



# Welcome To Keech Pond

**THE PROPERTY OWNERS' ASSOCIATION OF KEECH POND, INC.  
(Formally the S.E.W. ASSOCIATION)**

**PO BOX 128  
CHEPACHET, RI 02814**

Visit [KeechPond.com](http://KeechPond.com) for more information and updates.

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# History of Agreements and Documented Recordings – Keech Pond

Chapter 4

by Robert R Catineault

January 15, 2002

The original **S.E.W. Association** was formed in the early 1950's. Restrictions and yearly fees were placed on property sold after the Dam was rebuilt by the S.E.W. also in the agreement with Norbert & Beatrice Bouchard and Swanson/Mitchell. In 1954 the agreement was recorded in Book 57 Page 430 (09/03/1954) in the Town Hall before most of the property was developed. Also recorded on 1/6/1965 a Grant to Property Owners Association of Keech Pond, Inc. Right of Way to Spillway by the Larges, and his property was added to the S.E.W. Umbrella, which upon sale restriction and a yearly fee will be required. In 1970 the S.E.W. incorporated as a non-business, non-profit organization, and the name was changed to **The Property Owners' Association Of Keech, Pond Inc.** Book 70 Page 320 (09/03/1970) At this time the following statement was in this Deed ***Ebbets, Steere and Westcott are desirous of assigning and transferring all of their rights, privileges and obligation set forth in the aforesaid Agreement dated September 3, 1954, to said Property Owners Association of Keech Pond, Inc., together with any and all rights and obligations which they presently may have in S.E.W. Association; and Property Owners' Association of Keech Pond, Inc. is desirous and willing to accept such transfer and assignment, and is further willing to assume any and all obligations and be subject to all restrictions set forth in said Agreement.*** Transfer of all Roads, Beaches, Spillway, Dam and Keech Pond also took place to the newly named organization. A month later the recorded Articles Book 70 Page 435 (10/14/1970) were recorded. The original Board of Directors that formed the S.E.W. (Steere. Ebbets. Westcott) later stepped down at a special meeting Book 71 Page 522 (09/13/1971) and an election of new directors took place and was recorded in the Town Hall. New Bylaws were established thereafter. In 1998 the Bylaws were re-written and approved at an annual meeting with some minor changes. This Chain of Events gives the **Property Owners' Association Of Keech, Pond Inc., full** authority to act as its predecessor, the S.E.W. Association. The Deed in Book 57 Page 430 (09/03/1954) has this statement ***This agreement shall be binding upon the heirs, executors, administrators, successors and assigns of each of the parties hereto, and shall supersede any previous agreement.*** This means once restrictions are established to a given property's title or deed, the restrictions cannot be removed, as long as this organization is in existence, or if passed on to a new organization by deed or agreement, even if it wasn't conveyed in writing per RI State Law 34-11-28 which is written as follows: ***Rights, Privileges, and appurtenances included in grant.*** – *In any conveyance of real estate all rights, privileges, and appurtenances belonging or appertaining to the granted estate shall be included in the conveyance, unless a different intention shall clearly appear in the deed, and it shall be unnecessary to enumerate or mention them either generally or specifically.* The original owners added this agreement, with restrictions to their deeds, which is carried on to all other deeds thereafter even if it is not mentioned (See above law).

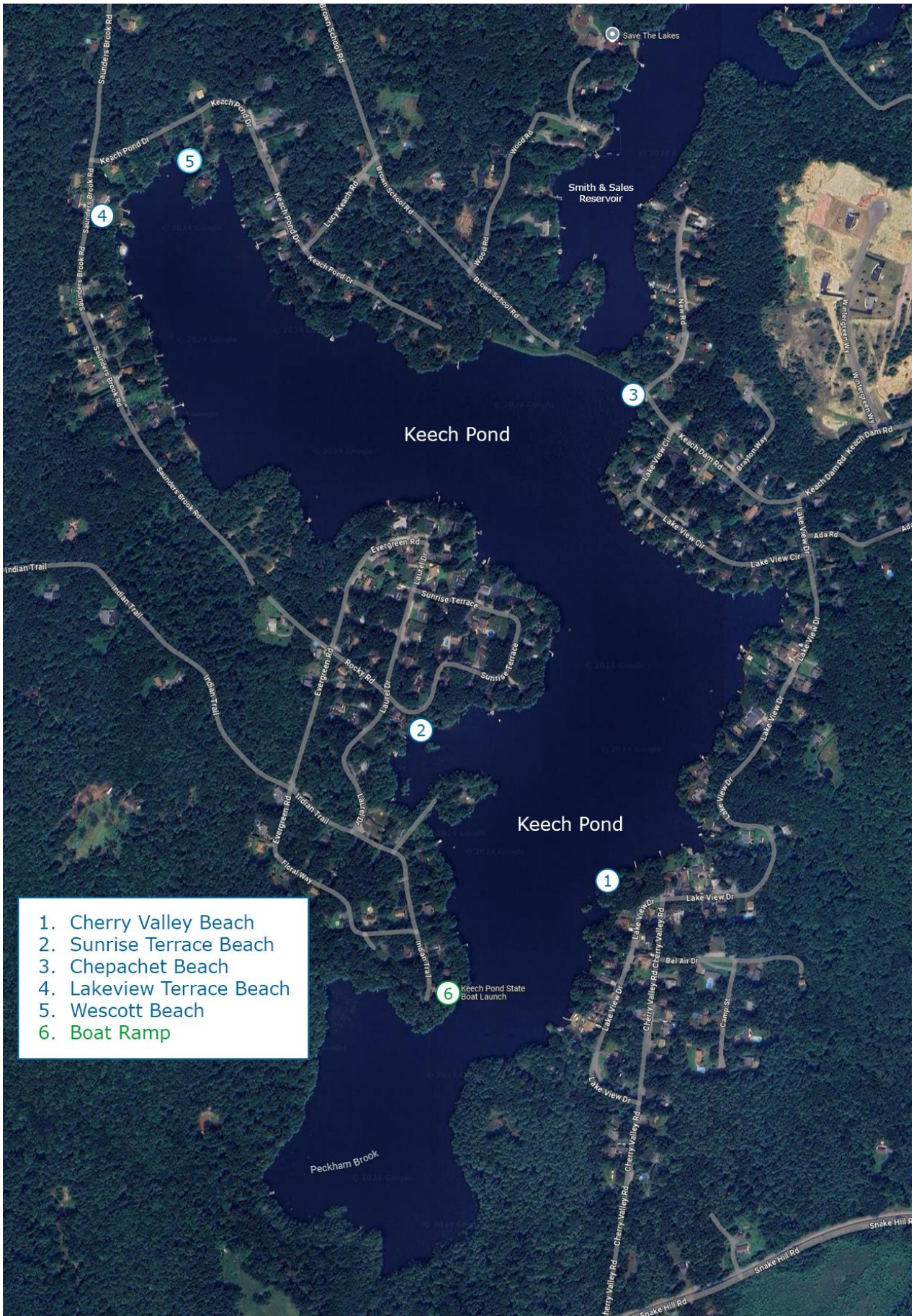
As research continued some titles/deeds had missing information of the restrictions that were originally established by the S.E.W. Missing information was found by looking at prior deeds. It has been found that some buyers had purchased their property without any knowledge that this organization was in

existence. The assumption is that the title search was inadequate, and the previous property owner did not convey any or all information of this organization and its restrictions with the yearly dam and assessment fees.

New property owners need to know that if an inadequate title search was made, that they do have recourse, if it is exercised within a specified amount of time. In Book 57. Page 430 (09/03/1954) the statement ***It is further agreed that all deeds shall contain a stipulation that the S.E.W. Association (or Property Owners' Association Of Keech, Pond Inc.) shall have full authority to make and change rules and regulations governing all water activities such as power boats, gasoline motors and speed limits whenever they consider it necessary for the safety, security and protection of this development.*** And again, **the Property Owners' Association of Keech, Pond Inc.** has full authority to act as its predecessor, the S.E.W. Association and are the owners of this private property by deeds.

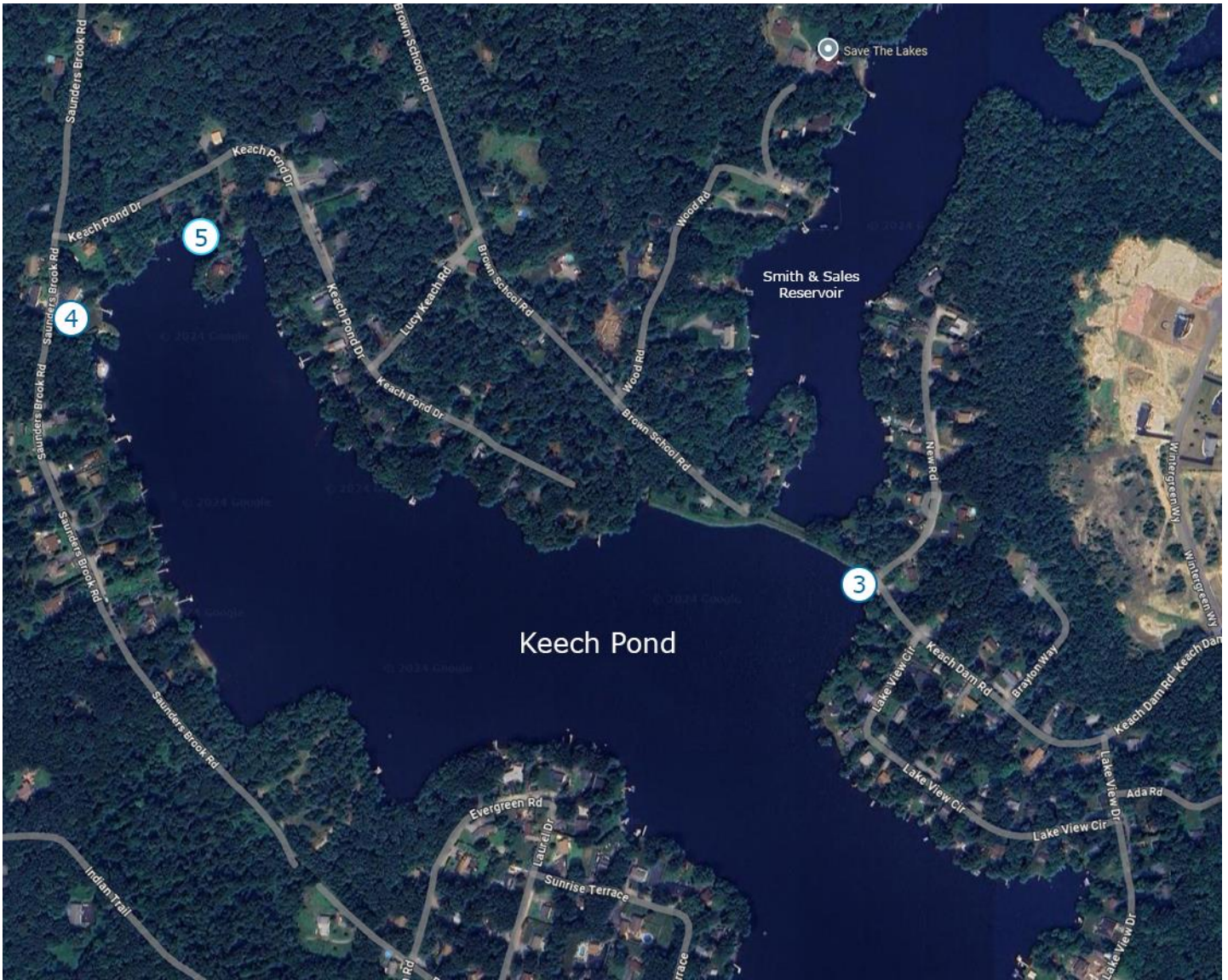
If a property owner has the statement **Subject to restrictions of record** written on his or her title/deed, or **right and privilege to use Keech Pond in common with others**, then you are a member of this organization by title or deed and those statements makes the property owner within the umbrella of the **S.E.W. / Property Owners' Association Of Keech, Pond Inc.** per book pages mentioned above and are subject to the original agreement with restrictions of the title/deeds mention.

# Map of Keech Pond Beaches and Roads



- 1. Cherry Valley Beach
- 2. Sunrise Terrace Beach
- 3. Chepachet Beach
- 4. Lakeview Terrace Beach
- 5. Wescott Beach
- 6. Boat Ramp

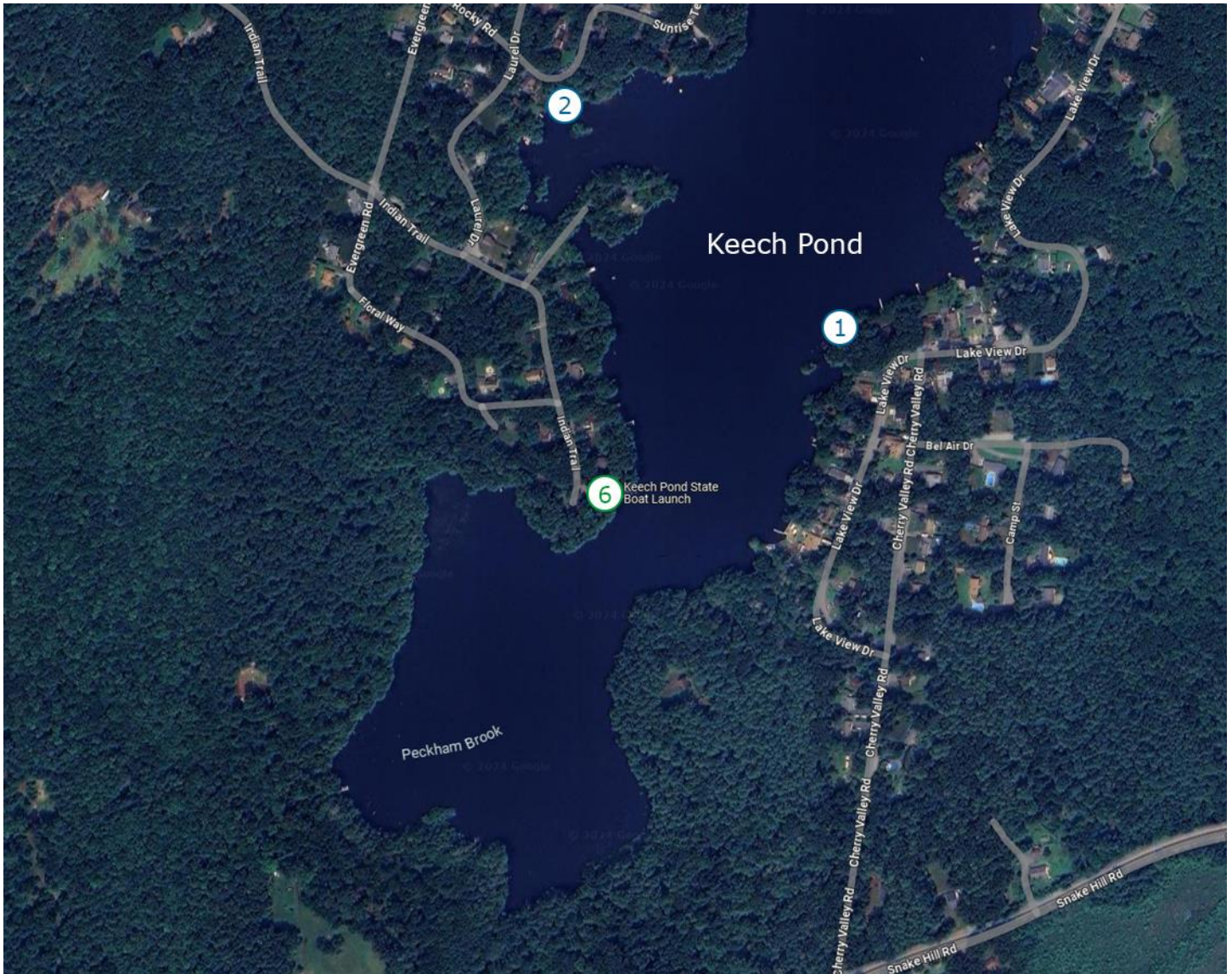
## Keech Pond - North



1. Cherry Valley Beach
2. Sunrise Terrace Beach
3. Chepachet Beach
4. Lakeview Terrace Beach
5. Wescott Beach
6. Boat Ramp



## Keech Pond - South



1. Cherry Valley Beach
2. Sunrise Terrace Beach
3. Chepachet Beach
4. Lakeview Terrace Beach
5. Wescott Beach
6. Boat Ramp

# History of Keech Pond, Glocester RI

by *Barbara Westcott*

1999

Originally the land under what is now Keech Pond in Glocester, RI was meadowland where Indians often camped and fished. Three large brooks, Saunders Brook, Peckham Brook and Fenner Brook (named in the 1800s or earlier, after the owners of the land where the brooks originated) plus several lesser streams, wandered down from the surrounding higher terrain; met, and became one large brook, at a point not too far out in the water from the center of the present dam. Water from these brooks flowed toward Chepachet, RI into the Chepachet River downstream, through Mapleville, Oakland, Glendale, Nasonville, etc. and eventually past the Slater Mill in Pawtucket, and into Narragansett Bay.

Much of this land surrounding the three brooks was included in the original parcel of land granted to Jeremiah Keech by King Charles of England during the 1600s and was known as the Jeremiah Keech farm. Jeremiah Keech eventually parceled off his land to various sons. In 1801, Jeremiah Keech (probably the grandson of the original Jeremiah) deeded to his son, Stephen Keech, the parcel which included the area where the three brooks converged and ran towards Chepachet. (The grave of Captain Stephen Keech, a veteran of the Revolutionary War in 1776, is located not far from the present dam.)

Stephen Keech probably dammed up the brook enough to harness the water for operating a sawmill there. Whether Jeremiah Keech or his immediate descendants had previously used the water for any such purpose is not known.

In 1836, Stephen Keech deeded land and flowage rights to five persons who operated various mills and businesses downstream that required the use of water: Henry B. Lyman (2/3 share), Pardon Hunt, Samuel Hunt, Jenckes Brown, and Scott W. Mowry (1/3 share), for the purpose of "building a dam..... making the water in the floom as it is now near to the gate 7' 3", same to be used as a reservoir to run of mills in Chepachet".

The old records list a sawmill, blacksmith shop, cotton mill, cabinet shop, grist mill, woolen mill, all or most requiring water to operate. Owners of the water rights changed over the years as the businesses changed hands, and rights were deeded along with the property.

In 1847, H.B. Lyman and Samuel Hunt obtained rights to flow a portion of his land (but not the land itself) from John Peckham, who probably was already operating the Peckham sawmill by using the water from the Peckham Brook, upstream from Stephen Keech.

Before long, Daniel Whipple, who ran a mill in Mapleville, bought part of the water rights. In 1852, an agreement was signed by H. B. Lyman & Co. (2/5), Samuel Hunt (1/5) and Daniel Whipple (2/5) which reads in part, "agree to raise the dam belonging to them 4 feet for the purpose of enlarging their mills on the Chepachet River. And they further agree to draw the water of said Reservoir during the dry season of each year in such a graduated stream as in their judgment would draw it all down to the best advantage of said mills before the autumnal rains. And for that purpose, to commence the first year by drawing from said Reservoir a stream sufficient to operate 46 looms 1 yard wide in said Hunt's mill. And in case said

stream should be found so large as to exhaust said Reservoir before the time mentioned, then the stream or quantity drawn to be reduced as to hold out through the dry season....." "They further agree that they will pay the expenses of building or raising said dam, of keeping the same in repair at all times, and of paying all charges for any flowage of lands caused thereby, or any other expenses or damage attending the erection or keeping up of said dam, also and attending the gates of said pond...."

Between 1850 and 1860 the above owners of water rights or their successors, all of whom may not be mentioned here, purchased enough of the land of the property owners surrounding Keech Pond to raise the dam in accordance with the above Lyman/Hunt/Whipple agreement. Lucy Keech (widow of Nicholas Keech, a son or grandson of Jeremiah Keech) Jonathan Wade, Obadiah Winsor, Silas Steere, in addition to Stephen Keech and John Peckham, were all involved. A roadway ran across the top of the dam, connecting Chestnut Hill Road and Chopmist Hill Road.

From 1848 through the 1850s, these same mill owners also purchased land necessary to create Smith and Sayles Reservoir (also called Sanddam Pond) downstream from Keech Pond and nearer Chepachet, since this article is primarily about Keech Pond, no details regarding this reservoir are given. Other agreements among mill owners mentioned above probably also applied in the same proportion as Keech Pond.

The mills in Chepachet and Mapleville continued to operate through the 1870s and into the early 1900s. The owners' names and the nature of their businesses changed somewhat, but the water rights remained in effect, and the mills continued to use the water for power.

Sometime prior to 1874, William Legg had purchased one of the Daniel Whipple 1/5 water rights. In 1895 this was taxed to the Heirs of Betsy Legg (William Legg's widow). Taxes were paid by them until 1927, after which time they were delinquent. In the 1950s the Town of Glocester removed the 1/5 from their tax rolls as no longer in existence.

By 1899 the second Daniel Whipple 1/5 water rights had been picked up at a tax sale for \$2.84 by George Burlingame, a local town official. By 1950 this was owned by his daughter Lena Capwell.

In 1887 Henry C. White owned the Lyman mill and 3/5 of the water rights to Keech Pond. By 1906 the mill was taxed to William Prendergast, but Walter M. Oiney owned the 3/5 water rights. Walter M. Oiney died in 1925, leaving the 3/5 to his nephew, Walter M. Oiney Steere, who was a child at that time.

Electricity arrived in the area at some point during the 1920s. Its use by the mills for operating looms and other machinery probably began part time, when the water flow had slowed down in the dry season. Gradually, electric power became more generally used, so waterpower became less important, and finally was not used at all. Some of the mills eventually went out of business, some hung on longer. By 1950 no business in Chepachet or downstream drew on the water from Keech Pond. Whether any of them used the water as it passed their premises is not known.

In 1927, the spring rains were so severe that there were flooding conditions throughout the area. Because of this, a section at the middle of Keech Pond dam was blown up with dynamite to relieve the pressure on the dam. It was feared that if the whole dam gave way the whole of Chepachet and other villages

downstream would be completely flooded out. Since Walter M. Oiney was no longer living, it is not known who was responsible for the dynamiting.

As a result, most of the water drained out, leaving the deepest water in front of the dam only about 6 feet deep, quickly tapering back to marshland. The breach in the dam was 12-15 feet wide, The dam lay open down to the old pipe under the dam, which remained in place, allowing water to drain from Keech to Sanddam (Smith & Sayles) Pond. Between 1927 and 1950, the pond remained at this low level. An occasional fisherman fished off the old dam, but it was primarily completely deserted.

In 1949 Robert J. Westcott and his wife, Barbara, bought the old Nicholas Keech farm, which had frontage on Keech Pond. In 1950 Westcott purchased one of Daniel Whipple 1/5 water rights from Lena Capwell (see above). In turn, he sold 1/2 of his 1/5 to Lester W. Ebbets, who by now owned the old Obadiah Winsor farm abutting the pond. Ebbets also had obtained an agreement to sell property for Norbert Bouchard, by then the owner of the old Silas Steere farm, also abutting Keech Pond.

As part of his 3/5 water rights, Walter M. O. Steere also inherited from Walter M. Oiney the unflooded portion of the Stephen Keech land with frontage on Keech Pond.

Steere, Ebbets, and Westcott entered into an agreement in 1950 to rebuild Keech Pond dam for the purpose of reflooding the pond and developing their properties for the sale of summer home sites. At that time there was no house or building on or immediately near the pond. The Steere land became Chepachet Beach, accessible from Chopmist Hill Road. The Bouchard property was named Cherry Valley Beach with the entrance road off of Snake Hill Road. Ebbets' parcel was called Sunrise Gardens and connected with Chestnut Hill Road. The Westcott land became known as Westcott Beach entering from Chestnut Hill Road.

All the properties involved, and the complete pond bed had to be surveyed, a new dam designed and built, approximately 6 miles of roads had to be laid out and built, beaches for the owners of back lots set aside, plats drawn up and accepted by the Town Council. The woods were so dense that the surveyors frequently had to climb trees in order to locate the shoreline of the old pond.

Surveyor Lance Hall did most of the surveying. (Surveyor Lance Hall and his father Willard Hall reported discovering many Indian arrowheads on the floor of the drained pond bed in the 1930s.) Joseph Estes, an engineer from Harrisville, drew up plans for the dam. At that time, the Division of Harbors and Rivers, part of the agency now called the Department of Environmental Management (DEM) required that plans for any dam in the state be approved by their engineer, Joseph Kiley. He reviewed Joseph Estes' plans, and with a few revisions, approved them. Since the volume of available water averaged yearly about 1 million gallons per day, these plans were crucial.

The old pond bed, having stayed untouched since 1927, had grown back to heavy brush and many good-sized trees. The old spillway was choked with growth. All this had to be cleared, the brush burned in huge bonfires on the pond bed. Then the pond bed had to be bulldozed clean; and the old spillway cleared, to finish the preparation work. Walter Steere did the bulldozing.

The dam itself was built to Joseph Estes' specifications by Raymond Bergesson of Woonsocket. No written contract for this job was ever signed. It was an oral agreement sealed with a handshake. His men

began in the early spring of 1951. The old dam had large and small trees with many roots and brush growing on top and the sides. All the old earth had to be removed, and replaced, after the stumps, roots, and other debris had been screened out. For extra strength, the center of the new dam had a horizontal wooden core about 25 feet wide of 18-foot tongue-in-groove boards sunk upright into the core of the dam. A concrete draw-off box was installed on the face of the dam, with 6-inch oak planks that slipped into the front slats. These flashboards controlled the level of the water by removing and replacing the boards as needed. In the rainy season any excess water ran off thru the spillway at one end of the dam. The new dam measured about 600-700 feet long, creating a body of water approximately one mile long and up to 20 feet deep. The top of the dam was wide enough for a foot path. The water quality was and remains very high.

The last bit of stone riprapping was laid on the face of the dam just ahead of the unusually heavy 1951 fall rains, which rapidly refilled the pond and crept up the front of the dam with remarkable speed, just behind the men installing the last stonework.

Some of the lots were sold as early as 1951, even before the dam was rebuilt. From then on, people began to buy and build summer homes there. As the years passed most of the houses have converted to year-round residences.

Steere, Ebbets and Westcott, acting as the SEW Association, had for about twenty-five years managed the upkeep of the dam, the pond, the private beaches, the roads (around the 1960s the Town of Gloucester agreed to take over maintenance of the roads), and collected dues from property owners to maintain the dam and pond; after which they decided that some more permanent method of operating Keech Pond should be set up. In the 1970s they drew up an agreement to deed the dam, the pond, the roads, the private beaches, the water rights, and their land under the pond to a new organization of Keech Pond property owners, set up specifically to carry on the long-term management, regulation, control, and responsibility for all the above. This group was incorporated about 1975 as the Property Owners Association of Keech Pond. This organization has an elected slate of officers, and a board of directors. They hold an annual meeting of all property owners.

This Association has continued to be the operating body of the pond. It has made improvements and properly maintained the dam. In the 1990s the Association replaced the original flashboard system of controlling the level of the water with a more up to date 1 1/2-inch steel plate in the front of the draw off box, with a 20-inch flip valve (or butterfly valve) at the bottom of the draw-off box, which is controlled by a screw at the top.

By 1999 there were several hundred houses on or near Keech Pond, most of them now year-round residences. The area is enjoyed in all seasons for fishing, boating, swimming, ice skating, ice hockey, cross country skiing, walking and biking by residents, their families and friends.

## History of Keech Pond Major Events Table

Keech Pond	Summary of Ownership and Water Rights
1600 King Charles of England	Granted Jeremiah Keech original parcel of Land of the Keech Pond area.
1801 Jeremiah Keech	Jeremiah Keech Farm - Jeremiah Keech Probably the grandson of the original Jeremiah Keech deeded to Stephen Keech
1836 Stephen Keech (Captain of 1776 Revolutionary war)	Gave Water Rights to: 2/3 = Henery B Lyman 1/3 = Pardon Hunt Samuel Hunt Jenches Brown Scott W. Mowry
1847	Options flow rights From John Peckham 2/3 = Henery B Lyman Co. (H.B. Lyman & Otis Sayles) 1/3 = Samuel Hunt
1852 Created the Lyman/Hunt/Whipple Agreement	Water Rights was purchased from Henery B. Lyman 2/5 = Daniel Whipple - Purchased rights from Henery B Lyman 2/5 = Henery B Lyman & Co. 1/5 = Samuel Hunt
Prior to 1874	1/5 = William Legg - Purchased rights from Daniel Whipple 1/5 = Daniel Whipple 2/5 = Henery B Lyman & Co 1/5 = Samuel Hunt
1927  1899 1887	1/5 = William Legg - Heirs of Betsy Legg widow of William Legg went delinquent on taxes 1/5 = George Burlingame Purchased tax sale of Daniel Whipple 3/5 = Henry C. White from Samuel Hunt & Henry B Lyman Co
1906	1/5 = Heirs of Betsy Legg widow of William Legg went delinquent on taxes in 1927 1/5 = George Burlingame Purchased tax sale of Daniel Whipple 3/5 = Walter M Oiney from Henry C. White
1925	1/5 = Heirs of Betsy Legg widow of William Legg went delinquent on taxes in 1927 1/5 = Lena Capwell daughter - George Burlingame Inherited. 3/5 = Walter M. O. Steere Nephew - Walter M Oiney Inherited.
	1/5 = out of Existence per town (Legg's tax delinquent) 1950 1/5 = Lena F Capwell daughter - George Burlingame Inherited. 3/5 = Walter M. O. Steere Nephew - Walter M Oiney Inherited.
11/17/1950	3/5 = Walter M. O. Steere 1/5 = Robert J Wescott from Lena F Capwell 1/5 = out of Existence per town (Legg's tax delinquent) 1950
	In 1927 Dam was Blown and in 1951 was rebuilt.
12/8/1952	3/5 = Walter M. O. Steere 1/10 = Lester Ebbets - received 1/2 from Robert J Wescott 1/10 = Robert J Wescott
12/8/1952	<b>All Water rights now belong to S.E.W.</b>



<p>Around 1951 Land owned with flowage rights.</p>	<p>Robert J Wescott, Nichalas Keech Farm. 1/10 Lester Ebbets, Ohadahwinsor Farm, Sold land for Norbet 1/10 Norbet Bouchard, Silas Steere Farm Walter M. O. Steere 3/5</p>
<p>12/10/1970</p>	<p><b>All water rights and common property was transferred from S.E.W. to the Property Owners of Keech Pond.</b></p>
<p>09/13/1971</p>	<p>Change of Officers. The Property Owners' Association of Keech Pond, Inc. Nominations of new officers and the resignations of the old S.E.W. officers.</p>
<p><b>By: Bob Catineault</b></p>	<p><b>New Major Additions</b></p>
<p>May/July-1998</p>	<p>Bylaws were re-written, voted, and accepted at the 1998 annual meeting. Also, a Property Liability insurance was voted and accepted, to be purchased at a special meeting.</p>
<p>08/03/1998</p>	<p>Audubon Society Agreement Release of restrictions, with conditions.</p>
<p>2004</p>	<p>All Property that was originally purchased from Swanson &amp; Mitchel to Paul Anderton, was voted by the board of directors, to released them from being members to the Property Owners' Association of Keech Pond, Inc. because these property owners were not clearly deeded members and were only given the privilege to become members.</p>
<p>2005</p>	<p>The Association re-align itself with the towns plat lot structure, and all lots that were combine by the town became the new structure for billing assessments.</p> <ul style="list-style-type: none"> <li>- <i>Bob Catineault's Keech Pond Map-B (Map-A is no longer being used).</i></li> </ul>



# Bylaws of The Property Owners' Association of Keech Pond, Inc

1998

## ARTICLE I

### INTRODUCTORY PROVISIONS

The name of the corporation is Property Owners' Association of Keech Pond, Inc. This is a non-business corporation. The purposes and objectives of the by-laws are as follows:

- A. To govern in accordance with the state and local laws. The rules of governance of Property Owners' Association of Keech Pond, Inc. shall be in accordance with these bylaws. These bylaws supersede any and all other bylaws of Property Owners Association of Keech Pond, Inc.
- B. To obtain compliance of every Property Owner and all persons entitled to occupy the property.
- C. The office and place to conduct the affairs of Property Owners Association of Keech Pond, Inc. shall be from time to time at a property or place designated by the President.

## ARTICLE II

### THE ASSOCIATION

The Association is hereby organized as an incorporated non-profit association.

- A. **The Association:** The Association shall act as a group in accordance with these bylaws and shall have the responsibility of administering the affairs of the corporation, establishing the means and methods of collecting assessments and charges and arranging for the management of the Association property and its assets.
- B. **Annual Meetings:** The fiscal year shall begin on the first day of January. The annual meeting shall take place following the beginning of the fiscal year. Annual billing statements shall be forwarded to Property Owners 60 days prior to the date of the annual meeting. The annual meeting shall be held no sooner than 60 days after the billing of annual assessments.

As directed by the Executive Board, the Secretary shall forward annual meeting notices to each Property Owner within at least twenty (20) days and no more than sixth (60) days of the date of the annual meeting specifying date, time, location, and election of any Directorship vacancies. The giving of a notice of a meeting in this manner shall be considered service of notice.

The presence of twenty (20) Property Owners in good standing shall constitute a quorum. A Property Owner in good standing is a Property Owner who is current on all assessments, charges, and any other monies due as directed by the Board of Directors and who has no judgments or

claims against him or her for noncompliance with these bylaws or the Rules and Regulations of the Association. A Property Owner is a person who has title to or an ownership interest in a parcel or parcels of land in the areas referred to in Article IV herein, referred to hereafter as the Association development.

The President (or in his absence the Vice-President) shall preside over all meetings of the Association and the Secretary shall keep the minutes of the meetings and record in a minute book all resolutions adopted at the meetings as well as a record of all transactions. The President may appoint a person to serve as parliamentarian at any meeting of the Association. The current edition of Robert's Rules of Order shall govern the conduct of all meetings of the Association when not in conflict with these bylaws.

The Board of Directors shall have at least two Property Owners from each section of the development and at least one at-large member as set forth in Article IV herein. A vacancy on the Board of Directors may be filled by a majority vote of the Board of Directors at any regular, special, or annual meeting.

- C. **Regular Meetings:** Regular meetings of the Board of Directors shall be held at a time and place as directed by the President. A meeting shall be held approximately two (2) weeks prior to the Annual Meeting to discuss the format and agenda of the Annual Meeting.

The first meeting of the Board of Directors shall be held within thirty (30) days after the Annual Meeting in order to elect by ballot the Executive Officers of the corporation. Two-thirds of the Directors shall constitute a quorum and conduct the election of the Executive Officers. Regular monthly Board of Director meetings shall be held on the third and fourth Tuesday of each month or as needed and directed by the President. Two-thirds of the Directors shall constitute a quorum for the transaction of business.

Property Owners are invited to attend regular Board of Director meetings. Property Owners are permitted to speak with regard to matters of the Association after the Board of Directors has concluded its business. The President shall open the floor to discussion by the Property Owners. The President shall determine a time limit for discussions.

- D. **Special Meetings:** Special meetings may be called by the President, individually or by him upon written request of five (5) Directors. A special meeting of the corporation if so directed shall be held at the time and location as designated by the President. A majority of the total number of Directors shall constitute a quorum for the transaction of business.
- E. **Committee Meetings:** Committee meetings may be held monthly or as needed and as directed by the Committee Chairperson. A report of each committee meeting shall be given to the Board of Directors for their review and comments.

## ARTICLE III

### THE EXECUTIVE OFFICERS

The Executive officers shall govern the affairs of the corporation. These officers shall be a President, Vice-President, Secretary, and Treasurer. The Executive officers shall be Property Owners in good standing and members in good standing of the Board of Directors.

- A. **The President:** Subject to the direction of the Board of Directors, the President shall be the chief executive officer of the corporation and preside at all meetings of the corporation. The President shall perform such other duties as from time to time may be assigned to him/her by the Board of Directors. The President shall assign and appoint committees from among the Property Owners and may be an ex officio member of all committees if he or she so chooses.
- B. **The Vice-President:** The Vice-President shall have such power and perform such duties as may be assigned to him/her by the Board of Directors or the President. In case of the absence of or disability of the President, the Vice-President shall perform the duties of that office.
- C. **The Secretary:** The Secretary shall keep the minutes of all proceedings of the Board of Directors and committees, and all minutes of any other meetings held in books provided for that purpose. The Secretary shall also keep in his/her possession the Corporate Seal and perform such other duties as may be assigned to him/her by the President or by the Board of Directors.
- D. **The Treasurer:** The Treasurer shall have the custody of all receipts, disbursements, funds, and securities of the corporation and shall perform all duties incident to the office of Treasurer, subject to the control of the Board of Directors and the President. He/she shall also perform such other duties as may, from time to time, be assigned to him/her by the Board of Directors and the President. A bond shall not be required for the faithful duties of the Treasurer unless requested by the Board of Directors.
- E. **Election and Length of Term:** At the first meeting of the Board of Directors the election of the Executive Officers shall be held. The term of Executive Officers shall be held. The term of office of all Executive Officers shall be one (1) year and limited to two (2) consecutive terms. The Board of Directors can extend the term limits of the Executive Officers as necessary.
- F. **Delegation of Powers:** The Executive Officers shall perform such duties and services as directed by the Board of Directors and have authorization to conduct such business affairs to include but not be limited to:
  - 1. Execution of documents and expenditures, approved by the Board of Directors.
  - 2. Signatories on Association bank accounts.
  - 3. Borrow money on behalf of the Association.

#### 4. Appoint committees.

All of the above must first be approved by the Board of Directors. Execution of documents shall require signature ~~requiresignature~~ by two (2) Executive Officers.

- G. **Removal or Resignation:** At a Regular or Special Meeting of the Directors, any one or more of the Executive Officers may be removed, with or without cause, by two-thirds vote of the Directors present at the meeting.

The Directors may elect a successor by two-thirds vote of the Property Owners in good standing present at the meeting.

The Board of Directors may remove any Executive Officer for failure to provide a valid cause for his/her absence from three (3) consecutive meetings.

The Board of Directors may remove any Executive Officer for failure to pay assessments and/or any other monies owed to the corporation, abuse of Association Rules and Regulations, or any other reason to cause the Executive Officer not to be in good standing with the Association and its bylaws.

An Executive Officer shall be removed from office and from his/her position on the Board of Directors upon the sale or transfer of his/her ownership or title to his/her real estate in the Association development.

An Executive Officer may resign in writing for any reason, at any time.

## ARTICLE IV

### THE BOARD OF DIRECTORS

The affairs of the corporation shall be managed by a Board of Directors which shall consist of two (2) Directors from each section, as set forth herein, and one (1) Director-at-Large. The sections are Sunrise Gardens; Lakeside Terrace; Westcott Beach; Chepachet Beach; Cherry Valley, Section A; and Cherry Valley, Section B and C. The Board shall be composed of thirteen (13) Property Owners in good standing as defined in Article II herein.

- A. **Election and Length of Term:** Elections of Directors shall be held at the Annual Meeting of the Association. The term of each Director shall be two (2) consecutive years with no limit to terms. The Board of Directors may amend the length of terms as described in these bylaws at any time.
- B. **Delegation of Powers:** The Board of Directors shall perform such duties and services and have authorization to conduct such business affair to include but not be limited to:

1. Adopt the annual budget and any amendments or to assess any common expenditures.
2. Adopt, repeal, or amend the Rules and Regulations.
3. Designate signatories for corporate bank accounts.
4. Borrow money on behalf of the Corporation.
5. Manage the assets.
6. Ability to appoint any Property Owner in good standing as a director for a one (1) year term and fill a vacancy as required under the provisions of these bylaws.

C. **Removal or Resignation:** At a Regular or Special Meeting of the Association any one of more members of the Board of Directors may be removed, with or without cause, by the two-thirds vote of the Property Owners. A successor may then be elected to fill the vacancy thus created by two-thirds vote of the Property Owners.

A Director may also be removed for failure to provide valid cause for his/her absence from three (3) consecutive meetings.

A Director may also be removed for failure to pay assessments and/or any other monies owed to the corporation, abuse of Association/Corporation Rules and Regulations or any other reason to cause a Director to not be in good standing with the Association and its bylaws.

A Director is considered removed from office and his/her position on the Board of Directors upon the sale or transfer of his or her ownership or title to their real estate in the Association development.

A Director may resign in writing for any reason and at any time and shall also be deemed to have resigned upon transfer of title to his/her property.

## ARTICLE V

### THE PROPERTY OWNERS

A Property Owner is a person who has title to an a legally recorded deed for property within the Sections of Sunrise Gardens; Lakeside Terrace; Westcott Beach; Chepachet Beach; Cherry Valley, Section A; and Cherry Valley, Section B and C. The Property Owner's name must be set forth on the deed recorded in the Town land records to be considered a Property Owner.

A. **Rights and Responsibilities:** The corporation shall be organized as a non-business corporation without capital stock and mandatory membership of all the Property Owners, within the sections above, shall be evidenced by record ownership as described above. The transfer of any property within the sections above shall constitute new Property Ownership. Property Ownership is transferred by the assignment, sale, or inheritance, or any other transfer of ownership. All rights of Property Ownership within this Association belonging to the former Property Owner shall pass to

the assignee, heir, legatee, or transferee.

- B. **Voting:** Only one (1) vote may be cast per parcel of land regardless of the number of title holders; however, when title to more than one lot is held by the same person or persons, all the lots so held shall be considered one parcel for the purpose of voting and only one vote may be cast for all the lots together. Only Property Owners in good standing as defined in Article II hereof may vote. Votes may only be cast at regular special or annual meetings by ballot or voice vote.
- C. **Assessments and/or Dues:** The corporation, through its Board of Directors, may levy regular and/or special assessments for the operation, maintenance, care, and improvements of the corporation property and also for the payment of taxes and assessments against it. An assessment shall be assessed against a property in an equal sum and shall be paid by the Property Owner to the Treasurer on notice or within 60 days of the date of billing.

Property Owners shall be charged interest for assessments and/or dues in arrears at a rate determined by the Board of Directors. Property Owners in arrears prior to the Annual Meeting forfeit their right to cast a vote.

Annual dues shall be assessed at a rate recommended by the Board of Directors and approved by a majority vote of the Property Owners in good standing.

- D. **Committees:** The President shall appoint Committee Chairpersons to each Committee at the first meeting of the Board of Directors. From time-to-time new committees may be appointed by the President or as directed by the Board of Directors. Committee meetings shall be held monthly or as needed or as directed by the Committee Chairperson. The President shall be ex-officio and member of all committees. A report of each committee meeting shall be generated and given to the Board of Directors for review and comment. The committees established at this time are as follows: Bylaws Committee, Finance Committee, Grounds Committee, and Dam Committee. A Chairperson shall head each committee. A Committee Chairperson can be any Property Owner in good standing including those Property Owners serving on the Executive Board and Board of Directors.

Each committee shall consist of Property Owners in good standing. With all reasonable ability, each committee shall carry out the wishes of the Board of Directors. The Board of Directors, at any time has the right to dismiss any committee member that is not in good standing or causing any action that may prevent the Board of Directors from achieving its objectives.

The board of Directors, at any time has the right to appoint additional committees, Committee Chairpersons and committee members.

- E. **Termination of Property Ownership:** Upon the sale, assignment, or other transfer of the ownership of property in the association's development, the Property Owner shall not be entitled to any refund of assessments or dues of any kind.

## ARTICLE VI

### FORMAT FOR RULES AND REGULATIONS

The format for these rules and regulations, adopted at this time and by this Board of Directors become part of these bylaws and are intended to define specific rules and regulations. From time to time the Board of Directions may adopt, repeal, or amend rules and regulations. A Property Owner may present specific rules and regulations to the Board of Directors for adopting, repealing, or amending. The Board of Directors shall vote upon these Rules and Regulations brought forth by a Property Owner. Adopting, repealing, or amending the proposal must be by majority vote of the Board of Directors.

- A. **Compliance:** Property Owner compliance of these bylaws and rules and regulations is mandatory. Property Owners must abide by all the rules and regulations, be current on all assessments and/or dues, and must maintain ownership of his/her property to be a Property Owner in good standing.
- B. **Noncompliance:** The Board of Directors is authorized by these bylaws to enforce compliance of these bylaws and the rules and regulations herewith. A written notice and/or warning of noncompliance shall be issued to the Property Owner or Property Owners. Compliance shall be immediate or as directed by the Board of Directors.

In an effort to enforce compliance, the board of Directors shall be authorized to contact law enforcement agencies, engage legal counsel for immediate actions, make claims and/or file property liens as necessary and under the laws of the State of Rhode Island.

The Board of Directors shall have authority to notify or engage government and/or private law enforcement agencies for noncompliance of any Property Owner, family member, or guest. The Board of Directors shall seek prosecution and/or restitution for damages to the fullest extent. Noncompliance of a Property Owner, family member, or guest shall be deemed by the Board of Directors reason for revocation of all privileges associated with property ownership in the Association. The privilege of use of Association roads beaches, and any other Association property or asset shall be terminated upon noncompliance.

## ARTICLE VII

### RULES AND REGULATIONS

These rules and regulations, adopted at this time and by this Board of Directors, become part of these bylaws, are not limited to and are intended to define specific rules and regulations only.

A. **Rules of the Common Roads:** All Property Owners, family members, and guests shall at all times maintain safe and prudent use while operating any moving vehicle on Association property.

1. Operation of motor vehicles shall be in accordance with the state and local laws.
2. Speed limit while operating a motor vehicle shall be as posted.
3. Warning-Children signs shall be posted and recognized.
4. Stop signs shall be posted at intersections as warranted by the Town Safety Officer or agency having authority.
5. Fasten seat belts in accordance with the laws of the State of Rhode Island.
6. Maintain recreational vehicle licensing in accordance with the laws of the State of Rhode Island.
7. Bicycle helmet safety shall apply to individuals riding on Association property in accordance with the laws of the State of Rhode Island.
8. Vandalism and destruction of Association property and signs is prohibited.
9. Noise pollution is prohibited from mechanical operation, alarms, musical sound systems or any other device that may interfere with the quiet enjoyment of the community.
10. Discarding of trash, glass, equipment, rubbish, etc. on Association property is prohibited and in accordance with the laws of the State of Rhode Island and the Town of Glocester.

B. **General Rules of Association Beaches and Lakes:** Association Beaches and Lakes are intended for the sole use of Property Owners in good standing, their family members, and guests. All rules of compliance as stated in Article VI, Paragraph A apply to beaches and lakes privileges.

Swimming is at your own risk. Signs shall be posted at Association beaches warning swimmers of the dangers associated with water activities. Lifeguards are not on duty at any Association beaches and the Association will not be responsible for loss of any kind.

Small children and those individuals unable to swim should wear approved flotation devices. Flotation devices are not provided by the Association and are not stored on any of the Association Beaches.

C. **Rules of Conduct on Association Beaches and Lakes:** Property Owners, family members, and guests shall at all times conduct themselves in a safe and orderly manner.

1. Abuse of alcoholic beverages is prohibited.
2. Use of narcotics is strictly prohibited.
3. Campfires are prohibited.
4. Vehicles are prohibited unless for maintenance of the beach area and authorized for use by the Board of Directors.
5. Motor vehicles are prohibited on frozen waters except as noted in Section F herein.
6. A responsible adult shall provide supervision of children at all times.
7. Be responsible for cleaning up and use the trash containers provided.



8. Vandalism and destruction of Association property or any other property within the Sections of this Association is strictly prohibited.
9. Non-Property Owners, except when accompanied by a Property Owner in good standing are prohibited from use of the beaches and lakes.

D. **Boating and Watercraft Safety:** Boating and Watercraft Safety and laws governing the proper use of watercraft and as defined by the laws of the State of Rhode Island, Department of Environmental Management and the Town of Glocester apply to all waters on Association property. The enforcing agencies associated with the above shall have the authority to monitor, inspect, and control the use of watercraft while on the Association waters.

Following sections of Rhode Island Rules and Regulations, Boating Safety, taken from the Rhode Island Boaters Guide are intended for informational purposes only and are not to be considered the rules and regulations of these bylaws. However, these bylaws and compliance with the Rules and Regulations of these bylaws shall be in strict accordance with all the Boating laws of the State of Rhode Island and the Town of Glocester. Those laws and any amendments shall apply to these bylaws and rules of compliance as stated in Article VI, Paragraph A.

1. **Prohibited Operation:** (Section 46-22-9) Reckless operation and endangerment is prohibited. Use while intoxicated is prohibited. Use in restricted and/or beach areas is prohibited. Operating to interfere with another person or vessel is prohibited. Dockage or anchoring without the consent of a property owner and/or the Association is prohibited.
2. **Flotation Devices:** Children ten (10) years and under shall wear USCG approved personal flotation devices for Class A or I motorboats. An approved personal flotation device must be worn while water skiing.
3. **Operation:** Operation of any watercraft on Association waters shall be done so as not to Endanger, Death Resulting (Section 46-22-9.3). Operation so as to Endanger, Resulting in Personal Injury (Section 46-22-9.4). Speeding (Section 46-22-9.5). Any motorboat or vessel not to exceed 35 mph during the hours of sunrise to sunset and 25 mph during periods of restricted visibility or as required by Governmental Authorities.

Speed limits are not posted on Association waters.

Collisions, Accidents, Casualties (Section 46-22-10).

Water Skis and Surfboards (Section 46-22-12). No person can operate a vessel for towing another person/s unless there is an observer at least 12 years old in the vessel. At least one approved flotation device must be aboard the vessel for the person being towed. No person can operate a vessel for towing another person/s nor shall any person engage in water skiing or similar activity at any time between the hours of one hour after sunset and

one hour before sunrise.

No person can operate a vessel by which the direction of the person being towed can collide with any other person or object.

Races, Tournaments, or Exhibitions (Section 46-22-13). Cannot be held unless authorized by the Department of Environmental Management and the Association.

Reporting of Accidents, Casualty, Vandalism, and Thefts (Section 46-22-21).

Owner Required to Make Written Reports (Section 46-22-22).

Personal Watercraft Safety Act (Section 46-27). Regulation of Personal Watercraft (Section 46-27-2). Personal watercrafts cannot be operated at any time between the hours from one-half hour after sunset to one-half hour before sunrise. Operate in a prudent manner and not to cause injury.

No person under the age of 16 can operate a personal watercraft unless an adult accompanies him/her or unless he/she has passed a Department of Environmental Management, or a US Coast Guard approved safety course. It is unlawful for the owner of a personal watercraft to allow anyone not meeting the requirements above to operate a personal watercraft.

A person cannot operate a personal watercraft within 200 feet of swimmers, other vessels, and shoreline unless at headway speed (slowest possible speed to operate and maintain steering way). Personal watercraft, when launched from shore must return directly to an area where operation is allowed and, in a direction, as near perpendicular as possible while not exceeding headway speed.

No person shall operate a personal watercraft unless that person and any passenger are wearing a USCG approved personal flotation device.

No person shall operate any personal watercraft in a reckless manner so as to endanger the life, limb, or property of another.

No person shall operate a personal watercraft unless it is registered and numbered.

A person operating a personal watercraft equipped with a lanyard-type engine cutoff switch shall attach it to him/herself.

Enforcement (Section 46-22-3). Department of Environmental Management, Division of Boating Safety, State and Local Police Officials shall have enforcement authority over the

waters within Association property.

Alcohol Boating Safety Act (Section 46-22.2). Any person who operates a watercraft while intoxicated shall be punishable by a fine or jail.

Any person who operates a watercraft while intoxicated and while doing so causes death or injury shall be guilty of a felony punishable by a fine and/or jail.

- E. **Water and Shoreline Pollution:** (Section 46-12) Prohibited are the discharge of oils, gasoline, chemicals, or any other hazardous materials. Discarding of any plastics or polymer-based material is prohibited. Discard of any glass, metal, wood, or any other object or material deemed harmful or hazardous is prohibited. Trash receptacles are provided at each beach and emptied as needed by the Grounds Committee.
- F. **Fishing:** Be aware of the danger of fishhooks, lead sinkers, lures, and other fishing tackle that may cause harm to another person or personal property. Be responsible for retrieving snagged, lost, or misplaced hooks, lead sinkers, lures, fishing line, and any other fishing tackle. Be responsible to provide humane treatment to any and all lake dwelling species.

Abide by state laws for licensing and catch rules and regulations.

Fishing Tournaments can only be conducted if first approved by the Board of Directors.

Ice Fishing is permitted. However, at no time is any motor vehicle allowed on the frozen waters except a snowmobile or a four-wheel all-terrain motorcycle.

- G. **Camping, Parties, and Recreational Use of Association Property and Beaches:** Camping is prohibited. Campfires are prohibited. Grilling, barbecuing, and cooking are prohibited unless authorized by the Board of Directors.

Parties, cookouts, outings, etc. are prohibited unless authorized by the Board of Directors.

Beaches and Lakes are for the recreational use of the Property Owners in good standing and their guests only. Commercial use is prohibited. The Board of Directors can authorize the promotional use of Association property.

Non-Property Owners, except when accompanied by a Property Owner in good standing, and those Property Owners not in good standing are prohibited from use of the beaches, roads, and all privileges with respect to the use of Association Property.

- H. **Failure to enforce any one or more of the regulations shall** not be deemed admission of liability or responsibility on the part of the Association.

- I. **General Rules of Conduct:** Meetings shall be conducted by the President in a timely and orderly fashion. A time limit shall be given to Property Owners wishing to address the Executive Officers or Board of Directors at meetings. In the event of any inconsistency between the Bylaws and the Articles of Incorporation, the Articles of Incorporation shall govern. In the absence of any provision either in the Articles of Incorporation or in the Bylaws regarding the procedure to be adopted, Roberts Rules of Order shall govern.

Vandalism of Association Property will not be tolerated. Police shall be notified, and a Written Warning of Noncompliance sent to the household of the offender. This Association and its Board of Directors shall seek prosecution of the offender to the fullest extent of the law. The Board of Directors can revoke the Property Owner's rights and privileges until restitution and/or a settlement have been made.

Property Owners are responsible for the conduct of all the individuals residing within their household and any guests of that household. Property Owners are also responsible to make full restitution for any and all damages caused by any and all individuals or guests of their household and as defined by laws of the State of Rhode Island.

- J. **Order of Business and Conduct of Meetings:** The President (or in his absence, the Vice-President) shall preside over all meetings of the Association. The Secretary shall keep the minutes of the meeting and record in a minute book all resolutions adopted at the meeting as well as a record of all transactions. The regular order of business meetings of the Board of Directors shall be as follows:

1. Rollcall.
2. Reading and disposal of any unresolved agenda.
3. Reports of officers and committees.
4. Unfinished business.
5. New business.
6. Adjournment.

## ARTICLE VIII

### ASSOCIATION PROPERTY

Association Property is that which is defined by the property owned by this Association as recorded at the Town land records. That property consisting of the beaches, roads, any easements and any other property owned by the Property Owners Association of Keech Pond, Inc. is property owned by this Association. Beaches cannot be sold or transferred, unless voted upon and approved by the Association Property Owners and Board of Directors. These beaches are for the use of Property Owners in good standing and their guests only.

The Association shall maintain signs, furniture, and fixtures that are considered to be the property of this Association.

The Town shall maintain the roads within the sections Sunrise Gardens; Lakeside Terrace; Westcott Beach; Chepachet Beach; Cherry Valley, Section A; and Cherry Valley, Section B and C.

Association property can be purchased or sold as necessary for the common good and welfare of the Association.

## ARTICLE IX

### FINANCES

The Board of Directors shall not incur any indebtedness on part of the Association, without the approval of the Property Owners for any indebtedness in excess of:

1. the total cash on hand.
2. all debt and liabilities.
3. dues and obligations in process of collection from the Property Owners.
4. reserve amounts for unexpected appropriations.

In the event of an emergency, the Property Owners, by a majority vote of Property Owners in good standing, can authorize the appropriation and/or allocation of funds to cover the indebtedness of such an event.

## ARTICLE X

### INSURANCE AND LIMITATION OF LIABILITY

The Executive Board and Board of Directors shall be held harmless and indemnified by the Association in performing their services for this Association.

- A. **Limited Liability of the Executive Board and Board of Directors:** The Executive Board, Board of Directors and its members shall not be liable to the Property Owners as a result of injury or damage to Persons or personal property caused by the elements or by another Property Owner, family member or guest of that Property Owner.

The Executive Officers and Board of Directors shall not be liable to the Property Owners as a result of their performance and duties for any mistake of judgment, negligence, or otherwise, except for the Executive Board, Board of Directors, and its members own willful misconduct or gross negligence.

The Executive Officers and Board of Directors shall have no personal liability in the performance of duties and have no liability in contract to a Property Owner or any other person or entity under

any agreement, contract, or transaction entered into by them on behalf of the Association.

The Executive Officers and Board of Directors shall not be liable to any Property Owner, family member, or guest or the Property Owner as a result of loss caused by damages, vandalism, theft, misuse, or any other natural or unnatural causes.

- B. **Indemnification:** Each Executive Officer and Director shall be indemnified by the Association against all expenses and liabilities, including attorney's fees incurred or imposed upon them in connection with any and all proceedings and practices performed by them as Property Owners. This indemnification shall apply only if and when the Board of Directors approves such settlement and reimbursement as being in the best interest of the Association.

The Executive Officers and Board of Directors shall not be indemnified by the Association against all expenses and liabilities, including attorneys' fees incurred or imposed upon them in such cases of willful misconduct or gross negligence.

- C. **Insurance:** The Board of Directors, at any time shall have the authority to seek proposals for any type of Insurance necessary to protect the Association and its Property Owners against claims for loss or damages resulting from any natural or unnatural causes. Such proposals shall then be presented to the Property Owners at the Annual Meeting, or any Special Meeting called by the President for approval.

## ARTICLES XI

### AMENDMENTS

These Bylaws may be amended, repealed, or altered, in whole or in part at any meeting held by the Board of Directors or the Property Owners.

1998

# Keech Pond Rules and Regulations

## Boating

- All rules of the road for boating, both Federal and State Laws apply to all owners and operators.
- All row boats, canoes, sail boats and power boats must have lights after dark.
- Boats towing skiers and skiers must remain a reasonable distance from shoreline, except when taking off or returning skier to shore.
- No objects such as rafts, docks, floats, etc. shall be placed more than 50 ft from shore.
- No boats are allowed inside marked swimming areas. Boats will have a small area near beaches to be used for back lot owners.
- Boats being launched from the State ramp will have a limited number of horsepower, governed by regulation.
- All boats are to operate in a **counterclockwise** direction.
- Operators of all watercrafts must comply with the requirements for the type and use of lights when under way from sunset to sunrise.
- All watercraft passing close to designated swimming areas, boats moored, or boats engaged in fishing or similar activities must reduce speed and give way to these people.
- All watercraft shall be operated at reasonable speeds for given situations and shall be under the complete control of the operator at all times.
- Operating a watercraft while under the influence of alcohol or drugs is strictly prohibited.
- No launching from beaches.

## Water Skiing

- Any powerboat driver under the age of sixteen (16) years shall be required to complete a boating safety course offered by the State before operating said power craft with greater than 10hp engine on the Pond.
- Towing a water skier without having aboard, in addition to the operator, an observer at least 12 years of age to watch the progress of the skier is prohibited.
- Water skiing between one half hour after sunset and one half hour before sunrise is prohibited.
- It is recommended that all skiers must wear Coast Guard approved life jackets or belts.
- Towing skiers in heavily traveled or restricted waters is prohibited.

## Personal Watercraft

- All persons on PWC must wear a Coast Guard approved flotation device.
- Lanyard type engine cut-off switch must be attached to operator.
- PWC may not be operated from one half hour after sunset and one-half hour before sunrise.

- No one may operate PWC at greater than headway speed within 200 ft of swimmers, divers, shore or moored vessels.
- Anyone operating a PWC, regardless of age, must have passed an approved boater education course.

## **Beaches**

- The Pond, Dam and all beaches are owned and controlled by the Property Owners Association. All beach areas have a 30-foot swimming parameter. All swimming is to take place within that parameter. There are no Lifeguards on duty. All swimming is at the participant's own risk.
- There will be no sleeping or camping overnight on beaches without special permission from the Board.
- All beaches must be cleared of all activities by 10:00PM weekdays and 11:00 PM Saturdays and Holidays.
- No automobiles, trucks, motorcycles, ATV's, minibikes or racing carts are allowed on the beaches at any time.
- All rubbish is to be disposed of in proper receptacles or removed by the persons using the beach.
- No person shall use profane language or in any manner annoy other persons or commit disorderly or indecent acts on Association property.
- All lot owners must advise their visitors using these areas of all the rules and, in turn, will be responsible for their actions.
- There will be no open fires on the beaches.

## **Roads**

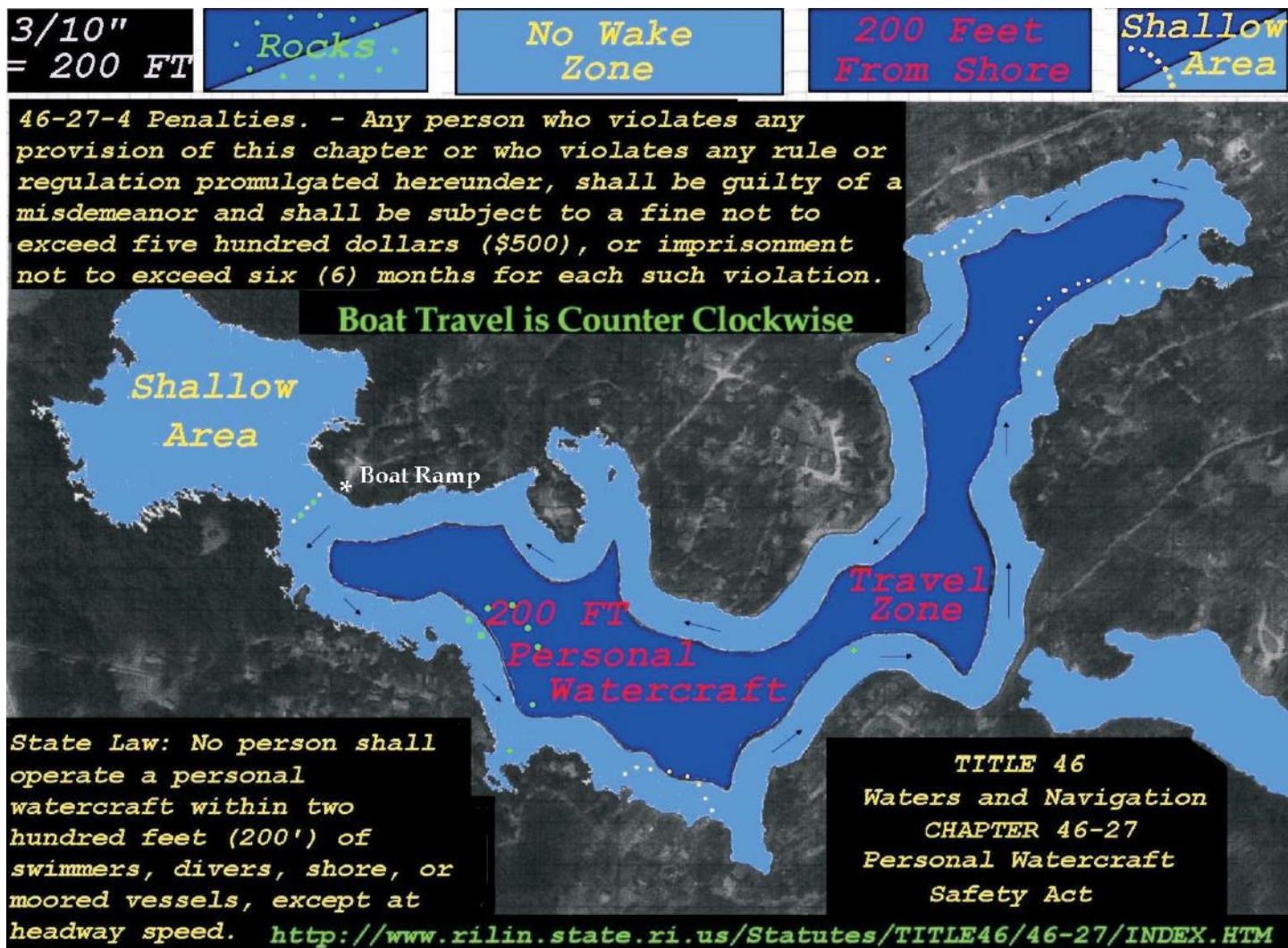
- No unregistered motor vehicles are allowed on roads or property owned by the Association.
- Damage caused by any type vehicle on roads or property of the Association is the full responsibility of the owners of such vehicle, including motorcycles, mini bikes, ATV's, racing carts, or any other type of powered vehicle.
- Speed limit on all Association roads shall not exceed the posted limit

## **Dam**

1. Immediately after Columbus Day the Pond will be lowered. Weather permitting, the water level will be left down for at least 30 days to allow property owners sufficient time for repairs. Water will be allowed to rise and lower during the winter months as it best suits the purpose to kill weeds.
2. After the Spring thaw, the water level will be raised to its proper level



## Boater Safety Map



Visit [KeechPond.com](http://KeechPond.com) for more information and updates.

[RI Boating License Handbook for Online Boater Safety Course \(boat-ed.com\)](#)

[RI Public Boat Launching Sites](#)

[RI Applications and Forms](#)

[RI DEM](#)

# Keech Pond & Sand Dam Reservoir Concerning Wake/Ballast Boats

**Please be advised that our lakes are too narrow and too shallow to safely operate a wake/ballast boat.**

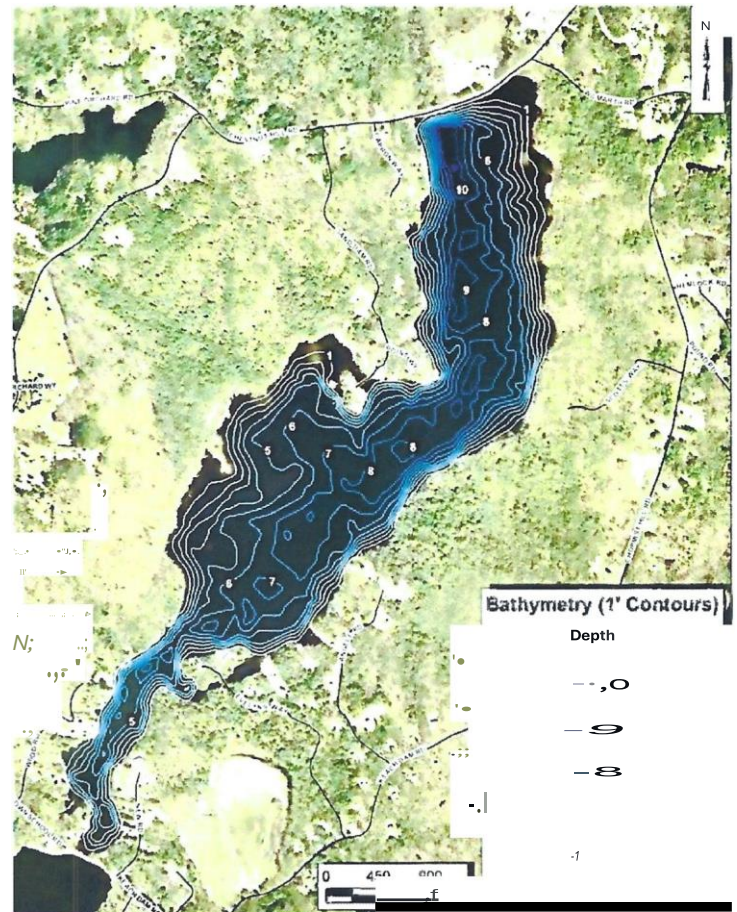
**Both human life and the life of our ecosystem are of concern, as well as negative economic impacts.**



**A wake boat**, or ballast boat is a high-powered, low stern motorboat designed to keep the stern low in the water and create waves for surfing. To ensure a low stern, the boats carry water-filled ballast tanks that can add between 2000 and 6000 lbs. Wake boats/ballast boats need deep water and a minimum of 200 ft. from the shoreline on both sides to safely operate.

**Water quality/ecosystem Issues:** The pitch angle of these boats generates enormous amounts of prop wash which scours the lake bottom and damages habitats, creates cloudy water, and releases nutrients, and can cause algae blooms. Habitat and plant destruction threaten native wildlife.

**Aquatic Invasive Species threat:** Wake boats do not drain fully and are known to be capable of acting as a vector for the introduction of exotic Aquatic Invasive Species.



SMITH AND SAYLES RESERVOIR

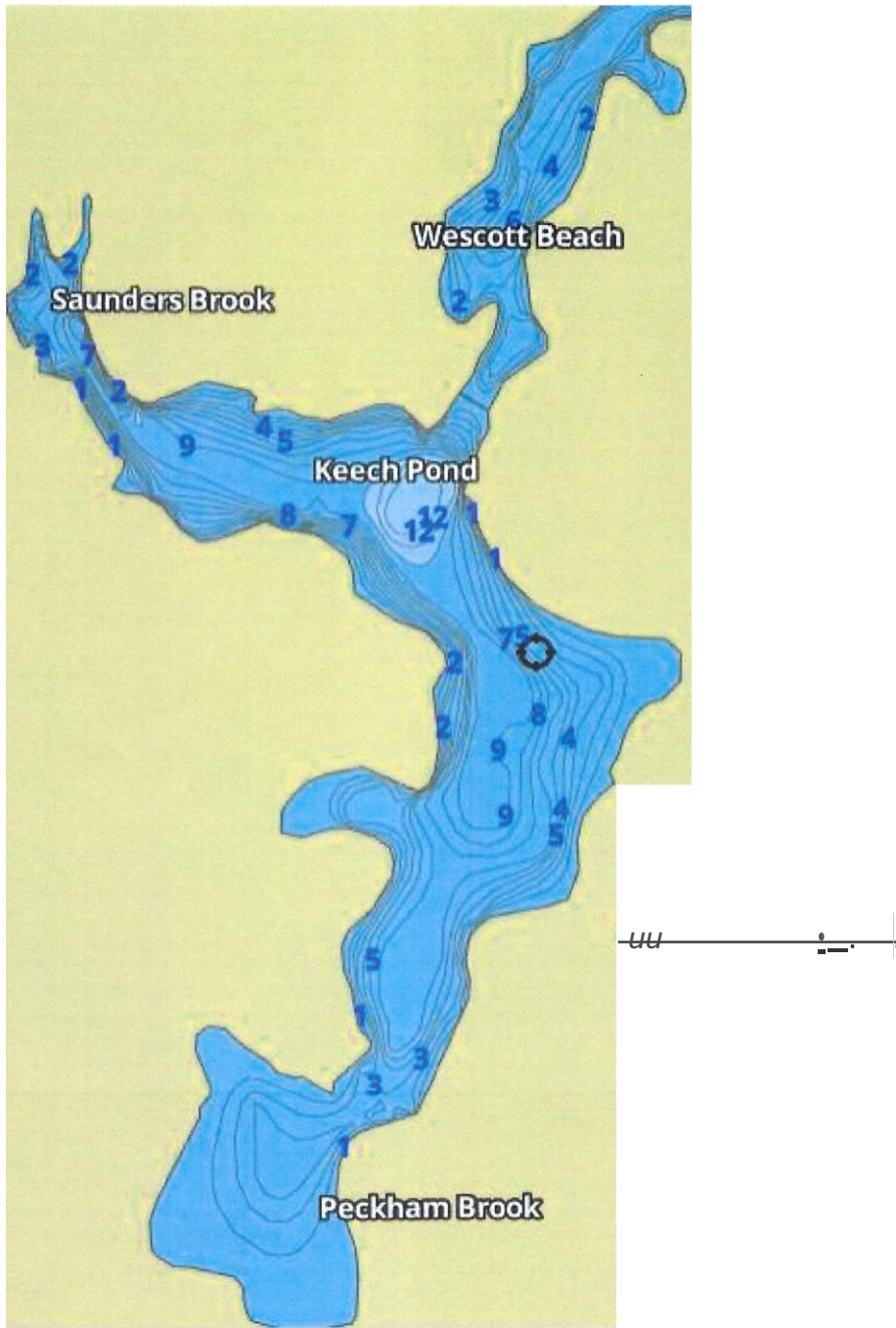
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**Personal Safety:** Wake/ballast boats pose a safety concern for other boaters and swimmers because of the high energy waves they produce.

**Economic impacts:** Damage from waves affects the shoreline through erosion, and can damage docks,

**ESS Map:** Clearly shows that our bodies of water too shallow and too narrow to support wake/ballast boats.

**See** Keech Pond Depths Guide



Keech Pond Depth Locations in Feet

# Frequently Asked Questions

Visit [KeechPond.com](http://KeechPond.com) for more information and updates.

1. **Why am I a "member" of the Keech Pond Property Owners' Association?**

You are a property owner within the Keech Pond community. The location of your property is within the original land area of the SEW founders of Steere, Ebbets, and Westcott who rebuilt the present dam in 1951. Your present deed or past (possibly noted as restriction of record) states that your land is part of the Association.

2. **What are the Property Owners' annual dues?**

Annual Property Owners' dues from January to December, are \$100 for the home and lot. Each additional lot owned, without a home on it, is \$5.00.

3. **Does being a property owner expose me to greater liability? What if I don't acknowledge the Association or pay my dues?**

Whether or not you pay your required annual dues, your property location determines that you are part of the Keech Pond Property Owners' Association. You are a member of record and would be served in a lawsuit; payment of the dues is not a factor.

4. **Why does the Association need insurance? I have good insurance, even the recommended million-dollar umbrella rider for boaters.**

Your personal property insurance covers your personal property and land only. The Keech Pond Property Owners' Association's insurance covers common areas such as the beaches, roads, and the dam, as well as protecting every Property Owner in the Association. Our insurance would cover any litigation costs in a lawsuit. Even though the replacement of dam is not covered by insurance, if the dam were to breach, our policy would cover downstream damage and any legal costs.

5. **How are the annual dues that I pay used?**

Our biggest line-item cost is insurance. Next is the tax for the roads, beaches, and the dam. Annual deposits are made to the dam reserve fund. To rebuild the dam, estimates are \$1,000,000 and would require a 10 percent down payment for a loan. Dam and beach maintenance, office supplies, mailings, collection agency services, as well as URI Water Quality Monitoring are also costs. Unused funds are put towards the Dam Reserve Fund.

6. **Who maintains the association beaches?**

To keep costs down, much of the maintenance on the beaches is done by volunteers from the association. The association pays for the grass to be cut a few times a year on some of the beaches. Cutting grass, raking sand, raking leaves and picking up sticks and branches can be done by anyone who wants to help. If you can pick up an area you use, please do so. Help take care of common areas. Report vandalism to both the Gloucester police and the Keech Pond

Director in your area.

7. **Are Directors or Officers of the Association compensated in any way?**

No. Your directors volunteer their time, talents, and many of their personal supplies/materials to help the association and to maintain common areas like the dam and beaches. At times, professionals may be hired for tasks that can't be completed by volunteers.

8. **Where do I report problems?**

Glocester police may be called regarding rowdy behavior or vandalism on beaches, roads, or dam areas: 401-568-2533. Unsafe boating conduct should be reported to RI DEM at 401-222-3070. If roads are eroded and in need of repair, call the Glocester highway department at 401-568-5540. Unrestraint, barking or annoying dogs may be reported to Glocester Animal Control at 401-568-3885

9. **How can I help?**

Volunteer! We need more directors. Contact a local director. Come to the annual meeting. We need help on finance, beach, and dam committees. Get involved!

10. **Am I affected when some homeowners don't pay their annual dues?**

Yes. If all property owners don't pay their annual dues, it might force an increase in annual dues for everyone so that expenses can be paid. There are on-going collection efforts being carried out by the Board with hopes we will someday have 100% compliance.

11. **Is there anything I can do to ensure everyone pays?**

Yes. If you hear neighbors or friends say they are not paying, encourage them to speak with a Board member and express their views on why they continue to be delinquent. Sometimes people refuse to pay for a reason that is personal to them and that could be rectified if the Board knew what it was.

12. **Why can non-property owners use the association beaches?**

They are not allowed to unless they are with an active (paid to date) property owner. There is a public boat ramp that is owned by the State of RI and therefore allows boaters from outside to access the water, but the beaches belong to the Association and its active property owners. If you find outsiders using the beach areas, please bring it to the attention of your area Director.

13. **If my original deed says I must pay \$5.00 a year per lot for the upkeep of the dam, why am I now being asked to pay a higher amount.**

When the original founders and developers formed the association there was little thought of the increase in expenses over the decades. Taxes, insurance and liability claim potential are all things that had to be added as expenses over the years. Keeping up with all of these are the reasons your houses and property values have escalated greatly over the years. If everyone paid just \$5.00 a year, we wouldn't have even enough to pay the taxes. Non-payment of taxes would subject the

property to be sold at Tax Sale. This could lead us to the pond being drained and roads put in with development of the property. Farfetched? Not really.

Visit [KeechPond.com](http://KeechPond.com) for more information and updates.