

Weston Conservation Commission
CONSERVATION LAND USE POLICY & REGULATIONS

Adopted: March 18, 2014

Revised: October 13, 2015

Revised: October 27, 2020 (dog walker changes)

MISSION STATEMENT

The Weston Conservation Commission shall endeavor: (1) to preserve open space for the enjoyment of the community; (2) to protect water, land, animal and plant natural resources for the health of the environment; (3) to manage Conservation Land in a sustainable manner; (4) to educate the community about natural resources and the role of human stewardship; and (5) to encourage community participation in town conservation issues.

Conservation Land Regulations

The following Rules and Regulations are intended to ensure that the conservation lands are managed and maintained in accordance with the requirements of the Conservation Commission Act (M.G.L. Chapter 40, section 8C) and the Mission of Weston’s Conservation Commission (WCC). For the purpose of this document, “conservation land” is land under the jurisdiction of the Conservation Commission. Generally, the WCC allows, on conservation land, activities that do not harm natural resource values and functions and do not interfere with natural resource processes, wildlife, wildlife habitat, or passive public enjoyment of the land. Generally, activities that harm or interfere with these values, processes, or passive public enjoyment are prohibited. Activities that may promote certain of these values, processes, or passive public enjoyment to the detriment of other values, processes, or passive public enjoyment shall be evaluated and allowed if the WCC determines that the activity serves some overriding public interest. The Conservation Commission may undertake or contract with others to undertake all necessary management actions.

These Regulations may be made more restrictive for any specific parcels as deemed necessary by the WCC for the protection of the natural resources and the safety of the public. With regard to a particular proposed use, the WCC will evaluate the compatibility of the use with the WCC Mission Statement, these regulations, and the impact on wildlife and abutters.

Agriculture

Agriculture is a large part of Weston’s past. Many conservation lands include former pasture and crop areas. Several parcels of conservation land were purchased by the Town for the purpose of continuing its agricultural traditions and maintaining the Town’s historic character. Therefore, the WCC may periodically enter into “license” agreements with farmers for the purpose of keeping historic fields in continued agricultural use. Any fields licensed for farming will include the requirement that the farmer must permit public access to the land around the perimeter of the fields during the growing season and throughout the property outside of the growing season.

Forest Management

Much of Weston’s conservation land is forested. A forest management policy has been implemented on select conservation land parcels to meet the following four goals: ecological protection, education, recreation, and wood production. Harvesting of trees for firewood and timber makes use of valuable renewable resources. By selection cutting and careful management, the Town’s forests will be more

productive in the long run and will also provide diverse wildlife habitat. WCC may enter into contracts with organizations who will work with the Town to file appropriate Forest Cutting Plans with the State to allow for harvesting trees for timber and firewood on conservation land.

Section I. GENERAL INFORMATION FOR USING THE TRAILS

The conservation lands of Weston are open to the public for recreational use without charge or special permit unless otherwise indicated in these regulations. Users should observe the following:

- A. The trails which are open to the public for recreational use are identified by white trail markers with a tree symbol and the letter "W". Paths that are unmarked are generally private and not for public use.
- B. In case of an emergency, call the Weston Police at 911. For non-emergency communications, please call the Weston Conservation Commission at 781-786-5068.
- C. Most of Weston's conservation trails are for multiple uses. Depending upon the season, users may encounter walkers, runners, horses, dogs, bicyclists, skiers, snowshoers, and farmers using equipment. Please respect other users.
- D. Bicyclists should be mindful of the following:
 1. Bicyclists should stay on the fire roads as shown on the Trail map.
 2. Bicycle riding is discouraged on hillsides or in wet weather when the ground is soft.
 3. Bicycle riding can be dangerous; riders should be courteous and attentive to other trail users.
- E. Dog Walkers
 1. At the Case Estates: dogs are permitted only when on a leash that is 6 feet in length or less
 2. At Wellington Farm: dogs are permitted only when leashed and traveling on the trail along the eastern boundary of the property that connects Glen Rd. to the Norumbega Reservoir property.
 3. In addition to 1 & 2 above, dog walkers must comply with Weston's Dog Bylaw which requires that:
 - i. Dogs must be leashed or under voice control at all times;
 - ii. Commercial dog walkers must get a permit at Town Hall which allows them to walk up to 5 dogs;
 - iii. Except for commercial dog walkers, persons walking more than three dogs must leash all of their dogs;
 - iv. Dog waste must be cleaned up and properly disposed of.
 - v. The Animal Control Officer will enforce Weston's Dog Regulations and can be reached at 781-786-6200.
- F. Horseback Riding:
 1. Groups of more than five riders, and any organized horseback activities, require a permit from the WCC;
 2. Organized use of Dickson Memorial Riding Rings require a special Use Permit for Horse Events (attached);
 3. Riding is discouraged in wet weather when the ground is soft;
 4. Horseback riding can be dangerous and riders should be courteous and attentive to other trail users.

- G. Failure to observe these regulations and common courtesies may result in restrictions or prohibitions of public use.

Section II. Conservation Land Restrictions

The following restrictions shall be applicable to Town land under the care and management of the Conservation Commission (herein referred to as Conservation Land).

- A. The following activities are prohibited on Conservation Land, unless otherwise permitted in Section IIB:
 - 1. Using paintball guns;
 - 2. Swimming;
 - 3. Cutting, breaking, removing, defacing, defiling, or ill-using any building, structure, fence, or sign;
 - 4. Cutting, removing, defacing, or otherwise damaging trees, shrubs, flowers, fungus, grass, or other flora;
 - 5. Drinking alcoholic beverages;
 - 6. Disturbing the peace; and
 - 7. Depositing litter, yard waste, garbage, brush, excavated fill or any hazardous waste.
- B. The following activities are prohibited on Conservation Land without a written Use Permit from the Weston Conservation Commission:
 - 1. Conducting organized group events or activities;
 - 2. Starting fires;
 - 3. Camping overnight;
 - 4. Operating cars, trucks, motorbikes, snowmobiles, or power tools; and
 - 5. Collecting or removing mushrooms, plants, or wood.
 - 6. Cutting or removing trees for firewood or lumber, or tapping trees for their sap.
- C. The following activities are prohibited on Conservation Land except as expressly permitted in Weston's Bow Hunting Regulations promulgated by the Conservation Commission, as they may exist from time to time:
 - 1. Hunting or trapping;
 - 2. Carrying firearms; and
 - 3. Willfully disturbing or endangering wildlife.

Section III. Non-Criminal Disposition

As an alternative to criminal prosecution or civil action, the Town may utilize the non-criminal disposition procedure set forth in M.G.L. Ch. 40, §21D and Article V of the By-Laws of the Town of Weston, in which case any police officer of the Town of Weston, the Conservation Commission, the Conservation Administrator, and such other persons as are authorized by the Commission shall be the enforcing person. If non-criminal disposition is used, the following fine schedule shall be applicable for any violation of this By-Law, or any regulation, order or permit issued hereunder and each day a violation exists shall constitute a separate violation:

- A. First violation: warning.
- B. Second violation: \$100.
- C. Third violation: \$200.

D. Fourth and subsequent violations: \$300.

Section IV. General Use Permits

- A. Any activities and uses not set forth above require the permission of the WCC. For any activity seeking written permission, the WCC shall apply the following criteria to the activity:
 - 1. Does the activity contribute to the WCC's responsibilities under M.G.L. Chapter 40, section 8C and the WCC Mission Statement?
 - 2. Will the activity promote or enhance the natural resource functions of the site?
 - 3. Will the activity promote or enhance the passive enjoyment of the property by the general public?
- B. Any individual or group requesting special permission from WCC shall fill out the attached Use Permit Application. Permits will be issued at the discretion of the WCC.
- C. Use Permit requests for equestrian events will be reviewed by the Volunteer Dickson Ring Coordinator, and requests from other special interest groups (i.e., running races, bicycle events, canine events, etc.) will be reviewed by an appointee knowledgeable in the discipline, followed by a recommendation to the WCC as to the suitability of such events.
- D. If the event will take place on a Sunday, the applicant must request a Commonwealth of Mass. "Permit to Hold Public Entertainment on a Sunday" with the appropriate fees for any Sunday activity. This permit form is to be submitted to the Board of Selectmen, and must be filed a minimum of 2 months prior to the proposed event.
- E. Insurance - The organized group shall obtain, and maintain during the duration of the event, insurance coverage with companies licensed to do business in the Commonwealth of Massachusetts, at the limits acceptable to the Town.
- F. Should trails on private property be used, the landowner's permission shall be sought.
- G. An organized group's past use or abuse of the privilege of using Weston's Conservation Land may be taken into consideration.

Section V. Use Permit for Dickson Memorial Riding Rings

- A. All general use permit requirements listed above must be met in addition to the following requirements.
- B. An "organized use" is considered to be any activity hosted by an organization with a recognized presence. These activities may or may not be posted on public or private websites, or advertised via email blasts, mailings, or word of mouth.
- C. Any group wishing to run organized activities at Dickson Memorial Riding Rings must submit its request in writing to the WCC via the Conservation Administrator at least 3 months prior to the proposed event.
- D. Dates for approved activities based at the Dickson Memorial Riding Rings will be scheduled by the Volunteer Dickson Ring Coordinator.
- E. Events involving non-human participants (i.e., equine, canine, etc.) must be confined to the Dickson Memorial Riding Rings unless the Volunteer Dickson Ring Coordinator or an approved substitute agrees to oversee course design, landowner notification, and marking of trails.
- F. A suitable donation should be made as acknowledgement of gratitude for the use of the land. For equestrian activities or those based at the Dickson Memorial Riding Rings, donations should be made to the Weston-Wayland Open Spring Horse Show, Inc. to be used for the upkeep of the

property. Donations for all other activities should be made to the Weston Forest and Trail Association Endowment Fund. (WCC suggests a donation of 10% of profits.)

G. There will be no alcohol present.

H. Foxhunting (live or drag) will not be permitted on the Weston conservation lands.

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