, MNCPPC parks, and those of other municipalities (Rockville, Gaithersburg, King Farm, Takoma Park, Silver Spring). Information was shared at meetings through handouts, and pictures and reports were posted online.

As a result of this information, DPW concluded that the minimum size for a dog park is 4,000 sq. feet.

Assuming a dog park of at least 4,000 sq. feet, by the conclusion of the second meeting, on September 16, 2017, DPW had developed a list of eight potential sites. These were initially listed as: West Woods, inside the fenced area of Maple Lake; West Woods, near the parking lot; East Woods, northeast corner near Amity; East Woods, Mulch Alley; East Woods, Cherry Avenue; Railroad Park; behind Town garage on existing playground; and north side of soccer field along south side of driveway/Oak Street, across from existing parking.

At the October 7 meeting, the group toured the eight potential sites along with Town Maintenance supervisor Steve Werts and representatives from the Recreation, Lake, Woods, and Beautification Committees of the Town. All of the sites were found to be sufficient in area to accommodate a dog park of at least 4,000 square feet.

The October 28 and November 18 meetings were devoted to developing a list of pros and cons for each site. A ninth possibility was also added, a West Woods site 3A that offered relief from some concerns raised by the original West Woods site outside of the Lake enclosure. Each was rated based on criteria developed through the group's discussion. These criteria, which are not ranked in order of importance, were:

- the fragility of Washington Grove's woodlands;
- the Town's heritage;
- the desire to have a park exclusively for the use of residents and in an area that would not draw unwanted traffic or outside use;

- the desire to place a park where it would be used (ease of access);
- users of the dog park would feel safe in accessing the dog park and in using the dog park;
- distance from residences so that the impact on adjacent residences would be minimized;
- environmental impact, including whether the site was located in a non-tidal wetlands;
- ease of maintenance;
- legal concerns—especially meeting the Town’s obligations under the Americans with Disabilities Act; and
- consistency with the Town’s Master Plan and Zoning Ordinance.

The November 18 meeting opened with the Chair reporting on a meeting with the Maryland Department of the Environment(MDE), whose representatives toured seven of the sites¹ in the company of several dog park group members and Mayor Joli McCathran. The sites were inspected with an eye towards wetland issues, and only the Mulch Alley site was identified as having non-tidal wetlands concerns. A more detailed assessment would be required if that site was chosen.

The December 2 meeting opened with the Chair reporting on advice from the Town Attorney with regard to the American with Disabilities Act (ADA), which was deemed to apply to any potential dog park as a public facility. The Town’s attorney also answered questions with regard to a resident’s rights with regard to any nuisance resulting from a dog park within the Town. Finally, both the Chair and Mayor McCathran addressed safety concerns associated with potential dog park sites, especially those in the West Woods or otherwise removed from normal Town traffic.

At the January 6 meeting, each member of the workgroup identified two preferred sites. The two sites identified were the East Woods/Cherry Avenue site and the West Woods site 3A. By a vote of 4(Warfield, Kokes, Suzich, Hansen) to 3(Quesada, Horan, Mahaffey), the workgroup recommended the East Woods/Cherry Avenue site to Mayor and Council.

At the January 27 meeting, Mary Warfield moved that the vote selecting the East Woods/Cherry Avenue site be reconsidered. The motion was unanimously adopted by DPW. DPW then unanimously voted to recommend the West Woods site 3A, adjacent to the lake road and parking, in a large area where the Woods Committee will work to help plan the landscape.

¹ The Railroad site was not visited by MDE because it was clearly not in a non-tidal wetland.

Recommended site—West Woods Site 3A.

As might be expected, each site considered by DPW had both advantages and disadvantages. DPW concluded that the advantages of the West Woods Site 3A (Site 3A) outweighed the disadvantages.

In DPW's view, the disadvantages of Site 3A are:

1. Dog park users walking to the dog park will have to cross Washington Grove Lane, a busy road;
2. Site 3A is not centrally located and so is not as convenient to users who would want to walk to the dog park as a dog park located in the central part of the Town;
3. There is a perception among some proponents of a dog park that the West Woods present public safety concerns; and
4. There is a hesitancy to allow any new public use in the Woods.

The DPW concluded that the following advantages of Site 3A outweighed the disadvantages:

1. Site 3A is a beautiful and underutilized part of Town;
2. Site 3A is in a relatively open and healthy woodland that can support a dog park;
3. Site 3A is a significant distance from residences with a barrier of a busy road.
4. Vehicle access is good for both maintenance and ADA access.
5. The site already has parking for wheel chair access and making Site 3A accessible for ADA purposes would be cost effective.
6. West Woods 3A is on the edge of a parking lot; therefore, it is not deep in the woods where disturbance to wildlife and the impact on users of popular nature trails would be mitigated.
7. Site 3A is not in wetlands.
8. There is plenty of space in the West Woods to adjust the size of Site 3A.
9. Site 3A already has a good natural surface and a good slope down to the existing parking lot for drainage.
10. Site 3A is within a healthy forest and benches can be added to protect trees.
11. A dog park at site 3A is a recreational amenity that complements Maple Lake and will bring additional presence to the West Woods;
12. Site 3A contains nearby trees that will provide shade so that it will be cool in the summer and, as noted, is relatively open inside the dog park area so that it will be bright during the winter;
13. There is no evidence that Site 3A was used as a trash dump in the past.

DPW believes that locating a dog park at Site 3A is consistent with the Town Master Plan and the Town Zoning Ordinance. The Master Plan states that the Town woods provide "significant environmental and aesthetic benefits to the Town." The Master Plan also recommends that the Woods should be made accessible for the enjoyment of Town residents. For example, the Master Plan recommends that the paths in the Woods should be improved to enhance pedestrian access. The Zoning Ordinance (§ 10.21), which implements the Master Plan, establishes as a permitted use in the Forest and Recreation Zone, publicly owned and operated "parks, playgrounds, and other recreational areas." DPW concludes, therefore, that locating a dog park at Site 3A is consistent with the Master Plan and the Zoning Ordinance.

After consulting with Mayor McCathran (in her capacity as a tree expert) and Pat Klein, Co-chair of the Woods Committee, DPW has delineated the proposed boundaries for a dog park at site 3A using flagging tape and posts. The site is roughly tear shaped with a circumference of approximately 240 feet, which makes the area of the dog park approximately 4,583 sq. feet—*i.e.* about 1/10th of an acre. The proposed area within the dog park is relatively open; DPW believes that the compromised trees within the proposed confines of the dog park may be removed. A map of the proposed dog park at site 3A is attached.

DPW has obtained several estimates for installing a 6 foot, black, vinyl coated chain link fence (with a double entry system). The estimates ranged between around \$5,500 and \$10,000. It is important to note that none of the estimators visited site 3A and that these estimates assume that all labor associated with installing a fence would be obtained from sources outside of the Town. Although there are fencing options that would be cheaper to install than chain link fencing, DPW believed that a chain link fence is the best option, because it will deter vandalism, and a 6 foot chain link fence with a double gate entry system will provide the most secure fencing to keep dogs from escaping the dog park.

Finally, DPW notes that Site 3A represents a significant compromise between the Dog Owners Group and the Woods Committee. This compromise has been unanimously supported by DPW.

Proposed Operating Rules for a dog park.

DPW recommends that the Council create a dog park committee that would operate like the other committees in Town (Woods Committee, Lake Committee, Recreation Committee, *etc.*).

The following rules of operation, permit application form, and related material are attached:

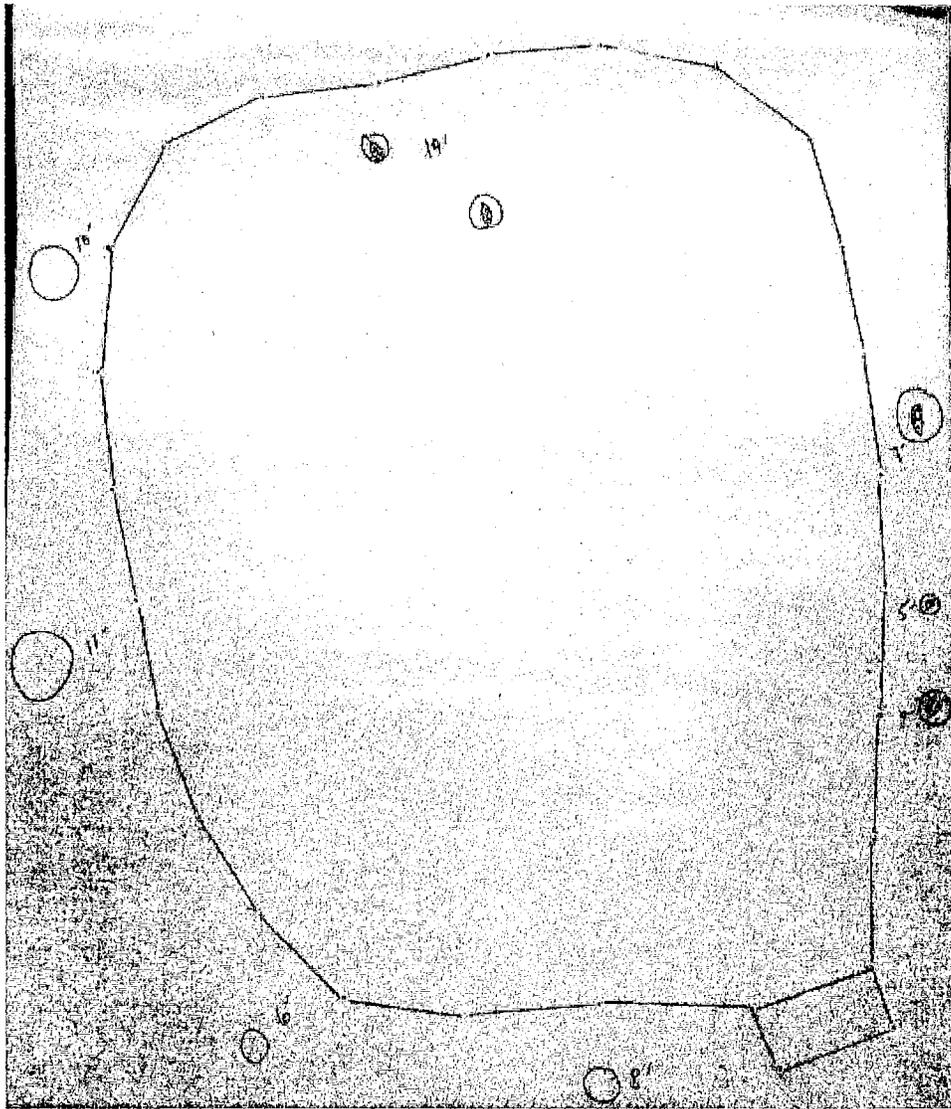
1. *Washington Grove Dog Park Membership Application.* It is important to note that all dogs must obtain a Montgomery County license. To obtain a County license, a dog owner must present proof of current rabies vaccination. In addition, a membership permit may only be issued to a resident of the Town.
2. *Rules and Regulations.*
3. A proposed sign, which would be affixed to the dog park fence, entitled *Washington Grove Dog Exercise Area.*
4. A flyer entitled *Dog Park Etiquette* to be given to those obtaining a permit to use the dog park.

Trial Period.

DPW does not recommend that the Council adopt a formal trial period for the dog park, because of the initial expense of erecting permanent fencing—DPW believes that temporary (and less expensive) fencing would not provide a secure means of keeping dogs within the dog park.

DPW believes that the dog park should operate on the same basis as other Town recreational facilities.

MAP



WASHINGTON GROVE DOG PARK
MEMBERSHIP APPLICATION

APPLICANT/PET OWNER (must be at least 18 years of age)

First Name _____ Last Name _____

Street Address _____

PO BOX _____

Telephone # 1. _____ 2. _____

Email address _____

Other authorized user (household members, dog walkers ,guests)

PET INFORMATION

1. Name _____ Age _____

Breed _____ Color _____

Montgomery County License # _____ expires _____

Rabies Vaccine expiration date _____

2. Name _____ Age _____

Breed _____ Color _____

Montgomery County License # _____ expires _____

I understand that: Permission from the town to use the dog park is conditional on compliance with rules and regulations

I also understand and agree that: the purpose of the dog park is to provide a fenced-in area where dog owners may bring their dogs and permit them to run freely with other dogs and that unleashing my dog(s) and being present in an area where there are other people, including

children, and other unleashed dogs, poses risks to others and myself and to my dogs(s) and property of dogs and I do hereby agree to assume such risks

I further agree to : release , discharge, hold harmless and indemnify the Town of Washington Grove and all of its officials, agents, employees and representatives from liability for any and all claims for injuries, damages and/or losses whatsoever to any person or animal or property which may arise out of, result from or be associated with the use of or presence in the dog park by myself, or my authorized user, and/or my dog(s)

SIGNATURE (SIGN) _____

(PRINT) _____

DATE _____

For dog park updates I would like to be notified by (check one)

Email PO Box do not notify me

RULES AND REGULATIONS

The owner/custodian of the dog(s) entering the Dog Park is responsible to abide by these rules. Please take time to read and understand them completely

THE DOG EXERCISE AREA (DOG PARK) IS FOR THE USE OF WASHINGTON GROVE RESIDENTS / MEMBERS AND THEIR LICENSED DOGS AND GUESTS ONLY

OWNERS ARE LEGALLY RESPONSIBLE FOR THEIR DOGS AT ALL TIMES. THE TOWN OF WASHINGTON GROVE ASSUMES NO RESPONSIBILITY OR LIABILITY FOR CONDUCT OF DOGS OR THEIR OWNERS

- All dogs must be accompanied by responsible owners/custodians who are physically able to exercise effective restraint of the dog(s) and who will handle their dog(s) in compliance with these Rules and Regulations.
- Owners/custodians must remain in the Dog Park with their dogs and must keep their dogs in sight and under their control at all times
- All dogs entering the Dog Park must be currently registered with the Washington Grove Dog Park Committee ; registration requires a current rabies vaccination and Montgomery County dog license. When in the park, dogs must wear collars and display a Washington Grove Dog Park membership

tag.

- Owners/custodians must immediately leash and remove from the Dog Park any dog showing aggression towards people or other dogs. Dogs with a know history of aggressive or dangerous behavior are not permitted to enter the park
- Any dog barking continuously or uncontrollably must be removed from the park
- No female dogs in heat are permitted in the park
- Any dog with a transmissible , communicable disease may not enter the park
- Puppies using the Dog Park must be four months of age or older
- Eating and smoking are not permitted inside the Dog Park. No dog food treats or toys from home , except balls, are permitted int the park

- Owners/custodians shall carry a leash at all times and dogs must be leashed when entering or leaving the park
- Owners/custodians are responsible for securely closing and latching all gates as they enter or exit the park
- Dog Park access code shall not be shared with non-members
- Owners/custodians must pick up and properly dispose of their dog feces. Disposal bags are provided for this purpose but must be removed from the park ~~to appropriate disposal containers~~
- Dogs must not be allowed to dig. Any holes created by a dog shall be immediately corrected and filled by the dog's owner/custodian
- Children (under the age of 14) must be accompanied at all times by a responsible adult who will be accountable for the behavior and wellbeing of the child. Children should be discouraged from approaching or playing with unfamiliar dogs

- Owners/custodians may have no more than two dogs in the park at any one time
- Professional dog services such as training, behavior modification and grooming are prohibited inside the park
- Anyone found in violation of these Dog Park rules and regulations is subject to removal from the park . Violators may also have their membership revoked and may be banned permanently from using the park
- Dog Park hours are 7AM until sunset. No person shall use the facility other than during the designated hours of usage

WASHINGTON GROVE DOG EXERCISE AREA RULES AND REGULATIONS

The owner/custodian of the dog(s) entering the Dog Exercise Area is responsible to abide by these rules. Please take time to read and understand them completely

THE DOG EXERCISE AREA IS FOR THE USE OF **WASHINGTON GROVE RESIDENTS / MEMBERS** AND THEIR **LICENSED DOGS ONLY**

OWNERS ARE LEGALLY RESPONSIBLE FOR THEIR DOGS AT ALL TIMES. THE TOWN OF WASHINGTON GROVE ASSUMES NO RESPONSIBILITY OR LIABILITY FOR CONDUCT OF DOGS OR THEIR OWNERS

- Dogs **MUST** display a WG DOG tag
- Dog handlers must be 16 years or older
- Children under 14 are not allowed unless accompanied by an adult
- Dogs **MUST NOT** be left unattended
- Dog handlers must clean up and dispose of their dogs' waste
- Dogs in heat and puppies under 4 months of age are not permitted
- Dogs that fight or exhibit aggressive behavior must be **IMMEDIATELY** removed
- No more than 2 dogs per handler
- No smoking, food or alcohol allowed
- **BARK FREE ZONE** Dogs that bark persistently must be removed from the park
- Failure to comply with these rules subject to revocation of dog park membership

DOG PARK HOURS

7 AM to sunset- strictly enforced

EMERGENCY

Call 911

Montgomery County Police Non-emergency

301 279-8000

DOG Administrator

Dog Park Etiquette:

Take Charge Your dog needs to know that you're the alpha animal all the time. That's key when other dogs are around. Teach your dog to come to you when called. Use a word or phrase he's not likely to hear at the park. Reward him with extra treats during training

Pause before you enter Enter the first gate with your dog on a leash, then look around. A pause allows other dogs to get used to yours before they enter the park

Pay attention Once inside, pay attention to the dogs. Always know where your dog is and what he's doing. If trouble is brewing, call him back to you. Know when your dog has pooped so you can scoop

Read the signals Dogs at play have relaxed ears, wagging tails and may "play bow" with their front end down to the ground. Upset dogs hold their tails half-mast or between their legs, ears pinned back. Aggressive dogs will be tense, holding their heads high and lean forward. If you see these danger signs redirect dogs, or clap and make a loud noise.

Know what to do if a fight breaks out Give it a moment. Most fights end quickly. If they go for more than a few seconds try to separate with water pistol or long stick. Do not step in with hands or body. If still engaged after 3 seconds each owner should approach their dog from the rear, grab their back legs at the top of the leg and lift them like a wheelbarrow, moving back. Don't reach for the collar.

Know when to go Basic good manners should prevent most problems. Avoid the park if your dog is what the ASPCA calls a "dog dork". These dogs just don't know how to interact, no matter how hard they try.