

## **AGENDA**

**Lake Boon Commission**

**7:30 PM, January 17, ~~2017~~ 2019**

(2A)

**Stow Town Building**

**380 Great Road, Stow MA**

**Public Comment**

**Meeting Minutes**

**Pay Bills**

**Discuss issue of use of salt on roads surrounding Lake Boon**

**Discuss LBC By-Law/Rules revision: next steps to submit Warrant Articles  
(Hudson and Stow)**

**Discuss/approve 2018 Annual Report**

**New Business for next meeting**

**Date of next meeting**

**Adjourn**

Lake Boon Commission  
Meeting Minutes  
Jan 17, 2019

A meeting of the Lake Boon Commission was held at the Stow Town Building, 380 Great Road, Stow, MA on Jan 17, 2019 at 7:30 pm.

**Members Attending:** Don Hawkes (Chair), Conray Wharff (Commissioner), Kris Krablin (Commissioner)  
**Absent:** none

**Meeting Called to Order:** 7:30pm. Meeting was recorded by Stow TV.

**Agenda:**

**Public Comment** – none

**Meeting Minutes**

- **Dec 5, 2018 Minutes** – Conray moved to approve the 12/5/18 minutes as submitted. Don seconded. All in favor. Passed.

**Pay Bills**

- Kris made a motion to approve the \$42k appropriation for weed treatment by Solitude Lake Management which was moved for approval in the 12/5/18 LBC meeting but was never taken to an actual vote. Motion to approve seconded by Conray. All in favor. Passed.

**Discuss issue of use of salt on roads surrounding Lake Boon**

- A resident had requested that salt not be used around the lake. Don reported that Mike Clayton says Stow minimizes its usage. Hudson was asked but is a Conservation Committee issue. This is not within LBC jurisdiction.

**Discuss LBC By-Law/Rules revision: next steps to submit Warrant Articles (Hudson and Stow)**

- Discussed that Conray had made some undeliberated changes in a version provided to town management. Reviewed the changes and agreed that we would be retaining our previous v1.0, but now needed to refer to it as v1.1 since Conray's version introduced a different document also labeled as v1.0.
- Kris made a motion to adopt our original v1.0 as written but would now be versioned to reflect as v1.1, dated Jan 17, 2019. Conray seconded. All in favor. Passed.
- Conray explained that in Hudson, everything is just rules & regulations, and only requires Conray's signature. They are not considered town bylaws in Hudson and therefore don't require town meeting or state approval. But nothing can be finalized in Hudson until the full process is completed in Stow.

**Discuss/Approve 2018 Annual Report**

- We reviewed Don's draft of a 2018 LBC annual report, and suggested a few changes.
- Conray made a motion to approve the annual report as amended. Kris seconded. All in favor. Passed.
  - **Action** – Don will make edits & provide copies to Conray and Stow town management.

**New Business for next meeting**

- none

**Date of Next Meeting** – tbd

**Meeting Adjourned:** 8:18pm. [Motion to adjourn made by Conray, Seconded by Kris. All in favor. Motion passed.]

Approved by LBC on: 6/20/19

IS AMENDED &  
SUBMITTED

## LAKE BOON COMMISSION

The Lake Boon Commission (LBC) was enacted by the Massachusetts legislature as Chapter 712 of the acts of 1941. It is comprised of three members: Two appointed by the Stow Selectmen and one by the Hudson Selectmen. The LBC holds publicly posted meetings at the Stow Town Building about once a month or as otherwise needed.

2018 was the second full season during which the enforcement of all boating rules and regulations fall under the responsibility of sworn police officers, as opposed to the long-standing prior responsibility of LBC members and/or its Patrol Officer. These functions are now being performed by the Stow Police and the Environmental Police. On a regular basis, safety patrol/enforcement is conducted by Stow Police Officer Lee Heron (former Commission member) who is now subject to annual appointment by the Stow Board of Selectmen.. NOTE: ALL calls concerning Lake Boon safety and/or law violations must be made directly to Stow Police at 978-897-4545.

Listed below is a partial list of the current safety rules and laws of which Lake Boon boaters must be aware. The Stow Police Patrol Officer and/or the Mass. Environmental Police may issue citations and fines for violation of any of those listed below, plus others, the knowledge of which is the responsibility of boat owners/operators:

- Boats are required to maintain headway speed only and use prescribed lights from sunset to sunrise. From sunset to sunrise the lake speed limit is headway speed only. On all Sundays and holidays, "quiet time" is defined as headway speed only from 2 PM to 6 PM. This speed limit also applies at all times year-round in any of the lake's 3 "narrows".
- Boat owners are responsible for any unsafe/damaging results of the wakes produced by their boats regardless of who is driving their boat.
- Jet Skis are required by state law to be 150 feet away from everything at any speed other than idle. It means that you have to idle out 150 feet from shore before applying power, and the operators must stay 150 feet from shore, other boats and swimmers at any speed other than idle. Jet skis and other personal watercraft are prohibited at all times from towing any device.
- Possession of alcoholic beverages on the waters of Lake Boon is prohibited. Throwing anything into the lake is against the by-laws. That includes leaves and grass as well as the more obvious trash. You can get a ticket just for having alcoholic beverages in your boat or throwing trash overboard.
- Any towing activity requires 3 people: one to be towed, one to drive and one to observe. Pulling a person without an observer is a major safety issue. Observers must be at least 12 years of age. Towing of more than one person on a device is not allowed under Lake Boon rules.



During 2018, the Commission devoted the majority of its efforts to the completion of the thorough systematic review of LBC rules and how they interact with State and Environmental Police laws, began in 2017. As of this writing, the resulting LBC's recommended amendments are being prepared for presentation to the 2019 Annual Town Meetings of both Hudson and Stow.

A periodic check of the Barton Road dam by the state's Division of Dam Safety revealed several deficient safety aspects of the structure. Stow engaged an engineering firm which conducted field tests, and has recommended remedial steps to reach compliance. Once agreement is reached, Town Meeting funding will be sought.

Lake Boon has for many years been host to non-native invasive weeds exacerbated by increased nutrient loading. The primary way to address this problem is through a comprehensive lake management program. Key features are steps to reduce nutrients reaching the lake and aquatic vegetation management. The latter involves the annual licensed application of state-approved herbicides in accordance with state permits and Orders of Conditions from the Conservation Commissions of Stow and Hudson. Nutrient management is accomplished by intercepting nutrients before they get to the lake in catch basins and by using a program of winter lake level drawdown, which removes some of the nutrients that otherwise would grow an even more robust weed crop. The Lake Boon Commission works with the Stow and Hudson boards as well as many interested parties, such as the Lake Boon Association, to effectuate this program. In 2018 the annual drawdown started in early October. The lake was dropped slowly and steadily until early November, when it reached 18 inches below the Top of Concrete (TOC) of the spillway structure. The boards are normally put back in the dam in March when the ice begins to recede from the shoreline to minimize damage to docks. The lake level should be restored to normal summer level by April 1, 2019.

Respectfully submitted,

Don Hawkes, Stow (Chairman)

Kris Krablin, Stow (Clerk)

Conray Wharff, Hudson

Volunteer member, Andy Pollock for Weed Management Program

## **LAKE BOON BYLAWS & RULES**

The Lake Boon Commission, acting under the authority of Chapter 712 of the Special Acts of the Legislature of Massachusetts of the year 1941, adopted the following rules on June 26, 1968, and has amended the same from time to time in accordance with applicable state laws.

### **GENERAL REGULATIONS**

**RULE NO. 1** – No person shall annoy another person, or utter any profane, threatening, or abusive language, or loud outcry except for emergency; or have possession of any intoxicating liquor or marijuana; or do any obscene or indecent act on the waters of Lake Boon.

**RULE NO. 2** – No person shall throw any stone or other missile, or have possession of any firecracker, torpedo or other fireworks; or, except with the written authority from said Lake Boon Commission, engage in business, sell or give away any goods, wares or circulars; or post, paint, affix or display any sign, notice, placard or advertising device; or have possession of or discharge any firearm on or over the waters of Lake Boon.

**RULE NO. 3** – No person shall bathe in the waters of Lake Boon except in a costume proper for bathing purposes and either at a place designated therefor or with the consent of the owner or person in possession of the land immediately adjoining such place.

**RULE NO. 4** – No person shall throw, drop, or place in the waters of Lake Boon or its tributaries, any waste paper, rubbish, brush, leaves, grass clippings, pine needles, or refuse; or chemically treat the waters of Lake Boon or its tributaries, without the approval of the appropriate agencies.

**RULE NO. 5** – Whoever shall at any time make an opening in the ice of Lake Boon exceeding twelve (12) inches in diameter shall properly guard such opening by lights, ropes or brush so as to prevent accident. No person shall utilize any device that prevents ice from forming without the permission of the Lake Boon Commission.

**RULE NO. 6** – No person shall use the waters of Lake Boon for the taking off or landing of aircraft, except in case of emergency to save the lives of the pilot or passengers.

**RULE NO. 7** – No person shall row or paddle a boat or canoe unless able to control or handle the same with safety to himself and others; or in such a manner as to annoy or endanger the occupants or other boats or canoes, or neglect or refuse to stop the same or to place the same when stopped as directed by a police officer in uniform or who displays his badge; or abandon a hired boat or canoe or leave the same unattended by some person or fail or neglect to return the same to the place from which it was hired except with the written consent of the owner and no boats or canoes of any description shall be rented to any person under the influence of intoxicating liquor or marijuana.

**RULE NO. 8** – No person, without the permission of the Lake Boon Commission, may permanently moor any vessel, boat, canoe, raft or float, marker buoy, or series of connected buoys, so that any part of the same extends more than twenty (20) feet from the shore, or outside the limits of such lesser distance



as may be designated by the Lake Boon Commission for particular locations, by buoys, markers or otherwise.

**RULE NO. 9** – Any structure, whether fixed or floating, on the waters of Lake Boon, shall be removed or repaired within twenty (20) days after notification in writing by the Lake Boon Commission that it has been deemed unsafe for said normal use. The property owner concerned may request a Commission hearing within ten (10) days of receipt of notification in case of dispute with the Commission's findings, in which case, the property owner will have ten (10) days following final determination in which to complete removal or repair of said structure if necessary.

**RULE NO. 10** – As a public safety measure, all Lake Boon waterfront property owners must have their street address prominently marked in a manner that is visible from the lake year-round, using contrasting color lettering at least 3 inches in height.

**RULE NO. 11** – No person shall engage in the business of renting boats or canoes or permit their premises to be used for launching or dock facilities by other than members of their family or social guests without a Commercial Use Permit. Such permits to be issued by the Selectmen of the town in which the property concerned lies and only after recommendation of the Lake Boon Commission. Such permits shall continue in force until December 31<sup>st</sup> of the year issued unless sooner suspended or revoked.

**RULE NO. 12** – Any person who violates any rule or regulation or order of said Commission or any provision of the acts shall be punished by a fine of not more than fifty (50) dollars.

## **BOATING REGULATIONS**

Lake Boon is a Great Pond in the state of Massachusetts. That means that it is governed by the boating regulations established by the state, and it is the boater's responsibility to know and follow those laws and regulations. In addition, there are specific rules on Lake Boon, violation of which could result in a fine.

### **RULE 1. SPEED**

(A) No person shall operate any motor boat on Lake Boon at a speed that is greater than is reasonable and proper under the circumstances and conditions then existing, or operate same or manipulate any water skis, wake board, tube or similar device in a negligent manner so that the lives or safety of the public might be endangered or property damaged.

(B) Speed in any of the narrows shall be such that no appreciable wake is produced, but in no case to exceed the minimum necessary to maintain steerage way. The Narrows are defined as the areas between the first and second, and second and third, and third and fourth basins.

(C) Speed during the period from one-half hour after sunset until one-half hour before sunrise shall be such that no appreciable wake is produced, but in no case to exceed the minimum necessary to maintain steerage way.

(D) The hours of 2-6 PM on Sundays and on the Massachusetts State holidays of Memorial Day, Independence Day, Labor Day and Columbus Day are designated for canoeing, sailing, swimming and

other non-motorized uses of the Lake, and the maximum speed of any motorboat shall be the minimum necessary to maintain steerage way.

## **RULE 2. WATER SKIING & TOWING**

(A) Water skiing, tubing and wake board riding is prohibited in any of the narrows, and in the third and fourth basins.

(B) Only one tow line is permitted from a boat, and the towing of more than two (2) persons on any towed device is hereby prohibited.

(C) No tow line shall exceed seventy-five (75) feet from the point of contact on the tow boat to the object being towed.

## **RULE 3. BOATS**

(A) No vessel may be used as a residence, either permanently or temporarily, on the waters of Lake Boon.

(B) No air boat, so-called, which requires a propeller or propellers which are located above the surface of the water for the propulsion of a boat shall be used or allowed on the waters of Lake Boon except vessels as described above which are operated by any governmental subdivision or department.