

RIVERBEND LAND USE MANAGEMENT PLAN

I. GENERAL OVERVIEW

A. Location

The Riverbend property is located in the north-central portion of West Newbury, running for 1/3 mile along the south bank of the Merrimack River. It rises to the south for about ½ mile where the elevation reaches 150 feet at its maximum.

To the west, the property is bounded by the 129-acre Page School property. To the south and east, boundaries are with residential properties along Route 113 and Way to the River.

See Addendum A - Locus Map

B. Directions to Site

Riverbend is located 2½ miles west of Route I-95 along the Merrimack River. Direct vehicular access, for public safety or maintenance only, is from Way to the River off Route 113 (at the northeast corner). Trail access is from Way to the River and River Road (at the northwest corner) and through the Page School property from Route 113 to the south.

See Addendum A - Locus Map

C. Property Description, Ecology and Natural Resources

Riverbend is a total of 68 acres. The property consists of approximately 50 acres of gently sloping forest, wooded wetland, and a former agricultural field; and 18 acres of freshwater tidal marsh extending inland from the Merrimack River, and includes a portion of the Indian River. The freshwater tidal marsh is one of the few such areas in the state. There is a former dirt roadway (closed to vehicular traffic) that parallels the river, and connects to paved roadways (Way to the River and River Road) at the property's eastern and western borders. There is an area for small, non-motorized boat access to the Merrimack River at the Way to the River end of the closed road. On the south side of this roadway, there is a clearing that was a practice shooting range for police, which is no longer in use.

See Addendum A - Locus Map.

D. Parties Involved in Management

The West Newbury Conservation Commission (Con Com) oversees the management, maintenance and operation of Riverbend, and delegates responsibilities as it sees fit.

The following Town committees participate in the development of plans and management of the property, and connections to other trails:

- Parks and Recreation Commission
- Mill Pond Committee
- Open Space Committee

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- Department of Public Works (DPW)
- Board of Selectmen

Community groups are encouraged to participate in the development of plans and maintenance of the property. These groups may include, but are not limited to:

- Boy/Girl Scouts
- West Newbury Riding and Driving Club (WNRDC)
- Essex County Trails Association (ECTA)
- Essex County Greenbelt Association (ECGA)

E. Abutting Properties

To the west, the Town-owned property close to the Page School property provides the southern access by a trail near the water tower and another just east of the Route 113 bridge over the Indian River. These trails link to those at Riverbend. The school property is owned by the Town of West Newbury, and leased to the Pentucket school system. A ski hill with a tow was in use behind the school from 1960 - 1972. The ski hill is no longer active but some of the tow structures remain.

Across Main Street (Route 113) from the south entrance to Riverbend is the 213 acre Pipestave Hill/Mill Pond Recreation Area, which is owned by the Town, and has trails running throughout. Of the total acreage, 209.5 acres of this property is held in a conservation restriction by Essex County Greenbelt Association.

At the west property line along the Merrimack River, there is a bridge that crosses the Indian River and allows the dirt River Road pathway to connect to the west entrance at River Road. The existing wooden bridge replaced a damaged one in 1999 and allows foot, bicycle and equestrian crossing. On the south side of River Road on the western side of the bridge, is an 8.8 acre parcel owned by the Sergeant Family Trust. This land lies along the west side of the Indian River (see Addendum B). In 2003, a conservation restriction/easement was granted by the trustees to the Con Com that allows for public passive recreational use of the property during daylight hours.

At the east property line adjacent to the Merrimack River, Riverbend abuts 4.7 acres of land owned by Essex County Greenbelt Association. This land was donated to ECGA by Sherry Loudon and Chris Palmer in 2005.

Riverbend also abuts several private residential properties at its east and north boundaries. There is also some marshland abutting the west boundary along the Merrimack River. These properties do not provide public access to Riverbend.

See Addendum A - Locus Map

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F. History of Property with Donor and Acquisition Information

The 68-acre Riverbend property was purchased by the Town of West Newbury for \$500,000 from Russell and Leah Mingo for conservation purposes and public passive recreational use in March 1997. The Mingos resided in a home on Route 113, and their original total parcel was 86.61 acres. The Mingos purchased the property in the late 1930s, and used it primarily as a location for raising dairy cows. Structures on the property at that time consisted of a barn, milk house and various silos. This activity continued through the late 1940s. In 1955, the Mingos built a house on the property, and moved there from 905 Main Street. The property was previously owned by E. Moody Boynton, who was the inventor of the crosscut saw and the monorail.

The Town purchased the property with financial assistance from two sources. \$274,400 came from the Massachusetts Self-Help Program, and the Essex Country Greenbelt Association provided a grant of \$10,000 towards the purchase price. The Self-Help Program Project Agreement, entered into by the Town and the Commonwealth, provides that “this land, to be known as the ‘Riverbend Conservation Area’ is subject to Article 97 of the Massachusetts Constitution and shall be retained and used at all times for conservation purposes. Article 97 provides inter alia that land taken for conservation purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two-thirds vote of each branch of the General Court. The Project Agreement also provides that no change in use will be undertaken without the approval of the Secretary of Environmental Affairs and any authorizations required by M.G.L. c.40, sec. 15A in addition to the requirements of Article 97”.

By vote at Town Meeting with unanimous support, the Town contributed \$215,600 to the purchase price. In 1997, the Town also voted to appropriate \$6000, and the West Newbury Riding and Driving Club donated another \$2000, for the construction of the bridge across the Indian River by the Merrimack River. Construction was completed in the summer of 1999 with volunteer labor and labor donated by the West Newbury Highway Department.

G. Signage

One sign exists close to the east entrance from Way to the River at the junction of the dirt River Road path and the dirt roadway to the agricultural field. This acknowledges receipt of the original Self-Help grant.

Small, circular Conservation Commission markers with blue-winged warblers were placed along the River Trail shortly after the property was acquired.

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II. LAND USE

A. BioMap Core Habitat Protection

A portion of the property is within the bounds of the Massachusetts BioMap Core Habitat, as identified by the Massachusetts Natural Heritage and Endangered Species Program (NHESP), a program within the Massachusetts Department of Fisheries and Wildlife. “The goal of the BioMap is to promote strategic land protection by producing a map showing areas that if protected, would provide suitable habitat over the long term for the maximum number of Massachusetts' terrestrial and wetland plant and animal species and natural communities.” [1]

[1] <http://www.mass.gov/dfwele/dfw/nhesp/nhbiomap.htm>

B. Wetland Species and Habitat Protection

The property abuts the Merrimack and Indian Rivers and contains one of the few freshwater tidal marshes in the Commonwealth. It also contains a number of rare plant species. Accordingly, there will be no development in this area in order to preserve this resource area from uses that would disturb or impair its functioning.

The property provides habitat for a variety of wildlife species, including bald eagle (that over-winter on the property), diverse populations of large and small mammals, reptiles and amphibians, shorebirds, ducks, geese, gulls, songbirds, birds of prey, short-nosed sturgeon and river herring in the river, as well as rare plants both on the property and in the abutting salt marsh. This habitat will be maintained for wildlife use by leaving in place the large trees that border the riverfront area, clearing brush only where trails require it, by prohibiting hunting, and limiting the trail system in sensitive areas. Eradication or management of invasive, non-native species such as bittersweet, honeysuckle, euonymus, purple loosestrife, multi-floral rose, and bull briar should be encouraged.

C. Watershed Protection

Riverbend is located within the Merrimack River watershed. The Merrimack River watershed is the fourth largest watershed in New England, and includes all or part of 24 Massachusetts municipalities. [2]

[2]

http://www.mass.gov/?pageID=eoeewaterterminal&L=4&L0=Home&L1=Air%2c+Water+%26+Climate+Change&L2=Preserving+Water+Resources&L3=Massachusetts+Watersheds&sid=Eoeea&b=terminalcontent&f=eea_water_merrimack&csid=Eoeea

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D. Recreation and Use Parameters

In accordance with the original Self-Help Grant, Riverbend may be used for passive recreational use only.

Permitted uses:

- Walking/hiking/cross country skiing
- Horseback riding
- Nature and wildlife observation
- Fishing
- No-impact camping by Boy Scout/Girl Scout groups (or similar) with prior approval of the Con Com
- No-impact picnicking
- Launching of non-motorized boats
- Bicycle use in limited areas, as designated

Prohibited uses:

- Hunting or use of any sort of weapon
- Use of motorized vehicles other than to access parking areas or for agricultural or public safety use

E. Current Uses

From the time of Riverbend's purchase in 1997 to the present (2009), the property has been lightly used by the public for walking and horseback riding on trails that have been unmarked and unmapped. Trail maintenance has been sporadic since the purchase of the property and primarily done on a volunteer basis by townspeople and the WNRDC. There has been some assistance in the last year from the DPW by cutting fallen trees at trail entrances. ECTA provided \$2150 in funding and manpower to clear the Page-Riverbend trail in 2006, and \$1375 to clear the Link Trail in 2008.

The Agricultural Field, which is approximately five acres (see Addendum B - Trails Map), had been leased for agricultural use in the 1990's, but has been only mowed once annually since the end of that use.

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Parking is currently available across Route 113 at Pipestave Hill and there is space along the roads at each end of Riverbend's River Road Trail for 2-3 cars. \$10,000 was allotted at the time of purchase for a parking area off the east end of the Trail near the Way to the River entrance, but this was never built and those funds were returned to the Town's general fund.

Creation of a Forestry Management Plan and Annual Public Hearings by the Con Com were described in the original Self-Help Grant, but have never been established.

F. Existing Trails (see Addendum B - Trails Map for details and letter reference points)

River Road Trail (A-F): This trail is the portion of River Road unavailable for vehicular traffic. Starting from the eastern end (A) accessed by Way to the River, the trail descends a bluff and then passes along the shore of the Merrimack River. At 0.1 mile (B) there is boat access. At 0.2 miles (C) at the Riverbend sign, the Page-Riverbend trail goes off to the south. At 0.3 miles (D), there is a second path leading upward towards Page School. Just before the Indian River crossing at 0.6 mile, a short trail leads to the clearing that was a former shooting range. At 0.7 mile (E), the trail crosses the Indian River mouth on a wooden bridge. At 0.9 mile (F), trail the ends at the eastern end of River Road. The trail is the old roadbed which at points is old gravel. Usage today is 'single track', about 3' wide. Low points are muddy. At the lowest points, during extreme tides the river reaches this trail and leaves quantities of debris.

Page-Riverbend Trail (C-Z): This trail leads from the River Trail at (C) upward through the agricultural field and then continues to the Link Trail (J) and thence upward to the water tower by Page School at (W) and ultimately across Route 113 to Pipestave Hill (Z). The first section (CG) is a rough access road to the field. This trail has been accessible by farming equipment in the past and has a history of washouts, which need to be re-graded regularly, so as to allow mowing equipment to access to the field. The next section (G-H) uses the north and west perimeters of the agricultural field. The route is on grass and requires mowing. At the southwest corner of this field (H) the trail becomes a path again, and shortly thereafter the trail reaches the junction of a private trail (J). At this point the trail turns west downhill to a junction (K) with the Scout Trail. From here (K) the Scout trail leads downward through woods to the River Trail at (D). Turning southwest from this point the trail passes through a very wet and muddy area (L), crossing two creeks. At this same point there is a marked corner of private land adjacent. The trail then continues through the woods crossing two more brooks. At this point the crossings are in small depressions and rocky. Shortly after the second crossing, the junction with the Link Trail (M) is reached and then a stone wall marking the end of the Riverbend property. The Page-Riverbend trail continues upward past the Water Tower (W) to Page School and Pipestave (Z).

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The Link and Scout trails are described below. This trail was cleared by ECTA in 2006.

Scout Trail (D-K): This trail leaves the River Trail at 0.3 mile (D) and runs upward through the woods to the main Pipestave-Riverbend trail at (K). Immediately after leaving the river, there is a level old house site. At (P) the Bluff Trail (unimproved) crosses. This is the shortest way from the western entrance of the property up toward Page School.

Bluff Trail (G-Y): This trail is unmarked and unimproved. It runs from the northwest corner of the Agricultural Field (near G) westward crossing the Scout trail at (P) and continuing through a very wet area and over some nice bluffs to the boundary with the Page property at (Q). At (R) there is a short southward trail along the wall to the Link Trail. The main trail (which is unimproved, unmarked) continues to the Indian River Dam at the Myopia Trail (Y).

Link Trail (M-V): This is mainly off the Riverbend property but links the main Pipestave-Riverbend Trail at (M) with the Myopia Trail at (T), the Cow Pasture at (U) and the Lower Field of the Pipestave Hill/Mill Pond Recreation Area. At (M) the trail descends briefly and then crosses a rock wall into the Page property, reaching immediately the Wall Trail at (S). The Link then continues in the woods below the large abandoned ski slope (crossing a rope tow pole) to the lower Septic Field of the Page School. The Link then crosses above the Septic, reenters the woods and reaches the Myopia Trail at (T). Onward from (T) the trail reaches the Cow Pasture at (U), and crosses Route 113 into the Mill Pond Middle Field. From this point (V), one can go upward to the Upper Pipestave Field, rings and entrance at (Z) or downward to the Lower Field Mill Pond Kiosk (X). This trail was cleared by ECTA in 2008.

Wall Trail (S-R): (This trail is not on Riverbend property but joins the Bluff and Link and Pipestave-Riverbend Trails just past the western boundary of Riverbend on the Page property. It is included for reference.) This is a short currently unmarked trail from the Link Trail at (S) downward to the Bluff Trail at (R).

Myopia Trail (T-Y): (This trail is not on Riverbend property but is included for reference.) This trail runs north from point (T) on the Link trail down to the Indian River Dam (breached). This is a fairly steep woods road. At the dam site (Y) the Bluff Trail (unimproved and unmarked) runs east. The trail continues across the river in a ford and ultimately reaches Coffin Street via a private segment.

Tupelo Trail (E): From the east end of the Indian River Bridge, this ¼ mile loop trail follows the Indian River upstream and then doubles back when the river broadens into a wooded wetland.

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III. MANAGEMENT OBJECTIVES AND ACTION STEPS

A. Protection Areas

Objective: To conserve the natural environment in accordance with the governing statutes, while providing access for observation, education and enjoyment by the public.

Action Steps:

- a) Rivers and Streams: Monitor for changes, such as bank erosion and debris accumulation, and maintain as needed.
- b) Marsh Area: The marsh area to be left “as is” has been marked on Addendum B - Trails Map.
- c) Vernal Pools: Likely areas for vernal pools will be monitored throughout the year by the Con Com to determine whether they meet the criteria for vernal pools, and so recorded.
- d) Con Com will review the above areas annually, or as needed.

B. Parking

Objective: To provide access to the public who arrive by motorized vehicles so they can reasonably visit and enjoy the property from all the entrances.

Parking is currently available already at the Pipestave Hill entrance. However, access via the trail at this entrance is steep and unsuited for young children, the elderly or anyone with disabilities.

Action Steps:

- a) Obtain permits and funding to create a small parking and turnaround area at the east (Way to the River) entrance on Riverbend land, or explore the possibility of using ECGA land adjacent to entrance. Install a gate in this area on the roadway to keep unauthorized motorized vehicles out at this entrance.
- b) Obtain permissions and funding to increase parking at the west (River Road) entrance. This may require exploring the possibility of purchasing land from a private owner or obtaining an easement along the Merrimack adjacent to the entrance.
- c) Initiate plans to seek funding from the town for installation of the two parking areas by the end of 2010

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C. Trails

Objective: To upgrade and expand the trail network within Riverbend and the connections with other trails for all users of the property.

Action Steps:

- a) Designate an individual(s) to provide stewardship of the trails. This person(s) will evaluate trail conditions, list work to be done, schedule and oversee trail maintenance by paid and/or volunteer labor. He/she/they will report to the Con Com at least 4 times a year.
- b) Establish an annual budget for trail maintenance. Obtain funding for this budget through the town and private sources.
- c) Provide routine maintenance to ensure routes are passable. This includes cleaning of debris from trails (particularly the river trail subject to flooding), limbing branches as needed, cutting and moving fallen/obstructing trees. All maintenance is to be done in accordance with the town-wide Trail Management Plan.
- d) Construct wetland or stream crossings as necessary. Boardwalks, stepping stones or similar may be built where horses will be allowed to walk alongside. All new work must be approved by the Con Com.
- e) Create additional trails. Develop and clear new routes through the property after review of the terrain during all seasons to determine proper location and proper use. All new trails must be approved by Con Com.
- f) Mark trails unsuitable for horses and/or bicycles because of wetness or other conditions.

D. Signage and Map

Objective: To make Riverbend accessible and navigable for visitors.

Action Steps:

- a) Create a map to show all marked trails on the Riverbend property and how these connect to other adjacent trails/properties including the Page School, Pipestave Hill/ Mill Pond Recreation Area. The map will also indicate any trails with restricted use (horses and/or bicycles). The map will be available at all entrances.
- b) Mark trails with small color-coded directional signs/arrows. Property boundaries may also be marked with small signs.
- c) Install new signs at each of the four entrances. These will provide welcome, rules and maps.

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d) Complete all of above work by the end of 2009.

E. Fishing

Objective: To allow fishing along the Merrimack River or off of the bridge at the mouth of the Indian River.

Action Steps: No additional clearing is needed at this time, but areas will be checked to keep clear.

F. Overnight Camping

Objective: To provide an area for no-impact overnight/weekend camping by groups such as the Boy Scouts and Girl Scouts as marked on Addendum B - Map.

Action Steps:

a) If there is interest in Town, further clearing/mowing for this use may be undertaken, only with Con Com approval. No permanent facilities will be constructed.

b) Each camping use will require prior Con Com approval. A waste management plan must be included with the request.

G. Boat Access

Objective: To provide a boat access area to the Merrimack River for small, non-motorized craft, only (e.g. canoes and kayaks).

Action Steps:

a) DPW to trim and weed-whack bimonthly at slip near to Way to the River entrance to clear growth and debris, in accordance with the town-wide Trail Management Plan.

b) Post a small sign at that location to indicate acceptable use.

H. Agricultural Field

Objective: To ensure that the field is mowed and kept cleared of brush and trees to enable agricultural or other future uses. To maintain the field at its current size and neither expand it, nor allow it to reduce from overgrowth on the perimeter.

Action Steps:

a) The Con Com may allow this field to be used for a hay or legume crops (crops that do not leave the soil exposed) only. Lessees will mow and maintain a perimeter path of at least 8' width around the entire field throughout the growing season to allow access to connecting trails. The lease would be modeled after the Pipestave Hill agricultural lease.

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- b) If the field is not in agricultural use, a year-round mowing plan, to be carried out by the DPW, will be established to allow continued accessibility to the field for walkers, bicyclists and equestrians. This includes mowing of a perimeter path and other paths as desired, maintaining the path grass height at a maximum of 5", and a complete mowing of the field in the fall to prevent woody growth.
- c) Make arrangements with DPW to maintain field as described above and obtain additional funding if necessary for work to be done.

I. Picnicking

Objective: To provide suitable no impact picnicking areas on the property, if there is public interest to do so.

Action Steps: Installation of picnic tables at appropriate locations, to be approved by the Con Com.

J. Forestry

Objective: To provide for a possible forestry plan for the selective harvesting of timber to improve the health of the forest environment and/or to generate income for development and maintenance of other allowed uses.

Action Steps: Con Com to decide any possible plan.

K. Public Hearings

Objective: To invite input concerning the uses of the property from members of the public and to discuss changes in use within the parameters of permitted uses whenever requested.

Any new uses desired by the Town, and consistent with the preservation of the property for conservation purposes as stipulated in the original Self-Help Project Agreement, will be considered by the Con Com.

Action Steps: Establish annual public hearing as part of the Con Com's regular schedule, starting in 2009.