

Conservation Commission Meeting
Sharon Community Center
February 20, 2014

Peg Arguimbau, Chairperson, Christine Turnbull, Keevin Geller, Elizabeth McGrath and Stephen Cremer, were the members present. Linda Orel was not present. The Conservation Administrator, Greg Meister, was also present.

8:00pm Jacob Archer – Boy Scout project

Jacob Archer, Eagle Scout candidate. Jacob presented his project of restoring a section of the Massapoag Trail. Jacob used donations he received from families and friends to transform the trail utilizing a bridge. The area of the trail where the work took place was off of Quincy Street and snakes through to the Ames Street playground. Before repairs began, the trail was in a sorry state. The old bridge was unsafe for use and the trail was muddy. There were portions of the trail obstructed with fallen trees, brush and thorns. Jacob spoke with Kurt Buermann about restoring the bridge as well as Meister for advice. Phase I of project is mapped and the trail has been documented and photographed.

Project approval was received from the Scouts.

Phase II. Minor adjustments were made to bridge for safe crossing. Wood was used from own wood stock. Additional site preparation was done and the path was cleared. Frames for the boardwalk were constructed in Jacob's backyard then transported to the site for installation. Over 30 volunteers helped with the boardwalk installation.

Logs were taken out of the stream with approximately 13 fallen trees removed. The total cost of the project was \$1,400 with the Commission donating \$400 towards the project.

8:15pm Notice of Intent, 28 Beach Road – Carol Abram

DEP File #280-0558

Joel Fishman representing client. A proposed 1 and ½ story renovation is being proposed. The current home is a single level home with one bedroom. The home will remain a one-bedroom home with the bedroom moving to the second floor. The entire property is located within the 100-foot buffer zone. The fifty-foot buffer zone essentially runs through the center of the home. Proposed work will be done on the side of the home farthest away from the lake. There will be no work performed within the flood zone. There will be a four-foot frost wall located beneath the proposed den. No full basement. Waddles will be located along the property line prior to the project beginning. Excavation will be required to install footings for the frost wall. The current septic system is an I/A wastewater system (Bioclere) and has passed Title V.

Motion to close hearing

Turnbull, McGrath 4-0-1

Motion to issue Order of Conditions

Order of conditions per project plan. Notification to office upon work beginning.
McGrath, Cremer 4-0-1

8:15pm Notice of Intent, 150 Norwood Street

Applicant notified office that they needed an extension.

Motion to continue 150 Norwood Street to time when applicant can come in.
McGrath, Cremer 5-0-0.

Approval of Meeting minutes of February 5, 2014

Duplicate on page 2 – after MassDot policy the word “in” is repeated twice.

Page 4 – motion to close hearing, need to capitalize Orel and McGrath.

Motion to accept minutes as amended.

Cremer, McGrath 4-0-1

Discussion regarding banning of Jet skis.

Boat stickers will be going on sale soon. Decision therefore should be made about Jet Skis. In Meister’s opinion, there is conclusive evidence that Jet Skis are responsible for the Asian Clams found in the lake last summer. Cremer is concerned with verbiage of “jet skis”. Perhaps better verbiage would be any vessel with jet propulsion method. Verbiage in current by-law: Jet Ski, surf jet, wet bike or other personal watercraft. Meister feels should be banned.

Cremer inquired if any possibility that the problem of personal watercraft can be dealt with under a management plan rather than outright banning?

Meister explained that these watercraft store over a gallon of water, the newer models tend to be over 60hp and that more and more towns are banning outright, often times because of noise, but increasingly because of what Jet Skis and personal watercraft have been found to transport: weeds, Asian Clams and other invasives. In Meister’s opinion, it is the Commission’s responsibility to protect the lake and therefore the Commission must act. For environmental reasons, Jet Skis and personal watercraft should not be allowed on/in the lake.

Cremer further inquired what type of action the Commission should take. Does the Commission have the authority to not allow these types of personal watercraft into the lake? Does the Commission have the authority to make a recommendation? Meister responded in terms of managing that there was no way to manage. As he explained earlier, Jet Skis and personal watercraft carry over a gallon of water in their tanks, and they come from many areas. Cremer would like correct wording, or to know if the Commission has the authority to actually ban Jet Skis and personal watercraft.

According to Arguimbau, the lake is considered part of the Commission’s responsibility but it would be nice if the Board of Selectman also signed onto. With respect to enforcing of the banning of Jet Skis and personal watercraft, currently there is a ban on evening operation. The Chief of Police currently enforces. Board of Selectman as well

as their designee can also enforce based on the current by-law. This same structure could remain in place and expanded upon with the same group of people to enforcing.

Meister explained that if the Commission would like to go to Town Meeting later to amend current by-law, it can be done, however, for now, just as the Board of Health did with banning dogs from the beach, the Commission can ban Jet Skis and other personal watercraft from the lake. If it is delayed until Town Meeting, a good portion of the season would be lost before the Attorney General approved Town Meeting action. Additionally, boat stickers will be going on sale soon. The warrant is closed although there is a placeholder for handling Jet Ski's.

Cremer and McGrath inquired if Commission could put a policy in place now, as well as proposing to go to town meeting in May to amend by law? Arguimbau explained that is why Commission is discussing now. Vote does not need to occur this evening, will put on Agenda for March 6th – Public forum: discussion to ban Jet Ski's and other personal watercraft from the lake.

There should be a rule banning Jet Ski's now. The Town of Westborough currently has a ban on Jet Ski's. The verbiage they use is: vessel propelled by water jet pump, which covers Jet Ski's, surf jets and wet bikes.

What is the process for managing lakefront owners who own Jet Ski's or personal watercraft? They will not be allowed to use on the Lake. That will be part of the notification with boat launch procedures. This will all be discussed at the March 27th public forum meeting.

Other topics to discuss?

Other boards should be notified and made aware of discussion of Jet Skis and personal watercraft. Concern raised about calling the banning a by-law or rule/regulation. Meister will speak with Town Counsel.

Schedule public hearing on March 6th after appointments.

Motion to close meeting

Cremer, Geller 5-0-0.

Meeting adjourned at 8:35pm