

Town of Weymouth  
Massachusetts

Robert L. Hedlund  
Mayor

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MEMORANDUM

18 127

TO: TOWN COUNCIL  
FROM: MAYOR ROBERT L. HEDLUND  
RE: ESTABLISHMENT OF RECREATIONAL DOG PARK  
DATE: NOVEMBER 8, 2018

RECEIVED  
TOWN OF WEYMOUTH  
TOWN CLERK'S OFFICE  
2018 NOV -8 AM 10:07

I hereby submit the following measure for consideration by Town Council:

“That the Town Council vote to approve the planning, construction, and maintenance of a “dog park” facility, to be located on a portion of “Pond Meadow” in the town of Braintree that is within the Weymouth-Braintree Regional Recreation Conservation District, said approval being required by Chapter 787 of the Acts of 1972, which established said District; and further, that the Mayor be authorized to enter into such agreements as may be necessary to effectuate the purpose of this Motion.”

Referral Dte. 11/13 PH Dte. 12/17  
Comm. Referral PP+REC TC Vote \_\_\_\_\_  
Comm. Vote \_\_\_\_\_ TC Vote Dte. \_\_\_\_\_  
Comm. Vote Dte. \_\_\_\_\_

comm. 12/3, 12/17

RECEIVED

2018 NOV -8 AM 10:24

Weymouth  
Town Council



Town of Braintree  
798 Washington Street  
Braintree, Massachusetts 02184

Joseph C. Sullivan  
Mayor

October 16, 2018

To: Charles Ryan, Council President

From: Joseph C. Sullivan, Mayor

Cc: Town Councilors  
Clerk of the Council  
Town Clerk

Re: Establishment of a recreational dog park facility in the Weymouth-Braintree Regional Recreation Conservation District in the Towns of Weymouth and Braintree

The idea of establishing a Dog Park in Braintree is one that we have discussed as a community for many years but have never found the right home for it. I have seen the benefits of dog park establishments in neighboring municipalities and have seen research documenting how dog parks allow for greater socialization of dogs which promotes good behavior in the home and public – as well as how a park of this nature is viewed as a community asset.

Over the past, year my office has worked in partnership with the Braintree Dog Park Association to review areas of Town suitable for a Dog Park. Our requirements included finding 1.5 acres of available open space, natural shade cover, access to electricity and potable water, available bathrooms, non-residential area, and located in a safe and accessible area.

After a careful and thorough review of numerous locations, the one area that stood out above other potential places was Pond Meadow Park. Among many of the identified benefits of the location was the Park's ease of access, location, and continuous recreational use.

This proposal comes with much thought as well as the financial underpinnings necessary to make it a successful venture. The committee has identified a grant through the Stanton Foundation for design services, funding 100% of the cost (up to \$25,000). Additionally, the grant will provide funding for 90% of park construction (up to \$225,000). The Town of Braintree will cover the additional 10% (up to \$22,500) through Community Preservation Act (CPA) funding. (This expenditure will require the approval of the Community Preservation Committee and an appropriation by the Town Council, through a separate order.) Additionally, our State Legislative partners have secured an additional \$50,000 to be used for the establishment of a Dog Park.

Both my office and the Braintree Dog Park Association have met with the Weymouth-Braintree Regional Recreation District Commission Board of Commissions to present this proposal. The Board has been open to the establishment of the Park, but will not vote to approve its establishment until both Town councils have granted permission for them to do so as is required by the enabling legislation that created the District.

I, therefore, submit the following motion:

**MOTION:** That the Town Council vote to approve the planning, construction, and maintenance of a "dog park" facility, to be located on a portion of "Pond Meadow" in the Town of Braintree that is within the Weymouth-Braintree Regional Recreation Conservation District, said approval being required by Chapter 787 of the Acts of 1972, which established said District; and further, that the Mayor be authorized to enter into such agreements as may be necessary to effectuate the purpose of this Motion.

I thank you for your attention to this matter and respectfully request favorable action.

## Braintree Dog Park – FAQ's

- Why the need to go to Weymouth council?
  - Due the Pond Meadow District Enabling Act, the legislative bodies of each town (Town council) need to grant the Pond Meadow District Board the right to be able to establish recreational facilities
  - The Pond Meadow District Board will ultimately make the decision on whether to approve the park, and will work hand-in-hand with the Town of Braintree and Braintree Dog Park Association during the design and construction phases.
- Support
  - Braintree Dog Park Association has gathered 1,000 petition signatures
- Funding:
  - Phase 1: Design
    - The Braintree Dog Park Association has identified a grant through the Stanton Foundation for design services, funding 100% of the cost (up to \$25,000).
  - Phase 2: Construction
    - The Stanton grant will provide funding for 90% of park construction (up to \$225,000). The Town of Braintree will seek to cover the additional 10% through Community Preservation Act (CPA) funding. (This expenditure will require the approval of the Community Preservation Committee and an appropriation by the Town Council, through a separate order.)
    - Our State Legislative partners have secured an additional \$50,000 to be used for the establishment of a Dog Park.
  - Phase 3: Capital Improvements
    - At 12, 24 and 36 months post construction the Stanton Foundation provides up capital improvement grants equal to 5% of hard construction costs to improve the park or repair damaged equipment.
  - Corporate and Small Donor Fundraising will also be organized through the Braintree Dog Park Association.
  - No funds will need to be appropriated from the Town of Weymouth.
- Liability:
  - Land being utilized is classified as “open space” and access to the facility will be at no-charge. Liability for the facility would fall under [MGL Chapter 21 Section 17C](#): Public use of land for recreational, conservation, scientific educational and other purposes; landowner's liability limited; exception
  - *“shall not be liable for personal injuries or property damage sustained by such members of the public, including without limitation a minor, while on said land in the absence of wilful, wanton, or reckless conduct by such person.”*
- Animal Control Jurisdiction and Support:
  - Jurisdiction for the Park will fall under Braintree Police Department.
  - Both Weymouth Animal Control Officer (ACO) Michael Parker and Braintree ACO David Littlewood have expressed support for the Dog Park. Weymouth ACO has confirmed he

has never responded to the Weymouth Union Point park for any aggressive dogs. A few bites have been noted but there is not enough data to show a trend.

- Randolph ACO Steven Slavinsky noted that the Dog Park in Randolph is a “great asset for the Town, it gets neighbors talking to neighbors. I’m all for the dog park.”
- **Park Ownership / Maintenance:**
  - The Town of Braintree, coordinated through the Mayor’s Office, will own the Dog Park Facility and oversee the grant applications, facility design RFQ and Construction RFP process.
  - A separate Memoranda of Agreement (MOA) will be established with the Braintree Dog Park Association (BDPA), a 501(c)3 non-profit, to maintain the facility on a seasonal basis.
  - Maintenance will cover annual resurfacing and weekly upkeep of facility and trash clean out.
- **Operational Hours:**
  - Current hours of Pond Meadow Park are open at 9 AM and close at 7 PM (summer) and 5 PM (winter). The Dog Park will be open from 9:00 AM to 6:30 PM (summer). The Park will be closed December through February.