

UPDATE
AMPERSAND BAY 5MPH/ NO WAKE ZONE

As the season winds to an end, I wanted to provide an update on our effort to create a 5mph zone in Ampersand Bay.

As you'll recall, we had a special meeting for the entire membership on August 28th to discuss several issues which potentially impacted the lake. One of the issues was the increased boat traffic in the bay which had created, among other issues, an increased potential for accidents. A summary of that meeting was sent to all members. At that special meeting there were 11 members present and, by a unanimous vote, it was decided to move forward in an attempt to make the bay a 5mph zone from the Ruben property to the Ampersand Bay Resort. It was not our intent to attempt to get any particular type of water craft or engine size banned, but to create a speed limit in that small area to minimize the problems created by the high density of various types of water craft and the speed at which many operate.

The purpose of this memo is to provide an update on this issue. First I need to correct and clarify a point I made in the summary which was provided to all members. In that memo, I indicated we would provide more details and ask for a vote by the entire membership at a special meeting, our next annual meeting or by mail before we moved forward. That statement was not correct under the provisions of our constitution. We do not provide for voting by mail. All votes are to be conducted at actual meetings where the issues can be discussed. In addition, votes taken at a special meeting properly called for and communicated to the entire membership will reflect the decision of the association. That was the case with our meeting on August 28th. Therefore, there will not be an additional vote on this point. We do, however, want to ensure that we have given everyone a chance to provide their view on this issue as we move forward, Even though we've asked for it before on this issue, we want to do it again in order to ensure we are representing the majority view before we start the process to get approval for a speed limit in a portion of Ampersand Bay. Therefore, please provide that input so we'll have it going forward. While we do not have specific dates at this point, our objective is to be prepared to move on this by the end of October.

Next, let me summarize where we are and what we are told needs to happen. Initially, we thought this was a matter for the DEC to decide. After speaking to them, we were told it was a process that started with Harrietstown and that we needed to ask for the creation of a "vessel regulation zone". In the regulation provided to us, it indicates we'll have to demonstrate to Harrietstown that the establishment of this zone will promote the safety of the people and be in their best interest. This requires a public hearing. Following that hearing, the town board may adopt our request. If so, they will then present the proposed zone speed limit and regulations to the commissioner of parks, recreation and historic preservation for approval. Upon this approval, if any of us live that long, the "vessel regulation zone" will be established. It will then become the duty of all peace officers, acting pursuant to their special duties, police officers and traveling inspectors to enforce the regulations.

As you can see, this will not be a simple process and we may find there are other requirements as we proceed. Neither do we know what kind of reception we'll receive. What we do know is that this is a small area highly populated with all types of water craft where many are operating at high rates of speed. This, along with the establishment of a new restaurant which will most likely create even more traffic in the future, will create an area with an even higher potential for accidents. This is not in the best interest of the people who use this area of the lake.

Please review this information and feel free to call or write with your thoughts. We are working through an area of unchartered water for most of us and your comments and your thoughts, pro or con, would be appreciated.

Thank you for taking the time to consider this.

Bob Hammond
President