

**LAND USE COMMITTEE
Meeting Minutes
March 12, 2015 at 7:30 pm
Mendon Town Hall Mail Room**

Members Present: Sharon Cutler, Anne Mazar, Barry Iadarola, Pete Coffin, Mark Reil

The meeting was called to order at 7:35 pm by Chairman Anne Mazar.

Minutes of 11-4-14 were reviewed. A motion was made by Barry Iadarola to approve the minutes as written. The motion was seconded by Mark and passed with unanimous approval.

Review of Trail By-law as listed below:

Use of Recreational Trails and Associated Areas

Section 1. Definitions

Associated Areas:

All Town owned open space and recreational areas. Additionally any trail or easement granted to the Town for the purposes of open space and/or recreation.

Motorized Vehicles:

Automobiles, trucks, motorcycles, snow vehicles, mopeds, scooters, mini-bikes, Off Road Vehicles (ORV) and/or All -Terrain Vehicles (ATV).

Town of Mendon Trails:

Any path or right-of-way designated or constructed on Town owned land specifically for use for public recreation.

Section 2. Purpose

The provisions of this By-Law shall be to permit the Town of Mendon and designated law enforcement officers to ensure and enforce the proper use of the Trails and Associated Areas in accordance with these regulations.

The provisions of this Trail Use By-Law shall not apply to any properties that are under the jurisdiction of the Mendon Parks Commission including, but not limited to the Mendon Town Beach, Memorial Park, Mendon Woods (4 Taft Ave.), Veteran's Park, Grover Field, Clough Field, Founder's Park, and Lake Nipmuc Island. Rules and regulations for these properties are set by the Parks Commissioners. These rules and regulations are posted at the entrances to each property and also available on the town's web site.

Section 3. Regulations for Use of Town of Mendon Trails and Associated Areas

- a. All hunting activities must be conducted in accordance with Massachusetts Department of Fish and Wildlife Regulations.
- b. Hunting is NOT permitted on the following properties: i. Any property under the control of the Mendon Parks Commission as defined above. ii. The Lake Nipmuc Island. (Also see Ch. 11, Sec 2 of these by-laws)
- c. Camping and other group activities may be permitted with the written consent of the Select Board
- d. No person shall light or cause to be lit any fire(s) on a Town of Mendon Trail or within an Associated Area without written permission from the property's managing authority and the Mendon Fire Department.
- e. No person shall use or operate a Motorized Vehicle or device of any kind except authorized maintenance vehicles, emergency vehicles of the Police Department, Fire Department, Emergency Medical Services, or other emergency service, upon or within the Town of Mendon's Trails or Associated Areas, unless said area is specifically designated for the parking and placement of Motorized Vehicles.

- f. Any Motorized Vehicle found in or upon a Town of Mendon Trail or Associated Areas, unless specifically authorized, shall be subject to towing and storage upon the order and direction of a law enforcement officer in accordance with the provisions of M.G.L. Chapter 266, Section 120D.
- g. No person within the confines of a Town of Mendon Trail or any Area Associated therewith shall have in his possession, use, or be under the influence of intoxicating liquors, drugs or narcotics.
- h. No person shall leave, place, or dispose of, in any manner, trash, litter, refuse, garbage or other similar material upon said Town of Mendon Trail or Associated Area, or any waterway or pond; If it is carried in, it must be carried out.
- i. Dogs must be on a leash or kept in sight and under voice control at all times.
- j. Feeding of wildlife is prohibited.
- k. The use of metal detectors is prohibited except in the case of authorized archeological activities.
- l. No person, other than maintenance authorized by the Conservation Commission for open space areas and Park Commissioners for properties under their jurisdiction, shall dig up, remove, deface, defile or ill-use any structure, sign, bush, tree, plant, turf, rock or have possession of any part thereof.

Section 4. Signage

The Town reserves the right to erect any signs necessary to impart information relevant to the respective property.

Section 5. Enforcement, Violations, Arrests, and Penalties

- a. Whoever is found not to be in conformance with the requirements of Section Three shall be in violation of this By-Law.
- b. Violations shall be punished by a fine of one hundred dollars (\$100.00) for the first offense and two hundred fifty-dollars (\$250.00) for each subsequent offense.

Section 6. Severability

If any provision of this By-Law is held invalid by a court of competent jurisdiction, the remainder of the By-Law shall not be affected thereby. The invalidity of any section or sections or parts of this By-Law shall not affect the validity of the remainder of the Town's Zoning By-Law.

A state grant has been awarded for the Town Forest trails project. \$32,334 is needed to fund the grant which when received will be returned to the Stabilization fund. **Peter moved that \$32,334 should be approved from stabilization. The motion was seconded by Mark and passed with the unanimous vote of the committee.**

Peter moved that the following motion be included in the STM. The motion was seconded by Mark and passed with the unanimous vote of the Committee:

Article 25

The Land Use Committee recommends that the Town vote, pursuant to Massachusetts General Laws Chapter 40, Section 15A, to authorize the transfer of the care, custody, management and control from its library trustees, the Board of Library Trustees of the Taft Public Library, to its Board of Selectmen, **for purposes, which shall include, a library, open space or agricultural purposes**, of a certain parcel of land described as follows:

A certain parcel of land located in Mendon, Worcester County, Massachusetts, on the southeasterly side of Hopedale Street and the northeasterly side of North Avenue, consisting of 29.7 acres, shown as "Assessors Map 3 Assessors Lot #131," on a plan entitled "Plan of Land in Mendon, MA, Prepared David Lowell" by Shea Engineering & Surveying Co., Inc., which plan is recorded with the Worcester District Registry of Deeds in Plan Book 755, Plan 75 and to which plan reference may be made for a more particular description of said parcel.

Said land is also described in Article 5 of the Special Town Meeting held on November 10, 2004; and I so move.

Sharon moved that the meeting be adjourned at 9:00. Mark seconded the motion and it was unanimously approved by the Committee.

Submitted by Sharon Cutler
Secretary