

**Lake Boon Commission
Meeting Minutes
August 24, 2015**

A meeting of the Lake Boon Commission was held at the Stow Town Building, 380 Great Road, Stow, MA on August 24, 2014 at 7:00 pm.

Members Attending: Conray Wharff, chair
Lee Heron
~~Absent:~~
~~Also Present:~~ Theresa O'Riorden, Secretary



The Lake Boon Commission meeting was called to order at 7:12 pm.

Attendees: Dick Gelpke, Don Hawkes.

Dick Gelpke is doing a talk about Lake Boon history on Sept. 23, 2015.

Weeds

We need about \$40,000-\$45,000 this year for weeds (\$27k from Stow and \$13k from Hudson or \$30k from Stow and \$15 from Hudson).

Don says LBA has \$10,000 dedicated weed treatment funds that may be applied that has come in with membership dues. 2002 was the last major treatment.

Lycott is now ACT. ACT bought all the small weed treating companies. Weed treatment will be sole sourced from now on.

Past treatments have been \$15,000 total (\$10k from Stow, \$5k from Hudson).

Our problem is also Algae. We need to look into the Solar Bee, which is going to be used in Lake Quannapowit in Wakefield.

We must ^{to} do the treatment next year when the weeds are emerging. June 8 when they treated it this year. It was too late. It needs to be done in May.

Theresa needs to call Kathy to get on the Conservation Commission agenda to talk about:

1. The missing/found 2014 weed treatment report.
2. Extending the O of C (which expires Oct. 4). *for drawdown - TD.*
3. Ask when the weed treatment expires.

Cambomba self-fragments in the fall.

"Chinese Mystery Snails" from Vietnam and China have been found in Lake Boon. They are non-native and invasive. They are the strange giant snails that can float on the surface or stay on the bottom.

Andy Pollock is our new weed volunteer and is taking over for Kent Seith.

The weeds need a big treatment and then we can cut back to the (~\$15k) booster treatments. Domenic needs to give us an estimate before town meeting.

Ongoing lake problems - Patrol

There is an outboard speeding around Basin 1 with no lights.

Conray mentioned that we could buy a trail camera for \$200 that will take pictures at night to catch violators going through the narrows. Dick Cummings has volunteered to let us use his dock.

Lee made a motion to buy a trail camera. Theresa seconded. All in favor.

New Business

We are going to start future meetings at 7:30, 7:00 is too early.

Snorkeler/Skier problem

Thursday August 20, 2015 at 7:30 pm Conray was pulling a skier about 30' from the buoy at the point of the 2nd basin. The skier landed 10' from the buoy where someone was snorkeling. Conray was close to the buoy because of other boats passing in the narrow ^{area} (oncoming boat traffic). Mary Beth Rogers is the one who lives at the house where it happened at Indian Point. ^{to}

Conray has a written report about what happened. The snorkeler should have had a diver down flag according to Mass Boating Laws, which is included in this report.

Mary Beth Rogers had been pulled over about a month ago for excessive speed and wake after dark.

Buoys

Conray made a motion to spend money on new buoys. They will cost around \$414 to \$450.

We are asking for a reserve transfer of \$1,500 to pay for emergency money for repairs on the patrol boat engine.

8:25 Lee motioned for the meeting to be adjourned. Theresa seconded the motion. All in favor.

8:26 the meeting was re-opened.

Minutes

The minutes from Jan. 22 were read and approved. Lee made a motion to accept the minutes. Conray seconded. All in favor. Minutes were approved.

Conray wants Theresa to forward all meeting minutes to Joan ^{Town Clerk} in Hudson.

8:37 Lee motioned for the meeting to be adjourned. Theresa seconded the motion. All in favor.

Mike,

Here is my report on being too closer to a swimmer incident on August 20.

The swimmer was actually a snorkeler.

I believe the snorkeler should also be issued a citation per mass law chapter 90b section 13a.

Please call me at 978 618 4252 when it is convenient for you.

Thanks,

Conray

Incident report

Lake Boon

August 20, 2015

Approximately 7:30pm

Mostly clear skies sun setting

Multiple boats on the lake pulling tubes and skiers

This forced my boat closer to the buoy rather than being in the middle of the lake.

A swimmer was suddenly sited near the shore when she suddenly surfaced. Swimmer was using goggles and blue snorkel.

Swimmer was swimming under water using snorkel to breath.

This constitutes a diver down situation and as such is subject to section 13a of Chapter 90B MA boating laws requiring a diver down flag. See MA boating laws for details.

Chapter 90b

Section 13A. Every scuba diver or group of scuba divers while swimming on or under the surface of the waters of the commonwealth shall display for each diver or group of divers as a warning device to boat operators, a diver's flag, so called, constructed of rigidly supported material at least twelve inches by fifteen inches in area of red background with a white diagonal stripe. Such diver's flag shall be displayed on a boat or surface float and shall extend a minimum distance of three feet from the surface of the water. Divers shall remain in an area within one hundred feet of such displayed diver's flag while at or near the surface of the water. A boat operator within sight of a diver's flag shall proceed with caution and within a radius of one hundred feet of such flag shall proceed at a speed not to exceed three miles per hour.

This is further defined in the boating education handbook published and used by the DEM police.

This can be accessed at: http://www.boat-ed.com/abc/abc_specific_images/pdfs/ma_law.pdf Or it can be seen on page 52 of the Boat Massachusetts guide book published by Massachusetts environmental police printed below.

Other Equipment

Diver-Down Flag

- Persons scuba diving, skin diving, or snorkeling must display a red and white divers flag.
 - Divers or snorkelers must remain within 100 feet of the divers flag.
 - If possible, vessel operators not engaged in the diving operation should stay at least 100 feet from a displayed flag. If not possible, vessel operators must reduce speed to no more than three miles per hour.
- Two types of flags are used to indicate diving activity.
- Divers engaged in recreational marine fisheries activities (i.e., catching lobsters or fin fish) are subject to special regulations. Refer to www.mass.gov/dfwele/dmf.



A rectangular red flag with a white diagonal stripe, at least 12 x 15 inches in size and constructed of rigidly supported material. This flag must be displayed on a vessel or surface float and must extend a minimum distance of three feet up from the surface of the water.

A blue and white International Code Flag A (or Alfa flag), flown from a vessel restricted in its ability to maneuver. This flag indicates that a vessel is involved in a diving activity. The Alfa flag may be displayed in addition to the divers flag but does not replace the divers flag.

The Snorkeler surfaced and became visible.

Boat was immediately stopped and skier dropped.

Skier (Nick) came with 10 feet of swimmer as he stopped

Boat was further away outside of marker buoy, maybe 50 feet from swimmer and 30 feet from marker buoy due to on coming boat traffic.

Driver of boat was Conray observer was Dave.

Shore party became abusive and started swearing at driver and skier using very foul language, many f bombs.

Shore party suggested that driver, who is long standing Lake Boon commissioner, should be removed from commission.

Skier was Nick who became very upset due to incident and verbal abuse delivered by shore party.

This is not the first time this shore party has had run in with said commissioner

Shore party owns a pontoon boat which was warned about excessive speed and wakes after dark by commissioner about a month ago, this was not their first warning. Officer Lee Heron has also warned them.

Shore party should have been written for their excessive speed, when commissioner issued verbal request to slow down these same people became verbally abusive, commissioner chose to ignore foul and abusive language rather than escalate the situation.

Said party was very abusive on that occasion as well even though no citation was issued.

From: Conray Wharff [<mailto:conraywharff@gmail.com>]

Sent: Monday, April 27, 2015 9:20 PM

To: wfb Byron@juno.com

Cc: selectmen@stow-ma.gov; health@stow-ma.gov; Conservation@stow-ma.gov; TownAdministrator@stow-ma.gov; lee.heron@gmail.com

Subject: Re: lake level

William

See you at our meeting on Wednesday

Conray

On Monday, April 27, 2015, <wfb Byron@juno.com> wrote:

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> Board of Selectmen

> Lake Boon Commission

> Conservation Commission

> Board of Health

>

> April 27, 2015

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> To whom it may concern.

>

> I am writing again regarding the high level of Lake Boon as I have not had any response to my previous letter. The current level is at 2 feet 8 inches, a level that is two inches below the top of the spillway which, in my opinion, is a good level for everyone living on the lake. To my knowledge there is no requirement, regulation or other written document that states that the level MUST be maintained at the 3 foot mark. As I stated in my previous letter the 3 foot mark keeps the lake above the spillway which endangers the structure, the dam and the shoreline of the first basin.

>

> I would appreciate some sort of response from any party about this issue that has a significant effect on the dam and many properties in the first basin.

>

> Sincerely,

> William Byron

> 469 Gleasondale Rd.

> Stow, MA 01775 [978-562-6275](tel:978-562-6275) wfb Byron@juno.com

>

>

From: <wfbyron@juno.com>

To: selectmen@stow-ma.gov, Conservation@stow-ma.gov, lee.heron@gmail.com

Date: Mon, 13 Apr 2015 13:59:34 -0400

Subject: lake level

Board of Selectmen

Lake Boon Commission Lee, I do not have addresses for other members

Conservation Commission

Board of Health

April 13, 2015

To whom it may concern.

I am writing in regard to the level of Lake Boon over the last few years. I and Dorothy Spaulding, of 104 Pine Point Rd., Bob Larkin and others that reside on the first basin, that I have spoken with, wish to voice our concerns.

During the summer of 2014 the lake was up to the deck boards of a fixed dock at a residence near the dam. Whenever a large boat went by the water would splash over some retaining walls and wash up on the rip rap along the dam. I have used Lake Boon for recreation at different times over the last seventy years and have docked a boat there for thirty years. The water being maintained at the current summer level is a threat to properties and the integrity of the dam.

In the past we had some safeguard whenever we had a heavy rain or hurricane. When either occurred, someone would remove a board to relieve the high water and replace it when the threat subsided. I believe that this still happens for hurricanes. I do not think that the lake was ever maintained at as high a level as it has been over the last several years. It is not a good condition to have the water flowing over the apron or above the concrete structure of the dam. It may even threaten the integrity and the life of the spillway.

Since the draw down issue arose and the State got involved it appears that everyone is hesitant to do much local control to protect properties and the dam.

I would like to ask the governing Boards, Commissions and Committees having any power over this situation to keep the top retaining board of the dam two (2) inches below the top of the concrete structure holding the boards. This should keep the lake at a level acceptable to residents of all basins and relieve the stress on the structure of the dam. I would also like to see a plan or procedure in place to remove the top board in the event of heavy rain or other storm condition.

Sincerely,

William Byron

469 Gleasondale Rd.

Stow, MA 01775 978-562-6275 wfbyron@juno.com

107 WESTERN SPRING REAR WINDSHIELD SPILLWAY







121 APPROX 2100000 11/20/14 1000000 1000000 1000000



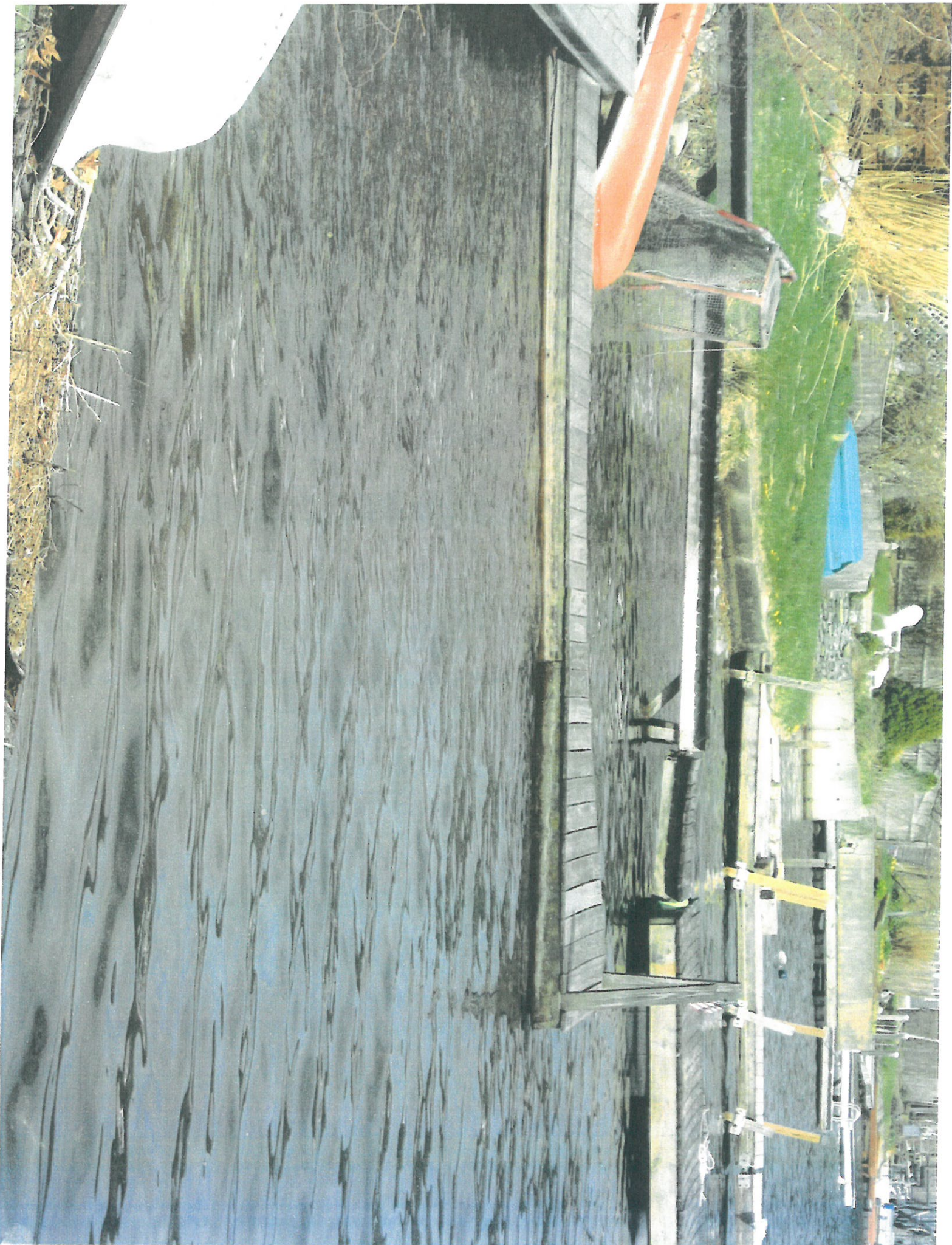
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SUMMER WALK





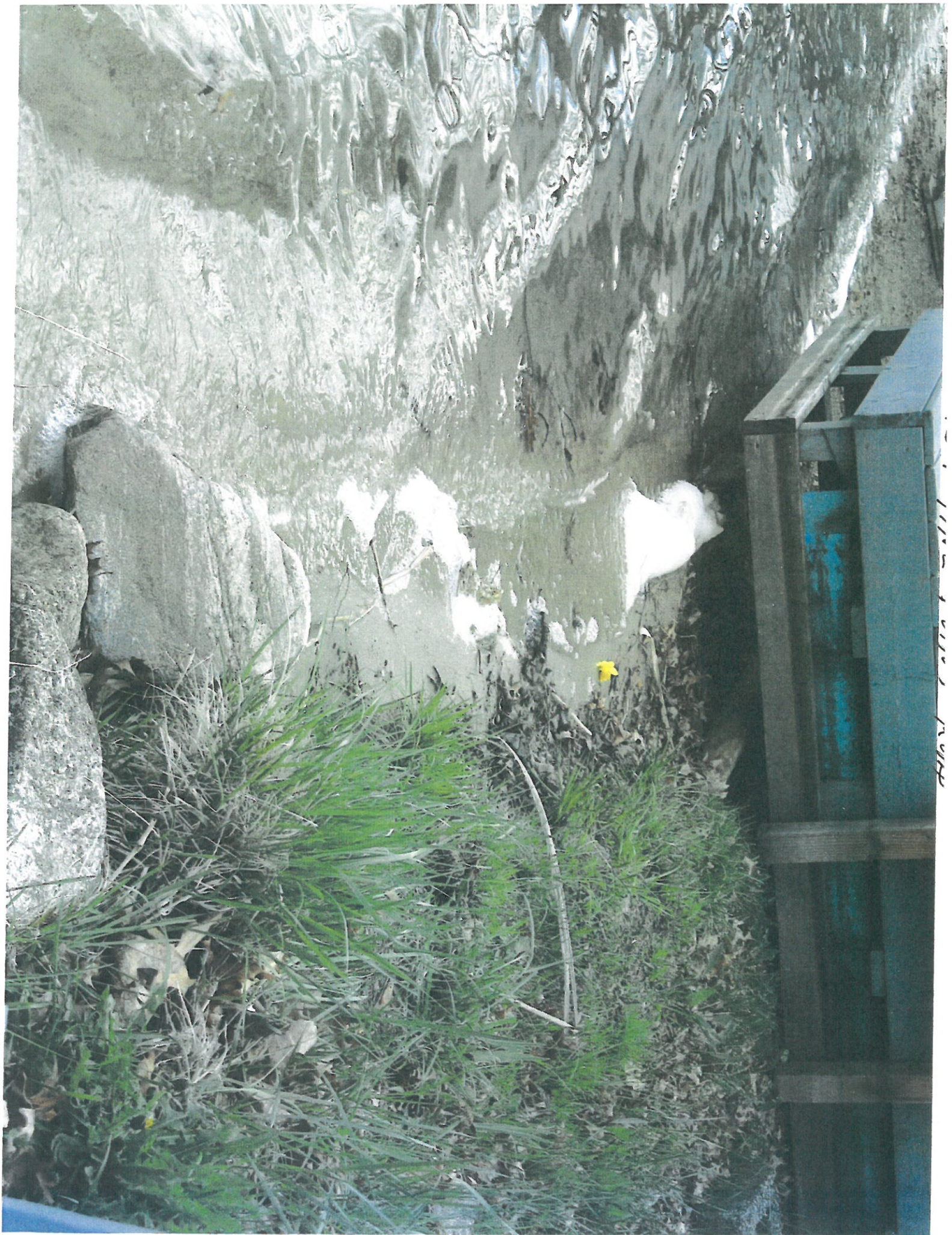
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1. 2/11/12 11:00 AM



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