



**RYE CONSERVATION COMMISSION
10 CENTRAL ROAD
RYE, NH 03870**

April 29, 2019

RE: Town of Rye Ordinance # 35 – Extension and Enforcement

Dear Selectmen:

As managers of the Town Forest, the Rye Conservation Commission (RCC) would like the Selectmen's support in extending for one year a modified version of Rye Ordinance # 35 pertaining to dog leash zones in the Town Forest. Text of the modified ordinance is appended along with a map showing the leash zones.

A response to the April 8, 2019 letter from Mr. Joyce and Mr. Tilton is also appended.

The RCC believes that the issue of dogs not in control continues to be a problem in the Rye Town Forest. It also believes that the situation has improved since the passing of Ordinance #35 requiring dogs to be leashed in the areas where the most violations have occurred. On April 8 Mr. Tilton testified before the Selectmen that things had improved due to the ordinance. The Conservation Commission also believes that moving his coyote traps further away from the Town Forest boundary has helped and we wish to thank him for that.

Although voluntary cooperation has improved, some dog owners continue to disobey the leash requirement in the posted zones. RCC members have spoken with dog owners in the forest but we have no authority and sadly there are chronic offenders who ignore us. Realistically, the only way to achieve better compliance must come from enforcement by the Rye Police Department.

We recognize the time and budgetary challenges the police face in enforcing the ordinance. Chief Walsh has worked diligently with the Dogs at Large Committee and members of the RCC on crafting a solution to the problem. If the Animal Control Officer could devote even 2 hours per week of his 32 hours to patrolling the leash zones, his presence would have a marked effect. It will only take a couple of warnings and/or citations for the word to spread that the town is serious. Just being there at random days and times will result in improved compliance.

The proposed modification to the leash zones is to start Zone B at a different point. B1 would start at the stone wall on the corner of Mr. Tilton's property and the woods road from Rye Recreation. This would eliminate approximately 180 feet of leash zone. We believe this will result in better compliance since the users who start at the cemetery entrance are tending to ignore that section anyway on their way to the leash optional areas. This short stretch no longer seems to be a problem area. The more critical problem areas would continue to require leashes.

The Conservation Commission believes that an extension of a modified ordinance and an enhanced enforcement presence will greatly reduce the problem.

Sincerely,

Francis P. (Mike) Garvan II, Clerk



**RYE CONSERVATION COMMISSION
10 CENTRAL ROAD
RYE, NH 03870**

April 29, 2019

RE: RCC response to Joyce/Tilton letter of April 8, 2019

Dear Selectmen:

The RCC would like to address the April 8, 2019 letter to the BOS from David Tilton and Shawn Joyce. The Conservation Commission strongly objects to the accusation by Mr. Tilton and Mr. Joyce that the RCC has a history of not supporting compromise regarding the dog control issues in the Town Forest. In fact, the commission has been working in a spirit of cooperation and compromise with Mr. Tilton and Mr. Joyce for over three years.

The RCC was first made aware of the dog control and trespassing problem by Mr. Tilton at the regular meeting of the RCC on 12/17/15, and by Mr. Joyce at the regular meeting of the RCC on 1/21/16. Since then, the Conservation Commission, in concert with Mr. Tilton and Mr. Joyce, has engaged in numerous efforts to correct the problem.

- 1) March 2016 – RCC established the Trail Management Subcommittee to address issues concerning increased use in the Town Forest. Mr. Joyce was a member.
- 2) November 2016 – RCC published an article in the Rye town newsletter about dogs at large in the Town Forest. A flyer addressing the problem was posted in the kiosk in the Town Forest.
- 3) January 2017 – The RCC included an article on the trespass and dog control problem in the 2017 Rye Annual Report.
- 4) February 2017 – An article addressing proper conduct in the Town Forest was published on the Conservation Commission page of the Rye town website.
- 5) September 2017 – The RCC made and posted signs at conservation property entrances with hunting information and warnings about trespassing and dog control.
- 6) November 2017 – The RCC had signs made and posted them at the entrances to the Town Forest. The text on the signs was drafted jointly by Mr. Joyce and the RCC and addressed the problems of dog control and trespass.
- 7) December 2017 – Members of the RCC met with Chief Walsh and worked with him to create a flyer addressing the problem which could then be distributed to users of the Town Forest.
- 8) April – September 2018 – Two members of the RCC served on the Rye Dogs at Large Committee.
- 9) August 9, 2018 – The RCC approves of the establishment of leash required zones in the Town Forest.
- 10) September 2018 – Rye Board of Selectmen approve a temporary leash zone ordinance for the Town Forest. RCC has signs made and installs them in the Town Forest.
- 11) March 14, 2019 - RCC approves of extending the leash zone ordinance for one year with one modification.

The Rye Conservation Commission has recognized the problems with dogs not in control in the Town Forest since it was first made aware in late 2015. It has worked with the affected landowners, the Chief of Police, the Dogs at Large Committee and the Board of Selectmen to try and resolve the issue. The RCC remains committed to finding a solution that balances the interests of the town, the abutting landowners, the forest users and the Town Forest itself.

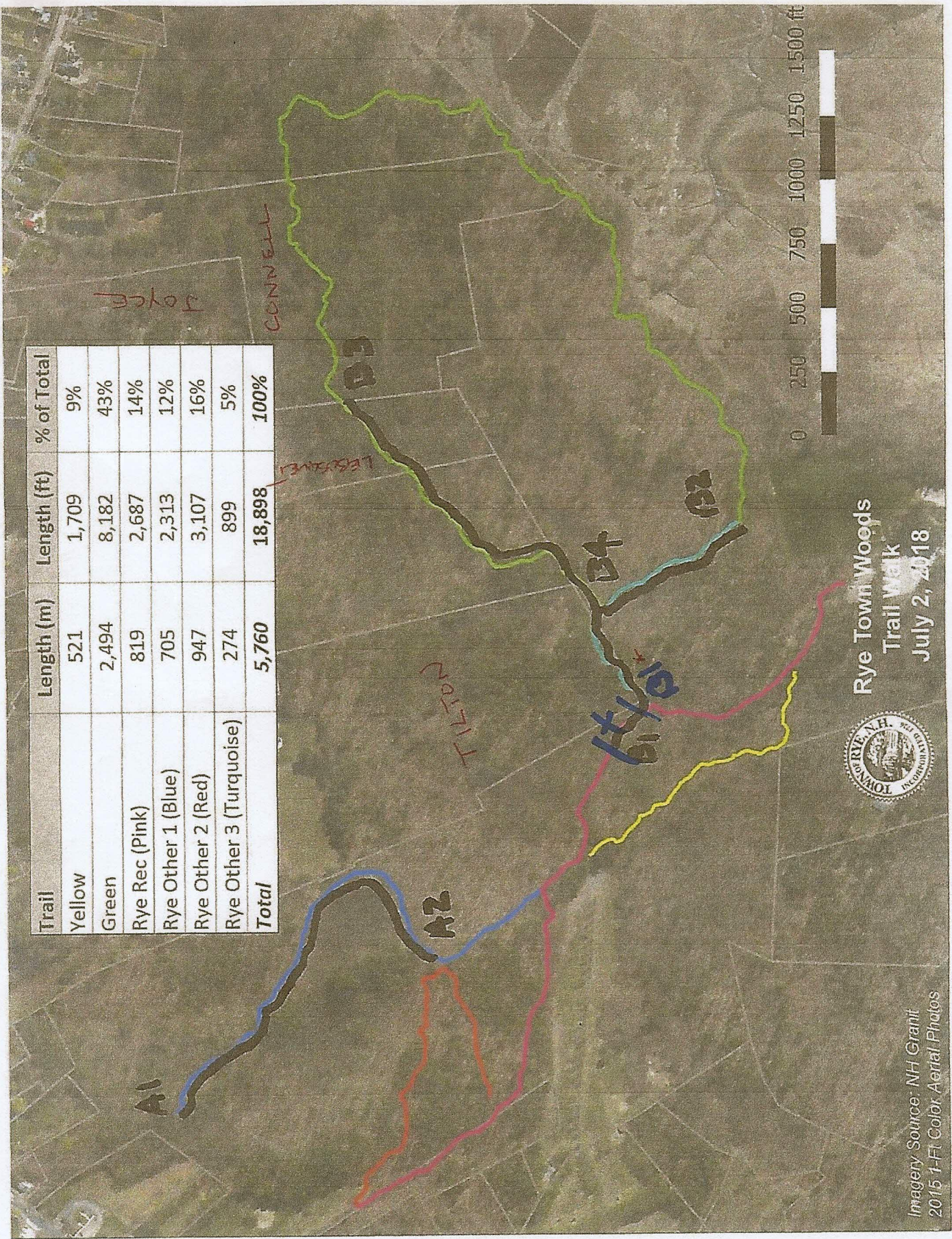
Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Garvan".

Francis P. (Mike) Garvan II, Clerk

LEASH REQUIRED

Trail	Length (m)	Length (ft)	% of Total
Yellow	521	1,709	9%
Green	2,494	8,182	43%
Rye Rec (Pink)	819	2,687	14%
Rye Other 1 (Blue)	705	2,313	12%
Rye Other 2 (Red)	947	3,107	16%
Rye Other 3 (Turquoise)	274	899	5%
Total	5,760	18,898	100%



Rye Town Woods
Trail Walk
July 2, 2018



Imagery Source: NH Granit
2015 1-Ft Color Aerial Photos

* New BI Proposed start

April 29, 2019

Proposed temporary ordinance:

The Rye Conservation Commission requests a an extension of the temporary ordinance #35 requiring that dogs be on leash in certain portions of the Rye Town Forest to allow private landowners undisturbed use of their property and to protect the safety of at-large dogs.

The leash required zones are as described:

Zone A: from the kiosk at the entrance to the Town Forest off the Parsons Field access road (A1 on the map, $43^{\circ} 0.77' N, 70^{\circ} 46.08' W$) to the junction of the Orange and Blue Trails (A2 on the map, $43^{\circ} 0.62' N, 70^{\circ} 45.95' W$).

Zone B: from a point at a stone wall at the junction of the trail from the Rye Cemetery parking circle and the woods road from Rye Recreation (B1 on the map, $43^{\circ} 0.48' N, 70^{\circ} 45.74' W$) that runs to and along the Green Trail to the property boundary between the Lebosquet property and the Connell Easement (B3 on the map, $43^{\circ} 0.66' N, 70^{\circ} 45.48' W$) and also Zone B from a point on the trail that begins in the Rye Recreation parking lot (B2 on the map, $43^{\circ} 0.43' N, 70^{\circ} 45.60' W$) to the intersection of the Green Trail (B4 on the map, $43^{\circ} 0.51' N, 70^{\circ} 45.65' W$).