



LUNENBURG CONSERVATION COMMISSION

LAND USE REGULATIONS

*Conservation Commission
960 Massachusetts Avenue
Lunenburg, Massachusetts 01462
978-582-4146
lcc@lunenburgonline.com*

*Police Department
978-582-4150*

*Adopted May 5, 2021
Amended May 19, 2021*

Effective Date July 1, 2021

The lands under the care, custody and control of the Lunenburg Conservation Commission (the "Commission") are public lands (the "Conservation Lands") owned by the Town of Lunenburg for the enjoyment of all.

All properties taken or acquired for conservation purposes are permanently protected open space under Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, dedicated to conservation and passive recreation purposes in accordance with M.G.L. Chapter 40, § 8C. All properties are open to the public for appropriate passive outdoor recreation use.

The Commission, under M.G.L. Chapter 40, § 8C, may adopt rules and regulations governing the use of the land and waters under its control. When adopting land use rules and regulations, the Commission will establish a draft of proposed changes during regular, properly posted open meetings. Once there is consensus on the proposed changes, a formal hearing will be scheduled, and the hearing will be televised.

Please notify the Conservation Administrator or Lunenburg Police to report violations to these regulations.

With regard to the use and enjoyment of the Hunting Hills Wildlife Conservation Easement, the provisions of these Land Use Regulations are preempted by the Conservation Restriction negotiated by and between the New England Forestry Foundation, Inc., the Commonwealth of Massachusetts, acting by and through its Department of Fisheries, Wildlife and Environmental Law Enforcement and its Division of Fisheries and Wildlife, and the Towns of Lunenburg and Shirley, dated April 29, 1999 and recorded with the Worcester North District Registry of Deeds at Book 3380, Page 112, including but not limited to the Land Use and Management Plan and accompanying regulations, a copy of which appears after the end of these regulations for reference only.

1.0 Permitted Uses

Unless restricted further in these regulations, all lands under the care, custody and control of the Commission shall be open to the general public for "Passive Outdoor Recreation," defined in 301 CMR 5.02 and for the purposes of these regulations as follows:

Passive Outdoor Recreation. Any outdoor activity that occurs in a natural setting with minimum disturbance of the natural and cultural resources and that is consistent with quiet enjoyment of the land including but not limited to hiking, nature study, outdoor education, cross country skiing, snowshoeing, horseback riding, trail bicycling, hunting, fishing, picnicking, canoeing, ice-skating, community gardening in existing fields, swimming in a natural water body with minimal site development, or informal sports activities on an open natural field. For the purpose of eligibility and reimbursement under these regulations snowmobiling may be considered passive outdoor recreation if the municipality determines that it is compatible with other activities. Facilities necessary to support passive recreation

with a minimum of disturbance to the natural and cultural resources such as natural surface trails and wood roads, and appropriately scaled parking areas, bathrooms, and nature centers are considered consistent with passive outdoor recreation. Passive outdoor recreation areas may also be managed for sustainable forestry and farming including community farms and forests.

- 1.1 Hours of Operation – Everyone is welcome to enjoy the Conservation Lands at no charge at any time, subject to all other provisions of these regulations.
- 1.2 No alteration or disturbance of these properties is allowed. Geocaching or letterboxing is allowed. There is to be no digging, planting, excavation, installation or placement of signage, littering, dumping of any material, trail creation/maintenance or cutting/removal of vegetation, unless exempted elsewhere in these regulations.
- 1.3 No motorized vehicles are allowed on these properties, (with the exception of municipally owned vehicles, authorized maintenance vehicles, and emergency vehicles), unless exempted elsewhere in these regulations.
- 1.4 The use of firearms, pellet guns, paint guns, or similar non-lethal weapons is not allowed on these properties, unless exempted elsewhere in these regulations.
- 1.5 No activities which charge fees or collects funds for any purpose shall take place on these properties, unless exempted elsewhere in these regulations.
- 1.6 Dogs shall be deemed a public nuisance if they attack persons or domestic animals or when they are permitted to run unrestrained on Conservation Commission property. The person accompanying the dog shall promptly remove feces deposited by the dog on Conservation Lands.
- 1.7 Smoking, open fires, and alcohol are prohibited.
- 1.8 No activities are allowed that are not in full compliance with all local, state and federal laws.
- 1.9 The Commission expressly reserves the right to amend, restrict or otherwise alter the permitted and prohibited uses set forth above in accordance with change process as outlined above.

2.0 Exemptions

The Commission reserves the right to permit any passive recreation activity on a case by case basis.

- 2.1** Overnight Camping must have prior written approval by the Commission using an "Overnight Camping Permit" form, a reference copy of which appears after the end of these regulations. If open fires are to be requested, written approval by the Fire Department must be obtained prior to review for approval by the Commission. The Approval Form must be carried by the individual during the event and readily available upon request.
- 2.2** Any request to alter, disturb, maintain or improve these properties must be reviewed by the Commission prior to such activity.
 - 2.2.1 See Section 3.0, Conservation Land and Trail Stewardship
 - 2.2.2 For the purposes of these regulations, the storage of geocaching or letterboxing materials is allowed.
- 2.3** Snowmobile use is permitted only on trails specifically marked for use by snowmobiles, as approved by the Commission. Snowmobiles are not allowed on Hunting Hills in accordance with that property's Conservation Restriction. Snowmobiles must have a valid registration in the Commonwealth of Massachusetts.
- 2.4** Hunting with firearms is prohibited on all Conservation Lands except Hunting Hill. Traditional bow hunting is allowed on all Conservation Lands, if in accordance with Massachusetts law. Field dressing of animals must occur out of sight of established trails. Tree stands must be removed by the end of the applicable hunting season.
- 2.5** Any activities which charge fees or collects funds for any purpose that are to take place on these properties must be approved by the Commission using a "Funded Organizations Permit" form, a reference copy of which appears after the end of these regulations.

3.0 Conservation Land and Trail Stewardship

3.1 The Commission encourages thoughtful and responsible help by the public in the maintenance of our Conservation Lands and our trail system.

3.1.1 Downed trees or limbs and vegetation encroaching into the trails may be removed from existing trails by hand, using hand pruners or a hand saw. No powered tools may be used and no digging or excavation of roots or stumps may occur. For approval to maintain trails further, please contact the Conservation Administrator.

3.1.2 The Commission encourages the removal of invasive plant species by hand or using non powered hand tools. Contact the Conservation Administrator for direction and approval.

3.1.3 Approval to re-route trails or maintain bridges is required from the Commission in advance.

4.0 Enforcement

4.1 Each violation of these regulations may be punished by a fine of \$100.00, under M.G.L. Chapter 40, § 8C. Each day on which a violation exists shall be deemed a separate violation.

4.2 Enforcement of these regulations shall be by the Commission or its agents, expressly including but not limited to the Lunenburg Police and Fire Departments. The Conservation Administrator will be the primary contact for reporting violations and will be responsible for followup reporting.

HUNTING HILL CONSERVATION REGULATIONS (REFERENCE ONLY)

The Shirley and Lunenburg Conservation Commissions, by virtue of their authority (M.G.L. Chapter 40 section 8C) to make regulations for the use and government of all conservation lands of their respective Towns, have adopted the following rules and regulations. These rules and regulations were drafted with the help of the MA Division of Fisheries and Wildlife and include many of the thirteen regulations typically used on Wildlife Management Areas. A fine of \$200.00 (such fine amount to be adjusted by vote of the Stewards as dictated by changing economic conditions) or the replacement cost of damage, whichever is greater, shall be imposed on any person or persons violating said regulations.

1. No person shall possess any alcoholic beverage.
2. No person shall remove vegetation, soil or stones from the area except under permit.
3. No person, except under permit, shall drive or possess any vehicle (including but not limited to any car, truck, motorcycle, motorbike, snowmobile) on the parcel.
4. No person shall deface or tamper with any sign, building or equipment.
5. No person shall build or maintain a fire without written permission.
6. No person shall camp within the parcel without written permission. Consideration will be granted only to group or organization requests.
7. No person shall engage in target practicing without written permission.
8. No person, except under permit, shall dig or disturb any artifact or archeological remains.
9. No person shall build any structures without written permission.
10. No person shall discard litter except in designated receptacles; or to post, paint, affix or display any sign, notice, or advertising device.
11. No person shall be within the parcel between the hours of one-half hour after sunset and one-half hour before sunrise without written permission unless hunting in conformance with MDF&W regulations.

Any landowner permitting use of his property for recreation without charging a fee is not liable for injuries to recreational users or their property except in cases of willful, wanton or reckless conduct by the owner. (Chapter 21, Section 17C MGL)

Adopted on April 12, 1999.



DAY & OVERNIGHT CAMPING PERMIT

Office Use Only:

Permit approval. _____

Date Issued _____

Town of Lunenburg Conservation Commission

MAILING ADDRESS: 960 Mass Ave Lunenburg, MA 978-582-4147 ext. 431

Permit requests must be received by the Commission no less than 14 calendar days before date of use requested.

All requests must be remitted back to the Lunenburg Conservation Commission in-person or via mail.

PERMITS ARE NOT ISSUED UNTIL POLICE AND FIRE DEPT NOTIFICATIONS ARE COMPLETED

Please print:

NAME _____

GROUP (if applicable) _____

ADDRESS _____

E-MAIL (required) _____

PHONE _____

PHONE _____

Please fill out the following information as it pertains to *all members of your party*, including children, attach additional sheet if necessary.

NAME _____

ADDRESS _____

AGE _____

VEHICLE PLATE # & STATE _____

Date of Arrival: _____

Date of Departure: _____

Time of Arrival: _____

Conservation Parcel Requested _____

Time of Departure: _____

Comments/Special Requests _____

Conservation Lands are public facilities protected by the Lunenburg Police Department:

- ◆ In case of emergency dial 911
- ◆ For non-emergency calls, dial (978) 978-582-4531 Police Business line.

TO ALL REGISTRANTS: PRIOR TO ARRIVAL, PLEASE CONTACT BOTH LUNENBURG POLICE (978) 582-4155 AND FIRE DEPARTMENTS (978)582-4531TO CONFIRM YOUR ARRIVAL.

I/we hereby release and forever discharge the Town of Lunenburg, the said Conservation Commission, its members, officers, and instructors, their heirs, assigns, and the administrators/employees from any and all actions, claims, demands, damages, judgments, executions, cost and any and all other claims or damages whatsoever, both in law or in equity, on accentuate of, growing out of, or resulting from all known or unknown personal injuries, conscious suffering, or any damages from my/my group's participating actively or as spectators.

Applicant Signature Required _____

Printed Name _____

Date _____

Pending availability. Approval granted by the Town of Lunenburg Conservation Commission. For questions/comments, please contact the Town of Lunenburg Conservation Administrator (978) 582-4147 ext. 431. All items are carry-in, carry-out. Land use regulations accompanying this permit are also available at <https://lunenburgma.gov>
All debris/refuse and pet waste must be picked up and disposed properly off site –Applicants Initials: _____

Office Use Only: Permit has been approved on _____ Permit has been denied on _____

Police Notified on: _____ Fire Dept. Notified on: _____

Administrator's initials & date approved by Conservation Commission:



FUNDED ORGANIZATION PERMIT

Town of Lunenburg Conservation Commission

MAILING ADDRESS: 960 Mass Ave Lunenburg, MA 978-582-4147 ext. 431

Permit requests must be received by the Commission no less than 14 days before date of use requested.

All requests must be remitted back to the Lunenburg Conservation Commission in-person or via mail.

PERMITS ARE NOT ISSUED UNTIL COMMISSION APPROVAL IS GRANTED

Please print:

NAME _____ (contact person) ORGANIZATION NAME _____

ADDRESS _____ E-MAIL (required) _____

_____ PHONE _____

Description of the proposed activity including expected number of participants, location(s), and any fees charged:

A certificate of liability insurance in the minimum amount of one million dollars must be provided with this request for approval naming the Town of Lunenburg as an additional insured.

I/we hereby release and forever discharge the Town of Lunenburg, the said Conservation Commission, its members, officers, and instructors, their heirs, assigns, and the administrators/employees from any and all actions, claims, demands, damages, judgments, executions, cost and any and all other claims or damages whatsoever, both in law or in equity, on accentuate of, growing out of, or resulting from all known or unknown personal injuries, conscious suffering, or any damages from my/my group's participating actively or as spectators.

Signature

Printed Name

Title or role in organization

Date

Conservation Lands are public facilities protected by the Lunenburg Police Department:

- ◆ In case of emergency dial 911
- ◆ For non-emergency calls, dial (978) 978-582-4531 Police Business line.

Conservation Administrators Signature

Printed Name

Date Approved by Commission

Pending availability. Approval granted by the Town of Lunenburg Conservation Commission. For questions/comments, please contact the Town of Lunenburg Conservation Administrator (978) 582-4147 ext. 431. All items are carry-in, carry-out.

Land use regulations accompanying this permit are also available at <https://lunenburgma.gov>

All debris/refuse and pet waste must be picked up and disposed properly off site

Permit has been approved on _____ Permit has been denied on _____