

Town of Lakeville
Conservation Commission
July 12, 2022 8pm

Members present: Chairman Bob Bouchard, Joseph Chamberlain, Mark Knox, Nancy Yeatts, Fred Frodyma, John LeBlanc, and Josh Faherty. Chairman Bouchard called the meeting to order at 7pm. This meeting was recorded by LakeCam.

8 Paul Ave. - NOI - Prime Engineering - (continued).

Upon a motion made by Member Knox, seconded by, Member LeBlanc, it was:

Voted: to continue 8 Paul Notice of Intent until the next meeting July 26th at 7pm.

Unanimous approval.

Ram Island - RDA - Twin Boys, LLC. Nicholas Velozo was present, representing Twin Boys LLC, the owners of Ram Island. They have owned the island since 2003. It has basically been untouched since. In the past few years there has been some vandalism. He is getting married in September and they want to do a small ceremony out there, so they have started going out and clearing the fire trails, picking up dead or downed trees and cutting them up. Mr. Velozo said to clarify the discussion from the last meeting, the Kubota that went out there was not on a pontoon boat. They have a barge that holds 15 or 16,000 pounds. They used ramps to get it on the barge, it never touched the water. There was no site work being done, they've been cleaning up brush and trimming some paths. At the last meeting there was mention of work being done on the north side of the island, which he was unaware of. They haven't gone anywhere on the island at the shoreline except for that one spot that was witnessed. Chairman Bouchard said he had spoken to Jerry Velozo after several phone calls from residents were made to the office. Mr. Velozo said there was more clean up to be done, but they stopped when they received the letter from the Commission. Member Knox said if they are going to remove stumps they would need to call the office. Silt fencing may be required until the area around the stumps is stabilized. He urged Mr. Velozo to ask about any additional work they may want to do while he was in front of the Board. Mr. Velozo said they would like to build a small platform to get married on. Nothing permanent, no sonotubes. Member Knox asked if they were planning to add a dock for easier access, maybe a floating dock. Mr. Velozo said currently there is a dock on the east side of the island. They would like to put in a dock on the right side of that clearing on the south side of the island, just a standard dock with feet. This is the only event that has been planned on the island in 10 years. They would leave the dock until winter and then remove it. Member LeBlanc asked if they had a permit for the dock. Mr. Velozo said he was not sure. He asked if that came from the State. Member LeBlanc said it does. Member Chamberlain added that it would be a concurrent filing with the Commission. Member Chamberlain asked what they were doing with the brush and trees. Mr. Velozo said it was going to the middle of the island in a large pile. Member Chamberlain thought that was asking for trouble when it dries out and there's a trespassing problem. Mr. Velozo said they've kept it away from the clear area, the open area. They've put it where you really can't get to it. Glenn Chistolini said they have been doing a good job, he's seen all the work that they've done. He has been helping with the clean-up.

Upon a motion made by Member Yeatts, seconded by Member LeBlanc, it was:

Voted: to issue a negative three determination with one condition, to not throw anything in the water.

Unanimous approval.

Long Pond Associates - discussion. This is a discussion prior to an NOI. Member Yeatts said the NOI is on the Commission's next meeting. This is for weed removal with specified locations for disposal. Member Yeatts said because of the Red-bellied Cooter, this is the only time they can do it. They have signed up for the harvester for the second week of August. She said this is a small project this year, kind of a trial run, but next year will be a lot more extensive, hopefully. The Long Pond Association is doing a great job, they have their non-profit status. They got a grant from the State for \$250,000 for this last year and they're going to try to get another \$250,000 for next year. They would eventually like to get their own machine and do regular maintenance. She said she and Chairman Bouchard had agreed that they would waive the \$75 fee, but thought the Commission should vote on it. Member Frodyma asked if they had looked into putting tarps over the area. Member Yeatts said they had done that already, about 10-years ago. It worked in a very small area, but it was very labor intensive. Member Knox thought if they mirrored all of the conditions and language from the Nemasket as far as disposal points and process. His concern with them getting their own machine would be that it's not freely driven around the pond because of the Red-bellied Cooter. Member Yeatts thought they would have to get a permit with a five-year maintenance plan. Member LeBlanc said there would be a professional biologist on-site the whole time.

Upon a motion made by Member Yeatts, seconded by Member LeBlanc, it was:

Voted: to waive the \$75.00 fee.

Unanimous approval.

Beech Tree Drive - Chairman Bouchard said he sent a letter itemizing problems with the property at 8 Beech Tree Drive. The owner called the office and so far, has complied with most of the requests, which satisfied Chairman Bouchard. Since then, some other members of the homeowner's association have brought up some other issues for discussion. There has been some excavation and some gravel has been brought in. There are still a few trucks causing an issue with parking. John Lens, President of the Huckleberry Shores Association said there were some concerns with Mike and Laura Nashawaty with their trucks and things on the side of the road. There was an annual association meeting and the issues were discussed. They believe the Nashawatys will be working to do what they need to do to comply with any rules and regulations. Chairman Bouchard said he spoke with Mr. Nashawaty this afternoon and it mirrored what Mr. Lens had said, which was reassuring. Most of the things he was asked to do have been taken care of. Chairman Bouchard said there was another area that he was concerned with. There had been some excavation and some gravel brought in to fill a hole that's on the elbow between Hickory Lane and Beech Tree Drive. Mr. Lens said that the Association had nothing to do with it. It's the area of the street as you get to the water, it's only 20' wide and it's tough so if you have a big truck or just two cars, one is in the swampy area of the street, off the tar. There was a pipe there that got crushed and one of the homeowners fixed it on his own. Chairman Bouchard asked if there were two homeowner's associations. Mr. Lens replied that there was, Huckleberry Knolls Association and Huckleberry Shores Association. Huckleberry Shores Association is the primary association for Beech Tree and now Robbins Lane that goes down to Mark Twain. There are eight homes associated with the

Huckleberry Knolls Association. They have a beach access right to 2 Beech Tree which is now extremely overgrown. The association was set up by the original builders who went out of business. Property taxes have not been paid since 2015. He asked if the town was planning to take ownership and what is the right access to that land as wet and wooded as it is. Keith Reissfelder (4 Beech Tree Drive) said they were concerned where the water coming down the road is going to go if there is alteration of the beach access. What is the proper way to clear it, if they're going to clear it, what is considered a path. Member Yeatts said they would need to present a plan to the Commission. Mr. Reissfelder said he didn't want anything done with the land because he is afraid of where the water is going to go. He said they were told they could clear a car-width path. Chairman Bouchard said to clarify someone took what he said out of context. That person was looking for an estimate of how wide and Chairman Bouchard told him 'like the width of a car', meaning about that wide. Not that a car would have to necessarily go through it. Member Yeatts asked what had been taken away at the Nashawaty property. Mr. Lens said the gravel was still there, all the motor equipment and gas tanks were gone. Member Knox asked if Chairman Bouchard would do a site visit as the Agent to check what has happened. Member Yeatts asked what was left to be done. Chairman Bouchard said there was a little bit of gravel left and there is the question of the pickup truck with the plow. Mr. Nashawaty didn't have a place he could move it to and he would get back to Chairman Bouchard. Tom Loftus (13 Robbins Lane), had done some cutting down there and that's when the cease and desist order came. He claimed there had been a lot of impediments to them using the area. Mr. Loftus showed a slide show presentation of the area. Chairman Bouchard pointed out some excavated material in one of the pictures. The gravel just stops and beyond that is wetland. Mr. Loftus said someone put rocks in to continue the channel. Chairman Bouchard said that there are wetlands on both sides. Mr. Loftus said someone made modifications to their property without permission and without coming before the Board. Member LeBlanc said within 100' of the wetland you can't do anything without applying for a permit or at least coming and asking about what you want to do. He asked who dumped the gravel. There was a discussion between the homeowners regarding the site. Member Knox said the wetlands are an issue. He thought someone should get an engineer involved to delineate before anyone does anything else. Mr. Loftus said they were just trying to clear out a path. Member Knox said he understood what they were trying to do, but they need to make sure that it's happening in the right location. A wetland scientist or someone to come out and determine that this is the line. Member LeBlanc said even if they are just trying to make a path, it needs to come before the Board. Chairman Bouchard said in some ways, what you see there is a start. They just didn't finish it, and it's not engineered properly. Member LeBlanc said it appears there is a drainage problem that affects both associations. Mr. Lens said since the houses were built on the Mark Twain side, they have more water than they want to deal with. Huckleberry Shores Association is not responsible, it's Huckleberry Knolls so he doesn't have that jurisdiction or legal right. Member LeBlanc said this sounds like it's a civil issue they need to take up. The Board needs to determine if a violation has occurred. Member Yeatts thought they should do a site visit. Chairman Bouchard stated that they would need to undo the damage that has been done. Member Chamberlain asked who would be responsible for undoing that damage. Chairman Bouchard thought it would be good for the entire Board to review it and get some input because there's no simple solution to this and it may be that it winds up being a civil matter. Mr. Loftus said what they would like is to have access to the beach without having any road blocks put in by people modifying the property.

Upon a motion made by Member Yeatts, seconded by Member Knox, it was:

Voted: to continue the discussion to our next meeting on Huckleberry Shores Homeowners Association or Huckleberry Knolls Homeowners Association.
Unanimous approval.

Meeting Minutes - May 3, 2022 -

Upon a motion made by Member Knox, seconded by Member Faherty, it was:
Voted to approve the meeting minutes for May 3, 2022 at 7pm.
Unanimous approval.

Clear Pond discussion- Member Faherty said the Parks Department does a great job with the facilities, however, he thought the Commission should address the amount of sand that was brought to Clear Pond. Whether unintentional or not, it does end up in the pond. He said they brought in quite a bit of sand. Prior to this year, what they had been bringing in was more like dirt than anything. This year, they got someone to donate good quality sand, but it does eventually run off into the pond. He said he had reached out to a Park Commission member and Doug Berry, Director of Clear Pond Park, for more information. Member Yeatts said her concern is where the sand came from. Member Knox asked if it was something the Parks Department had planned. Member Faherty said the donations were acquired through the Parks Department, one of the Commissioners sought the donation of the sand. It could be reputable sand from a clean place, but without any plan coming before us, we don't know that. Member Chamberlain said for beach sand, it would be certain sieve size and material. Member Yeatts asked if the Board of Health was part of that too. Member Faherty said they test the water weekly. The amount of sand was tri-axle loads full, each tri-axel holds about 17 cubic yards. The Highway Department spread the sand. Member LeBlanc said they should be able to get verification on the sand from wherever they got it, so they should at least be submitting that.

Adjournment - (8:11pm)

Upon a motion made by Member LeBlanc, seconded by Member Knox, it was:
Voted: to adjourn.
Unanimous approval.