

Newton Conservation Commission Policy

Apiaries on Newton Conservation Land

Approved March 11, 2021. Revised August 26, 2021

Background and Purpose

The Newton Conservation Commission must balance the sometimes-competing interests of passive activities, educational efforts, and healthy native ecosystems in its open spaces. One such balance is between maintaining healthy populations of native pollinators while allowing beekeepers to maintain a reasonable number of hives on Conservation parcels. A few honeybee hives on public land may provide ecological and educational benefits; however, a high intensity of beekeeping may crowd out native pollinators in a dense suburban context such as we have in Newton. Carefully balancing these considerations, the Conservation Commission may grant licenses to Newton residents who wish to establish honeybee hives on Conservation land. This policy provides a framework by which the Conservation Commission may evaluate such applications.

Licensing

A license for a small apiary on conservation land may be granted to a hobbyist beekeeper. A license for a larger apiary may be granted if there is a public purpose that is ecological, scientific, or educational. To facilitate planning and oversight, the Commission requires all licensed beekeepers to come before the Commission annually (usually in the summer) to give status updates and discuss their interests in for applying for license renewals.

Applicability

This policy applies to land managed by the Conservation Commission under the Conservation Commission Act (MGL Ch. 40 §8C), not to other public land or to private property.

Definitions

Apiary – a location with one or more colonies of honeybees in proximity

Beekeeper – a person who owns or has charge of one or more colonies of honeybees.

Beekeeping – the establishment and maintenance by a person or group of an apiary

Colony – an aggregate of honeybees consisting principally of workers, but having, when perfect, one queen and, seasonally, drones, brood (eggs, larva, pupae), combs, honey, and the receptacle inhabited by the honeybees

Dead out – a hive in which the entire bee colony has died

Flyway – flight path of honeybees when they leave and return to the entrance of their hive.

Hive or Beehive – the man-made structure which contains one (1) colony of honeybees

Honeybee – all life stages of the domestic honeybee, *Apis mellifera*

Licensed Beekeeper – A Beekeeper with a license to establish an apiary on conservation land.

Nuc – abbreviation of **nucleus colony**; a partial hive used as a temporary holding area, such as when splitting a colony to prevent swarming.

Requeening – to replace the queen of a colony.

Robbing – the pilfering of honey from a weak colony by other honeybees or insects.

Super – an individual component of hive; generally, a box made of wood or plastic in which honeybees build out honeycomb frames for brood or honey storage

Swarming – natural proliferation of honeybees by the division of one colony into two or more colonies and the search of the new colony for shelter

Temporary – 90 days or less

Hobbyist Apiary

A Newton resident may wish to establish a small apiary on conservation land because their home is not a suitable venue for beekeeping. In that case, the Conservation Commission may license a hobbyist apiary on conservation land if all of the following conditions are met.

- 1. Eligibility.** (1) The beekeeper is a Newton resident; (2) with at least three years of recent beekeeping experience or the beekeeper will be actively assisted by a mentor with such experience; and (3) the beekeeper does not have any other beehives in the city.
- 2. Application.** The beekeeper must submit to the Conservation Commission a complete application form indicating name, address, phone number, email, sketch plan locating the desired hive(s), and beekeeping experience, with similar information for a mentor if applicable.
- 3. Non-Transferrable License.** Permission shall be granted in the form of a license to a specific beekeeper who is responsible for the apiary, in a specific location. Neither permission nor the license are transferrable to another beekeeper or to another location. The license may be granted for three years and may be renewed at the end of the term. The Commission may revoke permission and remove an apiary from Conservation Land at any time and for any reason.
- 4. Registration and Inspection.** All Licensed Beekeepers must register their beehives with the Massachusetts Department of Agriculture and have their beehives inspected annually by submitting a request to the Massachusetts MDAR Apiary Program.
- 5. Apiary Location.**
 - a. With the application, the beekeeper shall submit a sketch plan showing the approximate location of the hive(s).
 - b. The apiary location shall not be placed within 20 feet of an established trail or other public gathering spot or amenity, shall not interfere with public enjoyment of the conservation land, and shall not be placed within 300 feet of another known beehive.
 - c. All hives will be located at least five feet (5') from the property line of the conservation land.
 - d. If a hive is less than 20 feet (20') from developed land adjacent to the conservation parcel:
 - i. The main hive entrance must face away from the property line; and
 - ii. The beekeeper shall establish and maintain an approved flyway barrier parallel to the property line and extending ten feet (10') beyond the colony in each direction so that bees are diverted to fly at an elevation of at least six feet (6') above ground level over the property lines in the vicinity of the apiary.
- 6. Apiary Design.**
 - a. All bee colonies shall be kept in hives with removable combs.
 - b. A hive, including the attached honey supers, shall not exceed twelve (12) cubic feet.

- c. Size and stability of hives shall not pose a hazard to the beekeeper or the public.
- d. Hives must be installed on sturdy stands so that the bottom board is at least 18 inches above grade.

7. Apiary Installation.

- a. The beekeeper shall meet on site with conservation staff prior to installation
- b. The apiary must be clearly and visibly labeled throughout the year stating the name of the beekeeper(s) and the best contact information. Such signage may include but is not limited to:
 - i. Information painted on the side of the hive and/or
 - ii. A small weatherproof sign atop a short post.
- c. No native vegetation or soil will be disturbed in the establishment or operation of the apiary. No permanent structure or fencing is allowed without permission.

8. Colony Density. The licensed apiary shall comprise no more than two hives year-round. One additional nucleus colony, not to exceed 4 cubic feet, is permitted for a period not to exceed 90 days.

9. Water. When the outdoor temperature is above 50 degrees, the beekeeper shall ensure that a convenient source of water is available to the honeybees so that the honeybees will not congregate at swimming pools, bibcocks, pet water bowls, birdbaths or other water sources where they may cause human, bird or domestic pet contact. The water shall be maintained so as not to become stagnant.

10. Maintenance and Best Practice Requirements.

- a. All Licensed Beekeepers must follow the must the Massachusetts Beekeepers Association Best Management Practices. The Best Management Practices can be found at: <http://www.mass.gov/eea/docs/agr/programs/bmp/bee-bmps.pdf>.
- b. All bee colonies shall be kept in sound and usable condition.
- c. The apiary must be maintained in a clean and sanitary way that does not attract wildlife or pests.
- d. Hives shall be maintained so as to discourage robbing and swarming behaviors. The beekeeper shall ensure that no bee comb or other materials that might encourage robbing are left on the apiary site. Upon their removal from the hive, all such materials shall be promptly removed from the site and disposed of in a sealed container or placed within a building or other bee-proof enclosure.
- e. Where any colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits other undesirable "colony temperament", the beekeeper shall immediately seek technical assistance in writing from the MA Dept. of Agricultural Resources Apiary Specialist and will abide by the recommendations of the Specialist, including requeening if necessary.
- f. Dead outs shall be removed expeditiously.
- g. All supers on conservation land must be actively in use in direct support of a living colony. Storage of empty supers and other equipment on conservation land is prohibited.

11. Education and Community Awareness. Much of the information on the internet about beekeeping is inconsistent with best practices, incorrect, or not applicable in New England. Be part of the solution!

- a. All beekeepers, especially new hobbyists, are encouraged to contact the Middlesex County Beekeepers Association for guidance and partnership with a local mentor.
<http://middlesexbeekeepers.org/>
- a. Take advantage of educational opportunities in beekeeping. The Middlesex County Beekeepers Association and Newton Community Education offer classes periodically.
- b. Inform others about the rewards of beekeeping and the behavior of domesticated honeybees. Promote awareness of all pollinators by engaging with such organizations as the Newton Conservators.

12. Prohibitions: The keeping by any person(s) of bee colonies on conservation land in the city, not in strict compliance with these guidelines is prohibited. Any bee colony not residing in a hive structure intended for beekeeping, or any swarm of bees, or any colony residing in a standard or homemade hive which, by virtue of its condition, has obviously been abandoned by the beekeeper, may be summarily destroyed or removed by the Conservation Commission or designee.

Apiary with a Public Purpose

A small apiary on public conservation land may provide ecological and educational benefits to the community without unduly competing with native pollinators; therefore, a two-hive hobbyist apiary on Conservation Land may be allowed as described above.

A Newton resident or group of Newton residents may wish to establish an apiary on Newton conservation land with a public purpose that is ecological, scientific, or educational. The density of such an apiary may be higher than is allowed for a hobbyist apiary, if persuasively justified by the beekeeper and licensed as such by the Commission. Location and density of the apiary will be clearly circumscribed. Such requests will be evaluated by the Conservation Commission on a case-by-case basis, and if approved, will be reviewed annually.