

April 8, 2019

Board of Selectmen  
Town of Rye  
10 Central Road  
Rye, NH 03870

RE: Town of Rye Selectmen Ordinance No 35 – Extension and Enforcement

Dear Selectmen:

Please see the attached letters dated 4/9/18 and 12/1/17 to the Board of Selectmen that outline reoccurring issues with out of control dogs in the Town Forest. Also attached, please find the Town of Rye Selectmen Ordinance No 35. We respectfully request that the BOS extend this ordinance and support its enforcement.

We had hoped that Article 28 would have passed in the town election, the need for Ordinance 35 would have gone away and the entire forest, Rye Citizens, would have protection from out of control dogs. However, it missed by 71 votes. It was very disappointing to learn that members of the Rye Conservation Commission and its leadership publicly lobbied against Article 28, working against the recommendations of the Dogs at Large Committee and the BOS, to sway the vote. This adds to the history where RCC members have not supported compromise, putting their personal use before reasonable dog control. The only RCC member that has spoken up for reasonable dog control is Mike Gavan. This gives us and many Rye residents little confidence in the RCC's leadership and objectiveness with these matters.

The RCC has no written policies regarding wildlife and habitat protection, deterring dogs at large from running deer and fawns out of bedding areas as well as nesting birds and turkeys. It is against NH state laws and should not be condoned. It also violates the spirit of the Conservation Easement that protects the Rye Town Forest dated 1/29/01<sup>1</sup> and the recommendations in the Forest Management Plan for the Rye Town Forest dated 7/11/03<sup>2</sup>. These issues are affecting wildlife and habitat. They are also impeding the peaceful enjoyment of our land which we lawfully hunt and trap and is well posted. Dogs and people coming through our land, looking for their dogs is a safety risk. The fair thing to do for wildlife is to extend leash zone B through the entire green trail as that area has historically been identified by Charlie Moreno in the Forest Management Plan for the Rye Town Forest as a sensitive wildlife habitat. It also the area we have personally witnessed, numerous times, dogs at large running deer through and onto posted, private property.

Moving forward, we hope that the BOS will continue to work with us and the citizens of Rye on reasonable dog control in the town forest as well as other town land and beaches. It has been six months since Ordinance 35 was approved by the BOS. There has been ample time for education. We ask that violators start receiving tickets to deter them and others from continuing to ignore and break laws. If you would like to see any support for anything mentioned in this letter, please let us know. If you have any questions or we can be of any help, please let us know.

Respectfully,



Shawn Joyce  
PO Box 5  
270 Washington Rd  
Rye, NH 03870



David Tilton  
390 Washington Rd  
Rye, NH 03870

cc: Chief Kevin Walsh, Rye Police Department  
Sergeant Jeremy Hawkes, NH Fish & Game Conservation Officer  
Charlie Moreno, Moreno Forestry Associates  
Rye Conservation Commission

<sup>1</sup> Page one of the **Conservation Easement** under Purposes: The purpose of this Conservation Easement is to assure that, while permitting the forest management and public recreation uses described in Section III herein, the Premise will retain IN PERPETUITY predominantly in its natural, scenic, undeveloped, and open condition as Town Forest for fish and wildlife conservation, habitat protection.

<sup>2</sup> Page five, paragraph two of the **Forest Management Plan for the Rye Town Forest** states recreational activity must "not adversely affect the natural condition of the Premise. Page six refers to "reserve areas, "sections left permanently to the course of nature and generally free from human intervention. The Forest Management Plan for the Rye Town Forest. Page twelve notes wildlife habitat enhancement, high importance, protect and enhance wildlife habitat for species diversity.

<sup>3</sup> At the **Rye Conservation Commission Meeting on 7/21/16**, the RCC Voted in Favor of "no further bridges be constructed, instead trail relocation be considered. It might also be necessary to close certain trails, or certain sections of trails, at various times to protect the wildlife and natural state of the forest." This was based on recommendations by the Rye Town Forest Trail Committee that met many times over six months including a site visit of the Rye Forest as well as a thorough review of the Town Forest Easement and Rye Forest Management Plan. The committee was later dissolved after members resigned due to lack of support of this vote and the committee in general by the RCC's leadership.