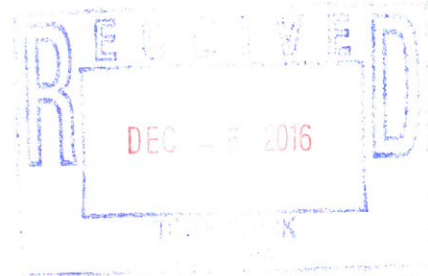


**Lake Boon Commission
Meeting Minutes
October 3, 2016**

A meeting of the Lake Boon Commission was held at the Stow Town Building, 380 Great Road, Stow, MA on October 3, 2016 at 7:30 pm.

Members Attending: Conray Wharff, Chair
Theresa O'Riorden, Secretary
Don Hawkes
Absent: none



The Lake Boon Commission meeting was called to order at 7:31 pm.

Lee Heron is sick so he is not in attendance to do a patrol report. Henri Tarbi is also not in attendance to discuss his buoy request.

Minutes

Theresa read the August 15, 2016 meeting minutes. Don made a motion to accept the minutes as amended.

Public Input

Kent Seith wants to know if there will be a public input allowed later in the meeting. Conray said we don't have to allow public input. Don said typically public input means to talk about items not on the agenda.

Roger Dusch^{enau}~~red~~, 98 North Shore Drive has drawdown concerns due to the drought. He is not a proponent of the drawdown this year because he is having problems getting his boat in and out this year.

There was a discussion about lake level. The lake was full by April 1 this year. The drought caused the lake to start dropping in May.

Patrol Report by Sgt. Detective Salese

There were 72 hours of patrol by Stow officers this year, 12 Stops were made, 2 citations were given out, 10 warnings were given out, and 15 complaints were made since July 1 on Lake Boon.

John Flynn asked about the citation for criminal negligence he heard was served. Sgt. Detective Salese did not comment on it.

Indian Point Buoy

Sgt. Detective Salese believes that the no wake buoy should be moved to Indian point [enlarging the narrows from basin 1 to 2 including the "small side" of basin 2 up to Indian Point] because two citations were issued there this year. He believes the blind corner makes the narrow area by Indian Point, "the gut", unsafe to drive a boat through on plane.

Kathleen Adams says she met with Bill Wrigley on August 18. She said that he said any changing of the buoys will be made by the Environmental Police. Sgt. Detective Salese said the Environmental Police has no say about buoy placement.

Dave Siewerski asked what incidents happened on that point to change the distance from 75' to 150'. Sgt. Detective Salese said there was only 1 incident last year. Conray said that incident was due to a snorkeler popping up in front of a boat. Dave is concerned about moving the buoy. He thinks that education is the answer, not making changes.

Kent Seith witnessed the snorkeling incident. He said in the Stow Independent the incident was exaggerated. He said it was a snorkeler in a dark bathing suit. He feels like this buoy incident was created by people trying to cause a problem.

He thinks that moving the buoy is going to cause more problems by boats turning around when they see someone coming. Sgt. Detective Salese said he isn't moving the buoy that's up to the LBC. He thinks the blind corner is an unsafe condition.

Don Hawkes asked about the 2 citations issued. Sgt. Detective Sallèse didn't want to discuss it.

Barry Price, 166 North Shore Drive, has lived on Indian Point for 14 years. He said the lake is not unsafe at Indian Point. He thinks the cars on North Shore Drive are more dangerous than the boats in the lake.

Sheryl Wharff said she thinks moving the buoy would cause more of a hazard. She said the buoy is not a problem.

Steve O'Riorden said, do not move the buoy. Moving it would be equally as dangerous. If you move the buoy you're opening yourself up to a lawsuit.

Andy Pollock says moving the buoy would create a much greater hazard. Not every boat on the lake can turn on a dime.

Ellen Krag, 117 Kingland Road, thinks 2 citations means there's a safety issue.

Carolyn McDonald wants to know who's responsibility it is if there's an accident there. Sgt. Detective Sallèse said he suggested moving the buoy to the LBC and now it's up to the LBC to respond.

Don Hawkes says it's not just a public liability, it's a personal liability. He suggested that an accident within 150' could be a personal liability. Sgt. Detective Sallèse said it has nothing to do with 150', it has to do with the blind corner and the geological makeup of the lake.

Laura Diamond still doesn't understand why people are still waterskiing through the gut. On a positive note, she has noticed a change of behavior – people in boats have been staying away from her while she is swimming.

Dick Cummings says that if people play nicely there's no incidents. He says the 2 main cited incidents were due to people "not playing nice".

Barry Price says within 75' 2 boats can pass but with the 150' rule now in effect, 2 boats can't pass in the gut. Traffic incidents happen over and over. The solution is to patrol there. People hug the buoy because of the red-right-return rule when boating.

John Flynn can see Indian Point from his deck. He said, we already have rules about the direction of travel on Lake Boon. He is observing a tendency for just a few boats to not follow the rules of travel and these boats are popping out in front of boats. He heard that this is a problem now occurring in the first basin. It's creating havoc.

Kris Krablin, 107 Kingland Road, doesn't envy our position of having us decide whether or not it's a blind corner.

Michelle Walsh, 76 Kingland Road, says education would go a long way. There's no one in the lake on weekends anymore. She has also seen someone in the first basin not following the rules, going the wrong way.

Don thinks there are a number of issues that need to be looked at more closely. He would be in favor of letting the citizen group make a judgment, having them look at it before we make a decision.

Don made a motion to table the discussion to let the ^{Bylaw/}Safety Committee discuss it. Conray Seconded the motion. He amended the motion to include "take no action on it now". All those in favor: Don. Opposed: Theresa and Conray. The buoys will remain where they are and not move.

Beach Starts

Theresa brought up a phone call that she made to Captain Merri Walker of the Environmental Police on August 24th. She said that Captain Walker said she had a conversation with Sgt. Detective Sallèse and told him that beach starts are legal if no hazards are present. Theresa asked, what if I got a ticket, would it hold up in court. Captain Walker said no. So Theresa asked Sgt. Detective Sallèse why he was enforcing beach starts as illegal. Sgt. Detective Sallèse said he has never given anyone a ticket for beach starts and he read an email that he had from Lieutenant Anthony Woloski that

states that the 300' law applies only to public beaches. He said that beach starts are not black and white. He said he would not enforce the 150' rule in the scenario of someone with binoculars complaining about a beach start they're watching across the lake. He said that he has never ticketed anyone in that scenario.

Carolyn McDonald said she has neighbors causing damage to her wall due to wash from boats.

Bills

We received a refund check from Solitude Lake Management. Don made a motion to approve the Solitude bill. Theresa seconded the motion. All approved.

Lee patrolled 69.75 hours this summer from 7/6 to 9/11 for \$1,659.75. Don made a motion to approve Lee's hours. Conray seconded. All in favor.

End of Season Tasks

Don offered to help Conray to remove the buoys. It was noted that the police boat is still in the lake. After the buoys are pulled we'll remove the Commission boat and have the engine repaired. It's going to cost around \$1,500-\$1,700.

Drawdown

Theresa said that we should not pull the boards this year due to the drought. There have been well issues around Stow, not on the lake and one near the lake but not within 100' of the lake.

Don said there is a resident who can only do work on their ^awall if the lake goes down 18". Don made a motion to take no drawdown action until our next meeting. Conray seconded the motion. All in favor.

Dock Labeling

Kris Krablin created a new flyer to educate homeowners about labeling docks. See attached.

Don made a motion to approve the public safety notice and to distribute it to residents. Theresa seconded the motion. Conray amended the motion to include a \$50 budget for paper copies. All in favor.

Subcommittee Creation

Kris Krablin prepared a draft vacancy notice. There was a discussion about the number of members that will be ~~allowed~~ ^{authorized}. Theresa said she thought it should be equal between boaters/non-boaters. Deb Seith, Assistant Town Clerk, said that it has to have an odd number of voting members. She also said that the members don't need to be registered voters. Don asked the LBC to agree that there will be 7 members. Theresa and Conray agreed.

Don made a motion to authorize the creation of a seven member subcommittee to review all Lake Boon bylaws and rules and comply with posing requirements with town clerks of both towns. Conray seconded the motion. All in favor.

Kathy Adams asked if she needs to write a letter if she already volunteered. Don said yes, write a letter tell us us a little about yourself and your activities on the lake.

The LBC will post the vacancy notice.

Henry Tarbi's buoy request

Conray will call and talk to him about his buoy request. It will be discussed prior to the next boating season.

Downed Pine Trees

but would consider the highway dept. assist with removal if done by authorized volunteers.

The Town Administrator says it's not the town's responsibility to remove fallen trees in the lake. There is a tree down near Henri Tarbi's house in Basin 1 and there's two more in Basin 3 in the wooded area across the lake from North

Shore Drive pointing toward the ^b~~Beaver~~ ^d~~Dam~~. Don said we should get together as neighbors to remove the tree near the dam.

New Business

There was a request from Stow TV to record LBC meetings. This will be discussed at the next meeting.

10:04 Conray made a motion for the meeting to adjourn. Theresa seconded the motion. All in favor.