

1979

February 7, 1979 DEP orders the Gilman Brothers to repair the dam. Gilman Brothers request LWBA to share the costs.

Newspaper articles, meeting with DEP, report of Dam Study Committee

Dam Repair Money Sought: Lebanon
Kendall, Martha
The Hartford Courant (1923-1987); Feb 7, 1979;
ProQuest Historical Newspapers: Hartford Courant (1764-1987)
pg. 32B

Dam Repair Money Sought

Lebanon

By MARTHA KENDALL

LEBANON — The owners of the Lake Williams Dam have asked the 70-member Lake Williams Association to share in the costs of repairing the dam or face the possibility that the lake may be drained.

Confronted by a state Department of Environmental Protection report on the dam's safety Gilman Brothers Co. of Bozrah recently told the lake association that it may remove the dam and drain the lake.

"It's a serious situation,"

Lawrence Gilman said Monday after a meeting with the lake association president, Richard Leroy Jr. "we're not taking the DEP report lightly."

Gilman said the report requires Gilman Brothers Co. to retain a professional engineer. The report cites leakage, erosion and the possibility that the dam spillway may be inadequate.

State Superintendent of Dam Maintenance Victor Galgowski said Monday the report shows the dam to be in "fair condition." Repairs which must be made by 1980 are "ordinary maintenance repairs," he said, such as clearing away debris, repair-

ing masonry and keeping the gate in working order.

The required engineering study, Galgowski said, will consider more extensive work on the dam such as rebuilding the spillway.

He said state statutes require dam owners to repair dams or remove them.

No environmental study has been made of possible effects on the surrounding wetlands, Galgowski said. It's possible, he said, that the environmental impact on the wetlands could be sufficient for Commissioner Stanley J. Pac to order the dam repaired.

Galgowski said there is no "imminent danger" from the dam and that the Gilmans have been "very cooperative."

Leroy, after the Monday meeting with Gilman, said there is a "basis for cooperation," and said Gilman "seems satisfied with our position to share costs if costs are not outlandish."

Leroy said the association membership must empower the board of directors to raise additional money. The board will meet Sunday to call a membership meeting to raise funds.

The association maintains three beaches and a picnic area by the lake.

Gilman said he has sent a copy of his letter to the Board of Selectmen, but First Selectman E. Russell Tollman said although he is concerned for the lake residents, the problem has "nothing to do with the town."

The Gilman Brothers Co. also owns the land under the lake, town officials said Monday, and if the lake were drained, the land, about 120 or 130 acres, would revert to pasture land.

Dam Work Urged; Ownership Denied: Lebanon
The Hartford Courant (1923-1987); Feb 12, 1979;
ProQuest Historical Newspapers: Hartford Courant (1764-1987)
pg. 19B

Dam Work Urged; Ownership Denied

Lebanon

The Courant's Lebanon correspondent is Martha F. Kendall, East Hebron Turnpike, Lebanon. Telephone: 642-6424.

LEBANON — The state Department of Environmental Protection has ordered selectmen to repair or remove Red Cedar Lake dam before Feb. 1, 1980.

DEP Commission Stanley J. Pac wrote the town calling for adequate spillway capacity at the dam. He said selectmen must notify his department by March 3 of their repair or removal plans and submit engineering plans before August.

First Selectman E. Russell Tellmann has disclaimed town ownership of the dam and turned the DEP letter over to the town's attorney.

"Their (DEP) information is wrong," Tollman said Friday. "We don't own the dam."

Tollmann said he also is giving counsel copies of quit claim deeds showing dam ownership in the hands of Joseph Sciortino of Trumbull.

Board of Assessors Chairman Richard Smith said Sciortino's \$39,730 assessment includes the lake bottom and the dam.

Records show a quit claim deed dated June 6, 1972 from Harold Boretz acting as executor for Meyer Boretz, both of Colchester, relinquishing to Sciortino about 7,000 feet of frontage on Red Cedar Lake. "Together with right to maintain a dam and reservoir and the rights of pondage and flowage."

A second deed in the names of Fannie Willens of New York, N.Y., and Netae Fritz of Tuscon, Ariz., also relinquishes the same property and dam rights to Sciortino.

About a week ago, the DEP notified Lake Williams dam owners Gilman Brothers Co. of Bozrah that they must repair or remove the Lake Williams dam by January 1980. The president of the 70-member Lake Williams Association, Richard Leroy Jr., met with Lawrence Gilman last week to discuss dam repairs.

Meetings

Meetings in Lebanon this week include:

Tuesday: Board of Education, 8 p.m., Town Hall; Commission on Aging, 8 p.m., conference room, Town Hall; Conservation Commis-

sion, 7:30 p.m., judge of probate's office, Town Hall.

Wednesday: Planning and Zoning Commission, 9 p.m., Town Hall; Library Board, 8

p.m., library.

Thursday: Board of finance budget hearing p.m., conference room, Town Hall.

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Norwich



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Bulletin Photo by Jeffrey O. Evans, Staff Photographer
removal of a dam and residents find themselves beside a cozy fire, looking out on mud flats.

Lake Williams Residents Upset Over Plan To Eliminate Dam

By SUE TREVITHICK

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Lake Williams Residents Upset Over Plan To Eliminate Dam

By SUE TREVITHICK
Bulletin Staff Writer

LEBANON — Lake Williams here may cease to exist if a proposal by the owners of the Lake Williams dam becomes fact.

The Lake Williams Association has received a letter from the Gilman Brothers Co. of Bozrah stating expensive repairs to the dam which holds the lake must be completed by the end of this year.

"We are writing to you...to inform

you that this company is taking, under advisement, the possibility of removing the dam and so eliminating the lake," the letter reads.

But some lake dwellers say the Bozrah firm is either "trying to sell the dam," or plans to "put an assessment of property" around the lake to pay for the repairs.

And Department of Environmental Protection official Victor Galgowski said the company, at this point, has only been told to retain a "professional engineer" to study the condition of the dam. A final report from the engineer is due Jan. 1, 1980, said Galgowski, who is in charge of dams for the DEP.

There are more than 70 dwellings on the mile-long lake, several located on picturesque coves and islands. The public has access to the lake for boating and fishing from the Rte. 207 right of way, and Lake Williams is reputed to be among the best bass fishing compounds in the area.

Lawrence M. Gilman Friday declined comment on the issue, saying he would

discuss the situation following a meeting with the association Monday.

A DEP study completed last year indicated problems with seepage, erosion and with the spillway of the dam. The report indicated further evaluation was necessary, Galgowski said.

"No one has said this dam is unsafe as yet," he said.

If the findings of Gilman's engineer indicate problems, then DEP Commissioner Stanley Pac, must issue an order to either repair or remove the dam, Galgowski said.

By state statute the dam must be repaired if it remains, but Galgowski said the owner may choose to either repair or remove the dam.

However, an arbitrary decision to remove the dam "Can't just be made," and engineering plans would have to be submitted to Pac to insure removal is properly done, Galgowski cautioned.

Overall environmental impact must be considered, but unless the "environmental impact is very, very

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Lake William Residents Upset

(Continued from Page One)

involved, and is waiting for the next step.
But others were hearing the news for the first time.

"Holy Mackerel Andy! Without a dam, there's no lake, what is it then?" asked John Schreiner. He'd fight the destruction of the dam because lake people have a lot invested in their property, he said.

Some lake dwellers questioned whether the Bozrah company would ask an assessment on property, and Mary Anderson said, "I'll fight it tooth and nail. I won't pay a cent."

But "I'm shocked" was the expression most often heard.

"The lake is beautiful, it's a clean, quiet lake. I can't see Gilman destroying the dam," said Donna Bauwens. Bauwens expressed concern about income lost to the town, if the lake should cease to exist. Lake property is assessed at a higher rate than any other property in Lebanon.

Former State Representative San Gejdenson said, "I think the DEP would be hard pressed to sit by and watch them tear it (the dam) down." According to Gejdenson, legislation passed in 1978 gives the DEP power to hire a contractor, have work done on a dam, and bill the owner, in the event repairs aren't made.

However, an emergency situation must exist before the DEP can act. And an emergency is defined as "clear and present danger to the public safety."

While the Williams dam may not meet that specific qualifications, Gejdenson said local Inland Wetland Commissions and public reaction to proposed destruction of the dam may be effective in preserving the lake.

severe, we can't deprive the owner of the privilege to remove the dam," he said.

Repairs are costly and, in the instance of Lake Williams Dam, could run to several thousand dollars, he said. In addition, Gilman is responsible for any damage caused should the dam break, Galgowski said.

Regardless of the final order issued involving the dam, anyone opposed to the decision can take the issue to a public hearing, he said.

Galgowski suggested that if the Bozrah firm decides to demolish the dam, Gilman might consider selling it to the Association as an alternative.

Tony Siragusa, a resident of the lake and former president of the Association, told The Bulletin he has considered the possibility Gilman might want to sell the dam.

Backing their contention that the company is seeking a way to get money, some lake dwellers cited the fact that the company charged the former Grand Lake luxury lodge for maintaining the lake water level at a specific height.

Association President Richard LeRoy said at a hastily organized meeting of the board of directors Thursday night that the association has been approached in a similar vein in the past but that it rejected the proposal.

While many residents expressed "shock" over the prospect of losing the lake, Siragusa said he wasn't concerned. "I don't see how the state can allow it to be torn down." The environment must be considered, he said.

Siragusa, was one of those who contacted the DEP, learned the procedures

Lake Property Owners To Meet on Dam Repair

Lebanon

LEBANON — Lake Williams property owners will meet Wednesday to discuss possible solutions to a recent state Department of Environmental Protection order calling for repairs or removal of the lake dam.

Dam owner Lawrence Gilman of Gilman Brothers in Bozrah received the DEP order about a month ago and met with Lake Association President Richard Leroy Jr. to discuss sharing costs of dam repairs.

Association Secretary Mary Anderson said Saturday about 150 letters recently were mailed to property owners informing them of the Wednesday meeting. About 130 owners are association owners, she said. Owners in California and New York were on the mailing list, she said, as well as owners in Hartford, East Hartford, Vernon, New Britain

and Manchester.

According to the state superintendent of dam maintenance, Victor Galgowski, dam repairs ordered are ordinary maintenance repairs, such as clearing away debris, repairing masonry and keeping the gate in working order. The DEP also ordered an engineering survey of the dam before January 1980.

Meetings

Meetings in Lebanon this week include:

Tuesday, Conservation Commission, 7:30 p.m., judge of probate's office, Town Hall; Commission on Aging, 8 p.m., Town Hall; Board of Education, 8 p.m., Town Hall.

Wednesday, senior citizens, 1 p.m., community center; Planning and Zoning Commission, 8 p.m., Town Hall; Cemetery Commission, 8 p.m., Town Hall.

Thursday, Library Board, library; Board of Finance and Board of Education budget hearing, 8 p.m., Town Hall.

Notes from the meeting of the committee with DEP Superintendent, Mr. Victor Galgowski set up by Lebanon's State Representative, Mr. Martin Masters - held Thursday afternoon, March 29, 1979. *Dennis Hanczer*

Attending: Repoli, Andrews, Newman, Kanter, Liebman, Hanczer & Bandzes.

Mr. Masters spent about 20 minutes with the committee before Mr. Galgowski arrived.

Points of information he covered:

1. All dams in Connecticut have been or are being inspected, and numerous ones are encountering some of the same problems as we are.
2. Several in our vicinity must be repaired: Red Cedar, Brewster and ours.
3. The town probably has a moral obligation but not a binding, legal one to lake property owners. As taxpayers, we could ask for a town meeting to get the issues before the townspeople.
4. Suggested places to go for further information, if needed: Dick Wallace, Open Space Commissioner; Chris Dodd, State Representative. He also spoke on the availability of Legislature Research on the safety of the dam.
5. Offered his help when needed and asked to be kept informed.

Mr. Galgowski was extremely cooperative and readily answered our outlined questions as well as offering additional information. His first reaction was that there was really no danger of our losing the lake - there was too much at stake there. However, he did see our dilemma.

Q. What was the background for the inspection of the dam?

A. Under the National Dam Inspection Program, the U. S. Army Corps of Engineers inspected Lake William's dam and came up with a report which was sent to the Gilmans and the Governor's office. A copy also was given to a member of the Lake William's Beach Association. A second copy was given to Mr. Hanczer of the Association with the understanding other property owners would also have access to it until another copy could be obtained.

Q. Why is it necessary for another engineer to survey the dam at Gilman's expense?

A. The government engineering survey was not with specifications for the work needed. The price for private engineering survey can vary. A list of state approved engineers was given to the committee. Specifications for the work to be done must be approved by DEP before work starts. That survey is due by January, 1980 - not the work.

Q. Are there any funds available to help pay for this?

A. At present there is no government money available, but there is a possibility in a few years the government may pick up the tab for such detailed specs.

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- Q. Can the Gilmans arbitrarily let the lake down or do away with the dam?
- A. No. If they were to do away with the dam, they first would have to go to the State Department of Environmental Protection Commissioner to obtain a permit. The commissioner has previously stated that he feels he cannot deny a dam owner the right to do away with a dam but all aspects of the situation would have to be looked into. If he then approved removal of the dam, we, as property owners could appeal to the commissioner as aggrieved parties and the permit could be held up or withdrawn. If the commissioner grants a dam owner the right to remove a dam, the lake shores must be graded so that the remaining water is channeled into its natural bed; silt must be removed and properly filled in to remove any dangerous or undesirable elements. Individual property owners also have recourse in the courts to protect their properties. All of this expense would be prohibitive and would be at Gilman's expense.

If the Gilman's want to lower the lake for a particular reason they must first get a permit from Lebanon's Inland-Wetland Agency (Mr. Edward Fox).

- Q. What does DEP see as the present condition of the dam and how extensive would the repairs be?
- A. In summary - fair condition - would require maintenance and remedial work primarily, but a good deal would depend on what engineers found.
- Q. Would the state be interested in buying the dam? If so, what would that mean?
- A. Probably not at this time; it's all they can do to keep up with the ones they now own. If there were an emergency at our lake, they could take over and make repairs. If they were to buy it, and any property went with it, they could open it up to the public.
- Q. What would be his recommendations in how we should proceed?
- A. Meet with the Gilmans on a friendly, informative basis. Find out what they are looking for. If funds from property owners are requested, have them be specific and in writing. Ask if they are trying to get rid of the dam, what the options are.

Mr. Galgowski emphasized that all his records are open to the public and he very graciously had a copy of DEP's letter to Gilman Brothers and their reply made up for the committee. Ms. Newman had copies made for each member of the committee).

During the meeting, it was again expressed that the problem is not an Association problem but a lake property owners problem. Whatever information concerning the situation that anyone has should be open and available to all.

It was decided a committee meeting would be held Wednesday, April 4, at Mr. Kanter's garage at 7:30 p.m. and that Mr. Hanczer would set up a meeting between the committee and the Gilmans as soon as possible.

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Ms. Newman said her company's lawyers would be willing to be available for consultation and direction. One suggestion made by them was that one or two persons from the committee be elected to go through town records and assemble in some order the past and present history (ownership, deeds, leases, etc.) of the dam and the lake. Also, another designated person should find out exactly (documented, not heresay) what the dams (including Brewster) and the water are being used for now. These reports should be typed up and made part of the report to be given at a general meeting of the property owners.

BN:a

May 14, 1979

TO: All Lake Williams Property Owners
FROM: The Dam Study Committee
RE: Progress Report

* * *

On March 14, 1979, property owners around Lake Williams held an open meeting at Lebanon's Community Center to discuss the repairs to the Lake William's dam. It became apparent, that the majority of those present were willing to cooperate with the Gilmans but that more information was necessary and desirable before any action could be taken.

A nine Member Dam Study Committee, with four alternates, was elected to research the problem and report back to the main group. Four areas of concern to be looked into were:

1. Possible solutions to the DEP order.
2. The particulars and facts behind the problem.
3. The possibility that the Gilman Brothers might remove the dam, or lower the water level, making it unsuitable for recreational purposes.
4. The Gilman's plans and their financial expectations from the property owners.

The committee has worked steadily during these months. We have met with Mr. Victor Golgowski, Superintendent of Dams for the DEP in Hartford. We have done considerable research on the background of the situation and have had a reassuring lengthy meeting with Mr. Lawrence & Mr. Charles Gilman.

At this time, we feel our first duty is to reach each property owner with this preliminary report.

At DEP we obtained copies of the survey made by the U.S. Corps of Engineers, as well as pertinent state statutes covering dams. Mr. Golgowski stated that, in his opinion the dam was in fair condition. It would require maintenance and remedial work but the actual extent and cost would depend on the results of the required engineering study.

The subsequent meeting with the Gilmans brought out these facts:

1. They are in the process of securing an engineer.
2. The engineering study should be available by mid-summer at which time the committee will meet again with the Gilmans.
3. The Gilmans are aware that we, as property owners are concerned. They have assured us that the lake will be maintained this summer. In general, if or when repairs must be made, they will make every effort to complete them off season.

Until an engineer gives the Gilmans an estimate of the scope of the needed repairs and a cost analysis, they could not, of course, give us a dollar figure. They continued to express a willingness to work with us to come to some equitable financial agreement.

Because the fear of losing Lake Williams has been allayed, and we can give you no definite answer as to the cost involved, we felt a letter at this time, bringing you up-to-date on our activities, would be appropriate. We will keep you advised of any further developments as we progress.

If any of you have questions, please don't hesitate to call any member of the committee whose names and phone numbers are listed below.

Walter Andrews 643-4059
William Bandzes 249-3018
Bernyce Brennan 642-7980
Dennis Hanczer 642-6197
Raymond Kanter 642-7263

Richard LeRoy 642-6412
Harold Liebman 642-7018
Blanche Newman 643-1605
Richard Repoli 644-3037