

Chapter 184

PARKS AND RECREATIONAL AREAS

Article I Pillings Pond

[Adopted 3-11-1957 (Ch. 5, § 16, of the Bylaws), amended August 10, 1998 and August 16, 2021]

§ 184-1 Adoption and approval of regulations.

The Select Board of Lynnfield, acting under the authority of Chapter 656 of the Acts and Resolves of the Legislature of Massachusetts of the year 1956, adopted and regulations on May 1, 1958 and amended them on August 10, 1998 and August 16, 2021.

The rules and regulations relative to fishing have been approved by the Division of Fisheries and Game of the Department of Natural Resources, and all other rules and regulations have been approved by the Executive Office of Environmental Affairs, as required by the said enabling legislation.

These rules and regulations are made up with the consideration that Pillings Pond is an artificial pond. In 1831 there was no pond, only Bates Brook flowing into Reedy Meadow. Some time prior to 1846 a dam was installed for the operation of a water mill thus creating Pillings Pond. (See proceedings in the case of Josiah Newhall, et al. v. Jonathan Pillings, recorded in the Office of the Clerk of Courts, Essex County, Book 107, Page 312.)

§ 184 – 2 Purpose

These rules and regulations have been designed to provide standards for all activities upon Pillings Pond. They are established to meet objectives including but not limited to the following:

- to lessen congestion
- to conserve health;
- to facilitate adequate access;
- to conserve the value of land and buildings;
- to conserve natural resources; and
- to prevent blight and pollution of the environment.

These rules and regulations may include but are not limited to restricting, prohibiting, permitting or regulating the uses on Pillings Pond.

§ 184 – 3 Permit – License Authority

The Select Board shall be the permit/license granting authority under these rules and regulations. The Select Board shall use its discretion as to issuing permits in consideration of the comfort and well-being of residents near Pillings Pond, and has the right to revoke or suspend same if they deem it detrimental to the safety and comfort of the residents near Pillings Pond.

§ 184 - 4 Limitations

These rules and regulations do not relieve the necessity of complying with all other applicable

federal, state, or local statutes, by-laws, or regulations. Nor do they grant any property rights or any exclusive privileges. They do not authorize any injury to private property or invasion of private rights.

§ 184 -5 Docks

The only structures allowed on or adjacent to Pillings Pond shall be docks subject to these rules and regulations.

- A. Area. Docks shall not exceed a total area of one hundred (100) square feet.
- B. Height. Docks shall not exceed a total height of four (4) feet above the water surface, provided that safety railings shall not be included in determining said height.
- C. Spacing. Each abutter to Pillings Pond shall be allowed to have at least one dock. Docks are not permitted within fifty (50) feet of another dock and must not be installed in such a location as would prohibit an abutter from installing a dock. The Select Board shall have the discretion to have docks moved to achieve such spacing.
- D. Special Permit. For those cases where an applicant cannot meet the requirements of this section on docks, the Select Board after notice by publication at least 14 days prior to a public hearing, may issue a special permit for a lesser requirement.
- E. Lighting. Dock lighting shall be limited to a total of 100 watts. Further:
 - i. lighting shall be white non-flashing;
 - ii. lighting shall not extend more than twelve (12) feet above the water surface;
 - iii. lighting shall be directed in a downward direction such that it does not interfere with others' enjoyment of their property;
 - iv. red/green marker lights shall be permitted at dock's edge; and
 - v. all lighting specified shall be turned off before 11:00 pm unless permitted for special events declared by the Select Board.
- E. Railings. Optional safety railings shall not exceed a height of 3.0 feet above the dock's surface.
- F. Dock License. All docks must be licensed. The fee for said license shall be \$5.00.

§ 184 – 6 Nuisance behavior prohibited

No person shall annoy another person, or utter any profane, threatening or abusive language or loud outcry, or solicit any subscription or contribution; or have possession of or drink any intoxicating liquor; or play any game of chance; or have possession of any instrument of gambling; or do any obscene or indecent act on the waters of Pillings Pond.

§ 184 – 7 Restrictions on conduct

No person shall throw any stone or other missile, or have possession of any firecracker, torpedo or fireworks; or, except with the written authority of the Select Board, 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 Pillings Pond.

§ 184 - 8 Swimming restrictions

No person shall bathe in the waters of Pillings Pond 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. All public bathing shall end at 8:00 p.m.

§ 184 - 9 Solid waste; mooring restrictions

No person shall throw, drop or place in the waters of Pillings Pond any wastepaper, rubbish, brush, leaves, or refuse; or, without a written permit from the Select Board.

§ 184 - 10 Ice fishing

Whoever shall at any time make an opening in the ice of Pillings Pond exceeding 12 inches in diameter shall properly guard such opening by lights, ropes or brush so as to prevent accidents.

§ 184 – 11 Registration of boats and vehicles

Every owner of, or person in control of, a motor boat or boat propelled by other than muscular power upon the waters of Pillings Pond, or iceboat or any motor-driven vehicle upon the pond when frozen, shall register the same with the Select Board, which registration shall state the length, the size, the seating capacity and condition of the boat, the character of the motor power, horsepower, and number of cylinders, and shall state what equipment, if any, is provided in said boat, for the purpose of reversing the same, and all other appliances required by law. No person in control of any boat shall permit more persons on board than the seating capacity provides. The holders of each permit issued as aforesaid will be assigned a number by the Select Board which shall appear in letters or numerals at least three inches (3”) high and three inches (3”) above the water line on the bow of the boat so that it can be plainly visible from either side. (The assigned number can be on removable boards.)

§ 18 - 12 Motorboat speed and operation

No person operating a craft propelled by other than muscular power shall pass another craft within fifty (50) feet nor circle around any craft in such a manner as to annoy or endanger the occupants of other craft, nor pass between moored rafts or floats and the shore. No craft shall operate at a speed that endangers the life, limb or property of any person. No towline shall exceed fifty (50) feet from the point of contact on the towboat to the object being towed. The Select Board may on application issue permits for parades, races, or special events on stated occasions.

§ 184 - 13 Operation of nonmotorized vessels; rentals

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 of 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 liquors.

§ 184 - 14 Nighttime operation of vessels

No person shall operate a motor or other power boat of any description during the period from one hour after sunset until one hour before sunrise at a speed exceeding 10 miles per hour and there shall be attached to the same a white light aft to show all around the horizon. No other lights are permitted except by written permission of the Select Board. Said boat shall be equipped with a proper muffler or underwater exhaust. All craft shall operate at a reasonable speed on Pillings Pond.

§ 184 - 15 Passing vessels

When any person having charge of a vessel, canoe, boat or motorboat meets another such vessel in a head-and-head manner, that is, head on, or nearly so, it shall be the duty of each craft to pass on the right side of the other. But, if the course of such vessel, canoe, boat or motorboat is so far on the left side of each other as not to be considered as meeting head and head, each shall pass on the left side of each other. When any person, having charge of a vessel, canoe, boat or motorboat, overtakes another vessel, canoe, boat or motorboat, it shall be the duty of the person in charge of the overtaking boat to pass on the left side.

§ 184 - 16 Boat and canoe rental permits

Persons engaging in the business of renting boats and canoes to be used upon the waters of Pillings Pond shall obtain a permit, which shall cost \$5 and shall expire on December 31. Application for permit to register must be made by the boat owner or his agent and can be obtained from the Clerk of the Select Board.

§ 184 - 17 Violations and penalties; permits.

- A. Any person who violates any rule or regulation or order of said Select Board shall be punished by a fine of not more than \$20.
- B. Application for a permit must be made by the boat owner or his agent and can be obtained from the Clerk of the Select Board.
- C. The Select Board shall use its discretion as to issuing permits in consideration of the comfort and well-being of residents in the area of Pillings Pond, and has the right to revoke or suspend the registration of any boat it deems detrimental to the safety and comfort of such residents.

§ 184 - 18 Severability

Every provision of the rules & regulations for Pillings Pond is intended to be severable, and the invalidity or illegality of any portion of said section shall not affect the validity or legality of the

remainder hereof.

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