

**Minutes of the Joint Meeting of the North Brookfield Board of Selectmen
and the East Brookfield Board of Selectmen
April 11, 2016**

The North Brookfield Board of Selectmen and the East Brookfield Board of Selectmen met on Monday evening, April 11, 2016 in the Selectmen's Meeting Room at the East Brookfield Municipal Building on Connie Mack Drive, East Brookfield.

Present were North Brookfield Selectmen Eric Hevy, Chairman; Mary Walter, and Robert Smith. Also present was Lake Lashaway Harbor Master Douglas Blood. East Brookfield Selectmen Joseph Fish, Chairman; Larry Gordon; and Ted Boulay also attended. Mr. Hevy called the meeting of the North Brookfield Board of Selectmen to order at 8:39 PM. The East Brookfield Board of Selectmen was already in session.

The purpose of the meeting was to discuss an April 27, 2016 hearing which will be conducted by the Massachusetts Department of Environmental Protection to determine whether or not Lake Lashaway should be designated as a 'Great Pond' pursuant to 310 CMR 9.02 and 9.10(3)(b). Both Boards of Selectmen had received notice of the proposed hearing the previous week. (Attachment)

Members of both Boards and Mr. Blood reviewed a March 28, 2016 letter from DEP which notified the Towns that George Pisarczyk of 33 Shore Road, North Brookfield, had petitioned DEP for a designation of Lake Lashaway as a 'Great Pond' pursuant to 310 CMR 9.02 and 9.10(3)(b). The Boards discussed the implications of such a designation on the lake, and possible restrictions on use which might be imposed if Lake Lashaway was designated as a 'Great Pond'. It was noted that the land area under the lake is currently the property of the Town of East Brookfield.

There was also considerable discussion of the origin of 'Lake Lashaway' based on old maps and a narrative about the lake in Roy's History of East Brookfield which clearly indicate that Lake Lashaway is a man-made lake which had its origins in the early nineteenth century as one or more streams of water which were later used to create a small lake for industrial purposes. The present lake was made possible through the construction of a dam by a private owner for business purposes. Mr. Blood also explained what he knew of the origin of the lake, and his past experiences with DEP as Lashaway Harbor Master. The central question discussed was whether or not the present lake, given its origins in the nineteenth century, qualified for designation as a 'Great Pond' under Massachusetts law.

Mr. Blood explained to those present that the petition by Mr. Pisarczyk was probably the result of a dispute between Mr. Pisarczyk and a neighbor over the placement of a structure in the lake, which Mr. Pisarczyk believes affects his use of the water in front of his property. This dispute, Mr. Blood indicated, had been ongoing for many years. Photos of the land area and the placement of the dock in question were reviewed. After a lengthy discussion and review of the documents available, it was decided that more information about the origins of the lake was needed; that information should be obtained about the nature of the contents of Mr. Pisarczyk's petition; and that property owners, including members of the Lake Association, should be notified of the upcoming

April 27, 2016 hearing. Since the petition can only be viewed 'by appointment' in the Boston Offices of DEP, Mrs. Walter agreed to go to Boston to review the material and obtain a copy of the petition, if possible. Further research on historic maps will be undertaken, and members of both Boards will review the materials provided by Mrs. Walter on 'Great Ponds' in Massachusetts. (Attachment)

It was agreed that the Boards would meet again prior to the hearing to discuss any new information which had been obtained, and to develop a joint strategy for the hearing. It was also agreed that it made little sense to refer the matter to counsel until both Boards had a better understanding of the issue.

There being no further business before the North Brookfield Board of Selectmen, a motion was made by Mrs. Walter, seconded by Mr. Smith, to adjourn the meeting. The vote was unanimous. The meeting of the North Brookfield Board of Selectmen was adjourned at 9:49 PM.

Respectfully submitted,

Robert Smith, Clerk

Attachments