

E. Fisheries and Wildlife: Fauna

Lakeville provides habitat for abundant and varied wildlife fauna, a reflection of the diversity and high quality of the town's natural communities. Even as the town is in transition from rural to suburban, factors such as relative isolation from dense metropolitan areas, large wetlands that are non-developable, proactive zoning restrictions, and protected open space have resulted in a refuge for a wide array of native animals. Although many taxonomic groups, especially invertebrates, remain to be inventoried, the following accounts and species lists collectively describe the current state of knowledge of the diversity of animal life in Lakeville.

With this richness comes responsibility and much of Lakeville finds itself under the watchful eye of the Natural Heritage and Endangered Species Program (NHESP). In order to administer the Massachusetts Endangered Species Act (MESA), NHESP, under the Department of Fisheries and Wildlife, issues maps with polygons indicated for areas that are Priority Habitat (habitat for endangered species), and Estimated Habitat (also habitat for endangered species, but land that is under jurisdiction of the Wetland Protection Act). Anyone proposing a construction project within one of these polygons is required to notify the NHESP and to follow their guidelines. The Conservation Commission is responsible for enforcement of MESA, meaning that it needs to be aware of all projects within any of the regulated Habitat polygons. (See Appendix G for correspondence from NHESP describing Lakeville's rare species and natural communities and Appendix H for a list of current state-listed rare animal species occurring in Lakeville. See also D. Wildlife: Vegetation.)

1. Freshwater Mussels

This group of bivalve mollusks is experiencing a drastic range-wide decline as their aquatic habitats are degraded. Almost half of the nearly 300 species and subspecies of freshwater mussels found in North America are threatened, endangered, or extinct; seven of the 12 species occurring in Massachusetts are considered rare.

Freshwater mussels are sensitive to many forms of habitat alteration, including siltation, chemical pollution, nutrient loading, and acid rain. Their endangerment is compounded by a parasitic stage of the mussels' life cycle, where the mussel larvae, or *glochidia*, attach themselves to the gills of passing fish, often of a particular species. This aids in the mussels' dispersal and colonization of new habitats. Factors that cause a decline in fish numbers or a change in fish species composition can then, indirectly, lead to the mussels' demise (Gabriel and Huckery, 1998).

In Lakeville, the Assawompset Pond Complex is considered the one of best sites in southeastern Massachusetts for freshwater mussels (Gabriel). Assawompset and adjacent ponds support six mussel species, two of them state-listed species. The ponds provide critical habitat for some of the largest known populations of the state-listed Eastern Pond Mussel in New England (Reid).

2. Insects

A list of butterflies seen in Lakeville from 1976-2000 is included in this document in Appendix I. No comprehensive data exist for other insect groups, although some survey work was conducted for Odonates (dragonflies and damselflies) in 2000 (Mello).

The two rare insects documented for Lakeville, the Hessel's Hairstreak butterfly (*Mitoura hesseli*) and the Water-willow Stem-borer Moth (*Papaipema sulphurata*), are both wetlands-dependent Lepidoptera. *Mitoura hesseli* is a diminutive green butterfly whose occurrence is closely tied to that of its larval food plant, Atlantic White Cedar. The larvae feed on the scale-like leaves, while the pupae overwinter among the leaf litter or underneath the tree's bark shards. Adults seldom stray far from the host tree, perhaps only to nectar at a neighboring flowering blueberry bush. As Atlantic White Cedar is globally restricted and declining, so is this elusive butterfly whose existence is completely dependent on a single host. In addition to threats related to the loss of cedar swamps, this insect is vulnerable to broad spectrum pesticide applications; once extirpated from a habitat patch, it is unlikely, with Hessel's extremely limited dispersal capabilities, that colonists from other cedar swamps could reestablish a population (MA NHESP fact sheet).

Papaipema species in general are often globally restricted. In this case, *P. sulphurata* is known only from the five counties in southeastern Massachusetts. Its habitat, ponds in the coastal plain with Water-willow (*Decodon verticillatus*), the larval food plant, growing along the margins, appears widespread throughout the Commonwealth; it is unknown why this moth does not occur elsewhere. The clue may lie in the unique hydrologic regime of the kettles in this region, where fluctuations of water levels are synchronized with the life stages of *sulphurata* (Mello).

3. Fish

A list of fish known to occur in Lakeville's ponds, rivers, and streams (23 species) is included in this document in Appendix I.

The Nemasket River is considered one of most productive warm water fisheries in eastern Massachusetts, known for its largemouth bass, yellow perch, and sunfish (Hurley). The river and its headwater ponds also support the most productive river herring run in the northeastern United States (Standish). The Nemasket River herring (alewife and blueback herring) are anadromous, hatching in the headwater ponds and reaches, migrating downstream to the ocean in August or September, and only returning to their native freshwater system to spawn in the spring (MA Division of Marine Fisheries fact sheet). The Nemasket River herring run was commercially exploited until the 1950's, resulting in the near-depletion of the resource; careful management has led to an admirable local recovery. In the year 2000, 7,500 Nemasket River herring were transplanted to the Concord River to reestablish an upstream population (Reback).

In recent years there has been a decline in the herring run all along the Atlantic coast, likely due to ocean conditions. Take was suspended 2008 and 2009 due to reduced absolute numbers, but the Nemasket run has remained strong relative to others in New England. Even though the Federal Government did not take fish to restock the Concord River in 2008, the State continued transporting herring to multiple sites, including three in Rhode Island, to help reestablish runs. The Herring Commission, appointed by the towns of Lakeville and Middleboro to manage the fishery, remains concerned that the Nemasket stay clean, open, and silt free. They took advantage of low water in 2008 to clear silt from the ladder below Assawompset Pond. (Source: Ronald Burgess)

There will always be the risk of the dam silting up again and restricting the movement of the herring. Hopefully the Herring Commission will remain vigilant. Even if it does, because Assawompset Pond is managed as a water supply, in periods of drought there is the potential that the dam will be kept too high. This will hinder the down-stream trip, especially of young herring, and will cause the river to be too shallow for its health.

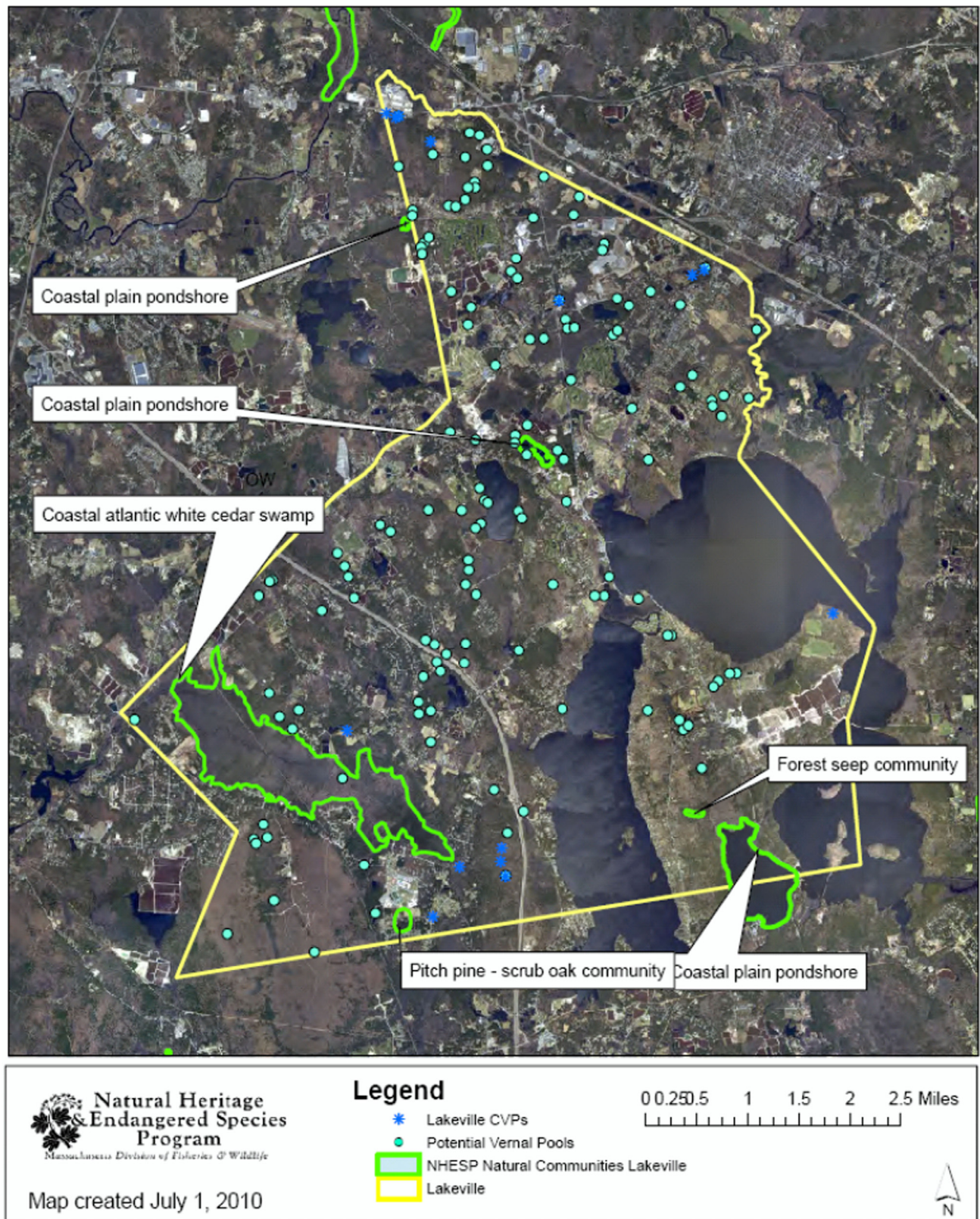
The Assawompset Pond Complex has been historically stocked with largemouth bass (Hartel), smallmouth bass, bluegill, white perch, pike perch, shad, rainbow trout, brown bullhead, and smelt eggs (MA DFW Fact Sheet, 1957). It supports a wide assortment of warm water fish species including yellow perch, white perch, largemouth bass, tessellated darter, lake chubsucker, and chain pickerel (Hurley). Elders Pond and Assawompset Pond also support one of the state's few small vestigial populations of walleyes (Hurley).

Of particular note are the bridle shiner and the banded sunfish, which inhabit the slow moving, warm waters of the Assawompset Pond Complex. Both of these species are experiencing a statewide decline as their habitats succumb to eutrophication and overgrowth of aquatic vegetation, particularly non-native invasive plants; further damage to populations is caused by the depredations of largemouth bass (Hartel). Surveys by the New England Aquarium (Chandler) indicate that the bridle shiner is absent from about 75% of its historical sites in Massachusetts. Thus, any site that has a sizeable population is a valuable stronghold for the species.

Loon Pond supports large- and smallmouth bass, chain pickerel, yellow perch, bluegill, pumpkinseed, brown bullhead, tessellated darters, and banded sunfish.

Assawompset, Pocksha, and Great Quittacas Ponds were open to anglers until 1900. In 1901, the lakes became a public water supply and since 1904 access for fishing has been restricted to permitted lakeshore property owners (MA DFG fact sheet, 1957). In 1955, all areas of the Pond Complex under New Bedford's control, except the eastern half of Assawompset Pond, were opened for shore fishing, but were re-closed shortly thereafter. In the 1970s, Great Quittacas Pond was opened for fishing, but it was re-closed in less than a year because of debris clogging the intake structures (Calheta). With the Betty's Neck purchase agree-

Lakeville - Vernal Pools and Natural Communities



ment in 2002, shoreline access to the ponds was opened again. People using the area need to show respect and care. Already one area has been abused by fishermen cutting brush and had to be closed again.

Loon Pond is open for fishing, although motorboats are prohibited. Clear Pond has been used for ice fishing, as has Long Pond.

One of Lakeville's treasures is cold water stream habitat that supports brook trout. The still pristine headwaters of Poquoy Brook and Leonard Washburn Brook in the northern part of town provide clear, clean water for their shaded pools. These streams are also reputedly rich in diverse insect life. (Source: Eva Butler, entomologist) Unfortunately for their wildlife, however, Poquoy must run the gauntlet of development on Route 44 before reaching the Taunton River. Other documented cold water fisheries habitats are in Spring Brook, Assonet/Cedar Swamp River and Box Brook. (Steve Hurley of Mass Fisheries and Wildlife) New developments in these areas must follow special state regulations designed especially to protect cold water streams.

4. Amphibians and Reptiles

A list of the herpetofauna (amphibians and reptiles) seen in Lakeville from 1976 - 2000 (28 species) is included in Appendix I.

Lakeville's herpetofauna is highlighted by the presence of an introduced population of the rare Plymouth redbelly cooter. The Massachusetts populations of this large basking turtle are a disjunct remnant of a formerly continuous population extending from southern New England south to North Carolina. The Massachusetts populations, naturally occurring only in the ponds of Plymouth, Carver, and Kingston, are state- and federally-listed as Endangered, with only about 300 individuals of breeding age known to exist in 1995. In response to the multiplicity of threats and the declining numbers, the MA Division of Fisheries and Wildlife and the New England Aquarium have raised hatchlings in captivity in order to enhance hatchling survival. These "head-started" turtles have been released at unoccupied but suitable habitats within their range, including Assawompset Pond, where about 100 hatchlings were released in 1999 and more in subsequent years. The sighting of redbelly turtles in Assawompset from 2000 on lends hope for their recovery in southeastern Massachusetts.

Also of conservation interest in Lakeville are numerous populations of the state-listed Box Turtle. This denizen of open woodlands, pastures and edge habitats is known to be abundant in certain locales in southeastern Massachusetts, including the upper Cape (Turner), but is rapidly declining and seriously threatened by illegal collection for the international pet trade as well as habitat loss throughout its range. It is especially vulnerable to road kill as more and more roadways cross its habitual breeding and egg-laying pathways. In recent years NHESP has placed conditions on projects located in designative box turtle habitat in an effort

to conserve the box turtle. These have included requirements for turtle barriers around parking lots, the purchase of a conservation restriction on a separate remote parcel of land, and a conservation restriction requiring that the back half of each lot of a development be maintained in perpetuity as meadow.

The state-listed Wood Turtle and Four-toed Salamander are known to inhabit Lakeville's wetlands, riparian areas and adjacent meadows and forests. The Wood Turtle occurrence is particularly interesting, as this species was known in 1994 from only four towns in southeastern Massachusetts. The Spotted Turtle, recently removed with some controversy from the State list, also inhabits our riparian areas.

Additional fieldwork may reveal significant concentrations of rare and declining reptiles and amphibians in Lakeville, along with the natural habitats, including vernal pools, needed to maintain their populations. A vernal pool is one that has no inlet or outlet and, while full of water in the spring, dries up sufficiently in the summer that it cannot support fish. Vernal pools are officially certified through a process that includes documenting the presence of at least one of the species that requires vernal pool habitat. As of 2008, 14 vernal pools in Lakeville were officially certified by the MA NHESP. However, dozens of additional, potential vernal pools have been identified through interpretation of aerial photographs (Burne, 2001). Locations of potential vernal pools can be seen on the website CommunityMapper.org. Certification assures that ponds may not be filled; however, the buffer zone, the hundred feet surrounding the pool which gives at least a portion of the upland habitat required for vernal pool species, is not protected, except to the extent the buffer zone falls within a wetland otherwise jurisdictional under the Wetlands Protection Act. Studies indicate that as much as 600 feet of upland buffer zone is needed for the health of vernal-pool-dependent amphibian populations. Official certification is only a first step for protection, but it is an important step for landowners to take and valuable as an educational tool for citizen groups and schools.

5. Birds

A list of birds seen in Lakeville (245 species) is included in this document in Appendix I. While some records are for sightings only, multitudes of records exist for nesting occurrences, including most notably Bald Eagles at the Assawompset Pond Complex.

Although this majestic bird is held as our national symbol, populations have been drastically reduced throughout the continent over the past two centuries as a direct result of human activities, including habitat conversion, bounty hunting, bioaccumulation of pesticides causing eggshell thinning, bioaccumulation of PCBs, mercury, and lead in the eagles' food supply, and acid rain causing the collapse of aquatic food chains. In 1978, the Bald Eagle was federally listed under the U.S. Endangered Species Act as Endangered in 43 of the lower 48 states, and threatened in the other five. In 1995, following a partial recovery, the designation was changed to Threatened (MA NHESP fact sheet, MA DFW brochure).

After an absence in Massachusetts of about 80 years, the Bald Eagle was re-introduced into the Quabbin Reservoir area in 1982, and first successfully bred in the state in 1989. Currently, breeding pairs occur at the Quabbin; along the Connecticut River valley; and at the Assawompset Pond Complex, where a pair was recorded as successful every year in fledging young from 1993 to 1999 (Davis). The size, water quality, abundant aquatic life, and largely undeveloped shorelines of the Assawompset Pond Complex all contribute to its status as the only eastern Massachusetts site for breeding bald eagles.

The eagles have continued to breed successfully. In 2008 two pair tried, one of which is thought to be a second generation bird. 2008 was a bad year for nests due to wind conditions, but it was a hopeful sign to have two mature pairs on the Pond. Two eaglets were seen in 2009, but there were none in 2010, perhaps due to the heavy spring rains (Nancy Yeatts).

Ospreys nest along the margins of Assawompset, Quittacas, and Long Pond. Common Loons and American Mergansers have lingered late into the summer on Assawompset Pond, an indication that this area may be used in the future by these species for breeding (Anderson).

The tall planted conifers around the Pond Complex support breeding Golden-crowned Kinglets and Yellow-rumped Warblers, both species known to nest in only a few sites in eastern Massachusetts, as well as Red-breasted Nuthatches, Brown Creepers, and Saw-whet Owls (Anderson). Purple Martins, once locally common throughout Massachusetts, now breed primarily in the Ipswich area and at scattered locales in interior Plymouth County (Veit and Peterson, 1993), including Lakeville (Anderson).

The Agricultural Preservation Restriction placed on the 200 acres of farmland between Rts. 18 and 105 in north-central Lakeville protects some of the best habitat for birds in the town. American Bittern, a state-listed rare bird, has been seen along Bates Brook in late spring, and may possibly breed at this site. Northern Harriers, also state-listed, have been recorded here in summer. Bluebirds nest at this site, and other species observed include Red-tailed and Red-shouldered Hawks, Kestrels, Blue-winged Teal, and Kingbirds (Anderson).

The upper Nemasket River is the best area in the Taunton River watershed for marsh nesting birds and nesting waterfowl, including King Rail, American Bittern, and Pied-billed Grebe (all state-listed), Black Duck, Wood Duck, Mallard, Virginia Rail, Bobwhite, Red-shouldered Hawk, Osprey, and Black-crowned Night Heron (Reid et al., 1998). The upper Nemasket is also used throughout the year by state-listed Great Blue Herons.

Veit and Peterson (1993) cite the importance of the Assawompset/Long/Quittacas Ponds as feeding areas for migratory waterfowl, particularly White-winged Scoter, Surf Scoter, Oldsquaw, Ringed-neck Ducks and Scaup.

Other migrants noted elsewhere in Lakeville include Blackpoll Warbler, which uses this area as a fall staging ground to accumulate sufficient fat reserves needed for the oversea flight to Brazilian wintering grounds. Migratory Merlin, Peregrine Falcon, and Glossy Ibis, the latter in wet fields, have also been recorded (Anderson).

In periods of low water, up to ten species of shorebirds have been observed at Elders Pond (Sorrie). Unusual vagrants seen on the Assawompset Pond Complex include the Sooty Tern, Foster's Tern, Tufted Duck, and Red Phalarope (Anderson).

Several pair of non-native mute swans breed around the Pond Complex and the Nemasket River. Beautiful as they are, the presence of swans acts as a detriment to the breeding success of other species.

Residents along Highland Road have historically reported deep-woods birds such as hermit thrushes. There is increased development in this area but hopefully with the existence of conservation restriction acreage and a town conservation area these birds will persist. The Assonet Cedar Swamp also provides a deep woods habitat.

Flocks of wild turkey now appear on open tracts of land and in homeowner's yards. Like the large flocks of Canada geese that winter here, these are thought not to be descended from native birds, but from members of flocks kept for hunting purposes that have escaped or been released. Non-migratory geese, somewhat larger than migratory ones, have become a nuisance in some areas. The state has instituted a yearly late hunting season as a measure of control.

6. Mammals

A list of mammals seen in Lakeville from 1976 - 2009 (34 species) is included in Appendix I. Lakeville is fortunate to host 34 of the 40 species of non-marine mammals native to Massachusetts.

The dense shrub layer in Lakeville's forests provides cover and a food supply of acorns, twigs, and buds for deer. Winter snows are seldom deep enough to prevent foraging. Laurel and other shrub thickets in wetlands provide twigs and bark for rabbits and hares. Other small upland game species are still abundant, including opossum, raccoon, gray squirrel, and fox. Muskrat, otter, and mink also inhabit the lowland areas around swamps (Lakeville Conservation Commission and SRPEDD, 1981).

Of particular interest in Lakeville is the presence of the river otter. The Wildlands Trust uses this species as an indicator of undisturbed terrestrial habitat as well as a healthy aquatic habitat (Reid et al., 1998).

In recent years, the fisher cat has expanded its range in southeastern Massachusetts. There have been several sightings in Lakeville, indicating this mammal, along with the ever-increasing coyote, has been added to our list of predators.

7. Wildlife Corridors

Along the full length of Lakeville's eastern boundary, its lakes, especially where there is water supply protection land held by New Bedford, provide wildlife corridors that extend from the Middleboro boundary to Rochester and Freetown. These corridors are contiguous with open space or sparsely developed land in these neighboring communities. The upland portion of the corridor narrows as it continues northward along the Nemasket River where in some places development has been approved to within 20 feet of the wetland, but there is a wide swath of river marsh in these areas.

Southwest of Route 140 the richness of the Assonet Cedar Swamp has connectivity through the wetlands of Berkley and Freetown to the Taunton River. This same swamp is separated only by Howland Road and its residential development from 1200 acres of town-owned forest land and privately held agricultural land, which offers potential connectivity to the Freetown State Forest, and also, through a lightly developed residential area, to Rocky Woods, an area of outcropping and the headwaters of the Assonet River.

In the northernmost point of Lakeville, there is a corridor that corresponds to the wetlands associated with the headwaters of Washburn Brook, which might have connectivity with the Taunton River, but disruption by Route 44 and a planned commercial project just above the confluence of Poquoy and Washburn may render it ineffective.

Throughout the center of Town, there are a number of ponds, such as Cedar, Reservoir, Loon, and Elders Ponds, which connect with each other or small streams and wetlands, eventually with the Great Ponds, separated only by still minor roads, golf courses, playing fields, cranberry bogs, or agricultural fields, including the 200-acre Wilkie-Schobel property under an Agricultural Preservation. The Lakeville Conservation Commission and Open Space Committee both recognize they have the responsibility to monitor any development along these corridors and guide the Town to preserve them as effective corridors. This responsibility would be part of the Open Space Committee's model for prioritizing and ranking open land; see Action Plan, Goal 4, Objective 1, Action 1a.

The Open Space Plan incorporates the goals of the Regional Open Space Plan, which includes preservation of habitat connectivity and wildlife passages. Section IV, pages 6 through 8, list areas of biological significance whose connectivity requires the cooperation between the towns of Fall River, Berkley, Lakeville, and Freetown.

F. Scenic Resources and Unique Environments

While Lakeville's two largest and most important environmental resources, the Great Ponds and the Assonet Cedar Swamp, are intrinsically protected, their complete peripheries and buffer zones are not, leaving their integrity as unique environments vulnerable. It is, therefore, a primary aim of this Open Space Plan to afford these areas this much-needed additional protection. It is particularly significant that in addition to providing Lakeville's largest and rare species habitats, these two areas also coincidentally provide Lakeville's most spectacular and characteristic scenic vistas which include several enhanced cultural landscapes. And, it is these vistas which provide its citizens their sense of Lakeville's essential character.

1. Scenic Landscapes

Early recognition of the critical role the vistas of Lakeville play in the people's sense of what the town means to them is what prompted the extensive survey of these resources that was developed and presented in Section 4B. Each vista, together with its ranking, has been entered at the appropriate location on Figure 5.

The primary clustering of grand vistas around Assawompset, Pocksha, and the Quittacas Ponds, as we have previously noted, constitutes Lakeville's signature landscapes. The challenge here is that although these are public water supplies and thus their immediate shorelines, per se, are strongly protected, as shown on Figure 5, these vistas are so extensive that they go well back from the shores to the nearest hilltops and beyond. Thus, they are subject to being compromised from uncontrolled activities literally miles away from the observer. It is significant that in many cases such encroachments will come from projects in neighboring towns, not Lakeville.

A secondary vista clustering occurs along the northerly edge of the Assonet Cedar Swamp. These landscapes are much more limited in extent, but considerable in number. All provide extremely endangered grassland-by-forest habitat immediately adjacent to the Cedar Swamp refuge. Similar sites, which were prevalent along the southern edge of the Swamp twenty-five years ago, have been reduced to the single farm on Mill Street, and several species, the whippoorwill for example, have drastically declined. Preservation of these open spaces will not only allow Lakeville to retain its greatest remaining concentration of 19th-century farms and farmland, it will inhibit any further decline in a most critically endangered habitat type. Most of the Mill Street farm and a large farm on Pierce Avenue have now been protected under a conservation restriction.

There are also a number of unique riverine vistas at the Nemasket River crossings into Middleboro. While these are not as well known to the citizenry as those discussed above, they coincide with a unique species habitat for the town. Here, in addition to the alewife run up the Nemasket every spring, the river supports a diverse population of fresh water shellfish, and provides extensive nesting habitat for a remarkably diverse collection of riparian bird species. Here again, the challenge is to coordinate preservation activities with

Middleboro, without whose cooperation any proactive conservation measures will be relatively ineffective. Within Lakeville, the Lakeville Corporate Park already intrudes upon the Nemasket, but there is still extensive open farmland, both private and state owned, that abuts the river on the Lakeville side and open farmland on the Middleboro side.

Parts of Lakeville retain a significantly dark nighttime sky, unique in eastern Massachusetts. The Milky Way is obvious on clear, moonless nights. Many locations in Lakeville have a naked-eye limiting magnitude greater than five on good nights, which allows excellent viewing of other low contrast objects, including comets and more distant galaxies. See Section 4B Scenic Night Sky Survey.

2. Geologic Features

The southern and southwestern sections of Lakeville contain several very rocky areas with impressive outcroppings of bedrock. Commercial granite quarries remained in operation along Pierce Avenue for over 100 years, until the mid- 20th century. The several hundred acres of exposed bedrock just west of Rte. 140 along the Freetown line are the most visible and impressive evidence of bedrock in Lakeville. This particular outcropping is one of the three or four largest of the entire Taunton River Basin, and provides an unusually large, unique floristic habitat, which extends well into Freetown, where it is known as Rocky Woods. Unusual fern species as well as a particularly diverse forest canopy growth characterize this region. Joint preservation activity with Freetown is strongly indicated.

3. Cultural, Archaeological, and Historic Areas

Once again, the Great Ponds and Nemasket River basin are the foci of attention. As a whole, the Taunton River basin is “one of the best reported areas for Amerindian [archaeological] sites in southeastern New England,” with an average density of 3-4 sites for every 10 square miles - one of the highest densities in Massachusetts (Anonymous, 1997). In our area, extensive documented research has revealed that Native Americans inhabited the Great Ponds and the Nemasket River more or less continuously for 9,000 years. The Great Ponds region is singled out by the Massachusetts Historical Commission (1982) for containing a uniquely complex Paleoindian site, 12,000-9,000 B.P., as well as an Archaic (9,000-2,000 B.P.) site that is remarkable for its size, diversity and quantities of materials and internal complexity. The construction of the Lakeville-Middleboro MBTA commuter train station and parking lot expansion uncovered a cache of significant artifacts and a new 40R residential housing project has uncovered yet another.

Despite its wealth of artifacts, the town has few ways to preserve them. Unless a proposed development involves state or federal action, environmental review that would uncover any potential archaeological impacts would not be required. Most proposals in Lakeville, relatively small in scale and involving no such state or federal actions, would be exempt from such environmental review.

Colonial cultural activity was concentrated in three separate areas. These were the Tack Factory along Taunton Street; the Pierce Avenue area; and the Assawompset area, which first included the still existing farms between Main and Bedford Streets, and later Assawompset Neck. Since only limited colonial architecture is extant (see Appendix J), it has been carefully identified in Section 4B when it is coincident with current scenic features, which, it is hoped, will encourage its preservation. Three stone slab bridges are known to exist in town, all of which appear to be relics of the pre-revolutionary period. Two are on the stream now called Bates Brook, and the other spans what is currently known as Holloway Brook, this in a somewhat remote area. Again, a coincidence of any of these cultural features with another scenic or unique habitat feature makes a strong case for their combined and expanded future protection.

Although there are no designated historic districts in Lakeville, several areas do have a concentration of historic structures and sites. At the request of the Lakeville Historical Commission the Board of Selectmen has recently voted to appoint a study committee to investigate the desirability of establishing a local Historic District at the intersection of Routes 105 and 18. This would be the first such district in town.

At present, only two sites in Lakeville are listed on the National Register of Historic Places: the Historic Town Hall at Bedford and Precinct Streets and the Royal Wampanoag Cemetery located on Route 105. Listing on the National Register, State Register of Historic Places or Lakeville's Inventory of Historic Assets provides some protection for historic resources. Projects that affect listed historic resources may be required to undergo review by Massachusetts Historical Commission and/or the Massachusetts Environmental Policy Act (MEPA).

Although some of Lakeville's 30 cemeteries are small family plots in danger of being lost to vandalism and neglect, others, such as the Sampson Cemetery and the Mullein Hill Cemetery, are privately owned and well maintained. Each of them has a wealth of local history. Many of the town's cemeteries are located in the older neighborhoods of Lakeville. As we continue to see buildout throughout the town, we can at least be assured that these small parcels of open space will be protected in perpetuity. See Appendix J for Town cemeteries.

4. Enhanced Cultural Landscapes

In 2008, the US Department of Interior working with the Tribal Historic Preservation Offices of the federally recognized tribes in Massachusetts acknowledged for the first time the presence of Traditional Cultural Properties within the Commonwealth. These special places are composed of culturally enhanced natural landscapes where traditional ceremonies have been held for thousands of years. A number of these sites have been identified in Lakeville around the Great Ponds. In an effort to preserve these places, the United South and Eastern Tribes (USET), a consortium of all federally recognized tribes east of the Mississippi passed

Resolution No. 2009:057 “Partnerships to Preserve Sacred Ceremonial Landscapes” (see Appendix J) to promote cooperation between the tribes, towns and other interested entities to prevent destruction of these sites. In addition interested parties are now working with state officials to facilitate introduction of appropriate language into the Commonwealth’s Conservation Restrictions to protect these resources. As stated in the Resolution, ceremonial landscapes “were used to sustain the peoples’ reliance on Mother Earth and the spirit energies of balance and harmony.” These are places of unusually situated natural open spaces, often very dramatic and beautiful. Hence, the protection of enhanced cultural landscapes has been added as a goal of the 2011 Lakeville Open Space and Recreation Plan, with the objective of developing cooperative working relationships with the tribes. For more on Enhanced Cultural Landscapes see the Bulletin of the Massachusetts Archaeological Society Special Issue: Sacred Landscapes and Skyscapes. Volume: 71 (1) Spring 2010 (Ballard, Fohl, Hoffman and Leonard.)

5. Areas of Critical Environmental Concern (ACEC)

The Assawompset Pond Complex, including the adjacent Nemasket River, easily fits the criteria for nomination for an Area of Critical Environmental Concern, by virtue of the exemplary natural and cultural resources present. According to 301 CMR 12.00, official designation by the state as an ACEC would enhance the area’s protection: Agencies within the MA Executive Office of Energy and Environmental Affairs would be enabled to closely review projects within the ACEC to assure that high standards are met for any action subject to their jurisdiction.

The Assonet Cedar Swamp is also an ecologically valuable but vulnerable site. The MA NHESP has identified both the Pond Complex and the Cedar Swamp as particularly significant areas, each supporting an array of natural communities and rare species populations (Swain, 2000). The biological significance of these sites is discussed throughout the vegetation and wildlife sections of this Plan.

While the ecological significance of these areas is based on the unusual physical factors that have shaped each area (for example, the sheer expanse of shoreline, shallow bottom, and marsh vegetation of the Ponds/ Nemasket River system, and the size and hydrologic regime of the Cedar Swamp), the ecological integrity of these two areas as well as their continued occupancy by rare species is a reflection of their protected status. Rare species are often the first components of a site’s biological diversity to be lost when a site’s integrity is breached. The management of these core areas as a water supply buffer and wildlife preserve, respectively, has served to limit, for the present time, the threats to the resources. A third area recently brought into focus especially by development along Route 44 is the Poquoy – Leonard Washburn Brook complex, cold water trout streams with their pristine headwaters in woodland swamp located in northern Lakeville. This area does not enjoy the water-supply-protection status, but Massachusetts environmental laws do apply more restrictive stormwater regulations to cold water habitat.

Even with the large size of these core areas, if existing natural habitat surrounding and connecting them is lost, the plants and animals, which highlight the sites' significance, will also eventually be lost. Scientific literature offers many studies documenting the critical need for large, unbroken, connected pieces of natural habitat (see Pickett et al., eds., 1997; also, Lassila, 1999.) As natural areas are fragmented, species are steadily lost and our biological heritage dwindles to only those plants and animals most tolerant of the human influence.

Lakeville has a rich environmental patrimony, unfortunately at risk if current trends continue. However, Lakeville also has the strong beginnings of a protected land system, anchored by the Assawompset Ponds and the Assonet Cedar Swamp, and located in close proximity to regional bioreserves - Rocky Gutter Wildlife Management Area in Middleborough, Massasoit State Park in Taunton, and Freetown/Fall River State Forest. The goal for natural resource protection is clearly to enlarge and connect existing reserve areas, with broad swaths that may cross town lines, not simply with narrow green corridors. To accomplish this goal Lakeville needs to look beyond its borders and use the resources of other groups with regional environmental concerns, such as the Regional Open Space Alliance and the Nature Conservancy. The Regional Open Space Alliance's Open Space Plan is found in the Appendices of this document.

G. Environmental Challenges

Lakeville's biggest environmental challenge is its collection of shorefront communities without enough upland space for adequate sewage treatment. This challenge is compounded by constant pressure to increase the size and occupancy duration of the dwellings. It falls to the Conservation Commission, the Board of Health, and the Zoning Board to try to contain this problem. The Board of Selectmen and the Water Board have worked on plans and funds for community treatment systems. The Open Space Committee has recommended reducing the size of the communities through the holding of properties taken for tax purposes. If price were not prohibitive, then it would be wise to buy and set aside any properties that might come for sale.

Another challenge is the threat of loss of farmland, especially that of prime agricultural soils. While development pressure is relatively light at the present time, the needs of the land owners are not. Efforts have been made to connect both specific landowners and the landowners in general with non-profit agencies that specialize in saving farm lands.

A third challenge is an insidious one, the rampant spread of exotic plants through the Town, especially Oriental Bittersweet. Bittersweet vines are choking many of our trees along roadways and the edges of parks, school yards, and fields. We have come up with no solution other than public education and volunteer efforts in spe-

cial locations such as Tamarack Park. Our wetlands and woodland edges are seeing a significant encroachment of phragmites and Japanese knotweed, which we do not know how to address.

1. Hazardous Waste Sites

The Massachusetts Department of Environmental Protection (DEP) maintains a database of hazardous waste sites located within the state of Massachusetts. A review of the database indicates that Lakeville has several confirmed hazardous waste sites, primarily involving leaking underground gasoline storage tanks or spills of hazardous materials.

Any hazardous waste contamination in Lakeville poses a potentially serious risk to public safety, as the majority of residents are dependent upon well water for their drinking water supply. In addition, the water supply ponds are vulnerable to contamination from both groundwater pollution and surface discharge.

For each hazardous waste site, a detailed regulatory process must be followed, which includes, among other steps, the preparation of a general plan for assessing contaminants of concern, potential receptors, and potential exposure pathways; identifying the likely technical remediation approaches to be used; estimating an overall schedule or timeline; and estimating overall remediation cost. Currently only one of the listed sites is considered Tier I, or a highest priority, site, requiring the preparation of various reports by a Licensed Site Professional, and DEP oversight of remediation.

Underground storage tanks continue to be a long-term threat to the environment. In 1998, the Environmental Protection Agency mandated that all underground storage tanks for petroleum products meet standards for protection of the environment. New tanks must be double-walled, with leak detection, and cathodically protected.

2. Surface Water Pollution

Surface water pollution is a growing concern for many communities. While great progress has been made in recent decades in reducing or eliminating point sources of pollution (for example, effluent from an industrial discharge pipe), there is a staggering cumulative threat to surface water from numerous small sources of contamination, or non-point sources. Examples of non-point pollution include sediment, nutrient, and chemical runoff from a disturbed area into a water body lacking a vegetated buffer.

In the past, the non-point source pollution resulting from human activities and natural processes (such as erosion and plant and animal decay) was not significant enough to impair the ability of the aquatic ecosystems to handle these contaminants. As human activities have increased, however, the quantity and diversity

of non-point source pollutants have also increased, adversely affecting the health, productivity, and human use of many aquatic systems.

For example, nutrients, especially nitrates and phosphates, in surface water runoff can over-enrich a pond or stream, and can lead to algal blooms, hastened eutrophication, and lowered oxygen availability, with severe repercussions for aquatic organisms. Herbicides and pesticides from runoff can accumulate in the pond sediments, and often bioaccumulate in the aquatic food chain.

Potential sources of surface water contamination in Lakeville include failed septic systems, golf courses, construction sites, sand and gravel mines, intensive agricultural operations, and the former landfill/transfer station. Flooding of low-lying developed areas can exacerbate the release of contaminants into aquatic systems.

Although a 400-foot area around each of the Assawompset Pond Complex ponds is designated a Surface Water Protection Zone A and a nitrogen sensitive area, much of the Ponds' shore is developed, some of it densely. Of the lakeside cottage communities located in Lakeville, the largest is Clark Shores on Long Pond. Small lot sizes, non-compliant septic systems, and increased conversion of formerly seasonal dwellings have led to numerous septic system failures. In addition to the degradation of well water quality, nitrates, phosphates, and coliform bacteria from failed septic systems have the potential to seriously affect the recreational and natural habitat values of the Pond. Attempts to solve the problem with a local treatment system or a line to the New Bedford sewage treatment plant have so far all failed. A number of tight tanks have been installed but their small size and the rigors of keeping these maintained keep them from being a very effective solution (Larry Perry, BOH),

3. Groundwater Pollution

Groundwater contamination in Lakeville is cause for considerable concern, as most of the town depends on individual wells for drinking water. As discussed above, dense development of the Clark Shores area is the most widely publicized example of groundwater pollution, where coliform and nitrate levels have forced residents to boil or secure alternate sources of drinking water. Other shoreline communities may be facing similar situations as conversions progress.

Other groundwater contamination issues in Lakeville have been addressed in the discussion of hazardous waste sites above. Groundwater quality assessment is relevant to the planning process not only from the immediate point of view of public health, but also in examining the feasibility of a public water supply, and in assessing land protection needs in areas overlying potentially productive high-yield aquifers.

4. Development Impacts

The U.S. Environmental Protection Agency has revised its requirements under the construction permit program to include any project that will result in more than one acre of disturbed land. This program requires that specific safeguards be implemented to protect surface and ground water quality. The permit requires applicants to develop a Storm Water Pollution Prevention Plan and include specific Best Management Practices to meet the permit requirements. Lakeville prepared its stormwater plan (Michaud) and incorporated Storm Water Regulations into its by-laws in 2006.

With the intent to protect ground water, surface water, and wetlands from non- point source pollution, the Conservation Commission has instituted a policy that all Orders of Conditions for new construction have a permanent requirement that all lawn treatment be organic.

Lakeville will need to keep in mind that its cold water habitats have more restrictive regulations under both the Massachusetts Surface Water Quality Standards and the Massachusetts Stormwater Regulations.

Lakeville does not currently have any bylaws aimed at promoting Low Impact Development. The concept of a Low Impact Development bylaw is to allow specific procedures and techniques aimed at reducing the environmental impact of a project, such as a layout that identifies sensitive areas and concentrates activity elsewhere so as to avoid any impact. Other examples are storm-water management designs that aim to mimic the original hydrology, such as frequently placed rain gardens or swales. This is a change the Town needs to make as there are still areas likely to be developed, some designated recently as priority development areas, that are sensitive with regard to wildlife, as is the Nemasket River area, or with regard to water quality protection, as are some of the industrial areas.

5. Landfill

Lakeville's former landfill, located north of Rhode Island Road near Clear Pond Road, was in operation for fifty to sixty years until its closure and capping in 1994 (Panettieri). A transfer station was constructed at the landfill site and is currently used by the residents to dispose of trash, recyclable materials, and various household items, which are then transported to SEMASS, a waste-to-energy facility located in Rochester.

Clear Pond, located across the street from the former landfill, has Lakeville's only publicly accessible swimming beach. The landfill, though closed, is unlined, and potential leachate into the groundwater may pose a long-term threat to the water quality of Clear Pond. The Massachusetts Department of Environmental Protection requires post-closure monitoring, periodic facility inspections (including integrity of the cap), and routine sampling of groundwater, surface water, and gasses. The post-closure monitoring period is typically

thirty years. The objective is to ensure the integrity of the landfill cap, which will minimize the production of landfill leachate and protect the water quality of groundwater and adjacent Clear Pond.

A total of \$900,000 was allocated for post-closure monitoring for 30 years by the town. About 12 groundwater-monitoring wells are in place around the facility, and are tested every six months to one year for chemical contamination. To date, no contamination of the groundwater surrounding the former landfill has been detected, probably due to a naturally occurring confining layer of clay and other fine-grained materials (Panettieri).

4. Invasive Species

As has been mentioned earlier in this section, invasive exotic plants are an increasing problem, both on land and in the ponds and streams. Both the Planning Board and the Conservation Commission have a policy of recommending native plants and prohibiting known invasives. Both agencies have informal lists on file for this purpose, but need an updated regulatory list that follows and expands on the State list of plants prohibited from the nursery trade. This list came into full force in 2009. However, because there is now a considerable seed base for invasive species, sensitive areas will need to be monitored and invasive plants removed to prevent degradation of habitat.

Of late, invasive insects have been an even more serious problem. The Town can expect to lose still more trees in 2012 due to after-effects of the attacks of the gypsy moth and winter moth. Three years ago, outbreaks of these two insects combined with outbreaks of native eastern forest and eastern tent caterpillars to kill and weaken thousands of Lakeville trees, especially oaks. Also, active here for several decades, an exotic insect called wooly adelgid, has nearly wiped out Lakeville's Hemlock forests.

5. Inventory of Lands of Conservation and Recreation Interest

“For in the end, our society will be defined not only by what we create, but by what we refuse to destroy.”

John Sawhill, President and CEO, The Nature Conservancy

Lakeville’s open spaces are our greatest assets and define us as a community. Our scenic viewscapes and natural resources are what make Lakeville a desirable place to live, to raise a family, or to enjoy retirement. Our open spaces provide us with beautiful vistas, wildlife habitat, recreational opportunities, and our rural character. Our wetlands not only provide flood protection but are critical to the ecological health of our ground and surface water including the Great Ponds. Our Great Ponds provide drinking water to over a quarter million people in southeastern Massachusetts. Lakeville and the region are growing rapidly and will continue to grow with the re-introduction of commuter rail service to Fall River and New Bedford. Throughout the region, acres upon acres are being developed. Growth and development are good for the Town, but they must be balanced with a will and desire to protect our natural resources and open spaces. Through planning, Lakeville can grow and preserve what is most important to us. We can balance the pressures of growth and development with the need to protect our open spaces and natural resources.

A. Land Inventory

Based on a parcel analysis prepared by the Open Space Committee, in September 2009, about 58% of Lakeville’s land area (10,952 acres out of 18,944 acres) is undeveloped. Of this undeveloped land, 3,676 acres are protected through agricultural and conservation restrictions or are owned by land protection organizations or for conservation purposes by the Town or State. (See Appendix D for full analysis.) Table 7 lists summary acreages for open space parcels in Lakeville, ranging in level of protection from publicly owned and permanently restricted to privately owned and unrestricted. Table 8 lists the acreages and protection status of public and non-profit open space parcels, Agricultural Preservation Restrictions (APRs) and Conservation Restrictions (CRs), deed restrictions, parcels under Article 97, parcels under Chapter 40 Sec. 8C, and golf courses under Chapter 61B. The Open Space Map shows the locations of most of these tracts. Details of the ownership and protection status of the undeveloped open space in Lakeville are discussed below.

The level of protection, or protection status, of a parcel defines the extent of legal restriction on a property. For example, many people assume that if a parcel is in municipal ownership, then it is protected. In fact, town-owned land can be totally unrestricted, as would be the case for municipal land purchased for the development of a public building or industrial park. Town-owned, as well as privately-owned, land can be permanently protected through a strong Agricultural Preservation Restriction (APR), Conservation Restriction (CR), or Preservation Restriction (PR) held by land trusts or government agencies, precluding any alteration whatsoever. Between these two extremes lies most of the “protected” open space in Lakeville. We have par-

cels subject to perpetual APRs and CRs; other deed restrictions (which will expire unless renewed); the stipulations of Article 97 (which protects lands acquired for conservation and recreation); ownership by private conservation organizations; Chapter 40, Section 8C control by the Lakeville Conservation Commission; control by the Taunton and New Bedford water supply boards; and Chapter 61, 61A, or 61B status. (Parcels under the Chapter 61 Program are not permanently protected.) It is critically important for our community to identify all those parcels in need of perpetual conservation and apply individual strategies for adequate protection of each piece.

The analysis of protection status in this section is based on the current knowledge of the Lakeville Open Space Committee as of September, 2009 and the 2001 Open Space and Recreation Plan. Please refer to the column in Table 8 headed “APR/CR or other restriction.” “APR, CR” or other notation in this column denotes what type of restriction exists on that property. “No” denotes that the property is unrestricted. “Town Warrant” denotes that the property was acquired for a specific conservation or outdoor recreation use. The columns headed Priority & Estimated Habitat, Recreational Potential and Public Access determines conservation/recreation value for the open space parcels. Table 8 also gives zoning information, protection status and parcel identification numbers. If a column is blank, the applicable documents have not yet been examined, and the protection status is coded as unknown. A list of Conservation Restrictions on public and private properties is included near the end of Table 8. Private land protected by an APR, CR or other type of restriction is still private land; property owner’s rights must be respected. This document in no way grants access to any parcel listed in Table 8.

The parenthetical numbers in the following descriptions refer to the numbers of the properties on the Open Space Map and in Table 8. Note that the condition of all town-owned parcels is good, with the exception of #26, the night soil repository, and #27, the abandoned highway salt repository. Both of these properties may require restoration.

All tax-exempt (public and non-profit) properties in Lakeville listed in the Assessor’s Office are included in this analysis, with the following exceptions:

- a. State holdings managed by MA DPW and the MBTA;
- b. cemeteries (see Appendix J for a list of cemeteries); parcels in and adjacent to the Great Ponds Industrial Park; Town Hall; Town Offices; Police Station; Library buildings; Lakeville Historical Society’s Museum and Sailor’s Tower; Assessor’s Office; Lakeville landfill/transfer station; Lakeville Highway Department; and any town-owned parcel smaller than 0.5 acres; and
- c. land owned by non-profit organizations that are not conservation organizations, such as church holdings and other social organizations, such as the Lion’s Club’s Camp Joe Hooker.

1. Types of Land Protections:

Conservation Restrictions (CRs):

A CR is a legal agreement between a land owner and conservation organization or state agency that permanently limits development of a property to protect its natural and scenic features. Currently 761 acres are protected by Conservation Restrictions on 12 different parcels both publicly (353 ac.) and privately (408 ac) owned. Parcels range in size from 6 to 292 acres. Protection of another 912 acres is pending for lands surrounding the Assawompset Pond Complex owned by the Cities of Taunton and New Bedford. These CRs are designed to protect these parcels in perpetuity. No change in the protected status of these parcels shall occur without a 2/3 state legislature vote. Private land under a CR remains private and on the tax rolls, with reduced assessments as a result of loss of development right/value. In many cases, grantors of CRs enjoy substantial federal tax benefits as well. It can be given, sold or left to family members or anyone the owner chooses, but all future owners shall be bound by the terms of the CR. The public has no right of access unless the owner specifically grants it. For more information on CRs, contact the Executive Office of Energy and Environmental Affairs, download a copy of The Massachusetts Conservation Restriction Handbook at www.mass.gov/Eoea/docs/eea/dcs/crhandbook08.pdf or contact the Lakeville Open Space Committee.

Agricultural Preservation Restrictions (APRs)

An APR is a legal agreement between a landowner and the Massachusetts Department of Agricultural Resources (MDAR, formerly the Dept. of Food and Agriculture) or a land trust that prohibits non-agricultural use or development of farmland and encourages its continued use for agricultural purposes. Enacted in 1979, the Massachusetts APR Program was the first in the nation. The Town's two Agricultural Preservation Restrictions, the Wilkie-Schobel Farm (privately owned) between Bedford and Main Streets (200 acres) (#1) and 81 acres of the Hilltop/Rotch Farm (owned by a land trust and leased for agricultural purposes) on Highland Road (#2), were the first such restrictions in the state under the Commonwealth's APR Program. These Agricultural Preservation Restrictions protect these farms in perpetuity and are held by the Town of Lakeville and the Massachusetts Dept. of Food and Agriculture. No change in their protected status shall occur without a 2/3 state legislature vote. Private land under an APR remains private and on the tax rolls with reduced assessments. It can be given, leased, sold or left to family members or anyone the owner chooses, but all future owners or leasees shall be bound by the terms of the APR. The public has no right of access unless the owner specifically grants it. For a copy of the brochure Agricultural Preservation Restriction Program contact MDAR at (617) 626-1712 or <http://www.mass.gov/agr/landuse/APR/index.htm>.

Article 97 Land

"The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and

Table 7. Open Space Parcel Summary (See Table 8 for details.)

Sources: Lakeville Assessor's Office, Analysis of Open Space Committee, September, 2009.

Type	Total Open Space Acres	Total Acres Protected
Agricultural Preservation Restrictions	281	281
Land Trust & Conservation Org. Land	1,021	1,021
Cities of Taunton & New Bedford Land	912	912 (1)
Commonwealth of MA	90	90
Town of Lakeville (includes Freetown- Lakeville School District land)	1,668	979 (2)
Conservation Restrictions - Private	408	408 (3)
Subtotal	4,380 ac.	3,691 ac.
Chapter 61 (93 acres under CR not included)	407	0
Chapter 61A (81 acres under APR not included)	2,329	0
Chapter 61B	515	0
TOTAL Open Space	7,631 ac.	3,691 ac.

Notes:

1. CRs pending
2. Includes Ted Wms Camp; 125 ac. protection status is unclear and CRs on 353 acres of Town land
3. CR pending on 9 acres

other natural resources is hereby declared to be a public purpose...Lands and easements taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two thirds vote, taken by yeas and nays, of each branch of the general court." Approved by voters in 1972, the 97th Amendment to the State Constitution was to be a check to guarantee that land purchased or otherwise acquired for the rights stated above was not converted to other uses. It should be noted here that municipal Article 97 properties must first have a vote supporting the change of use from the Conservation Commission, Park Commission and Town Meeting before the legislative vote to change use. Article 97 includes lands under Chapter 40 Sec. 8c.

The State-owned agricultural fields off Bridge Street are protected under Article 97. It is unclear what other municipal and/or private properties in Lakeville fall under Article 97. It is the responsibility of the standing Open Space Committee to do the necessary deed and town meeting research to determine Lakeville's Article 97 properties.

Chapter 40 Sec. 8c Land under the control of the Conservation Commission:

Massachusetts General Laws Chapter 40 allows for the creation of a Conservation Commission and sets forth the commission powers and duties. It also establishes that land under the control of the Conservation Commission shall not be sold or transferred from their control except where all of the following are met: a majority of the commission agrees that the land is no longer needed for conservation purposes; two-thirds vote of town meeting to sell or transfer control of the land to another municipal body for a “specific municipal purpose”; and special act of the state Legislature, describing the land and its present and proposed uses, and passed by a recorded two-thirds vote of each branch. Lands under the control of the Conservation Commission are shown on Table 8.

Land Deed Restrictions/Mutual Covenants: the following is taken from Land Conservation Options - A Guide for Massachusetts Landowners, Fifth Revised, Essex County Greenbelt Association, Inc. and The Trustees of Reservations. October, 2001:

“Private deed restrictions are legal devices for controlling the use and development of land by future owners. For example, as a landowner, you may impose certain restrictions on the use or development of a lot subdivided from a larger parcel. In order for it to be enforceable, a private deed restriction must be “appurtenant” to a parcel of land that is adjacent to the restricted parcel or, if it is not adjacent, then the restriction must designate the parcel (or parcels) that is intended to be benefitted from the restriction.

“Similar to deed restrictions, mutual covenants are commonly used by neighboring owners who wish to protect some shared feature, such as a lakeshore. Developers often use them to control certain features of a subdivision or development plan, in an attempt to maintain overall quality and design character to enhance property values after the developer has completed the project.

“Under Massachusetts law, a private deed restriction and mutual covenants may run for no longer than thirty years, if properly recorded and unless a definite time limit longer than thirty years is stated, or unless the restriction is given for public, charitable, or religious purposes. If a definite time limit is stated, such as one hundred years, they [the restrictions or covenants] may be extended up to that limit by re-recording the restriction/covenant before the first expiration at thirty years and re-recording it every twenty years thereafter.

“Even when their holders remember to re-record them, private deed restrictions and mutual covenants are inherently less stable and less permanent than conservation restrictions. Courts may refuse to enforce private deed restrictions if they are contrary to public policy

or if conditions have changed substantially since they were created. There are no income or estate tax incentives available for private deed restrictions or covenants.

“Covenants and private deed restrictions are most appropriate where they protect features of local importance, primarily for the benefit of the adjacent residents. Where environmentally important lands are involved, these techniques are poor substitutes for conservation restrictions.”

Chapter 61, 61A, and 61B Lands - Temporarily Protected

As of December, 2009, eighteen percent of Lakeville’s land area totaling 3,425 acres of land was in the Chapter 61 Program. This land is being actively used for agricultural, horticultural or forestry production, or is managed to provide specific recreational opportunities. Chapter Land is eligible for a tax discount under Chapter 61, 61A and 61B of the Massachusetts General Laws, which provides tax credits to landowners who retain their land in forestry, agricultural or recreational uses, respectively, rather than selling or developing the land.

If Chapter Land is placed on the market, the town has the “right of first refusal” to purchase of the land, within 120 days of being presented with a bona-fide sale offer/contract. This right may also be assigned to a non-profit conservation organization such as a land trust. Towns often have trouble taking advantage of the right of first refusal because of the rapid timeframe within which to find funds and approve the purchase.

2. Public and private entities holding open space parcels in Town:

Non-profit Conservation Organizations:

Massachusetts Audubon Society owns 940 acres of the Assonet Cedar Swamp (#3) and 59 acres between County Street and Rt. 140 at the Freetown line (#4), and holds a 69-acre CR on farm land abutting the Assonet Cedar Swamp and a 23-acre CR on a portion of Town’s 636-acre property in the Howlands (#24).

Wildlands Trust owns two parcels totaling 15.28 acres off Cross Street (#5) and a 6.89 acre parcel (# 5A) off Riverside Drive. The latter parcel has 1,450 feet of frontage on the Nemasket River. Wildlands Trust also holds CRs on five privately owned parcels totaling 170.88 acres. They hold a 6.8-acre CR on a portion of the Hilltop/Rotch Farm that protects 480 feet of frontage on Long Pond, and 225 feet of frontage on Highland Road that enhances the APR’s protection of the scenic field that was once a golf course.

Massachusetts Land Conservation Trust owns the 93.89 acre Hilltop/Rotch Farm (#2) on Highland Road, on which the Town of Lakeville and Mass Dept. of Food and Agricultural hold an APR on 81 acres. As mentioned above, Wildlands Trust holds a CR on 6.8-acre of the Farm. Hilltop/Rotch Farm’s remaining 6+ acres have no protection.

Cities of Taunton and New Bedford:

Taunton's (#6) and New Bedford's (#7) holdings in Lakeville (346.84 and 564.89 acres, respectively) were acquired for water supply purposes. As a result of the 2002 purchase of Betty's Neck, Taunton and New Bedford have agreed to put their lands under Conservation Restriction and have opened a large portion of these lands to the public. The Assawompset Pond Management Team oversees the use of these lands. The management team is made up of representatives of EOEA, DCR, DEP, the four towns surrounding the Ponds and the Taunton and New Bedford water departments. Use of the properties is governed by the stipulations of Article 97 of the Massachusetts Constitution: No change in use shall occur without a 2/3 state legislature vote. The provisions of MGL Chapter 184 also protect them. Conservation Restriction is pending on these parcels. See Table 8 or Appendix K for access information.

Commonwealth of Massachusetts:

State-owned properties include a small section of Massasoit State Park (8.6 acres) (#8) on the Taunton line, and three parcels historically associated with the former Lakeville Hospital totaling 81.23 acres off Bridge Street. Of the associated 81.23 acres, 65.01 acres (#10) and 12.55 acres (#11) are currently leased from the Massachusetts Department of Agricultural Resources for agricultural purposes and are protected under Article 97. The remaining 3.64-acre parcel (#12), controlled by the Executive Office for Administrative and Finance Div. of Capital Asset Management, is the site of the former Hospital's wastewater treatment area, and is designated as an Area of Activity and Use Limitation. The treatment system filter beds have been emptied and are covered in clean soil.

Town of Lakeville:

Of the open space parcels owned by the Town of Lakeville and the Freetown-Lakeville School District (1,653 acres), the following parcels are deed-restricted as described below:

- 14.7-acre parcel north of Precinct Street (#13) was to be used solely for water supply purposes, although a telecommunications tower has been placed on this site.
- Land surrounding Clear Pond (57 acres) (#14) is to be used for park purposes only and is protected by Article 97 of the Massachusetts Constitution.
- John Paun Park on Vaughan Street (10.6 acres) (#15) is to be used for recreational purposes only.
- 83.6-acre portion of the Apponequet Regional High School/Austin Intermediate School complex on Howland Road (#16) is restricted for school uses only. The Freetown/Lakeville Middle School is now located on an adjacent 50.20 acres parcel (#17).
- The Southwestern-most 3 acres (#18) of the 14.3-acre parcel at Assawompset Elementary School on Main and Bedford Streets is restricted for school uses only. The deed further stipulates that any building on the property is prohibited. The remaining 11.3 acres (#19) are unrestricted.
- The north end of Assawompset Neck, now known as Tamarack Park (#39), was purchased in 2001

for conservation and passive recreation purposes. This property abuts the 44.4 ac Tamarack Swamp (#23). Both properties are managed by the Conservation Commission. The Purchase of Tamarack Park was made possible with a Self Help Grant.

In 2002, through a joint effort of state and local government, private parties, nonprofit organizations and the citizens of Lakeville, the Town purchased Betty's Neck (#40). The property located on the shore of Assawompset and Pocksha Pond was purchased primarily to protect the public water supplies for the cities of Taunton and New Bedford, as well as to protect wildlife habitat, scenic and natural features and historical resources. As a result of this purchase, 292 acres of the town's parcel were placed under a Conservation Restriction held by Mass. Fisheries and Wildlife, the 149 ac. privately-owned cranberry farm was also placed under a Conservation Restriction held by the Town of Lakeville and Massachusetts Department of Conservation and Recreation, and the cities of Taunton and New Bedford agreed to place all their land holdings under a Conservation Restriction to be held by the state and allow for public access to most of these 4,000 acres in Lakeville, Middleboro, Freetown and Rochester that make up the Assawompset Pond Complex. In 2003, land in the vicinity of Betty's Neck held by The Trust for Public Land as collateral was turned over to the Town. A Conservation Restriction was recorded on July 30, 2003 for this 38+ acre parcel. The Betty's Neck purchase was made possible through an Aquifer Land Acquisition Grant.

Three parcels were conveyed to the Lakeville Conservation Commission as recorded on the deeds, and are thus bound by the requirements of MGL Chapter 40, Section 8C to be maintained as conservation areas: Two parcels totaling 2.6 acres (#20) on Old Bridge Street, known as the Kelley Conservation Area and used as a canoe launch on the Nemasket River; and the 28-acre Staples Shore Conservation Area (#21) just north of Assawompset Pond.

Four parcels totaling 100.1 acres on Pickens Street, known as Vigers Conservation Area (#22), were assigned to the Lakeville Conservation Commission on the town meeting warrant article prior to acquisition, although these lands have never been transferred to the Conservation Commission by actual recording of the deed. These parcels come under Article 97 and must have a 2/3 majority vote of the Conservation Commission, town meeting and each branch of the general court for a change in use.

The Town was authorized to buy the 124.5-acre former Ted Williams Camp (#28) "for the municipal purpose of acquiring and development of municipal outdoor recreational and athletic facilities, and for the construction and reconstruction of such facilities" (Article 17, Town Meeting, October 6, 1986). In 2003 the new Senior Center and in 2006 the new library were built on Ted Williams Camp. The Camp may be the site of a new Police Station.

The following town-owned parcels are for the most part unprotected: the 636-acre parcel on Howland Road (#24), although a 23-acre CR held by Mass Audubon for turtle habitat protection has been placed on a small portion of the parcel; the 31-acre night soil repository on Pickens Street (#25); the adjacent 48.6-acre parcel (#26); the 28-acre Indian Shore Town Forest (#30), and the abandoned salt repository (#27).

The following town-owned parcels need to be researched to determine restrictions: Vaughan St. 13.8 ac 59-3-20A, Vaughan St. canoe launch 2.82 ac 63-2-23C, Betty's Neck Road 3.4 ac 65-4-24-44, Highland Rd 1.61 ac 31-2-006A, Rhode Island Road parcels (#37) & (#38) 2.7 and 2.2 ac 60-1-15 and 16.

Private, unrestricted:

As of December 2009, lands included under the Chapter 61, 61A, and 61B programs totaled 3,425 acres (The two APR and several CR properties are also enrolled in the Chapter 61, 61A and 61B program. To avoid counting their acreages twice, they are included in Table 7 as APRs and CRs, not as Chapter 61.) Of the 123 tracts in Chapter Land status in 2009, there were 23 forestry parcels (Chapter 61); 91 agricultural parcels (Chapter 61A); and 9 recreational parcels (Chapter 61B), including Poquoy Brook Golf Course (#60), LeBaron Hills (#63) and the Back Nine Club (#61). The Lakeville Country Club (#62) is still listed as Chapter 61B but is reportedly going to be removed in the near future, for development on this site. Lakeville's agricultural and recreational Chapter Lands are located in a fairly even distribution throughout the town. However 219 of the 500 acres in forestry are located on County Street or Pierce Avenue.

Although an owner of land in Chapter 61 has demonstrated a willingness to at least temporarily set aside his land as open space, this land is protected only through the town's right of first refusal. A property owner wishing to sell land under the Chapter 61 Program must notify the Town that there is a bona-fide sale offer/contract. The Town has 120 days to exercise their right of first refusal by matching the offer or transferring the right to a conservation organization. The conservation value of the Chapter 61A properties in particular goes beyond the preservation of agriculture: Considerable forested land is included in many parcels that are enrolled in the program. Currently 2,410 acres are enrolled in the 61A program; MassGIS land use/land cover data layer showed only 1,813 acres enrolled in agriculture in 1991.

Finally, as of September 2009, it was estimated that there were between 6,700 and 7,467 acres of potentially developable land in Lakeville. Based on wetland analysis using Wetlands Conservancy maps, it is estimated that Lakeville has 2,400 acres of wetlands. Deducting the wetlands from the potentially developable land leaves between 4,300 and 5,067 developable acres. These developable acres include lands in Chapter 61, 61A and 61B. As the current plan to develop the Lakeville Country Club shows, Chapter Lands are not permanently protected. The Town does not have the resources and, in most cases, the desire to purchase Chapter Lands

as a right of first refusal. Since the 2001 Open Space and Recreation Plan, 581 acres have been taken out of Chapter and developed. Currently open, developable parcels range in size from 1.6 acres to over 500 acres.

B. Open Space and Recreational Facilities Inventory

The Park Commission representative on the Open Space Committee prepared the following descriptions. The numbers refer to the parcel numbers on the Open Space Map and on Table 8.

Park Commission managed:

Ted Williams Camp (#28)

Access: Precinct Street/Bedford St

124.5 acres

Loon Pond

6 athletic diamonds

2 basketball courts

3 tennis courts

6 horseshoe courts

3 sand volleyball courts

3 soccer fields

hiking trails with rest stops

concession stand

function hall

gazebo

playground

flagpole

The Ted Williams Camp was purchased by the town in 1986. Since then it has developed into a premier recreational facility for all ages. It not only is the home of organized sports such as Lakeville Little League, Pop Warner football, Babe Ruth and Freetown-Lakeville soccer, but also offers many leisure activities such as hiking the fitness trail, horseshoes, fishing, hiking, basketball, and tennis for everyone's enjoyment. At this time, the Alexander Gamache Memorial Playground is under renovations to update all the equipment. When completed it will consist of swings, slides, park benches, and picnic tables and will be suitable for children ages two to ten. Motorized boats are prohibited from Loon Pond. Swimming is not permitted except during prearranged and supervised outings when a lifeguard is hired. As of May 2010, the function hall/commissary will be closed for renovations. The Park Commission plans to remove sand and gravel from an area on the north side of the Camp for new fields and use the proceeds from the sale of this material to help pay for the renovations and new fields.

Within the past few years a new Lakeville Public Library was built on the portion of the Ted Williams Camp behind the Historic Town Hall. Library access is on Precinct Street. A new Senior Center was built off Precinct Street on the shore of Loon Pond and near the Camp's tennis courts. Planned development at the Ted Williams Camp at this time consists of a new Police Station on the site of the tennis courts.

Clear Pond Park (#14)

Access: Clear Pond Road

57 acres	sandy beach
diving raft	playground
picnic sites	concession stand
barbecue grills	9 hole mini golf
comfort facility	water fountain
flagpole	beach volleyball
horseshoes	

Clear Pond Park is a sandy beach open to Lakeville residents, and non-residents who purchase a family season pass or daily pass. Staff consists of a Director, lifeguards, maintenance crew, and concession workers who are hired for the season (mid-June to end of August). Swimming lessons are available. In addition to being a popular swimming facility, there are various activities such as sand castle contests, mini golf tournaments and fishing derbies throughout the summer providing for everyone's enjoyment. Clear Pond is also available for company/family outings.

Clear Pond Park was closed for the 2010 season as the spring flooding was very slow to subside in that location.

John Paun Park (#15)

Access: Vaughan Street

10.6 acres	small play area/swings
3 athletic diamonds	field lights
concession stand	

Lakeville Little League started at John Paun Park. With the Little League now at Ted Williams Camp, the three diamonds provide a home to Lakeville Girls' Softball. As one ball field has lights, tournaments are sometimes held at night. A new play area has been installed next to Field # 1 for children ages two to ten.

Dickran Diran Square (formerly King Philip Park) (#34)

Access: Precinct Street at Bedford Street

0.76 acres	flagpole
stone bench	Great World War Memorial
trees, lawn	

Dickran Diran Square is the home of the WW1 Lakeville Honor Roll, honoring those Army personnel wounded and killed in the "Great World War" of 1917 - 1919. Memorial Day celebrations are held at this location.

Fred A. Shaw Park (#35)

Access: Highland Road at Bedford Street

0.72 acres	stone walls
picnic tables	charcoal grills
tavern steps	trees, shrubs, lawn
views of pond	map display of historical sites in Town

Fred A. Shaw Park provides picturesque views of Assawompset Pond in a relaxed picnic setting. The original steps from Sampson's Tavern, constructed in 1804, and a large map of historical sites in Town can be viewed here as well.

Board of Selectmen, Pond Manager/APC Pond Management Team managed:**Betty's Neck (#40)**

Access: Jeremy Point Road off Long Point Road

292 acres portion of the 4,000 acre Assawompset Pond Complex (APC)

wooded area	open fields
nature trails	nature studies
Peach Barn/Visitor Center	community events
cross country skiing	snowshoeing
non-motorized biking	parking
hunting by special permit	picnic tables
shoreline fishing in accordance with State Regulations	

Betty's Neck was purchased, in 2002, through the Massachusetts Department of Environmental Protection's Aquifer Land Acquisition Grant Program and the generosity of the citizens of Lakeville. Betty's Neck is part of the much larger APC. See Appendix K for more details.

Pond Manager/Assawompset Pond Management Team managed:**Assawompset Pond Complex (APC)**

Access: Various locations around the Ponds, see Table 8 or Appendix K for access information. Obey posted access signs. Public access may be temporarily closed due to special conditions. Certain areas are closed to the public.

4,000 acres total in the four communities that surround the ponds.

912 acres in Lakeville

wooded areas	nature trails
non-motorized biking	bird watching
horseback riding, cross country skiing and snowshoeing on designative trails only	
shoreline fishing and hunting in accordance with State Regulations	

As a result of the purchase of Betty's Neck, Taunton and New Bedford have opened the majority of their land to public access and are in the process of placing all their land under Conservation Restrictions. The APC is a public water resource supplying potable water to a quarter million people in Southeastern Massachusetts. See Appendix K for more details.

Conservation Commission Managed:

Stephen D. Kelley Conservation Area (#20)

Access: Old Bridge Street

2.6 acres	fishing
canoe launch	parking
marshland	Nemasket River

This area is maintained by the Middleborough Demolay.

Vaughan Street Canoe Launch and Conservation Land (#29A & 29)

Access: Vaughan Street

2.82 acres	fishing	canoe launch parking
marshland		Nemasket River

Staples Shore Conservation Area (#21)

Access: Staples Shore Road, inaccessible

28 acres	forested wetland, marsh
----------	-------------------------

Vigers Conservation Area (Pickens Street Conservation Area) (#22)

Access: Pickens Street

100 acres	open fields
wooded area	nature trails
old Boy Scout shack in need of renovation	

Tamarack Swamp Conservation Area (Bedford St Conservation Area) (#23)

Access: Bedford Street

44.4 acres	marsh, shrub swamp
Long Pond River	

Tamarack Park (#39)

Access: Bedford Street

5.67 acres	canoe launch
parking	picnic tables
birding area	

Originally the site of the Tamarack Restaurant, the Town purchased this parcel 2001 for conservation and passive recreational use. A management plan has been created for this site and efforts have been underway for several years to control non-native invasive species on this site.

School Committee Managed:**Assawompset Elementary School (#18, #19)**

Access: Main Street

14.3 acres	gymnasium
baseball field	basketball area with 2 hoops
large playground	square ball court
nature trail to Pond	

Regional School Complex (#16, #17)**George R. Austin Intermediate School, Freetown-Lakeville Middle School, Apponequet Regional High School**

Access: Howland Road

132 acres	indoor pool
gymnasium	playground
basketball area with 4 hoops	football field
2 baseball fields	3 softball fields
5 soccer fields	6 tennis courts
lacrosse field	2 field hockey fields
practice field	phys ed field
track	shot put area
discus area	long jump area
potential nature trail	

Privately Owned and Managed:

Lakeville Athletic Club

Access: Bedford Street

indoor tennis

roller hockey

floor hockey

soccer

Poquoy Brook Golf Course (#39)

Access: Leonard Street

142.7 acres

18 hole course open to public

Lakeville Country Club (#41)

Access: Clear Pond Road 174.2 acres 18 hole course open to public

Although the Lakeville Country Club is still operating as a golf course, plans are to remove it eventually from the Chapter 61B Program for development.

The Back Nine Club (#40)

Access: Heritage Hill Drive, Old Powderhouse Road.

57.7 acres

18 hole par-3 open to public

LeBaron Hills Country Club (#44)

Access: Rhode Island Road

114 acres

private 18 hole course

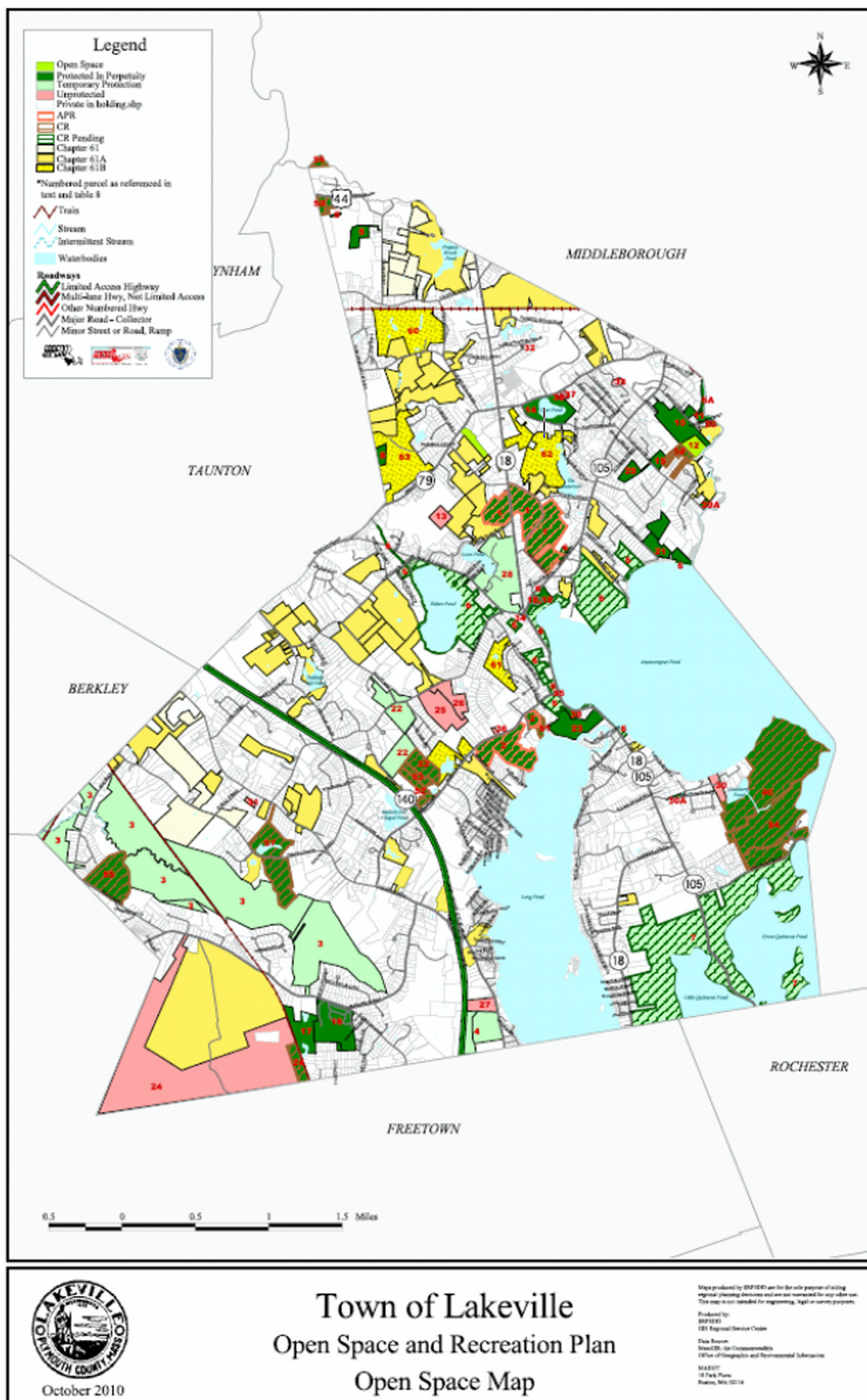


TABLE 8
OPEN SPACE PARCEL MATRIX

Map #	Location	Acres	Use	Owner/Manager	APR/CR other Restriction	habitat estimated	Priority & estimated	Recreational				Public Access	Zone	Protected	Map-Block- Lot
								Potential	Town Meeting						
1	Crooked Lane	200.00	Farm-APR	Wilkie/Schobel	APR	yes		no	yes	no	R	P-P	58-3-1		
2	Highland Road	9.00	Farm-APR	Mass Land Con. Trust	APR	yes		yes	yes	future	R	P-P	56-4-41		
2	Highland Road	72.00	Farm-APR	Mass Land Con. Trust	APR	yes		yes	yes	future	R	P-P	31-4-4		
	Land under APR	281.00	Total Acres	Private property protected by APR or CR is still private land. This document does not grant access to any property listed as APR.											
3	Cedar Swamp	302.00	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	8.1.5		
3	Cedar Swamp	2.30	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	13-1-11		
3	Cedar Swamp	2.06	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	13-1-6A		
3	Cedar Swamp	3.50	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	99-1-1		
3	Cedar Swamp	159.20	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	4.3.7		
3	Cedar Swamp	228.82	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	13-1-9		
3	Cedar Swamp	111.14	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	9.1.6		
3	Cedar Swamp	14.00	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	99.1.10		
3	Cedar Swamp	8.00	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	99.1.13		
3	Great Cedar Crossing	10.74	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	9-1-6A-26		
3	Malbone Street	59.28	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	3.1.1		
3	Malbone Street	16.00	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	3-2-2E		
3	Malbone Street	5.40	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	4.1.1		
3	Malbone Street	0.92	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	4.1.2		
3	Malbone Street	15.25	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	4.2.7		
3	Malbone Street	1.30	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	4.3.6		
4	County Street	15.00	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	R	P-T	35-2-1		
4	County Street	44.00	Conservation	Mass. Audubon Soc	conservation org.	yes		yes	yes	yes	B,R	P-T	35-2-3		
5	off Cross Street	14.38	Leonard Washburn Preserve	Wildlands Trust	land trust	yes		yes	yes	yes	R	P-P	22.2.4.1		
5	Harding/Cross Street	0.90	Richmond Woods	Wildlands Trust	land trust	yes		yes	yes	yes	R	P-P	22-2-16		
5A	Off Commercial Drive	6.89	Nemasket River Preserve	Wildlands Trust	land trust	yes		yes	yes	future	I	P-P	62-3-7J		
	Land Trust/Con. Org.	1,021.08	Total Acres												

TABLE 8, CONTINUED

Priority & estimated												
Map #	Location	Acres	Use	Owner/Manager	APR/CR other Restriction	habitat	Recreational Potential	Town Meeting	Public Access	Zone	Protected	Map-Block-Lot
6	Bedford Street	8.70	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		yes	B	P-T	56-3-14
6	Bedford Street	7.00	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		yes	R	P-T	56-6-4
6	Bedford Street	17.00	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		Yes	R	P-T	57-1-1
6	Bedford Street	24.00	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		Yes	R	P-T	57-4-16
6	Elders Pond Drive	5.84	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		Yes	R	P-T	27-1-19
6	Highland Road	12.70	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		Yes	R	P-T	56-4-35
6	Main Street	2.30	Water Supply	Taunton Water Dept	CR Pending	yes	No		No	R	P-T	57-4-14
6	Main Street	1.00	Water Supply	Taunton Water Dept	CR Pending	yes	no		No	R	P-T	58-3-18
6	Montgomery Street	7.50	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		Yes	R	P-T	27-1-1
6	Nelsons Grove Road	114.00	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		Yes	R	P-T	57-4-11
6	Old Powderhouse Rd	4.90	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		Yes	R	P-T	30-4-11
6	Pickens Street	114.00	Water Supply	Taunton Water Dept	CR Pending	yes	Yes		Yes	R	P-T	30-1-5
6	Precinct Street	2.60	Water Supply	Taunton Water Dept	CR Pending		No		Yes	R	P-T	18-2-3
6	Precinct Street	0.50	Water Supply	Taunton Water Dept	CR Pending		Yes		Yes	R	P-T	27-1-3
6	Rhode Island Rd	3.80	Water Supply	Taunton Water Dept	CR Pending		Yes		Yes	R	P-T	18-3-11
6	Staple Shore Road	20.00	Water Supply	Taunton Water Dept	CR Pending		Yes		Yes	R	P-T	58-7-24
6	Staple Shore Road	1.00	Water Supply	Taunton Water Dept	CR Pending		No		No (DAM)	R	P-T	64-1-7
7	Anuxanon Island	13.50	Water Supply	New Bedford Water	CR Pending	yes	No		No	R	P-T	69-2-1
7	Bedford Street	270.39	Water Supply	New Bedford Water	CR Pending	yes	Yes		portion	R	P-T	67-1-1
7	Bedford Street	238.00	Water Supply	New Bedford Water	CR Pending	yes	No		portion	R	P-T	67-2-1
7	Great Island	43.00	Water Supply	New Bedford Water	CR Pending	yes	Yes		No	R	P-T	69-1-1
	Taunton/New Bedford	911.73	Total Acres									
8	Rhode Island Rd	8.60	Massasoit St Park	MA Dept Env. Mgmt	Article 97	Yes	Yes		Thru Taunton	R	P-P	19-1-3
10	Bridge Street	65.01	agricultural land	MA Dept. Agri. Resources	Article 97	Yes	No		No	B/R	P-P	62-1-17
11	Old Bridge Street	12.55	agricultural land	MA Dept. Agri. Resources	Article 97	Yes	No		No	R	P-P	62-3-38
12	Bridge/Vaughan Street	3.64	Old Lagoons	Ma Div. Capital Assets Mgmt.	Brown field	Yes	No		No	R		63-2-2
	Commonwealth of MA	89.80	Total Acres									

TABLE 8, CONTINUED

Map #	Location	Acres	Use	Owner/Manager	APR/CR other	Restriction	Priority & estimated habitat	Recreational Potential	Town Meeting	Public Access	Zone	Protection	Map-B-L
13	Precinct Street	14.70	well site	Town of Lakeville		deed restriction		No	Yes		R	U	27-2-30
14	Clear Pond Road	57.00	Clear Pond Park	Lakeville/Park Commission		Article 97		Yes		Yes	R	P-P	60-1-1
15	Vaughan Street	10.60	John Paun Park	Lakeville/Park Commission		other restriction		Yes		Yes	R	P-P	63-2-4
16	Baker Lane	1.91	Vacant Land	Lakeville/Regional School		deed restriction		Yes		Yes	R	P-P	12-2-1-14
16	Howland Road	83.61	School	Lakeville School Dis.		school use only		Yes		Yes	R	P-P	12-2-25
17	Howland Road	50.20	School	Lakeville Regional School		school use only		Yes		Yes	R	P-P	12-2-30
18,19	Main Street	14.30	School	Lakeville School Dis		3 ac. only		Yes		Yes	R	P-P	57-4-15
20	Old Bridge Street	1.70	Canoe Launch	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-P	62-2-3
20	Old Bridge Street	0.90	Canoe Launch	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-P	62-2-4
21	Staples Shore Rd	28.00	Staples Shore Area	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-P	64-1-6
21A	Rear Hitching Post Rd.	15.40	Conservation	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-P	63-3-18
22	Hill/Pickens Street	8.00	Vigers Cons. Area	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-T	16-6-2
22	Pickens Street	42.00	Vigers Cons. Area	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-T	15-6-2
22	Pickens Street	33.60	Vigers Cons. Area	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-T	16-4-4
22	Pickens Street	16.50	Vigers Cons. Area	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-T	16-5-8
23	Bedford Street	44.40	Tamarack Swamp	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-P	56-4-31
24	Howland Road	636.00	Open Space	Town of Lakeville/Selectmen		CR 23 ac only		Yes	yes	Yes	I	23ac CR only	9-2-5C
25	Pickens Street	48.60	Conservation	Town of Lakeville				Yes		Yes	R	U	31-2-24AA
26	Pickens Street	31.00	Old Night Soil Repos.	Town of Lakeville				Yes		No	R	U	31-2-23
27	County Street	20.00	Vacant land	Town of Lakeville				No		No	B	U	35-2-4
28	Precinct Street	124.00	Ted Williams Camp	Lakeville Park Commission				Yes		Yes	B	unknown	27-2-28
28	Precinct Street	0.50	Ted Williams Camp	Lakeville Park Commission				Yes		Yes	B	unknown	30-5-3
29	Vaughan Street	13.80	Vacant Land	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-P	59-3-027A
29A	Vaughan Street	2.82	Canoe launch	Lakeville ConCom		Chap. 40 8c		Yes		Yes	R	P-P	63-2-23C
30	Indian Shore Road	15.00	Forest	Town Forest Committee		Chap. 40 8c		Yes		No	R	U	65-4-32
30A	Betty's Neck Road	3.40	Vacant Land	Town of Lakeville				Yes		Yes	R	P-P	65-4-24-44
31	School Street	2.60	Vacant Land	Town of Lakeville		Chap. 40 8c		No		No	R	U	7.3.13
32	Carriage House Road	0.70	Vacant Land	Town of Lakeville				No		No	R	U	25-6-12G
33	Rush Pond Road	3.50	Vacant land	Town of Lakeville				Yes		Potential	R	U	60-7-9

TABLE 8, CONTINUED

<u>Map #</u>	<u>Location</u>	<u>Acres</u>	<u>Use</u>	<u>Owner/Manager</u>	<u>APR/CR other</u> <u>Restriction</u>	<u>Priority & estimated</u> <u>habitat</u>	<u>Recreational</u> <u>Potential</u>	<u>Town</u> <u>Meeting</u>	<u>Public</u> <u>Access</u>	<u>Zone</u>	<u>Protection</u>	<u>Map-B-L</u>
34	Precinct & Bedford Sts.	0.76	Dickran Diran Square	Lakeville Park Commission	Park		Yes		Yes	B	P-P	30-4-1
35	Highland Road	0.72	Fred Shaw Park	Lakeville Park Commission	Park		Yes		Yes	B	P-P	56-4-36
36	Highland Road	1.61	Vacant Land	Town of Lakeville						R	U	31-2-6A
37	Rhode Island Rd	2.70	Vacant land	Town of Lakeville			Yes		Yes	R	U	60-1-15
38	Rhode Island Rd	2.20	Vacant land	Town of Lakeville			Yes		Yes	R	U	60-1-16
39	Bedford Street	5.67	Tamarack Park	Lakeville ConCom	Chap. 40 8c					R	P-P	56-4-34
40	Long Point Rd	291.70	Betty's Neck	Lakeville/APC Mgt. Team	CR		yes		yes	R	P-P	71-1-1.1
40	Long Point Rd	38.32	vacant land	Town of Lakeville/ConCom	CR		yes		yes	R	P-P	71.1.1.2
Town of Lakeville												
		1,668.42	Total Acres									
50	Harding Street	10.0	Turtle habitat	Private owner/ConCom	CR		NO		NO		P-P	22-2-19A
51	Highland Road	6.8	Conservation	MA Land Trust/Wildlands	CR		NO		NO	R	P-P	56-4-41A
52	Highland Road	42.0	Conservation	Private owner/Wildlands	CR		NO		NO	R	P-P	32-1-3&6
53	Highland Road	14.0	Conservation	Private owner/Wildlands	CR		NO		NO	R	P-P	32-1-5
54	Long Point Road	149.0	Agricultural	Private owner/MA DCR	CR		NO		NO	R	P-P	71-1-1
55	Mill Street	69.0	Conservation	Private owner/Audubon	CR		NO		NO	R	P-P	3-2-3 partial
56	Millenium Cir/ Poquoy Bk.	6.08	Conservation	Private owner/Wildlands	CR		NO		NO	I	P-P	22-1-3.9 part
57	Pierce Avenue	102.0	Conservation	Private owner/Wildlands	CR		NO		NO	R	P-P	8.2.4
58	Vaughan St.	9.0	Conservation	Private owner/ConCom	CR		NO		NO	R	P-P	63-2-5-07
Private Conservation Restrictions												
		407.9	Total Acres									
See Table 7												
		4380.9	Total Open Space Acres									
60	Leonard Street	136.39	Golf - Poquoy	Poquoy Brook Golf	Chap. 61B					R	None	24-1-1
61	Heritage Hill Drive	64.50	Golf- Back Nine Club	Olde Stone Lookout LLC -	Chapter 61B					R	None	30-2-29
62	Clear Pond Road	173.52	Golf Course	Lakeville Country Club	Chapter 61B (1)					R	None	59.1.50
63	Rhode Island Road	161.57	Golf LeBaron Hills	Assawompsett Golf Co. LLC	Chapter 61B					R	None	26-1-5
Chapter 61B Golf Clubs												
		535.98	Total Acres in Chapter Land									

(1) Lakeville County Club is for sale. Zoned business/commercial. This document in no way grants access to any private property listed.

Private properties under the Chapter Land Program are too numerous to list. Total land under this Program 3,425 ac. Protected only by Right of First Refusal

Blank space = Unknown. Zone: R = Residential, B = Business, I = Industrial. Protection Status: P-P = Protected in Perpetuity, P-T = Temporary Protection, U=Unprotected