

Shutesbury Conservation Commission

Regulations Governing Use of Town-Owned Conservation Lands

Section 1. Authority and Purpose

Authority

These Regulations are adopted by the Shutesbury Conservation Commission ("SCC") pursuant to the authority granted under Massachusetts General Laws Chapter 40 Section 8C and other applicable laws of the Commonwealth, and in accordance with Article 97 of the Amendments to the Massachusetts Constitution.

These Regulations are also intended to ensure compliance with applicable state grant programs, including but not limited to the Massachusetts Self-Help and LAND Grant Programs.

Purpose

The purposes of these Regulations are to:

- Protect conservation, watershed, recreation, and wildlife values
 - Maintain and enhance wildlife habitat and biodiversity
 - Ensure compliance with state grant conditions and conservation protections
 - Provide for recreation consistent with ecological stewardship
 - Promote public safety and responsible use of Town resources
 - Support Town Master Plan goals related to open space and natural resource protection
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Section 2. Management Authority

The SCC shall have care, custody, management, and control of Town-owned conservation lands under its jurisdiction.

The SCC is authorized to:

- Adopt, amend, and enforce these Regulations
 - Designate trails, access points, and permitted uses
 - Issue permits for special uses or restricted activities
 - Conduct or authorize habitat management, forestry, and stewardship work
 - Install signage, gates, and barriers
 - Temporarily or permanently restrict access for resource protection or safety
 - Coordinate with Town departments, state agencies, and partners
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Section 3. Permitted Uses

The following uses are permitted unless otherwise restricted by signage or SCC action:

Passive Recreation

- Walking and hiking
- Cross-country skiing and snowshoeing
- Nature observation, birdwatching, and photography
- Environmental education

Water-Based Uses

- Non-motorized boating (canoes, kayaks, paddlecraft) from designated access points
- Watercraft launching from approved facilities

Traditional Uses

- Fishing and hunting in accordance with state law

Trail Uses (Designated Areas Only)

- Horseback riding on designated trails
- Bicycling on designated trails

Snowmobiles

- Allowed only on designated and signed trails approved by the SCC

Land Management

- Sustainable forestry, habitat management, and restoration authorized by the SCC

Special Uses

- Educational or community events with SCC approval
 - Any other uses that might be specifically noted on recorded Conservation Restrictions documents, state grant provisions, or other relevant documents
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Section 4. Prohibited Uses

The following uses are prohibited unless authorized in writing by the SCC:

Motorized Vehicles

- Use of motorized vehicles off designated routes, including ATVs and dirt bikes except for mobility impaired assistance vehicles and first responder vehicles.

Resource Damage

- Littering, dumping, or disposal of waste
- Vandalism or destruction of natural or constructed features
- Historical, archaeological, and cultural resources are protected in accordance with applicable state laws and regulations, and may not be disturbed, removed, or damaged without proper authorization.

Unauthorized Development

- Construction of structures, trails, or improvements

Fire and Camping

- Camping, except as authorized by a special permit issued by the SCC.
- Open fires

Public Conduct

- Alcohol consumption
- Disorderly or unsafe behavior or other misconduct

Firearms

- Discharge of firearms, except during lawful hunting

Abandonment and Storage of Personal Property

- Placement, storage, or abandonment of personal property, including boats and other watercraft, on conservation lands including Elliot Park, or elsewhere on the Lake Wyola Conservation Area without authorization from the SCC.
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Section 5. Access and Signage

- Public access shall occur at designated entry points where identified
- The SCC shall install signage identifying permitted and prohibited uses
- Trails and designated uses (e.g., snowmobile routes) shall be clearly marked
- Gates, boulders, or other barriers may be used to restrict unauthorized motorized access
- Access is permitted only from dawn to dusk
- Areas may be closed temporarily or permanently for:
 - Habitat protection
 - Public safety
 - Management activities

Section 6. Enforcement

Authority

These Regulations may be enforced by:

- The Shutesbury Conservation Commission and its authorized agents
- Police officers or other authorized municipal officials

Pursuant to Massachusetts General Laws Chapter 40 Section 8C, violations may be subject to enforcement action.

Violations and Penalties

Violations may result in:

- Warnings
- Fines: \$100 for the first offense; \$200 for the second offense; \$300 for 3rd and subsequent offenses.
- Violations maybe noticed by non-criminal disposition pursuant to M.G.L. c. 40, section 21D when adopted
- Revocation of permits or access privileges
- Restoration of damaged resources

Each day a violation continues may constitute a separate offense.

Additional Remedies

The SCC may pursue all available legal remedies, including injunctive relief and recovery of damages.

Section 7. Dogs

7.1 General Rule

Dogs are permitted on SCC-managed lands, provided they are **under the control of their owner or handler at all times**.

7.2 Definition of Control

A dog shall be considered under control when it is:

- On a **leash**, or
- Off-leash but **within sight of the handler and under reliable voice control**

(This standard is consistent with typical Massachusetts local bylaws requiring leash or voice control.)

7.3 Waste Disposal

Dog owners/handlers must **immediately remove and properly dispose of dog waste**.

7.4 Prohibited Conduct

Dogs shall not:

- Harass, chase, or disturb wildlife
 - Interfere with other visitors
 - Damage vegetation or natural resources
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7.5 Restricted Areas

The SCC may require dogs to be **leashed or excluded** in specific areas or during certain times, as posted, to protect:

- Wildlife habitat
 - Water resources
 - Public safety
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7.6 Enforcement

Dogs not under control may be required to be leashed or removed and may be subject to enforcement under Section 6.

Section 8. Severability

If any provision of these Regulations is held invalid, the remainder shall remain in full force and effect.

Section 9. Effective Date

These Regulations shall take effect upon adoption by the Shutesbury Conservation Commission and filing with the Town Clerk.
