

A Meeting of the Millbury Ponds and Lakes Commission was held on Thursday, September 23, 2015, at 7:10 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA.

Member Terry Burke Dotson presided.

Members present: Terry Burke Dotson, Bruce Hjort, Roger Thornburg, Ken Schold, and Gary Pothier

**7:10 p.m. : Call to Order and Open the Meeting**

Pledge of Allegiance

**7:15 Minutes**

None. Last meeting was held two years ago.

**7:20 Meeting Notice**

Ms. Dotson read the Meeting Notice submitted to the Millbury/Sutton Chronicle, Worcester Telegram & Gazette, and Millbury Town Clerk on Sep. 13, 2015

**7:25 Citizen's Speak**

Ms. Marie F. Cafferty has been a member of the Dorothy Pond Association. She reported that there were no swimmers like in the past because of the blood-sucking worms, the peepers were gone, this year there was only one swan, when in the past there had been 3 pairs of them, and there was not much fishing.

Ms. Cafferty said that people who live on the pond pay a much higher real estate tax based on the amount of frontage they have on the pond. Her taxes went up over \$800.00 this year, but they didn't separate the taxes assessed on the land from the building.

Ms. Cafferty suggested that a portion of that extra tax money being collected from waterfront owners be set aside in a special account to clean up, preserve, and maintain the ponds and lakes. She said that the Dorothy Pond Watershed Association tries to collect at least \$7,000.00 a year to pay for "De-weeding". Now Dorothy Pond in being overgrown with a new invasive weed.

Ms. Cafferty suggested that the Town might work with the State thru the Environmental Protection Department. They appear to offer grants for necessary inspections to prevent the invasive species of weeds from entering the waters. She gave the Commission a list of agencies to contact for additional information:

Dept. of Fisheries, Wildlife, & Environmental Law Enforcement

District Office

1 Rabbit Hill Rd.

Westborough, MA 01581

(508) 389-7810 Public Access Board Publication \$8.00

Dept. of Conservation & Recreation - Lakes & Ponds  
251 Causeway St.  
Suite 600  
Boston, MA 02114      (617) 626-1250      Publishes Mass. Lakes Book

Mass. Waterways Partnership  
Univ. of Mass.  
Blaisdell House  
Box 30820  
Amherst, MA 01003      (414) 543-5531      [www.Umass.edu/tei/mwwp](http://www.Umass.edu/tei/mwwp)

Mass. Congress of Lakes & Ponds (COLAP)  
135 Washington St.  
Holliston, MA 01746      (800) 845-2719      [www.Colap.com](http://www.Colap.com)

Executive Office of Energy & Environmental Affairs  
"Chapter 91, The Massachusetts Public Waterfront Act" / MassDEP

<http://www.mass.gov/eea/agencies/massdep/water/watersheds/chapter-91-the-massachusetts-public-waterfront-act.html>

Ms. Cafferty also offered that the Constitution of Massachusetts states in Article 10 that each individual has a right to be protected...but he must also contribute his share to pay for this protection or offer his personal service.

Mr. Bob Renauld asked the Commission to identify accesses to the ponds and lakes. He stated that as a young man he could anchor his boat on Dorothy Pond via an access strip. Now, the access points that he knew to Dorothy Pond on Wheelock Ave., Riverlin St., and the old road to the dump are obstructed with signs, overgrowth, or the appearances of private property. And he could not find any public accesses to Dorothy Pond listed on the maps in the Assessor's Office. He would like to gain access and use a small boat to go fishing on the pond.

Mrs. Jaclyn Chaves stated that she is part of four generations who are still living on Dorothy Pond. The "No Parking" signs were placed near the Fire Department's access to the pond for the safety of the adjacent homes on that very narrow street. She further stated that a new type of weed that has invaded and overtaken sections of the pond is causing significant problems for swimmers and boats. She also stated that the prematurely lowered water levels are causing problems for boat owners. She asked the Commission if the water was being released to other communities.

Mr. Ken Schold said that the premature lowering of the water levels at Dorothy Pond were due to the drought...not due to any other action of the Town.

Ms. Linda Donovan said that Rams' Horn Association paid \$4,000.00 for a professional weed survey of the Pond. The resulting report was that the Pond only had "Good" weeds and NO Invasive weeds...and they ask the Commission to help them to keep it that way. The dam is still in the "Permit Process". The gate valves that need to be put in will be thrown away with the replacement dam is built. And her real estate taxes were also greatly increased...with her land value almost equal to the value of her house.

Ms. Kathryn Prewe felt that fishing, from shore or a pier, was OK for Rams' Horn Pond...but cautioned against unwashed boats entering the pond. She stated that for over 40 years, the waterfront residents have cleaned and washed their boats and their friends' boats before entering the water...and the pond has been kept clean of invasive weeds. She further stated that it only takes the entry of one piece of weed from an anchor, etc. to infect the Pond permanently.

Mr. Ken Schold stated that the Mass Pike is pouring contaminated water into Little Dorothy and that has to be addressed.

Mr. Roger Thornberg stated that the Town should establish a budget to maintain the ponds and lakes in Millbury. He suggested to put part of the extra money assessed to waterfront property owners into a pool for uses to protect these resources. He also stated that identifying access points to these resources and monitoring these accesses is needed.

Ms. Marie F. Cafferty stated that she found thru her research that the only "Right" that Massachusetts citizens had to the water was "Pedestrian Access"...NOT boat access...and NOT the right to park. She stated that a "Public Boat Ramp" needs approval from the State...and a Town can be fined if it doesn't cooperate with posting certain hours of operation and doing inspections.

Mr. Roger Trembley stated that he grew up using all 4 Ponds in Millbury...and that he would like to share a similar experience with his grandchildren in using a 17' to 19' boat with an electric motor to go fishing. He further stated that the Lake Singletary Association uses fund-raising events to treat the water...and suggested that Millbury may want to consider doing something similar.

Mr. Phillip Nyberg stated that the last fix on the Ram's Horn Dam was done from 1984 to 1985. The Association who tends to the dam has repeatedly told the Town that the valve is failing. The Phase I Inspection done in 2005 reported it to be in "Poor" condition. Two million dollars was approved to fix the dam, but the permitting has been blocked by Association members. They hope to change the approved plan to one that permits access from the downside of the dam to stop the contamination of weeds by boats.

Mr. Nyberg continued that Ram's Horn Pond does not operate under an Order of Conditions. The Association lowers the water level 8' every year to control the weeds and keep the water clean.

The Commission voted on approving the next meeting for OCT 22.


A group discussion decided to initially concentrate on the following items:

1. Taxes should be placed into a special account for the preservation and maintenance of the Town's Ponds and Lake.
2. The Town should be responsible for identifying and monitoring the access points to its Lake and Ponds.
3. Financing the de-weeding of Lake and Ponds should be the responsibility of the Town.
4. Research the State for funding.
5. Establish a Town Policy toward protecting its Lake and Ponds.
6. Develop a Town Policy for identifying and monitoring public accesses to its Lake and Ponds.
7. Identify the various Lake and Pond dams...and report on their current status.
8. Contact the Mass. Dept. of Trans., for a report on its impact on Millbury's Lake and Ponds.
9. Gain a report from the Town's Conservation Commission and Public Works Department on their involvement and responsibility toward the Town's Lake and Ponds.
10. Write a Warrant Article for a line-item Budget for the Commission to fund next year's need for de-weeding, dam repairs, hiring a clerk, hiring monitors, etc.
11. Request the Town's DPW to clean the "Storm Septers" along Lake Singletary, Dorothy, Ram's Horn, and Brierley Ponds.
12. Find out who owns Brierley Pond's dam.

The Commission will vote to organize itself at the next meeting.

**9:00 p.m. Adjournment:** Motion to adjourn by Mr. Ken Schold...seconded by Mr. Gary Pothier. All in favor.

Respectfully submitted:

  
Terry Burke Dotson (Member, Acting Clerk)

Attest:

