Date: March 25, 2014

Time: Meeting Convened 6:10 pm
Meeting Adjourned 6:48 pm
Place: Town Hall, Selectmen’s Room

Present:
Brian Breveler, Board Member
Carol Kasabian, Board Member
Marlene Layman, Board Member
Nicole Miner, Chairperson & Secretary
Audrey Safford, Board Member
Carol Wagner, Board Member
Anna Fenton, Animal Control Officer
Janet Lipscomb, Animal Control Officer
Steven & Susan Bishop, 53 Metacomet Street

First order of business to hear the complaint of the Bishops of 53 Metacomet Street for multiple incidents of running at large, excessive barking, and failure to clean up excrement against the two canines belonging to Dara & Peter Zierlein of 51 Metacomet Street.

The Zierleins were not present and notified ACAB of a death in their family prior to the hearing. They submitted a written statement and photographs that were presented at this hearing.

The Bishops allege that the canines belonging to the Zierleins are free to run at large, left outside to bark for long periods of time, and leave excrement on their property that is not cleaned up. The Bishops provided the contact information of two neighbors that are willing to provide information on what they have witnessed. Member Carol Kasabian will follow up with these contacts.

The Zierleins allege in their written statement that their canines are always leashed, do not bark excessively, and that their excrement is always cleaned up. They also provided ACAB with several photographs of other neighborhood dogs on the Bishops' property.
The parties are part of an ongoing dispute in reference to their shared driveway. Paperwork submitted by the Zierleins indicated several calls to the police, issued restraining orders from the court, and the involvement of the Town Housing Inspector.

The Board felt that they were unable to come to a resolution without both parties present and the need for both parties to provide proof for or against the allegations. The Board has ordered a re-hearing scheduled at the convenience of the Zierleins. Ms. Bishop indicated that she was not comfortable being in the same room as Mr. Zierlein. The Board has offered the presence of a police officer.

The Board awaits Mr. Zierlein’s decision for a re-hearing date.

No subsequent meeting was scheduled. Meeting adjourned at 6:48 pm.

Prepared by Nicole A. Miner, Secretary & Chair
Belchertown Police Department
Call Number Printed: 11/14/2013

For Date: 09/30/2013 - Monday Sept 30th - US Inquiring

Call Number: 13-8668  Time: 1041  Call Reason: Phone - ASSIST CITIZEN/OFFICER WAS MESSAGE TAKEN/FORWARDED
Call Taker: 263 - HERBERT, LORI
Location/Address: 51 METACOMET
Party Entered By: 09/30/2013 1044 263 - HERBERT, LORI
Calling Party: VIZZITANO, PETER & ***UNKNOWN*** - BELCHERTOWN, MA 01007 413-323-2699
Narrative: 09/30/2013 1044 263 - HERBERT, LORI
Modified By: 09/30/2013 1053 263 - HERBERT, LORI

CALLER REQUESTING TO SPEAK TO AN OFFICER REGARDING SHARED ACCESS ROAD WITH NEIGHBOR AT 953.
MESSAGE GIVEN TO #351 TO CALL PARTY.
BELCHERTOWN ANIMAL CONTROL COMPLAINT LOG

ACO: Janet Lipscomb
DATE & TIME OF CALL: October 2, 2013 8:17pm

COMPLAINTANT NAME
PHONE #: (413) 323-6467
ADDRESS

COMPLAINT: The dogs that reside at 51 Metacomet St. are out all of the time barking all day and messing up her garden.

DESCRIPTION OF ACTION TAKEN: Went to 51 Metacomet St. and spoke with the owners of the dogs (which were inside at the time) about barking and told them that there was a complaint about barking and could they keep an eye on the situation so not to upset any neighbors.

ANIMAL OWNER/CARETAKER: Herman Zienlein
ADDRESS: 51 Metacomet St
PHONE#

LICENSED?: Yes
RABIES CURRENT?: Yes

RESOLUTION: They owners stated they would make sure to pay attention to this situation as they did not want any problems.

OVER
**Belchertown Police Department**

**Call Number** | **Time** | **Call Reason** | **Action** | **Priority** | **Duplicate**
--- | --- | --- | --- | --- | ---
13-9825 | 1648 | 911 - ASSIST CITIZEN/OFFICER WITH SERVICES RENDERED | | 3 | 

**Call Taker:** 276 - NEIFORD, MICHAEL  
**Location/Address:** 53 METACOMET  
**Party Entered By:** 10/04/2013 1652 276 - NEIFORD, MICHAEL  
**Modified By:** 10/04/2013 1653 276 - NEIFORD, MICHAEL  
**Calling Party:** (Unknown 413-922-6089)  
**Boro:** HIGDEN, SUSAN M 53 METACOMET - BELCHERTOWN, MA  
**Sex:** M  
**Race:** W  
**S/B:** F  
**ID:** 179 - MANN, ROBERT  
**Disp-16:52:** Ctrd-16:56:00  
**ID:** 179 - MANN, ROBERT  
**Disp-17:** Arvd-17:04:12  

**Notetive:** 10/04/2013 1652 NEIFORD, MICHAEL  
RP WOULD LIKE TO HAVE AN OFC RESPOND TO HER LOCATION. SHE IS HAVING ISSUES WITH NEIGHBORING PROPERTY.
October 15, 2013

To whom it may concern

I have been contacted regarding the common driveway access of the properties located at 51 and 53 Metacomet Street. The driveway access predates the town common driveway by-law.
I also have been presented a copy of the deed for the property located at 51 Metacomet Street. The deed shows a passage that is to be kept open for use in common with others between the lots.
I do not have the jurisdiction to enforce deed restrictions
The driveway use and maintenance should be followed as described in the deed.

Respectfully,

[Signature]

Paul Alzino, Zoning Enforcement Officer
<table>
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<tr>
<th>Call Number</th>
<th>Time</th>
<th>Call Reason</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>13-9417</td>
<td>1611</td>
<td>Walk-In - ASSIST CIVIL/OFICER W SERVICES RENDERED</td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

**Location/Address:** (361 274) BELCHERTOWN POLICE DEPARTMENT - 70 STATE
**Party Entered By:** 11/20/2013 1614 1025 - LONG, MARY
**Modified By:** 11/20/2013 1624 1025 - LONG, MARY
**Calling Party:** [Redacted]
**DOB:** 02/14/1965 **Gender:** M **Race:** W

**Narrative:**
An officer is on sick leave, therefore, we are unable to provide the call log at this time.

**Priority:** 3
**Duplicate:** No
Belchertown Police Department

For Date: 11/06/2013 - Friday
Page: 1

Call Number: 13-10046
Time: 1848
Call Reason: Phone
Action: Message Taken/Forwarded
Priority: 3
Duplicate: No

Call Taker: HEBERT, LORI
Location/Address: BETACOM
Party Entered By: 11/06/2013 1849 280 - HEBERT, LORI
Calling Party: BLANCH, SUSAN M & 853 BETACOM - BELCHERTOWN, MA
DOB: 8/7/54
Race: W Sex: F

Caller Inquiring about obtaining a trespass order for a neighbor. She will stop in or call station tomorrow.
BELCHERTOWN ANIMAL CONTROL COMPLAINT LOG

ACO: Anna Fenton

DATE & TIME OF CALL: 11/9/13 7:47 am

COMPLAINANT NAME: 323-6460
PHONE #: 323-6460
ADDRESS: Metacomet St

COMPLAINT: Dog @ 51 Metacomet have been barking for quite a while.

DESCRIPTION OF ACTION TAKEN: Drives to 51 Metacomet met up with dog owner who was cut in drive by with big leashed dogs. He had just brought dogs out. They had been inside and not barking. Made him aware of complaint of dog barking. I was told that there was a dispute going on with neighbor. Neighbor called Third dept. police about dogs regularly. Made owner aware of noise ordinance and assured that it does do barking he quiets them.

ANIMAL OWNER/CARETAKER: J. Herman-Herlein
ADDRESS: 51 Metacomet
PHONE #: 323-9999
ANIMAL NAME/BREED/COLOR/DESCRIPTION: Cooper - lab mix, Chelsea - b/w color, collie mix

LICENSED?: YES
RABIES CURRENT?: YES
RESOLUTION: Owner does not leave dogs out for long periods barking. Did not cite as I did not hear barking during conversation with complainant nor were dogs barking when I arrived at owner's home.
Belchertown Police Department
Call Number: 13-10100
Printed: 11/14/2013

For Date: 11/10/2013  ~  Sunday

<table>
<thead>
<tr>
<th>Call Number</th>
<th>Time</th>
<th>Call Reason</th>
<th>Action</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>13-10100</td>
<td>1159</td>
<td>Phone - ASSIST CITIZEN/OFFICER WAN SERVICES RENDERED</td>
<td></td>
<td>3</td>
</tr>
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</table>

Call Taker: 1302 - LALUMIERE, MAURICE
Location/Address: 53 METACOMET
Party Entered By: 11/10/2013 1201 1002 - LALUMIERE, MAURICE
Calling/Inv. Party: BISHOP, SUSAN M @ 53 METACOMET - BELCHERTOWN, MA
SSN: DOB: Race: M Sex: F
ID: 175 - SMITH, EDWARD
Disp-12:01:15
Arv-12:15:52 Clrd-12:24:30

Narrative:
11/10/2013 1203 LALUMIERE, MAURICE
RP REPORTS THAT SHE WOULD LIKE TO SPEAK TO AN OFFICER ABOUT HER NEIGHBOR DIGGING UP HER SHRUBS. SHE STATES THAT IT HAPPENED ON FRIDAY.
for Date: 11/12/2013 - Tuesday

<table>
<thead>
<tr>
<th>Call Number</th>
<th>Time</th>
<th>Call Reason</th>
<th>Action</th>
<th>Priority</th>
<th>Duplicate</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-10170</td>
<td>1755</td>
<td>Phone - ASSIST CITIZEN/OFFICER MAN ADVISED CIVIL ACTION</td>
<td>264 - SQUIRES, DAVID</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

**Call Taker:** METACOMET
**Party Entered By:** 11/12/2013 1756 264 - SQUIRES, DAVID
**Calling Party:** BISHOP, MARILYN M & 53 MEFFERT AVE - BELCHERTOWN, MA
**Narrative:** 11/12/2013 1756 SQUIRES, DAVID

WENT IN WITH HER HUSBAND TO SPEAK WITH AN OFFICER CONCERNING ISSUES THAT THEY ARE HAVING WITH A NEIGHBOR (#51). ID #1556 AND ID #1174 SPOKE WITH THEM.
<table>
<thead>
<tr>
<th>Call Number</th>
<th>Time</th>
<th>Call Reason</th>
<th>Action</th>
<th>Priority</th>
<th>Duplicate</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-10200</td>
<td>1447</td>
<td>111</td>
<td>GENERAL INFORMATION/SERVICES RENDERED</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

Call Taker: FLORES, JEAN  
Location/Address: METACOMET
Party Contacted By: 11/13/2013 1815 FLORES, JEAN  
Calling Party: 413-523-5467  
ISDOP: BISHOP, SUSAN M  
METACOMET - BELCHERTOWN, MA  
NOTE: RACE & SEX: F

Narrative: 11/13/2013 1815 FLORES, JEAN  
She called for copy of logs about her neighbor
NOTICE OF NEXT EVENT

CASE NAME: Susan Bishop v. Pete Zierlen

ATTORNEY (OR PRO SE PARTY) TO WHOM THIS COPY OF NOTICE IS ISSUED:
Pete Zierlen
St. Matacomet St
Belchertown, MA 01007

COURT NAME & ADDRESS:
Eastern Hampshire District Court
205 State Street
Belchertown, MA 01007

DOCKET NUMBER:
1398R0000345

Trial Court of Massachusetts
District Court Department

NEXT COURT EVENT:

Hearing
11/20/2013 at 02:00 PM
Restraining Order Session

TO THE PARTIES TO THIS CASE:

The nature, date and time of the next scheduled event concerning this case is indicated above.

You are required to be present at this event.

If you have good reason to request the Court to reschedule this event for another date, such request must be made by motion in accordance with the applicable court rule. Please note that the granting of a continuance is not automatic even when all the parties agree.

Further Orders of the Court.

NO CELLPHONES ALLOWED IN COURTHOUSE

DATE ISSUED: November 14, 2013

CLERK/MAGISTRATE: William P Nagle

www.mass.gov/courts

Date/Time Printed: 11-14-2013 14:52:37
Describe in detail the most recent incidents of harassment. If the harassment consisted only of conduct that was willful and malicious but was not a violation of the listed criminal statutes, you must describe at least 3 separate incidents of such harassment. The judge requires as much information as possible, such as what happened, each person's actions, the dates, locations, and witnesses, and any medical or other services sought. Also, describe any history of harassment, with as much detail as possible.

On or about Oct 5, 2012, the Defendant, Steve Bishop, harassed me on several occasions by coming over to my property, screaming, and cursing at me over the care of our common driveway we share. I avoid leaving home daily in fear of my life that he will come over to be aggressive, confront me, and threaten me; he will call the police and dog officers and make false accusations around the neighborhood. I called my husband on the last incident to make sure it was safe to come home. Because he was on ramp curving and screaming and I was scared to come home with my speeding ticket, I have reported to the police that I am afraid to be home alone and when I see him I run in the house. On Nov 12, the defendant put rocks on our driveway that I could not move. I would back my car into the rocks and hook one of my cars. The defendant has been harassing me since we moved into the house—which is my mother house (she is sick). He has planted trees and rocks, called the police, dog officers, and threatened me since the 3rd week in May. At this point, the police officer suggested we get a letter from the Town Inspector stating the laws around the common driveway and the harassment would stop, but it has not. The police suggest I get a restraining order or go to the courts. So I do not have to live in fear of my life, my son, and my animal. I am afraid that he might lose his job and hurt me over this. I have been attacked in my home before and I am very afraid this can happen again unless I get help from the courts.

I declare under penalty of perjury that all statements of fact made above, and in any additional pages attached, are true.
**Harassment Prevention Order**

**Docket No.:** 1396 RO 348

**Court Name & Address:** E. Hampshire District Court 205 State Street Belchertown, MA 01007

**Violation of this Order is a Criminal Offense** punishable by imprisonment or fine or both.

**A. The Court Has Issued the Following Orders to the Defendant:**

☐ This Order was issued without advance notice because the Court determined that there is a substantial likelihood of immediate danger of harassment. 

☐ This Order was communicated by telephone from the Judge named below to:

   Police Dept. ________ Police Officer ________

☐ 1. **You Are Ordered Not to Abuse the Plaintiff** by harming or attempting to harm the Plaintiff physically or by placing the Plaintiff in fear of imminent serious physical harm. **You Are Also Ordered Not to Harass the Plaintiff** (1) by any willful and malicious conduct aimed at the Plaintiff and intended to cause fear, intimidation, abuse or damage to property, or (2) by using force, threat or duress to make the Plaintiff engage in sexual relations unwillingly, or (3) by committing any of the following: indecent assault and battery, rape, statutory rape, assault with intent to rape (G.L. c. 265, §§ 13B, 13F, 13H, 22A, 23A, 23B, 24B), enticing a child (§ 26C), criminal stalking (§ 43), criminal harassment (§ 43A), or drugging for sexual intercourse (G.L. c. 272, § 3).

☐ 2. **You Are Ordered Not to Contact the Plaintiff** either in person, by telephone, in writing or otherwise, either directly or through someone else, until at least ___________ months from the Order even if the Plaintiff seems to allow or request contact. The only exception to this Order is that you may send to the Plaintiff by mail or by sheriff or other authorized officer copies of papers filed with the court when that is required by statute or court rule.

☐ 3. **You Are Ordered to Remain Away from the Plaintiff’s Residence** located at ___________ 51 Metacomet St, Belchertown, MA 01007 and wherever else you have a reason to know the Plaintiff may reside.

☐ If this box is checked, you are also **Ordered** to remain away from the entire apartment building or other multiple family dwelling in which the Plaintiff’s residence is located.

☐ 4. **You Are Ordered to Remain Away from the Plaintiff’s Workplace** located at ___________

   and wherever else you have a reason to know the Plaintiff may work.

☐ 5. **You Are Ordered to Compensate the Plaintiff** for $__________ in losses suffered as a direct result of the harassment, to be paid in full on or before __________, 20__________ by mailing directly to the Plaintiff. ☐ through the Court.

☐ 6. ____________

**B. Notice to Law Enforcement**

1. An appropriate law enforcement officer shall serve the Defendant In hand a copy of the Complaint and a certified copy of this Order (and Summons) and make return of service to this court. If this box is checked ☐ service may instead be made by leaving such copies at the Defendant’s address shown above but only if the police officer is unable to deliver such copies in hand to the Defendant.

☐ 2. Defendant Information Form accompanies this Order. ☐ 3. Police reports are on file at the ____________ P.D. ____________

☐ 4. Outstanding warrants for the Defendant’s arrest: PCF No. ____________ Docket No(s): ____________

☐ 5. An imminent threat exists of bodily injury to the Plaintiff. ☐ P.D. notified by ☐ telephone ☐ other: ____________

**Date of this Order:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time of this Order</th>
<th>Expiration Date of this Order</th>
</tr>
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<tbody>
<tr>
<td>11-15-17</td>
<td>11:45 A.M.</td>
<td>11-22-13 at 4 P.M.</td>
</tr>
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</table>

**Next Hearing Date:** 11-22-13 at 9 A.M. ☐ Courtroom ____________

**Witness:** Hon. John M. Payne, Jr.


This Plaintiff must appear at scheduled hearings, or this Order will expire. The Defendant may appear, with or without an attorney, to oppose any extension or modification of the Order. If the Defendant does not appear, the Order may be extended or modified as determined by the Judge. For good cause, either the Plaintiff or the Defendant may request the Court to modify this Order before its scheduled expiration date. NOTICE TO DEFENDANT: If the Plaintiff is your spouse or former spouse, or you are the parent of a child of the Plaintiff, or you cohabitate or have cohabitated with the Plaintiff, the purchase or possession of a firearm and/or ammunition while this order is in effect is a federal crime, subject to certain exceptions. 18 U.S.C. §§ 922(g)(8) and 925.
TO: SELECTMEN
DOG OFFICER

DATE: March 9, 2014

I hereby make complaint that a dog or dogs owned or harbored by:

Dana & Pete 51 Metacomet St
(Name) (Street or Locality)

is a nuisance by reason of:

1. Vicious disposition. They bark at us when we are out working in our yard. They are loose every day and free to go wherever they want.

2. Excessive barking. Constant barking, 6:30-7:00 am when they are home they keep them on their back deck, they bark at everything... boats, ice fishing people, animals, etc.

3. Other disturbance. When they are away they have a service walk and feed the dogs. They do it all night... 11pm to 8am Jan 3am 4am 5am 6am. They are loud and the noise amplifies them. They have repeatedly disturbed us. Owners let them!

4. Source of annoyance to a sick person residing in the vicinity. As I have reported before they were keeping them on chains long enough for them to defecate on our yard & garden. They also walk them down outside of our house and defecate in our yard instead of their own. They do not clean it up.

Complainant's signature and address:

Susan Bishop
51 Metacomet St
Belchertown, MA

(413) 623-6467

Steve & Sue Bishop
53 Metacomet St
Belchertown, MA

MAR 10 2014
Hi Nicole,

Tried to send you something from my phone. I don't know if it went through or not so here it is. Attached is a formal complaint that I would like the Board to hear. These people have been at each other for a while and they have also gone to court. Dog owners are Dara Herman-Zierlein & Peter Otto Zierlein.

Thanks,

Anna

-----Original Message-----
From: Miner, Nicole [mailto:nminer@dowd.com]
Sent: Monday, March 03, 2014 1:25 PM
To: Ann Pittsley; Colleen Toothill-Berte; Anna Fenton; Northern Kennels; carol wagner; alfsswsams@aoi.com; ohhappyday@charter.net; Carol Kasabian
Subject: ACAB Hearing; 27Feb14

Good Afternoon:

Attached please find the meeting minutes, board decisions, and a restraint order from our meeting on 27Feb14. Thanks!

Nicole

3/13 - Waiting on dates for Ann
March 14, 2014

Ms. Dara Herman-Zierlein  
Mr. Peter Zierlein  
51 Metacomet Street  
Belchertown, MA 01007

VIA: Certified & First Class Mail  
cc: Mr. & Mrs. Steve Bishop, 53 Metacomet Street

Dear Mr. & Mrs. Zierlein:

The Animal Control Advisory Board is in receipt of a complaint dated March 9, 2014 as submitted by Mr. & Mrs. Bishop, in reference to your canines for "excessive barking", "failure to clean up excrement" and "running at large".

This Board will hold a hearing to review and resolve the incident(s) on Wednesday, March 26th at 6:00pm in the Selectmen’s Room of Lawrence Memorial Hall.

You are required to attend this hearing to recite your recollection of events and answer any questions the Board may have. Failure to appear will result in an immediate order of restraint.

We are also encouraging Mr. & Mrs. Bishop to be present to recite their recollection of the events, provide pertinent proof of the above identified claims, and answer any questions the Board may have.

If you have any questions specific to the date, time, or location of this hearing please do not hesitate to contact me at (413) 345-1021. However, I will be unable to discuss any particulars of the incident over the telephone without the Board present. Please keep in mind that this hearing is permanently set, and cannot be changed due to scheduling conflicts.

Best Regards,

Nicole A. Miner  
Chair
March 14, 2014

Ms Dara Herman-Zierlein
Mr. Peter Zierlein
51 Metacom Street
Belcherown MA 01007

Via: Certified & First Class Mail
cc: Mr. & Mrs. Steve Bishop, 53 Metacom Street

Dear Mr. & Mrs. Zierlein:

The Animal Control Advisory Board is in receipt of a complaint dated March 8, 2014 as submitted by Mr. & Mrs. Bishop in reference to your canines for “excessive barking”, “failure to clean up excrement” and “running at large”.

This Board will hold a hearing to review and resolve the incident(s) on Wednesday, March 26th at 6:00pm in the Selectmen’s Room of Lawrence Memorial Hall.

You are required to attend this hearing to recite your recollection of events and answer any questions the Board may have. Failure to appear will result in an immediate order of restraint.

We are also encouraging Mr. & Mrs. Bishop to be present to recite their recollection of the events provide pertinent proof of the above identified claims, and answer any questions the Board may have.

If you have any questions specific to the date, time, or location of this hearing please do not hesitate to contact me at (413) 345-1021. However, I will be unable to discuss any particulars of the incident over the telephone without the Board present. Please keep in mind that this hearing is permanently set, and cannot be changed due to scheduling conflicts.

Best Regards,

Nicole A. Miner
Chair
Hi Everyone:

Once of the parties will be unable to attend our hearing tomorrow due to the death of her mother. So I asked her to write me up something and provide an supporting documentation she can that her dogs are not doing what they are accused of. Please see the email below and the two attached documents.

See you tomorrow. Thanks!

Sent from my iPhone

Begin forwarded message:

From: Peter Zierlein <peterzierlein@yahoo.com>
Date: March 18, 2014, 12:14:38 AM EDT
To: "miner76@gmail.com" <miner76@gmail.com>
Cc: Dara Herman-Zierlein <hermandara1@gmail.com>
Subject: Dara Herman-Zierlein, about 3/26 board hearing
Reply-To: Peter Zierlein <peterzierlein@yahoo.com>

Dara Herman-Zierlein
Peter Zierlein
1 Metacom Street
Belchertown, MA
01007

March 17, 2014

Dear Animal Control Advisory Board,

Att: Nicole A. Miner

Dear Nicole,
Thank you for excusing us from the hearing for Wed. March, 26 @ 6pm and understanding our personal situation regarding my Mother's passing. Can you please confirm that we are in fact excused from appearing at the hearing in writing for my records and e-mail it to me? Thank you - I would very much appreciate that.

I have attached the court papers - one is Mrs. Sue Bishop requesting a hearing to get a restraining order on my husband, Peter Zierlein - the restraining order was not granted at the hearing.
The other is the court papers from the actual restraining order that the courts issued to Mr. Steve Bishop, her husband, for harassment.

The Bishops have planted trees and built rock walls into the common driveway as a nuisance, the same week we moved in the property. As this developed into an argument over the easement on the shared driveway, the Bishops called the police several times on us and they came out to talk to both parties and recommended we resolve our housing issues in a court over the common road we share or as neighbors would do. Sue Bishop wanted to get a restraining order against my husband, went to the hearing and the judge recognized that her accusations against my husband were false and that this was not the right court and it was a 'housing issue'.

The Police wouldn't come out anymore as they don't enforce housing issues, but Sue and Steve Bishop continued to harass us by calling animal control 3-4 times in the space of a couple of months - only for the officers to find our dogs not barking, not running loose, but registered, in good health and calm.

In a recent incident Mr. Bishop actually came over on to our property to our doorstep, screaming, spitting and cursing at my husband. I was so afraid to come home as my husband called me at work to warn me that the neighbor was out of control. I am equally scared for my dogs, cat and 11 year old son to be outside alone. The Bishops have no children or animals living at their home.
At that point we went to the police ourselves for the first time and the Police advised I must get a restraining order against Steve Bishop. I did and it was delivered to him and he was told to stay away from our house.

I am horrified that the Bishops are starting the harassing routine again, since the restraining order was lifted at the end of Nov. The courts told us both to take it to housing court. Meanwhile Mr. Bishop is still maneuvering rocks, throwing snow on our side and not acting right. It is very alarming.

We live right at Lake Metacomet, lots of people on the ice, ice fishing, ATV's and lots of dogs. On the weekends I would say there is about 3-6 dogs roaming freely, running, playing and being dogs - crossing properties. No one seems to be concerned or in danger. We do not fish personally, but do not complain about other people's dogs.

There has never been a complaint from anyone about our dogs. We moved down the street from 1 Metacomet St. where we lived complaint-free and had dogs for twelve years and then we moved to my Mother's house at 51 Metacomet St. when she fell ill. House # 46 has a black dog that is the sister look alike to our-black dog. Right next to 53 on the other side of them is a beautiful German Shepherd who visits the Bishops off the leash and # 54 has two black labs -house # 56 has three dogs. This is a dog friendly neighborhood with mutual understanding of dogs getting lose at times - barking and in the winter roaming free when there is 24 inches of snow or a fishing event on Lake Metacomet. We are all responsible owners that have our dogs
registered with the town and respect the dog laws and in the spring we care for our land clean up whatever excrements from the hard winter.

Thank you for your time,
Dara Herman-Zierlein and Peter Zierlein

Attached please find:
- Affidavit to file restraining order against Steve Bishop
- Restraining order against Steve Bishop
- Letter from town inspector
- Sue Bishop's Notice of Events for a hearing about a restraining order against Peter Zierlein
- Police Calling Records

Peter O. Zierlein
(413) 813 5268 (c)
(413) 323 9999 (studio)
peterzierlein@yahoo.com
www.peterzierlein.com
Dara Herman-Zierlein  
Peter Zierlein  
51 Metacomet Street  
Belchertown, MA 01007

March 17, 2014

Dear Animal Control Advisory Board,

Att: Nicole A. Miner

Dear Nicole,

Thank you for excusing us from the hearing for Wed. March, 26 @ 6pm and understanding our personal situation regarding my Mothers passing. Can you please confirm that we are in fact excused from appearing at the hearing in writing for my records and e-mail it to me? Thank you - I would very much appreciate that.

I have attached the court papers – one is Mrs. Sue Bishop requesting a hearing to get a restraining order on my husband, Peter Zierlein - the restraining order was not granted at the hearing. The other is the court papers form, the actual restraining order that the courts issued to Mr. Steve Bishop, her husband, for harassment.

The Bishops have planted trees and built rock walls into the common driveway as a nuisance, the same week we moved in the property. As this developed into an argument over the easement on the shared driveway, the Bishops called the police several times on us and they came out to talk to both parties and recommended we resolve our housing issues in a court over the common road we share or as neighbors would do. Sue Bishop wanted to get a restraining order against my husband, went to the hearing and the judge recognized that her accusations against my husband were false and that this was not the right court and it was a ‘housing issue’.

The Police wouldn’t come out anymore as they don’t enforce housing issues, but Sue and Steve Bishop continued to harass us by calling animal control 3 -4 times in the space of a couple of months – only for the officers to find our dogs not barking, not running loose, but registered, in good health and calm.

In a recent incident Mr. Bishop actually came over on to our property to our doorstep, screaming, spitting and cursing at my husband. I was so afraid to come home as my husband called me at work to warn me that the neighbor was out of control. I am equally scared for my dogs, cat and 11 year old son to be outside alone. The Bishops have no children or animals living at their home. At that point we went to the police ourselves for the first time and the Police advised I must get a restraining order against Steve Bishop. I did and it was delivered to him and he was told to stay away from our house.

I am horrified that the Bishops are starting the harassing routine again, since the restraining order was lifted at the end of Nov. The courts told us both to take it to housing court.
Morning Nicole,

Dara stopped in late yesterday to drop off material for the hearing on the 26th. She stated you had everything except for the last few pages which are pictures of other dogs roaming in the neighbor’s yard. She said she hadn’t heard anything from you stating that she is excused from the 26th hearing due to her mother’s death. Her email is hermandara1@gmail.com. She’s just looking for some kind of acknowledgement that you’ve received the previously submitted info and you are aware she will not attend as a result of the death in her family. I will put the added info in your mailbox @ Town Hall. Thanks.

Colleen Toothill-Berte
Assistant Town Clerk
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