

**LAND USE and MANAGEMENT PLAN**  
for  
**DOW BROOK CONSERVATION AREA**  
of the  
**TOWN OF IPSWICH**

**326 HIGH STREET; Assessors' Map 12 Lot No. 3A**

**May 8, 2003**

**Adopted by the Ipswich Conservation Commission  
in consultation with  
Ipswich Recreation Department  
Ipswich Department of Public Safety  
Ipswich Department of Public Utilities  
Ipswich Department of Public Works  
Ipswich Department of Planning and Development  
Massachusetts Division of Conservation Services  
Massachusetts Department of Environmental Management**

## **I. Introduction and Purpose**

### **A. Site Description**

Dow Brook Conservation Area is a 34-acre parcel which:

1. Contains an interior trail network, linking to the Bay Circuit Trail north into Rowley;
2. Provides “core wildlife habitat” as designated by the MNHESP;
3. Contains over 800’ on Dow Brook and its associated wetlands;
4. Provides a buffer to a public drinking water supply (Dow Brook Reservoir);
5. And, maintains the integrity of a contiguous regional greenway of over 3,000 acres (see attached map/s) including Willowdale State Forest and other protected and unprotected open space.

This parcel contains a variety of habitat types including an extensive network of mostly wooded freshwater wetlands complemented by both deciduous and evergreen upland forest. The biodiversity of this property is high, given the occurrence of both softwood and hardwood uplands as well as red maple swamps and perennial and intermittent streams, combined with the varied terrain of hilly uplands and wet lowlands. The result is a diverse edge habitat supporting many indigenous species of wildlife and plants. The ponded areas and brooks add to the overall biodiversity. This transition-zone forest provides important habitat for neo-tropical songbirds that nest here every spring and summer, including thrushes, warblers, grosbeaks, orioles and finches. In addition to providing drainage to Dow Brook Reservoir, the parcel also falls entirely within the Town of Ipswich Water Supply (overlay) District A and partially within the Surface Water Protection Zone A (DEP). Its frontage on High Street provides easy public access and visibility. There are no structures on the site.

### **B. Grant Program Requirement**

The Dow Brook Conservation Area will be protected against conversion to another use, or disposal by the Town, through (a) designation by the Town as Conservation Land and assignment to the Conservation Commission, (b) the covenants entered into by the Town as conditions of the grant offer, (c) the provisions of Article 97 of the Mass. Constitution, and (d) the Self-Help Program Project Agreement dated November 4, 2002 for Self-Help Project #10 (Dow Brook Parcel), which is recorded as an adjunct to the deed.

### **C. Acquisition and Ownership**

This property was acquired through the Town’s Open Space Bond Authorization (Article 18, Spring 2000 Annual Town Meeting). The acquisition and authorization for the use of Self-Help funds was subsequently approved by the Fall 2002 Special Town Meeting. The Town had been in discussions with the former owner, AC Builders (now Parkwood Nominee Trust) for approximately one-year when an agreement was reached to purchase the parcel in the spring of 2003 for its appraised value.

#### D. Ownership and Management Objectives

The Dow Brook Conservation Area is to be owned and maintained in perpetuity by the Town as open space and conservation land in accordance with the terms and conditions of the Executive Office of Environmental Affairs Self-Help Grant. The land was acquired for the purposes of water supply protection, providing passive outdoor recreation and preserving wildlife habitat. All uses and activities consistent with these objectives and commitments will be permitted; all those not consistent will be prohibited as specified in more detail below. There will be no discrimination among users based on race, color, national origin, religion, disability, age or sex.

The land management plan is intended to preserve the existing characteristics of the property, its importance to the Town's public water supply, and its present division into habitat types. Active management, particularly to ensure the quality of the waters of Dow's Brook Reservoir, is anticipated. The management activities and usage restraints that will be undertaken and enforced are those necessary to (a) protect the water supply, and (b) maintain the wetlands and woods in their present locations and form, in acceptable condition, (i.e., clean, undamaged and as free as practicable from invasive vegetative species). Public access including access for disabled persons, shall be provided through the creation of an unpaved parking area off of High Street consisting of spaces for 10 vehicles, new trails, and a wetlands crossing structure suitable for all permitted uses.

#### E. Management Oversight and Advice

The Dow Brook Conservation Area is purchased by the Town as Conservation and Water Supply Protection Land and placed under the control and supervision of its Conservation Commission (hereafter "the Commission") or successor agency, which shall be responsible for its care and supervision and shall exercise management oversight. The Commission will be assisted in its duties by the Town Departments of Public Works, Utilities, and Public Safety. A Stewardship Committee for the property may be established, advisory to the Commission, consisting of representatives of those Departments, interested citizens, and of the Open Space Committee. This group will meet at the call of the Commission Chair or designated Town employee as needed and at least annually; to consider the condition and use of the property, organize any special maintenance or cleanup effort, and recommend changes to the Management Plan.

## **II. Usage of the Property**

### A. Overview

The guiding principle and purpose of the Land Use Plan for the Dow Brook Conservation Area is to preserve the property and its characteristics for water supply protection, the future enjoyment of the public and the benefit of wildlife. Its beauty and quiet rural character, the peace that can be found there, and its value as habitat and to the Dow's Brook watershed are the assets we seek to protect.

#### B. Permitted Uses

The property will be open from dawn to sunset. Passive recreational activities, such as walking and jogging, wildlife observation, vista enjoyment, photography, cross-country skiing, snowshoeing and horseback riding are permitted. Notwithstanding the prohibition on motorized and motor assisted vehicles below, the use of wheelchairs and/or non-recreational carts by disabled persons is expressly permitted. Dogs must be leashed and dog owners must remove dog waste from the premises. Hunting will be allowed with written permission from the Town Manager or his designee. Said consent from the Town Manager or his designee shall be carried at all times by any person so hunting, and upon request shall be shown to any law enforcement officer.

#### C. Prohibited Uses

Access to and use of the property between the hours of sunset and dawn is prohibited. Fires and camping are not permitted. Possession and consumption of alcoholic beverages on the property is prohibited. Motorized and motor assisted vehicles and other powered equipment, including but not limited to motorcycles, All Terrain Vehicles (ATVs), Off Road Vehicles (ORVs), snowmobiles and any other motorized recreational vehicles are prohibited, except for the purpose of property maintenance by those authorized, and for the purposes of patrol, rescue, and other public safety emergencies by the Town Department of Public Safety and/or their designees. Littering, the placement of refuse or waste of any kind on the property, the damaging or removal of vegetation or of signs, walls, and fences, are all prohibited. Visitors must carry out all articles carried in, including trash. The parking of trailers of any kind in the parking area is prohibited.

#### D. Precautions and Warnings

Ticks, with the accompanying risk of contraction of Lyme Disease, are present in all vegetated areas in this region, and the Dow Brook Conservation Area is no exception. Wetlands on the property will be posted against entry. Signage will be displayed at the site entrance alerting users to the Lyme Disease risk, and warning that use of the property is solely at the risk of the user. Poison ivy is also present on the property in abundance. Users should be aware of what the plant looks like in its various stages, and should take every precaution to avoid contact.

### **III. Maintenance of the Property**

#### A. Maintenance Activities

Paths and access structures between High Street and the existing “woods road” will be maintained as needed. If usage increases to the extent that wear and erosion of the paths becomes a problem, management options to be considered will include changes to walkway surfaces, and identification and limitation of uses found to be creating the most wear. No forestry management practices are currently planned, however there may be a time in the future when the Town Water Department may wish to engage professional foresters in approved forestry management practices for the purpose of improved water quality in the watershed. The designated parking area will be graded and resurfaced as necessary. Vehicle exclusion barriers, and signs will be installed, maintained or restored as necessary.

**B. Responsibility for and Funding of Ordinary Maintenance**

The Town has responsibility for maintenance of the property, and the Commission will exercise oversight. Essex County Trails Association may partner with the Town to ensure that any conflicts between horse use and pedestrian use are adequately addressed through signage and separate trails, if necessary. The Town will also solicit voluntary contributions of services by landscapers or the support of maintenance activities by an Ipswich firm or firms (in a manner similar to support of roadway islands and edges). The Planning Department, in partnership with the Commission, will seek out the assistance of The Department of Public Works to create and maintain the parking spaces and barriers.

**C. Responsibility for and Funding of Extraordinary Maintenance**

Extraordinary maintenance (e.g., restoration of paths, remediation of erosion, replacement or repair of signs and barriers, resurfacing of parking areas) will be the responsibility of the Conservation Commission. The Commission will seek out the assistance of the Town Department of Public Works and/or the Utilities Department in order to undertake these improvements, using Open Space, Water Supply and Recreation Fund monies or other grant funds, as needed.

**IV. Parking**

Unpaved parking will be provided for ten automobiles, adjacent to High Street and the White Farm parking lot. A barrier will be erected to delineate the on-site parking and preclude vehicle access to the remainder of the property, if necessary. The parking of trailers of any kind in the parking area is prohibited.

**V. Universal Access and Access by Persons with Disabilities**

Access by disabled persons from the parking area to the existing “woods road” will be created through the construction of paths and a structure over the easterly wetland, conforming to the requirements of the Americans with Disabilities Act. No other alteration of the current condition or state of the property is contemplated. Existing paths will remain in their present location and condition, unless it is determined that relocation or elimination is required consistent with the purposes for which the property is managed.

**VI. Signage**

**A. Self-Help Sign**

A permanent sign meeting the requirements of the Self-Help Grant will be erected and maintained by the Town adjacent to the entrance to the property at the parking area off High Street and visible from the road. A photograph of the erected sign is attached to the application for reimbursement.

**B. Other Signs**

An additional sign at the entrance will list permitted hours of access and activities, and prohibited uses and activities. Small signs will be placed along wetland boundaries prohibiting access, and at the rear of the White Farm parcel informing users of its boundaries and requesting respect for the adjacent private property and owners.

**VII. Enforcement and Public Safety**

The Ipswich Police Department will provide surveillance of the property and will enforce the posted regulations as appropriate.

**VIII. Conformance with Existing Regulations**

The Town of Ipswich, on July 29, 2002 adopted regulation governing the use of town-owned land, the document being known as “Town of Ipswich, Massachusetts Regulations on the Use of Unimproved Town Lands” and is attached. Except as specifically stated otherwise herein, the Dow Brook Conservation Area shall be subject to all of those regulations.

**IX. Signatories**

Board of Selectmen  
\_\_\_\_\_, Chair

Conservation Commission  
\_\_\_\_\_, Chair

Department of Public Safety  
\_\_\_\_\_, Director

Department of Public Utilities  
\_\_\_\_\_, Director

Department of Public Works,  
\_\_\_\_\_, Director

Department of Planning and Development  
\_\_\_\_\_, Director

Recreation Department  
\_\_\_\_\_, Director

Massachusetts Department of Environmental Management  
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Attachments: Survey plan of land

Topographic and vegetation plan (from USGS quadrangle)

Self-Help Program Project Agreement

Town of Ipswich Regulations on the Use of Unimproved Lands (8/1/02)

Town of Ipswich Use of Town Land Regulations (11/01/79, amended 8/1/02)