



COMMONWEALTH OF MASSACHUSETTS

# Town of Southwick

## Lake Management Committee

454 COLLEGE HIGHWAY, SOUTHWICK, MA 01077

Telephone (413) 569-0515 Fax (413) 569-0515

Minutes of meeting held August 22nd, 2019, 7:00 P.M. at Town Hall College Highway, Southwick, MA, with attendance as follows:

		Voting	Present	Absent
Norm Cheever	Associate	No	X	
Mike Coombs	Member	Yes	X	
Malcolm DeBay	Member	Yes		X
Mike DeBay	Member	Yes	X	
Dick Grannells	Chair	Yes	X	
Scotty Graves	Member	Yes	X	
Annie Hanson	Secretary	No	X	
Deborah Herath	Member	Yes	X	
Eric Mueller	Vice-Chair	Yes		X
Ken Phillips	Member	Yes	X	
Steve Schmid	Member	No		X
Rick Wylot	Member	Yes		X

Guest(s): Paul Murphy - 80 Point Grove Rd, Southwick  
Gary Delcamp - 131 North Lake Avenue, Southwick  
Wendy Delcamp- 131 North Lake Avenue, Southwick  
Jen Nolasco - 101 Point Grove Road, Southwick  
Chief Kevin Bishop (Chief of Police, Southwick)  
Dennis Clark (Con Com Coordinator)

1. Members reviewed the minutes from August 22<sup>nd</sup>, 2019. **A motion was made by Mike C. to accept the minutes. Mike D. seconded the motion. All were in favor and the motion passed.**
2. 131 North Lake Avenue (Delcamp)  
Mr. Gary Delcamp and his wife Wendy Delcamp were present for the meeting to continue moving forward with a Variance request. Gary mentioned that he would not be able to salvage the dock if it had to be taken apart to move it on shore. There is no Chapter 91 license or any sort of permit obtained to permit the permanent structure to begin with, but Gary explained and showed pictures of all the safety precautions they take, including leaving safety cones out year round and using solar reflectors. It was agreed that if this structure were to ever disintegrate, it must be removed from the water. It was mentioned that there was no record of a Variance request, Gary and Wendy Delcamp believed they filled one out, but said they will send in a new one. **A motion was made by Mike D. to postpone this topic until there is a Variance request. Deb H. seconded this motion. All were in favor and the motion passed.**
3. 101 Point Grove Road (Wok on the Water/ Louie B's)-  
Jen Nolasco was present for the 8/22/19 meeting. Jen began this topic with mentioning that she thought she had a Chapter 91 marina license. She does not have a marina license, per se, as there is no dedicated parking spaces for vehicles with trailers. Jen admitted to Chief Bishop that she has had people rent dock space in the past, but this year she has since returned everyone's money and is not renting dock space. When questioned by Chief Bishop, Jen stated for the record that that she no longer rents out any dock spaces and has returned any fees collected for this season. Members noted that there have been at least 4 boats on the dock at Wok on the Water for consecutive weeks and that number has now grown to eight. This investigation remains open.

4. 5 & 9 Lakeview Street (Liquori)  
Per LMC members, there were 14 vessels were found to be moored on the 5 docks that reside at the subject property. Members have also seen and had photos of "Dock Space For Rent" signs in the past, but Dennis Clark reported that the owner claims that he is not renting any spaces. An 8/22/19 email to Dennis Clark from DEP Deputy Regional Director, Brian Harrington, states that Chapter 91 defines limiting structures to the minimum size necessary to achieve the water dependent purpose and that the conditions apply to the LPP as well.
5. 84 Point Grove Road (Panella)  
Paul Murphy mentioned and showed LPP documents that state that no docks are allowed to be closer than 25 feet to the neighboring docks. Mr. Panella's dock length is less than 25 ft away from Mr. Murphy's, and it also exceeds the 30 ft limit for a dock which invalidated his Chapter 91 license. Mr. Panella's dock length is 56 ft, and DEP voided his Chapter 91 license. It appears that Mr. Panella will need a Variance because he did not have permission to lengthen his dock, or to be less than 25 ft away from neighboring docks.
6. Lake Safety  
Members have had many discussions in past meetings about lake safety and the excessive number of vessels on Congamond as supported by 27 years of annual boat census data. Congamond effectively has 2 boats per acre of which half are power boats. This is in comparison to articles on boat safety where they recommend a limit of 1 motorized vessel per 10 acres! The Office of Fishing & Boating Access downsized the North Ramp from 180+ vehicles in its original configuration to the 30 vehicles/trailers plus 10 Cartops in the configuration when the Town accepted management responsibility. The number of spaces is based on the similar acres per boat formula. Members also discussed boaters not following the rules, like speeding and no lights after dark, PWCs towing tubers, operators towing skiers/tubers without a spotter, overloaded boats, boats towing 6 - 9 tubers without adequate boat capacity, speeding on weekends before 10 AM, not and travelling counterclockwise. Another lake safety issue discussed was anchoring and swimming randomly in the middle of the ponds. Currently, there is no regulation addressing this practice that often results in no place for boats towing skiers or tubers to operate safely. LMC members plan to have more future discussions on these lake safety topics.
7. 11 Beach Road (Jenkins)  
Mr. Jenkin's dock is located on town property. Additional information was required per then Town Counsel prior to allowing this dock on Town Beach property but this does not appear to have been provided. Con Com gave a permit to the Parks & Recreation Association to have a dock, but not to Mr. Jenkins. No boats are supposed to be operated in a swimming area, nor is there a residence at 11 Beach Road as noted on the permit. It is suspected that none of the boats on this dock belong to Mr. Jenkins, as one has a New York registration. If Jenkin's dock does not have a sticker, it is not permitted to be moored on Congamond.
8. Steve Schmid sent an email to Dick stating that he would like to give up his position on the LMC. **A motion was made by Mike C. to accept Steve Schmid's resignation. Mike D. seconded the motion. All were in favor and the motion passed.** Paul Murphy requested to become an Associate Member. **Mike D. made the motion to accept Paul Murphy's written request to fill that position. Deb H. seconded the motion. All were in favor and the motion passed.** SB had already approved Paul for this position. Welcome aboard, Paul!
9. 141 Congamond Road (Crabby Joe's)  
LMC agreed that the docks at this location must be removed, as they are not permitted and are in bad condition. LMC believes a letter should be written to current owner, Joe Scuderi, to remove this dock. The dock also needs to be removed because a Chapter 91 license was never recorded, and LPP is not applicable because this is a commercial dock.
10. 159 Berkshire Avenue (Baldarelli)

The owner of this residency has continued to disrupt the land, which is resulting in significant erosion. The eroded materials have been flowing into the Town's detention pond at the Old Town Beach and right into Congamond during heavy rainfall events (see photos). It is also noted that Town Bylaws state that if one disrupts more than one acre of land, they must obtain a series of permits. The muddy water that is occurring due to the digging from the resident at 159 Berkshire, is flowing into Congamond. He is also has been excavating without notifying DIGSAFE, which is a requirement. The DPW is responsible for cleaning out catch basins and maintaining detention ponds, but some members of LMC believe that the owner of this property should pay a portion, as the removal of the accumulated sediment now needs to happen more frequently.

11. Great Brook Dredging

Dick has been working on a letter for the SB to send to US Senators and Congressmen following a July meeting with their representatives at Town Hall. The hope is that Southwick may be able to engage the services of the Army Corps of Engineers (USACE) to design, permit and do the work necessary to clear (dredge/snag) about 4.5 to 5 miles of clogged Great Brook. USACE did a much smaller Great Brook dredging project south of Industrial Road back in the mid-1980s. Great Brook used to be the primary outlet for Congamond Lakes.

12. FBA Lockbox

A lockbox at the South Ramp has been suggested several times now. It would ensure that South Ramp could continue to generate a revenue, without needing an attendant there. All revenue at the Ramps, stay at the ramps, which pays for year-around porta-potties, trash removal, lighting, phones, facilities maintenance and Ramp Attendants.

13. Paper Roads

There was a brief discussion about "paper roads" and "lake access: via recorded 1920s - 1940s lake subdivision plans that defined deeded access to the water via several of the paper roads that extend to the waterfront. Recent complaints received about Quit Claim acquisition and/or fencing off of these access points has prompted the recent discussions which will continue at the next LMC meeting.

14. **A motion to adjourn was made by Mike C. and Scotty G. seconded the motion. All were in favor and the meeting was adjourned at 8:40 PM.**

15. The next meeting is scheduled for September 12, 2019.

Respectfully submitted,

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Annalia Hanson - Secretary

Cc (11): BOH, Con Com, DPW, Fin Com, Historical Com, J. Middleton (email), Park & Rec, Planning Board, SPD Chief/Harbormaster, K. Stinehart, Town Clerk, File (1)