



## Disapproval Letter

November 19, 2019

Alan DiPietro  
110 Teele Road  
Bolton, MA 01740

Forest Cutting Plan File Number: #286-2147-20

Dear Mr. DiPietro,

I am disapproving your proposed Forest Cutting Plan #286-21470-20 for land in Bolton and Stow, until the necessary changes outlined below are made.

During the review of your forest cutting plan I was made aware of outstanding wetland violations in both Stow and Bolton. Both conservation commissions shared Mass DEP aerial photos, Mass DEP Enforcement orders, Stow Conservation Wetland delineation maps as well as 2017 Superior Court documents as part of their formal comment period under the Forest Cutting Practices Act. After reviewing these documents, it is clear that no further work shall take place in Wetland Resource Areas and Buffer Zones on your property until altered wetland resource areas in both towns are brought into compliance with local Wetland Bylaws.

In reviewing your Forest Cutting Plan (the Plan) a portion of ST-1, on the north hillside, is outside both Wetland Resource Areas and Buffer Zones. Timber harvesting may take place in this area. However ST-2 and ST-3 are within either Wetland Resource Areas or Buffer Zone (marked A and B on attachment #2). Therefore, no harvesting may take place in these stands until all work on the premises that is located within 100 feet of wetlands, waterbodies and 200 feet within streams are in compliance with the Wetlands Protection Act. You will need to remove ST-2 and ST-3 and any portions of ST-1 that are within Wetland Resource Areas or Buffer Zone from the Plan or provide evidence that conditions outlined in the 2017 Worcester Superior Court judgement have been satisfactorily met. You will also need to correspondingly update the acreage and volume to be removed under the Plan.

According to the Plan, the proposed access to ST-1 is by means of an existing woods road. This road may be used to harvest ST-1 as long as no work of a permanent nature is done as part of the Plan (ie fill, road widening, culverts, etc.). Poles or temporary bridge panels may be used if removed at the completion of the harvest.

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation  
355 West Boylston Street  
Clinton, MA 01510  
978-368-0126 978-368-0217 Fax  
[www.mass.gov/orgs/departments-of-conservation-recreation](http://www.mass.gov/orgs/departments-of-conservation-recreation)



Charles D. Baker  
Governor

Karyn E. Polito  
Lt. Governor

Kathleen A. Theoharides, Secretary, Executive  
Office of Energy & Environmental Affairs

Leo Roy, Commissioner  
Department of Conservation & Recreation

Since the volume of the harvest would be small, the temporary landing near the road would be the best location. Please flag the extent of the landing area and provide a written description of any improvements, such as grading, for evaluation.

Once you have made these corrections you may submit a new cutting plan for review.

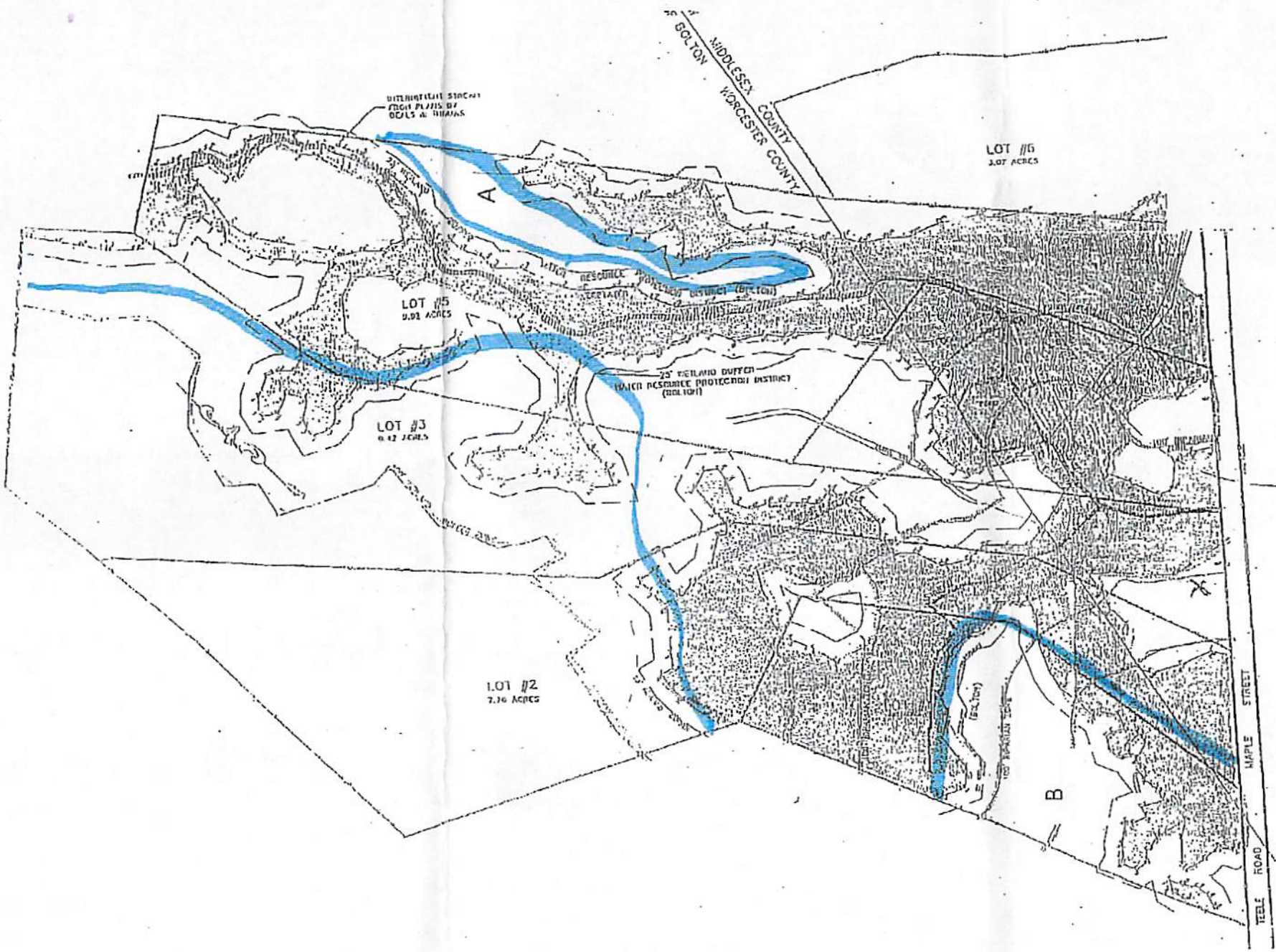
Regards,



Laura Dooley  
DCR Service Forester  
25 Shattuck Street  
Lowell, MA 01852  
978-937-2092 x112 (Office Phone)

CC: Stow Conservation Commission  
Bolton Conservation Commission  
John Robbins, Consulting Forester  
Jennifer Fish, Service Forestry Director





# Forest Cutting Plan

and Notice of Intent under M.G.L. Chapter 132 – The Forest Cutting Practices Act, 304 CMR 11.00 (Effective Date: 3/15/16)

OCT 07 2019

**For DCR Use Only:**  
 File Number 286-21470-20 Case No. \_\_\_\_\_  
 Date Rec'd 10-7-19 Nat. Hert. \_\_\_\_\_  
 Earliest Start 10-23-19 Pub. Dr. Wat. \_\_\_\_\_  
 River Basin \_\_\_\_\_ ACEC \_\_\_\_\_  
 Gen. Obj. LT

Site Information

## Location

Town Bolton, Stow  
 Road Maple Street (Stow) (Landing)  
 Acres 14 Proposed Start Date Fall/Winter  
 Vol. MBF 16 Vol. Cds. 40 Vol. Tons 450

## Plan Preparer

Name John F. Robbins  
 Address Consulting Forester  
59 Wilson Road  
 Town, State, Zip Concord, MA 01742  
 Phone (978) 369-3128  
 Type of Preparer LF  
 \*Mass. Forester License # 210  
 \*Required for land under Ch61, Ch61A or Forest Stewardship

## Landowner

Name Alan Di Pietro  
 Mailing Address 110 Teele Road  
Bolton, MA 01740  
 Town, State, Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Ch61  61A  61B  Stew  \*Case # \_\_\_\_\_  
 FSC  CR  CR Holder \_\_\_\_\_

## Licensed Timber Harvester\*\*

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Town, State, Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Mass. Lic. Harvester # \_\_\_\_\_

\*\*This information may be supplied after the plan is approved, but before work begins.

Best Management Practices

## Stream Crossings *see "Forest Cutting Layout" map ATT. 1*

Indicate location on map	SC-1	SC-2	SC-3	SC-4
Type of Crossing	PO	PO		
Existing Structure	NO	NO		
Type of Bottom	ST, MU	ST, MU		
Bank Height (ft)	1'	1'		
Stabilization	CO	CO		

## Harvesting in Wetlands *Does not apply*

Indicate location on map	HW-1	HW-2	HW-3	HW-4
Forest Type (see pg 2)				
Acres to be Harvested				
Resid. Basal Area (>50%?)				

## Wetland Crossings *see "Forest Cutting Layout" map ATT. 1*

Indicate location on map	WC-1	WC-2	WC-3	WC-4
Length of Crossing	20'	20'	75'	20'
Mitigation	DR or FR	DA or FA	DR or FR	DR or FR
Stabilization	CO	CO	OT	MU

## Service Forester Comments

see attached letter

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Filter Strips *see "Forest Cutting Layout" map ATT. 1*

Indicate location on map	FS-1	FS-2	FS-3	FS-4
Width (50', 100', or VA)	50'	50'	50'	

Codes

Type of Preparer	Type of Crossing	Stabilization	Mitigation	Type of Bottom
LF Mass. Lic. For.	CU Culvert	SE Seed	FR Frozen	LE Ledge
TH Lic. Tim. Har	BR Bridge	MU Mulch	DR Dry	ST Stony
TB Timber Buyer	FO Ford	CO Corduroy	OT Other	MU Mud
LO Landowner	PO Poled	ST Stone		GR Gravel
OT Other	OT Other	HB Hay Bales		OT Other
		OT Other		

**Note:**  
 Applicant must provide DCR with all relevant information before plan may be approved and cutting may begin.  
 Some forestry activities, such as prescribed burning and pesticide or fertilizer application may require additional permits.  
 Consult MA Forestry BMP Manual for further information.



Forest Products

### Products to be Harvested\*

Species	Mbf/Cds		Mbf/Cds
White Pine	3 MBF	Red Maple	
Red Pine		Sugar Maple	
Pitch Pine		Red Oak	6 MBF
Hemlock		Black Oak	4 MBF
Spruce		White Oak	
Other Sftwd.		Other Hdwd.	2 MBF
White Ash		Total Mbf	16 MBF
Beech		Cordwood (Cds)	40 CDS
White Birch		SW Pulp (Tons)	
B & Y Birch	1 MBF	HW Pulp (Tons)	
Black Cherry		Chips (Tons)	450 TNS

\*Note: Volumes indicated in the Plan are as reported by the plan preparer and have not been independently verified by the service forester upon approval. Mbf = thousand board feet.

Stand Treatment

### Cutting Standards

Indicate location on map	ST-1	ST-2	ST-3	ST-4
Forest Type	OH	OH	OH	
Acres	12	1	1	
Landowner Objective	LT	LT	LT	
Designation of Trees	CT	CT	CT	
Type of Cut	SE, SA	SE	SE	
Source of Regeneration	AD, SE	AD, SE	AD, SE	

Landowner

### Landowner Signature

The most important information on a cutting plan is the Landowner's objective, as this will determine which trees will be harvested and which will remain; this decision will also determine the future condition of the forest for decades to come. After having read the Massachusetts Forest Cutting Plan Information Sheet on page one, indicate your objective by checking the appropriate box below.

**LT - Long-term Forest Management**

Planned management of the forest to achieve one or more of the following objectives: produce immediate and maximize long-term income, enhance wildlife habitat, improve recreational opportunities, protect soil and water quality, or produce forest specialty products.

**ST - Short-term Harvest**

Harvest of trees with the main intention of producing short-term income with minimal consideration given to improving the future forest condition, which often results in a forest dominated by poor quality and low value species.

I (we) have read the Massachusetts Cutting Plan Information Sheet, and am aware of my (our) management options.  
 I (we) hereby certify that I (we) have the legal authority to carry out the operation described above.  
 I (we) certify that I (we) have notified the Conservation Commission in the town in which the operation is to take place and the abutters of record within two hundred feet of the area to be harvested.  
 I (we) understand that the volumes in this plan have not been independently verified by the service forester upon approval and will report final values and volumes to the Director or his/her agent if the final figures differ from those reported.

Signature of landowner(s)

10-3-19  
Date

Service Forester

### Determination and Status

286-21470-20

### Final Report and Comments

Approved  Disapproved  Expires \_\_\_\_\_

Cutting Plan

Signature of Service Forester/Director's Agent

11/22/19  
Date

I hereby certify that the afore described Forest Cutting Plan and all relevant statutes have been substantially complied with.

Signature of Service Forester/Director's Agent

Date

Extension 1  2  Expires 1 Ser. For. Ints. 1

Amendment App 1  Dis 1  App 2  Dis 2  \_\_\_\_\_

Codes

Forest Types				Designation of Trees		Type of Cut		Source of Regeneration					
WP	White Pine	HK	Hemlock	OM	Mixed Oak	CT	Cut Tree	SH	Shelterwood	Intermediate Harvests:	AD	Advanced	
WH	WP/Hem	HH	Hem/Hdwd	RM	Red Maple	LT	Leave Tree	ST	Seed Tree	CT	Commercial Thin	SE	Natural Seed
WK	WP/Hdwd	BC	Ble Cherry	BE	Beech	SB	Stand Boundary	CC	Clear Cut	NT	Non Com Thin	PL	Plant
WO	WP/Oak	BB	Bee/Bir/Map	SF	Spruce/Fir	OT	Other	SE	Selection	Non-Standard Systems:*		CO	Coppice
RP	Red Pine	OH	Oak/Hdwd	SM	Sugar Maple	Landowner Objective		SA	Salvage	HG	Highgrade*	DS	Direct Seed
SR	Red Spruce	OR	N Red Oak	PP	Pitch Pine	LT	Long-term Mgt.	SN	Sanitation	DL	Diameter Limit*	OT	Other
						ST	Short-term Har.			OT	Other*		

\*If Other (OT) or a non-standard system is used an explanation must be given on attached narrative page

# Forest Cutting Plan

Narrative Page (Effective Date: 3/15/16)

Use this page to provide further explanation or if Other (OT) was used in any category on pages 3 or 4.

Landowner Alan Di Pietro

Town Bolton, Stow

File Number 286-21470-20

BMPs

Use this Section to provide further explanation or if Other (OT) was used in any category in the Best Management Practices Section on Page 3.

A selection harvest and salvage of diseased black birch will be conducted in ST-1. The 75' wetland crossing (WC-3) will be a skid trail across a section of the rocky hillside that is seasonally wet. Skidding in this area will be done only when the ground is dry or frozen.

Designation of Trees

Use this Section to describe the types of trees to be harvested and/or retained if Other (OT) was used for "Designation of Trees" in the Stand Treatment Section on page 4. Additional narrative description may be added on a separate page.

Stand No.	Describe Trees to be Cut			Describe Trees to be Left			% BA/AC	
	Species	Size	Quality	Species	Size	Quality	Cut	Left

Regeneration & Future Condition

Use this Section to describe how Chapter 132 requirements will be met if a non standard system (HG, DL, or OT) was used for the "Type of Cut" in the Cutting Standards Section on page 4.

Stand No.	Source of Regeneration (ex. AD, SE)	How will Regeneration be obtained/protected? If using AD - Describe the species present and how the regeneration will be protected If using SE - Describe the source of the seed and the number of seed trees/acre
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Stand No.	Desired Future Condition Describe what the stand is expected to look like five years from the harvest, including the condition of the overstory & understory
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FOREST CUTTING LAYOUT

PROPERTY OF

ALAN DI PIETRO

110 TEELE ROAD

BOLTON, MA 01740

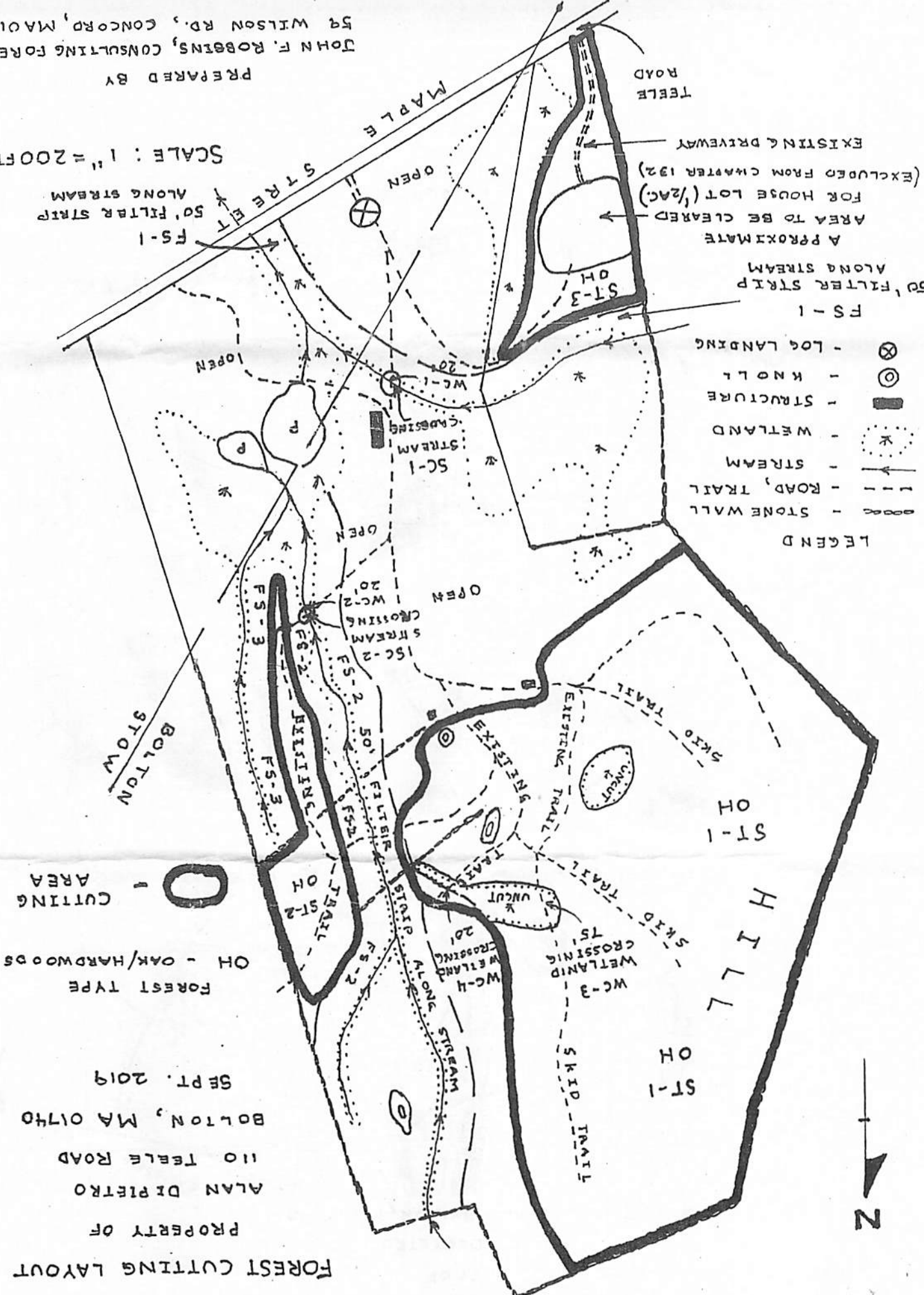
SEPT. 2019

FOREST TYPE

OH - OAK/HARDWOODS

CUTTING AREA

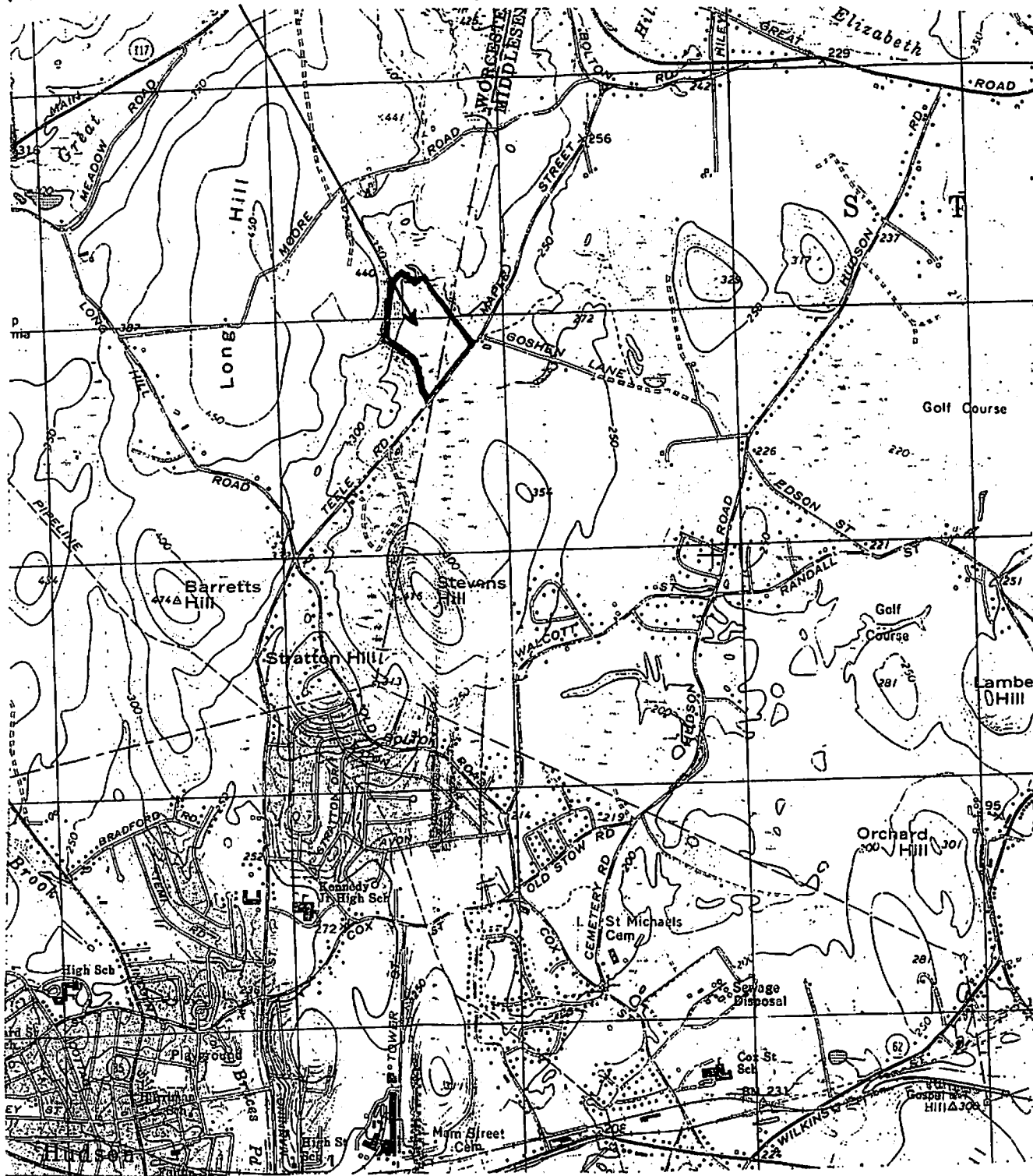
BOLTON STONE



# LOCUS MAP

PROPERTY OF  
A LAN DIPIETRO

PROPERTY LOCATION 110 TEELE RD., BOLTON, MA 01740



FROM U.S.G.S. HUDSON QUADRANGLE  
SCALE: 1" = APPROX. 2000 FT.