

Open Space Ad Hoc Committee
Wednesday, February 8, 2023 – 7:30 PM
Minutes

Members Present: Brandon Kibbe (Clerk), Ana Lockwood (Vice Chair), Michael Toohill (Chair), Eric Hinds, Mary Wilson (joined @ 7:34)

1. Chairman Toohill called meeting to order at 7:31pm.
2. **Review and Approve Minutes, 9/8/22 and 1/11/23**: Minutes not available for 9/8/22, approval tabled. Lockwood moved, seconded by Hinds to approve minutes of 1/11/23; approved unanimously.
3. **Open Space Conference**: Toohill encouraged committee members to attend sessions in the next couple of weeks.
4. **Report on Title Examination of 0 Lake Shirley Reservoir**: Toohill followed up with Town Counsel to review title examination and discuss next steps. 3 potential ways to clear title; Town Counsel to review options with Town Manager and Selectboard Chair.
5. **Discussion-Parmenter Road and Reservoir Road Parcels**: Toohill revisited Open Space Committee role as advisor to other town boards. For Parmenter Road parcel, as discussed at last meeting, should the town consider utilizing the Parmenter Road parcel for a car-top, hand-carry boating access to be held under the care and control of the parcel to be transferred to Parks Commission? Toohill presented a draft memo summarizing potential recommendations. Lockwood reported that she and Karin Menard (Parks Commission) discussed proposal with Police Chief. Discussed safety for non-motorized boating use of a lake with motorized access, which the Chief thought was generally accepted. Kibbe mentioned that limiting motorized access could inadvertently limit some car-top access (fishing john boats for example); Toohill rebutted that it is a slippery slope. Wilson suggested that not allowing trailered access may inadvertently limit car-top access by some users who need the trailer to accommodate their needs; hopes that Open Space Committee recommendation simply stick to recommendation regarding care and control. Bob Pease (Conservation Commission Chair) believes that decision on parking should be made by Parks and Rec, and that Open Space Committee should make its recommendations on parking/use to Parks and Rec for consideration if it takes care and control.
 - a. Joel Swenson – Hears that committee’s power is limited to making recommendations. Opposes development of Parmenter property, recommends use of Reservoir Road parcel. Warns about ADA development requirements and costs.
 - b. Mary Perkins – Shady Point owner offers an annual pass for \$40 to launch there. Open to doing passes at the library like museums, etc. Parmenter Road parcel was purchased by the town to facilitate storm drain when Parmenter Road was laid out and built. Concerns about Whalom boat ramp usage, public vagrancy, afraid those types of concerns would happen on Parmenter Road parcel. Stump Cove (Reservoir Road) existing access already provides this type of access.
 - c. Rich Pearson – Does not support development at Parmenter Road location. School bus turn around, on street parking would be a problem.
 - d. Fiona & David King – Appreciates role of Open Space Committee. Strongly objects to Parmenter Road parcel for development for car top access. Traffic main concern, Shady

Point already adds traffic to Reservoir Road. Narrow train overpass from the Shirley Road end, single lane. Large distribution center on Shirley Road will also be adding traffic. The town doesn't contribute to the care of the lake.

- e. Virginia Wolfram – Traffic, narrow roads, pedestrian traffic, etc. all safety concerns. Urges committee to include the community concerns in its recommendations. Storm drain with 10-foot easement on either side severely limits the access at the shoreline. Understanding lot lines will be an important step before development can occur. Wetlands bylaws also will be restrictive to development. Opposed to the use of the Parmenter Road parcel for cartop access.
- f. Lockwood clarified that Parks Commission did come to the Committee as suggested by B. Pease. Also clarified that all of the issues raised by the local residents are valid, and confirmed that all of those issues will need to be considered and addressed in the process. The town will not get a “free pass” with all rules and requirements. The Reservoir Road parcel also has its own challenges.
- g. Jerry Brown – the Parmenter Road parcel is very small and very tight for the type of access.
- h. Gary Spindt – “Extreme anxiety” about safety concerns, especially on-water safety for nonpowered boats due to powered boats.
- i. Joel Swenson – misnomer about stump cove, used to be called “lily land”; “coveted” access for small watercraft for fishing, wildlife viewing, etc.
- j. Virginia Wolfram – Shady Point provides public access with a \$40 pass. The committee must consider safety/access of Parmenter Road parcel, not just because the parcel is available.
- k. Mary Perkins – likes it being called lily cove as destination for small watercraft rather than stump cove.
- l. Karin Menard – Member of Parks Commission. Lily cove (AKA stump cove) difficult to get into. Public body of water that does not have reasonable public access. Need to start somewhere to
- m. Committee Discussion:
 - i. Mary Wilson believes that this committee should limit its actions to its powers, and would support recommending transfer of care and control of the parcel to Parks and Rec.
 - ii. Eric Hinds concurs with M. Wilson, limit any recommendations on future use.
 - iii. Ana Lockwood wishes to consider pursuing this option. State funded dam improvements in 1980's included a provision for public access to Lake Shirley. This is a viable option for meeting this mandate.
 - iv. Brandon Kibbe concurs with other committee members, with information about public comments forwarded to Parks and Rec. Questions whether care and control should be transferred before the site is adequately evaluated for the intended public access. Storm drain issue is very important and encourages Parks and Rec to discuss with DPW.
 - v. Mike Toohill agrees with B. Kibbe, because transferring care and control to Parks and Rec will invoke Article 97 that will limit future uses (even if it isn't developed for the use being discussed). Are there any “show stoppers” in terms

of site constraints or other considerations? Is this the right time to make the recommendation?

- vi. B. Kibbe agreed that this might not be the right time.
 - vii. A. Lockwood requested clarification on Article 97, provided by M. Toohill and B. Kibbe.
 - viii. M. Toohill provided summary of wetlands restrictions, has consulted with Conservation Commission. Local 30-foot “no touch” zone regularly waived for residents on Lake Shirley. M. Toohill will draft letter to Town Manager and Board of Selectmen to summarize what the discussions have been. A. Lockwood will start investigating more answers on limitations, asks other committee members to outline the principle concerns.
6. **Next meetings:** March 8, 2023 and April 12, 2023
 7. **Committee Comments/Concerns:** No comments
 8. Lockwood motion, Wilson Seconded. Unanimously voted. Meeting adjourned at 9:04pm.

Respectfully submitted,

Brandon Kibbe