



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 February 13, 2020, 7:00 P.M. at Town Hall College Highway, Southwick, MA, with attendance as follows:

		Voting	Present	Absent
Norm Cheever	Member	Yes	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	
Paul Murphy	Member	No	X	
Ken Phillips	Member	No		X
Rick Wylot	Associate	Yes		X

Guest(s): Jerry Patria (Con Com)

1. The meeting was called to order at 7 PM. Members reviewed the minutes from December 12, 2019 and requested some minor amendments. **A motion was made by Mike D. to accept the minutes as amended. Eric seconded the motion and the vote was unanimous.** Members also reviewed the minutes from the meeting that took place on January 9, 2020. **Mike D. made a motion to accept the minutes and Deb H. seconded. The vote was unanimous.**

2. 9 Beach Road

At 9 Beach Road, there has been an ongoing issue regarding the dock that the owner has placed on the Town Beach property. Mr. Jenkins, the then owner of 9 Beach Road, which was referred to incorrectly in LPP Application as 11 Beach Road, had been told he must provide an insurance policy for \$1 million and must have the Town specifically named on the policy. This is again due to his docks being located on Town property, which could make the Town liable for any accidents associated with that dock. There is also an outstanding issue about other properties having the same "deeded right to access the water" via this easement and it only being "access" not dock(s). Mr. Jenkins appears to not have yet complied with these requirements. The Conservation Commission sent a letter to Mr. Jenkins and his daughter (the current owner) stating that they cannot apply for a permit this year until everything is resolved, and Parks and Rec will also follow suit with a similar letter.

3. Alum Treatment Funding

As of today, 2/13/2020, the Town has not received any State funding to go forward with the treatment. The Select Board supported getting the funds from the CPC, who voted to support \$600K of CPC funding for the treatment. A new bathymetric map was recently received from DCR,

which is a good thing because the previous bathymetric maps now appear to have been widely inaccurate. Unfortunately, this has resulted in increased the treatment area on Congamond, which has increased the estimate to \$850K, including oversight by the Town's contract limnologist. to 46% according to Eric. LMC hopes to see this money before the Spring, as it is ideal to have this treatment done this year to avoid the increasing risk of lake closure. The next funding hurdles are the CPC meeting to increase the funding commitment, followed by a Special Town Meeting for voter approval.

4. Con Com Update – Norm Cheever

LMC members want to start by thanking Norm for his continuous efforts to update everyone on important topics from Conservation Commission meetings that affect LMC. There were three Con Com meetings since Norm's most recent update. On December 16, 2019, Con Com had a meeting that accepted the dock Variance for 133 North Lake Avenue. January 6, 2020 was Con Com's next meeting. Norm updated us that 13 North Pond Road was approved with a new layout that better addresses erosion concerns. Lastly, at the most recent meeting on February 3, 2020, the alum treatment update was given, as seen in the topic above.

5. 159 Berkshire Avenue

Last Monday, February 10, 2020, Norm went to the Zoning Board of Appeals meeting. It was mentioned by the ZBA Chairman that the meeting was a preliminary meeting and there will be no final decisions to be made on February 10. The owner of the home, Joseph Baldarelli spoke. He mentioned he had only removed trees that were dead, though it is known that many of the trees that were taken down were flourishing. In August of 2019, Mr. Baldarelli said he did not put up a dam and also said that he thought that he was doing the town a favor. A Cease and Desist letter was delivered on December 6, 2019, that he was violating Town By-laws. It was also noted that Mr. Baldarelli had not applied for a storm water permit. The final hearing for this meeting will be on March 9, 2020. A letter from LMC will be sent to the Zoning Board of Appeals, Select Board, Conservation Commission, Planning Board, the Harbormaster and Randy Brown indicating the LMC's deep concerns about the high potential for severe impact to Middle Pond water quality. **The motion to send the letter was made by Norm C. and Deb seconded. The vote was unanimous.** The letter will state the following:

"The Lake Management Committee is on record against the variance request of Joseph Baldarelli of 159 Berkshire Avenue to allow the man-made dam to exist going forward. The LMC fully endorses the cease and desist order of the building inspector (12/6/2019). The actions that have taken place at 159 Berkshire Avenue are in a clear violation of town by-law 185.36.1 (Erosion and Sediment Control for stormwater management). Since there now are over 3 acres of non-vegetated soil behind the dam, an approved plan of the removal of the dam must be approved by DPW and the Conservation Commission before the dam is removed. The LMC firmly believes that the lake quality is in jeopardy."

6. Boating Rules on Congamond

LMC has four handouts for boaters that summarize the rules regarding rules for safe boating on Congamond. It is known that both residents and non-residents do not always follow the rules and use the excuse that they "didn't know the rules." These sheets that are handed out to boaters are lengthy, which in turn, may drive boaters away from reading them. LMC members, especially Deb and Eric mentioned that having these rules in order from most to least important might help alleviate people breaking the rules. Members are going to work on making these rules more "user

friendly" and Ramp Attendants will be required to continue hand out these rules to all boaters to avoid any misunderstanding on Lake Safety.

7. Lake Patrol

LMC members want to see an increase in lake patrols, as safety is a priority. Members also know it is not easy to staff patrol, but know the importance of keeping Congamond a safe place for everyone.

8. Salt Concerns

There is a rise in concerns regarding salt levels in Congamond as Southwick now uses 100% salt for Snow/Ice treatment on roads. Deb stated that not only hers, but her neighbor's wells have elevated salt levels in them, which is concerning to her and others. Eric mentioned that the conductivity is not at an alarming level. Eric also stated that he will monitor to see if salt levels are rising, but currently there is not an obvious problem. Ken Wagner provided some preliminary information on conductivity and thresholds that the LMC can use. Eric will plot the historical conductivity measurement data to see if there is any trend.

9. LMC Charter

The LMC drafted a Charter that was given to the Select Board for review/comment. The Select Board plans to discuss the draft further at their next meeting.

10. Budget Hearing

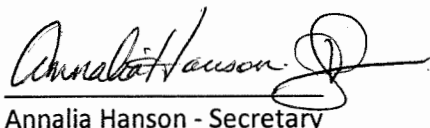
The budget hearing for LMC will be taking place on Saturday, February 22, 2020 at 9:30 am.

11. Fires on Ice

There are fires that are being built directly on the ice and the debris left on the ice on Congamond which violates TOS bylaw Chapter 75-2 K. Dick wants to be made aware if anyone observes any fires on the ice and asked that the observer contact the Southwick Police immediately. There is also illegal dumping of volumes of human waste (possibly from fishermen or a camper) that is happening in the porta-pottys particularly at North Ramp. We would like to put an end to this, so if anyone sees something, please say something!

12. **A motion to adjourn the meeting was made by Eric and Mike D. seconded. All were in favor and the meeting was adjourned at 8:30 PM.**

Respectfully submitted,



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)