

**Lake Boon Commission
Meeting Minutes
May 17, 2016**

A meeting of the Lake Boon Commission was held at the Hale Middle School, Hartley Road Stow, MA on May 17, 2016 at 7:00 pm.

Members Attending: Conray Wharff, chair
Lee Heron, patrol
Theresa O’Riorden, Secretary

Others Attending: Mike Salese, Police Detective/Sargent Stow, referred to as “MS” in minutes
Anthony Wolski, Environmental Police Patrol, Lieutenant, referred to as “AW” in minutes
Mary Walker, Environmental Police Captain, referred to as “MW” in minutes

Absent: none

The Lake Boon Commission meeting was called to order at 7:00 pm.

Drawdown Report

The dam boards were pulled on 9/29 and 10/19. Winter level was achieved in a month. Ice out was on 2/4 and again, on 2/25. Boards were put back on 3/10. Lake was at 2.34’ on 3/28. (I was on vacation while the lake was rising.) The lake was at summer level on 5/11. The lake refilled in less than 4 weeks.

Mary Walker’s presentation

She said she is going to answer questions.

Questions from Residents

Don Hawkes asked her to clarify whether 75’ or 150’ is going to be enforced. MW: State law changed to 150’ in 1989. Residents need to keep “a safe distance from shoreline above headway speed. 150’ <6 mph” applies to a skier as well as boats.

Kris Gray asked if the LBC is authorized by the state, are they allowed to enforce the state law MW: Environmental police and Stow police.

Kent Seith asked the town when he was moving here if waterskiing was allowed. The town said yes. MW: Stow Police will be patrolling and they’re trying to get a patrol officer to do extra patrol. Not sure which boat though.

Kris Grey asked, are you going to be enforcing current regs or state regs. MW: Both. State laws will govern.

Kent’s Sister in Law asked: how do we know how wide the narrow areas are? MW: highway example compared to water example (didn’t answer question) there may not be times when you can drive as fast as the speed limit.

John Flynn asked if the narrow point was going to be closed off from skiing. MW: no.

Dick Cummings asked what is a swimming area and is it 150' from swimmers or the shore. MW: There is no clear definition that says, it's based on the activity. If they are on shore and look like they might swim then it's a swimming beach.

Michelle Walsh asked why this issue arose. MW: I don't know. There is no event that I'm aware of. This problem arose. Multiply boat lengths to estimate how far you are from shore.

Bob Streeter from Hudson brought up every lake in MA, those rules should be enforced. MW: reasonable distance from shore, speed, traffic. Env. Police patrols 251 towns' shore.

Carolyn McDonald says she wants buoys to clarify where boats are allowed in the bottleneck. MW: How wide? Theresa: 318' wide. CM: wants buoys to have 318' to be respected. MW: with swimmers in water it's our responsibility as vessel operators to be aware of swimmers. Swimmers need to be well marked.

Karen 107 Hunter Ave. said that floating docks are shrinking lakes. Should we start pushing docks back to 20' from shore? MW: Refer to the LBC. CW: We'll discuss at next LBC meeting.

Tim 76 Pine Point says he is at the house with the sand bar and trampoline. It's 184 yards from shore to shore.

Ellen Krag says it's a blind corner and says google maps measured 294' so how do you determine the distance? MW: fish and wildlife maps and Lydar is used to measure.

Laura Diamond 76 North Shore says she is an avid swimmer and wants to know what is a swimming area. Motor boats have been near her head and there's a lot of unsafe behavior on Lake Boon and is the distance measured shore to shore or dock to dock. MW: the distance is shore to shore, not dock to dock. A swimming area is defined by use. A town swimming area is a swimming area. **Boats complying with 150' is "activity based"**. LD: Based on judgment? MW: Yes. Boaters need to be aware of surroundings and operate accordingly. "If you're swimming you should take all precautions to make yourself visible." LD: What about skiers taking off from shore? MW: Variable conditions, reasonable approach. The environmental police are conflict resolvers. LD: I'm looking for a clearer definition about what's allowed and not allowed. MW: Waterskiing and swimming are allowed activities. LD: Asked for dawn and dusk clarification since LBC says 30 mins before sunrise and 30 mins after sunset. MW : Sunrise to sunset will govern. Reasonable speed will govern. Ask Conray Wharff for clarification.

Cindy Cummings wanted her to clarify 150' only when there's a swimmer. Is there a requirement for a safe distance with no swimmer? MW: 150' so waves can dissipate. CC: Are all LBC rules void? MW: All rules are still in place. Call Stow police to enforce. Quiet hours will still be enforced.

Kris Krablin asked if she can put out buoys to create a swimming area. CW: You need a permit from LBC to allow buoys.

Dennis Murphy said he's a swimmer and has never had an issue with boats.

Peter Christmas Barton Road said we all need to play well in the sandbox, swimmers need to be marked. His dog is an early warning device for swimmers.

Dave Mitrou said we need to use common sense to keep everyone safe. Not apply broad technical rules.

Barry Price asked quiet time question. MW: All LBC rules are in place. Quiet hours apply.

Dick Cummings asked what if a snorkeler pops up in front of a boat? MW: If there's an incident the environmental police will come out to investigate. They'd follow the letter of the law. The office has a host of discretion on how to enforce the situation. It's a very unpredictable environment on waterways. It's rush hour on the water. AW: It would probably go to court and responsibility will be figured out there and every bit of evidence is looked at. MW: If someone calls the police the police will respond and police will make a judgment.

Dick Cummings asked if someone makes a claim who do you believe? MW: We can't be here all the time. There's not enough room for everyone. We're not trying to shut down anyone. All lakes have the same laws, everyone needs to work together to use their best judgment. Take all prudent restrictions into consideration to be safe. Nothing is better than a safe swimmer.

Steve Serbin, Sudbury Rd. asked, can I take off from my beach? MW: If your neighbors are far away it's ok. Dave Gray shows map. AW: You're not supposed to go 150' from a shoreline so it might not be a good idea. You can't create a large wake for your neighbors. If you own 400' of shoreline and you're all alone it's ok. Same guy asked what if people in boats are rafting in the middle creating a problem? AW: It's hard to regulate. Make the best judgment call. Try not to be dangerous.

Karen Axelrod, Newton asked if State Law says the lake must be patrolled by the marine police who's in charge? AW: Marine police, not sure if they exist though. MS: All officers will take a boating course and have the authority.

Dave Gray asked if there's a distance boats need to keep from canoes and Kayaks. AW: Wake has to be accounted for. Boaters need to use common sense. DG: Dimensions are fixed, what if there's only a narrow space? AW: Use discretion.

Bob Streeter asked if there should be a 30' "sidewalk" around lake for a swimming area. And if waterskiiers are pulled off docks, he can't see the danger of the wake. AW: Go to legislature to make changes. The environmental police enforce laws, not make it.

Michelle Walsh Pine Point wants clarification of distance to a swimmer. AW: If you're unsure, slow down.

Don Hawkes said he's been on the lake since 1949 and wants to know if there's any way to vary the 150' rule. AW: I doubt it.

Carolyn McDonald asked what are the guidelines to getting a buoy. LH: it's based on the LBC's judgment.

Carolyn wants consistent guidelines to set procedures to get buoys. LH: There is no way a buoy can be put in by right, buoys are per condition.

Barton road resident asked if buoys are an expense per homeowners. CW: yes.

Resident asked how is it measured? CW: Come to us and we'll talk about it. Resident: Beaches are eroding due to waves and trees are falling into lake. Who pays? AW: Homeowners problem. Env. Police don't get into every minutia.

Blonde resident asked if 150' from shoreline/swimmer question. AW: You're responsible for your wake.

MW: See State Law Chapter 90B 2.0 and Section 4. 2.07 Operation. She read 1. Distance (a)(b)(c). A private beach is set up by a municipality. Reducing our speed gives up more time to react.

Don Hawkes said jet skiers do do-nuts and chase each other around. There are boats designed to push a large wake. He hopes the LBC takes a look at it. MW: We don't allow towing behind PWCs.

8:51 Lee motioned for the meeting to be adjourned. Theresa seconded the motion. All in favor.

May 17, 2016 Attendance

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| Steve Johnson | stevej1523@yahoo.com | Stow |
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5/17/2016

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