

BATTERY PARK CITY DOGS

A Dog Owners Association

Jeff H. Galloway
Member, Executive Committee

March 13, 2001

Mr. Mario Torres
Battery Park City Authority
1 World Financial Center, 24th floor
New York, New York 10281

Ms. Tessa Huxley
Battery Park City Parks Conservancy
2 South End Avenue
New York, New York 10280

Re: Proposed Pumphouse Plaza Dog Run

Dear Mario and Tessa:

On behalf of the Battery Park City Dog Association (“BPC Dogs”), I want to thank you for the thoughtful and professional manner in which the BPCA and the BPCPC (collectively, “BPCA”) have presented your concept for a Pumphouse Plaza dog run. Although neither the proposed location nor the proposed conceptual design was suggested by BPC Dogs, the BPC Dogs representatives who have reviewed your concept support both the proposed location and conceptual design.

As reflected by some of the comments at the March 7 meeting between BPCA and Gateway Plaza tenants, however, there are pockets of opposition to the proposed dog run. Since the March 7 meeting, we are concerned that the opposition is developing into a polarizing, scorched earth strategy intent on blocking the proposed dog run at all costs, even if it means fomenting unfounded fears and generating general ill-will to the dog-owning population at large. BPC Dogs has strenuously discouraged polarizing confrontational tactics even when our members genuinely believed a year ago that dogs were about to be banned on the Esplanade. Our message has always been positive, emphasizing that dogs are an important part and symbol of Battery Park City as a vibrant residential community. We believe not only that dogs and families can exist together, but that dogs and families *belong* together.

The dog run opponents, however, do not appear to be following the same approach. The day after the March 7 meeting, at least two anonymous flyers began circulating in Battery Park City (copies enclosed at Tab 1), which make the basic arguments presented by opponents at the March 7 meeting, but in highly inflammatory and polarizing terms. Indeed, the anonymous flyers might best be described as open “hate mail” letters skewering as a “selfish minority” and as “an elitist group of self-serving individuals” those of us who have worked so hard to advocate responsible dog-owner behavior and the construction of well-designed and maintained dog runs in Battery Park City. One of the anonymous flyers claims that the dog run will constitute “a clear and present risk” that “could be a violation of the ADA rule” (an apparent reference to the Americans with Disabilities Act) because of its proximity to Pumpkin Park, implying that such a thing will “accelerat[e] [the] incidence of asthma in the general population and amongst children in particular.” Dog owners are described as “people who flagrantly violate health guidelines” and as such we should not “be given special treatment that will result in such great risk to others.” The anonymous flyer concludes with the specter of dogs biting our innocent children unless the good people of BPC “stop this dog run campaign.”

The language of the second anonymous flyer is a little more tempered than the first, but its substance is much the same, complaining that “the whims of a few seem to outweigh the needs of the majority!” The second anonymous flyer also states that the author(s) “find it reprehensible that anyone could envision situating a dog run in close proximity to a child’s playground,” stating that there is “a real phobic fear [of dogs] that afflicts certain people.”

Stripped of the veneer of fear and insult, the anonymous flyers make the same basic points that opponents made at the March 7 meeting: (1) the dog run will be too noisy for neighboring apartments; (2) the dog run will be too smelly for neighboring apartments; (3) the dog run is too close to a children’s playground and (4) dog owners are too irresponsible to deserve a dog run. The first three points are based on incorrect assumptions and fears and the fourth point is a non sequitur. The strongest argument against points one and two is BPCPC’s own experience with the neighbors of the existing temporary runs. Simply put, dog runs are not any noisier than surrounding ambient noise levels and are generally quieter than areas where dogs are on leash. On-leash and tied up dogs bark far more than off-leash dogs. As to fears of smell, BPCPC has a good record of keeping dog runs clean. Considering the current condition of the proposed dog run area, it is likely to smell better (if it has a smell at all) as a well maintained dog run than it smells now.

The dog/child proximity fear underlying the third opposition point ignores the long history of the strong affinity between children and dogs. How many times have we heard parents say, “we didn’t want a dog, but the kids kept begging for one”? Or, an older couple commenting, “We used to have a dog, but after the kids grew up, we never got another one”? The “phobic fear” referred to in the second anonymous flyer is more often than not a fear imparted by parents to children who otherwise tend to have a natural attraction to animals. Moreover, as you may know, the Tribeca dog run on Warren Street actually abuts the P.S. 234 playground (where my kids go to school) and as far as I’m aware, there have been no complaints about the run being too close to kids, even from “phobic” parents. Many dog owners have their dogs out in front of the school to greet the kids in the morning. Similarly, the first BPC temporary dog run was adjacent to the Rector Park playground. As to asthma fears, one of our members, Dr. Scott Hanan, notes that “there is little to support the theory that an outdoor dog run

in proximity to a playground would produce increased incidences of asthma.” (See copy of his email at Tab 2.)

The fourth opposition point – that dog owners are too irresponsible to deserve a dog run – merits little comment. Although there are clearly some irresponsible dog owners, just as clearly, most of the dog owners in BPC are responsible. Unfortunately for all of us, it takes only a handful of irresponsible people to make a mess. Refusing to build a dog run for this reason, though, is akin to refusing to build a playground because the neighborhood has some disobedient kids. All dog owners are not collectively guilty for the sins of a few.

Although we recognize that the points made in the anonymous flyers are similar in substance to the points made by the opponents at the March 7 meeting, we have no way of knowing whether they are authored by those particular opponents, or indeed even by BPC residents at all – because they are anonymous. The supporters of the dog run do not wish to remain anonymous, however. Enclosed with this letter is a list of names (Tab 3), and in most cases addresses as well, of 147 people who wish to go on record as favoring the proposed Pumphouse Plaza dog run as a responsible and valuable addition to the BPC community. Also enclosed are copies of the emails sent to us by these individuals showing their support (Tab 4). In addition to those who have registered support by email, we have received expressions of support orally and by residents who do not have access to email.

We trust that the BPCA will not be swayed by hateful anonymous flyers, nor by arguments which BPCA’s own experience show to be unfounded. On the other hand, we hope that BPCA will take into account the responsible positions advanced by our organization and its members and the fact that we do not hide in anonymity, but put our names in support of positions we believe to be correct.

Very truly yours,

Jeff H. Galloway

Enclosures