

10/6/84

## Firm Needs Approval To Remove Dam

By STEVEN GIELD  
Courant Correspondent

10/6/84

LEBANON — Stanley J. Pac, state commissioner of environmental protection, said Friday the Gilman Bros. Co. of Lebanon would need his approval before demolishing the dam that once retained Williams Lake.

Gilman Bros. is under Department of Environmental Protection orders to repair the dam, but company officials say they want to demolish it because repairs would be too costly.

Lakeside residents are concerned that the loss of the dam would destroy the lake, leaving their homes abutting a 247-acre mud puddle.

The company drained the lake last week to inspect the dam, in preparation for a report it must submit to the DEP by Jan. 1. Pac toured the dry lake bed Thursday with about 25 town residents.

"He gave us a lot of encouragement," said Raymond Kanter, owner of Kanter's Campgrounds. Kanter said Pac listened to residents' concerns and pleased the crowd by saying he would review the demolition proposal.

Kanter said the loss of the lake would harm his campground business by making the town less attractive to tourists.

Pac said he will weigh the harm that losing the lake would bring to neighbors and to the environment against the interests of Gilman Bros.

Company President Lawrence Gilman said last week that repairing the dam would be expensive, but said he would not comment further because of a suit pending against the company in the state Supreme Court.

The Williams Lake Beach Association brought the suit in an attempt to block demolition of the dam.

Pac said this is the first case he can recall of a dam owner seeking to destroy the structure and, in effect, destroy a lake.

Philip W. Moreschi, principal civil engineer with DEP's Water Resource Unit, said last week such requests could become more common because of a June 1983 state law that requires dams to be inspected on a regular basis.

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Remove Dam  
Approval To  
Firm Needs

BULLETIN

## Group to negotiate with owners of dam

By TRACEY O'SHAUGHNESSY  
Bulletin Staff Writer

LEBANON — The Flood and Erosion Control Board voted last night to send a committee to negotiate with the owners of the Lake Williams Dam over the draining of the lake.

Board members Al Lopes, Raymond Kanter and First Selectman Ed Clarke will be the three seeking the meeting.

Earlier in the evening, Department of Environmental Control Director of Water Resources Benjamin Warner had advised the board to approach the Gilman Brothers Company and request them to stop the drainage of Lake Williams. He also recommended the board make overtures to the Gilman Brothers to see if they would like to cooperate in "some kind of a joint agreement" in the operation of the lake.

Chairman Irving Kiotic said he had spoken to Charles Gilman and that Gilman had indicated he was willing to talk about a solution to the problem.

The committee said it would request the company to stop the drainage, which began after Labor Day and has left the lake

virtually empty. Some residents complained the lake was turning to marsh land in some spots and that leaches and vegetation were beginning to appear.

The dam was declared unsafe by the Army Corps of Engineers in 1978. The Gilman Brothers were ordered to repair or destroy the dam. They elected to destroy it. They say the draining of the lake is part of an engineering study to determine how best to achieve that destruction.

As a result of a state statute passed last year, the board has the right of eminent domain and the authority to condemn the lake if necessary. The Town Meeting would be the final legislative body to approve purchasing the dam.

However, Warner advised condemning the dam "only as a last resort" because of the financial responsibility of maintaining the dam.

The board decided to ask the state to conduct a study of the dam so that if it decided to take control of the dam, it would have an idea of the cost of repairing and maintaining the dam.



# DEP, Residents Looking

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By LISA D. GEORGE  
Staff Writer

**LEBANON** — The Department of Environmental Protection's engineers are finishing preliminary information gathering for their report on the Lake Williams Dam.

In addition, Lebanon's newly-formed Flood and Erosion Control Board plans to meet with the dam owners to discuss the situation as soon as possible.

The situation: Lake Williams is no longer a lake since the owners of the dam drained it earlier this month and left a large, muddy lake bed. The lake was drained in preparation for a state inspection of the dam.

According to DEP Commissioner Stanley Pac, who toured the lake area with First Selectman Edward Clark two weeks ago, "I would say there is a possibility it (Lake Williams) will start being refilled shortly — as soon as I get my information from my engineers. I think they may be close to having all the information they need." Pac added that he intends to order refilling of the lake as soon as he receives the information and estimates the order being issued within a week or two.

The Flood and Erosion Control Board met with DEP Water Resources Representative Benjamin Warner Oct. 9. According to George Mitchell, who sits on the board as the Lake Williams Beach Association representative, "We asked Mr. Warner during our meeting when the lake would be refilled, and there was no response."

Upon learning of Pac's comments a day later, Mitchell said, "If Mr. Pac indicates that it's a strong possibility, then we are optimistic. Even if the dam is closed within a week, though, it could be several months before the lake is completely refilled. That would depend on the amount of precipitation we have."

The DEP study and the formation of Lebanon's Flood and Erosion Control Board come as a result of problems surrounding the spillway of the dam. According to Mitchell, although the structure is

basically sound, the spillway capacity is not large enough to meet state regulations.

Pac said that Gilman Bros., the owners of the dam, were brought to court four years ago to repair the dam to meet the law, but litigation and the company's appeals have tied up any repair work. The company's appeal was denied by Pac's office this year, and they were given until November to submit a report outlining a plan to either repair or remove the structure.

"I didn't want them to do anything in the summer months because of the recreation value," commented Pac, "but right after the season ended, they drew down the water to inspect the dam for design. If repairs can be finished by early next spring, I will approve (the Gilman Brothers') plan, and we'll move along. If not, I might let them wait until next fall." The Gilman Brothers' company currently has an extension to submit a report until Jan. 1.

"One of the biggest problems with the issue, in our opinion, is that the Gilman Brothers have the option of removing the dam," said Mitchell. "We feel the DEP was wrong to start with in including removal in its order." The final DEP direction to the owners was either repair or remove the dam altogether. "When Pac came to see the dam, he said that he would not allow the removal of the dam. That's one of our complaints about how the whole thing has been handled."

Pac said that "work on the report will be the next focal point" for his office. He did not say which specific action will be taken, but did add that the dam could not be removed without his approval. "There are environmental impacts; I will have to consider all options."

In the meantime, the Flood and Erosion Control Board plans to set up a meeting with the Gilman Brothers "as soon as we can schedule it. That will be up to the first selectman. We would like to see if we can help them financially with the repairs," said Raymond Kanter, one of the commission members on the committee to meet

Residence  
Phone: 1-800-368-7233

## o Refill Lake Williams



**LAKE WILLIAMS LOOKS A LOT BETTER WHEN THERE'S WATER IN IT.** Department of Environmental Protection Commissioner Stanley Pac said there's a possibility that the lake will be re-filled as soon as this week. Photo by Lisa D. George

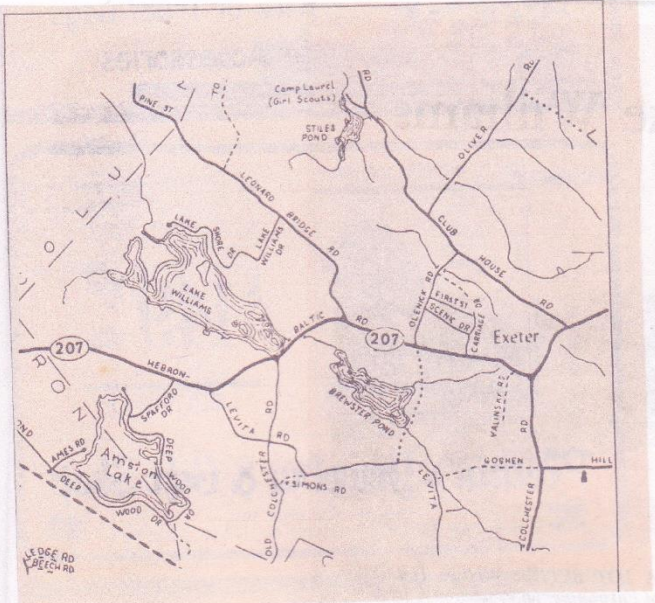
with the owners.

"We are pleased that the Flood and Erosion Control Board has been formed," said Mitchell. "The committee will be trying to find out what the Gilman's thoughts are as to some type of reasonable agreement. It is an important project because of flood control and the value of

the adjacent property."

Mitchell added that his group represents about 100 property owners, and there are 20 other residents on the other side of the lake who will also be affected by the outcome of the board negotiations and the actions of the DEP.

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*NOT ENOUGH SPILLWAY CAPACITY is the problem with the Gilman Brothers' dam at drained Lake Williams. The DEP has ordered the brothers to either repair or remove the dam. Photo by Lisa D. George*

## Lebanon Flood Board negotiates with owners of dam

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The committee said it would request the company to stop the drainage, which began at

ter Labor Day and has left the lake virtually empty. Some residents complained the lake was turning to marsh land in some spots and that leaches and vegetation were beginning to appear.

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would have an idea of the cost of repairing and maintaining the dam.

However, indications by Warner and two DEP engineers who attended the meeting are that such a study could take anywhere from eight months to two years.

The Lake Williams Beach Association, composed of the 120 families surrounding the lake, has sued the Gilman Brothers over whether the company has the arbitrary right to raise and lower the lake as they wish.

DUE TO  
CIRCUMSTANCES

Bosse named as Lyman's new Assistant Principal

Community Bulletin, Wednesday, October 17, 1984

Oct 17, 1984

**Towns Evict Residents of Lake Houses**  
STENZA, LISA; SUSANNE DOWDEN  
*Courant Staff Writers*  
*The Hartford Courant (1923-1987); Oct 17, 1984;*  
*ProQuest Historical Newspapers: Hartford Courant (1764-1987)*  
Pg. A1C

## Towns Evict Residents of Lake Houses

By LISA STENZA  
and SUSANNE DOWDEN  
*Courant Staff Writers*

Edward and Mary Stonaha spent hundreds of backbreaking hours building their retirement scene on Red Cedar Lake in Lebanon 15 years ago.

Tuesday, a "For Sale" sign hung in front of the red clapboard home they said they would never leave, and empty cardboard boxes filled the living room. They are not moving by choice.

For decades, owners of seasonal homes around lakes in Lebanon and Coventry have ignored town ordinances prohibiting them from living in the homes year-round. But this year, officials in the two towns are enforcing the ordinances for the first time in an effort to stem growing lake pollution.

More than 300 residents of Lake Wangamunga, also known as Coventry Lake, were ordered last week to be out of their homes by Tuesday and 28 families who live year-round in seasonal homes on Williams, Amston and Red Cedar lakes in Lebanon must leave by Nov. 1. The Stonahas



Don Han / The Hartford Courant

Delton and Carol Bragg say they won't leave their home on Coventry Lake because they have nowhere to go. With them are their children, from the left, Sherry, 12; Susan, 13; Daniel, 4; and Delton, 9.

are complying reluctantly.

"They killed us altogether," Edward Stonaha, 67, said sadly. "I don't know how much we have sacrificed just to get this from the town."

The Stonahas are giving up their cottage by the lake, where they often fish for their supper, to live in a modular home in an adult communi-

ty in nearby Colchester. "That's about the only thing we can afford," said Mary Stonaha, 63. "It makes me sick."

Many of those in Lebanon and Coventry who have been told to leave are elderly residents who re-

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L. J. Mitchell

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### Lake Williams dam negotiations held off

LEBANON — The Gilman Brothers Company has refused negotiation overtures by the newly formed Flood and Erosion Control Board over the draining of Lake Williams.

The company said it would not discuss the issue while it was involved in litigation with the Lake Williams Beach Association, First Selectmen Edward Clark said.

The association sued the company two years ago over its right to arbitrarily drain the lake. The association lost the suit, but is appealing the decision to Superior Court.

Two weeks ago, on the advice of Department of Environmental Control Director of Water Resources Benjamin Warner, the board appointed a three member committee to meet with company representatives and request them to stop the drainage.

At the time, some board members expressed doubt over whether Gilman would meet with the commission because of the suit.

But Chairman Irving Kiotic said he had spoken to Charles Gilman and that Gilman had indicated he was willing to talk about a solution to the problem.

Kiotic was not available for comment.

George Mitchell, president of the association, sits on the board, but was not appointed to the committee.

Committee member Al Lopes warned that the Gilmans would not negotiate with the committee while the association's suit held "a hammer over their heads." He asked if the association would be willing to hold its suit in abeyance.

But Mitchell refused, saying the suit was "a separate and distinct matter" and that the superior court had urged the two parties to negotiate.

Considering the issue is under litigation, Clark said that the Gilman's decision was "not unusual."

10/19/84  
CHRONICLE

## Angry Lake Williams residents take their cause to the governor

By BILL SWEENEY  
Staff Writer

LEBANON — The Lake Williams Beach Association has called on Gov. William O'Neill to intervene in a six-year-old dispute that has left the 264-acre lake high and dry.

Association President George Mitchell also said 800 form letters protesting plans by the owners, Gilman Brothers Co. of Bozrah, have been sent to state Department of Environmental Protection (DEP) Commissioner Stanley Pac.

The lake association has asked O'Neill, in a letter hand-delivered to the capitol Thursday, to modify a four-year-old DEP order by deleting one of two options that allows the owners to dismantle the dam. The governor's office did not comment on the letter Friday morning.

But the Gilmans have no intention of dropping plans to dismantle the dam, which forms the lake in southwestern Lebanon, and are not interested in negotiating with the town's Flood and Erosion Control Committee — at least not as long as the lake association is suing him.

The DEP order, which stems from a 1978 inspection that found the dam in need of repair to allow greater flood capacity, told the company it must either fix the dam or take it down.

Mitchell said the association also wants

the dam's gate to be closed as soon as possible and it wants the Gilmans to be required to obtain a state permit before drawing the lake down again.

The Gilmans opened the gate about two months ago to drain the lake so engineers could study the dam to prepare plans for its removal. The last bit of water trickled out of the lake three weeks ago, leaving behind a muddy lakebed and dying fish.

Without the dam, there is no lake. The Gilman Brothers told the DEP in March that they would dismantle the dam. The company has until Jan. 1 to submit engineering plans for the dam's removal to the DEP. Two public hearings would have to be held on those plans, said a DEP official.

"I don't care whether the governor, the president, or you want us to do something. We own that dam," said Lawrence Gilman Thursday. "The order says we can take down the dam. They can't change the order now. We didn't start this thing — the government did."

Gilman said his company has no immediate plans to close the gate, which would allow the lake to refill through rainfall and natural stream feeds.

"In as much as we're removing the dam, what's the difference how long the gate is open?" asked Gilman.

A 1978 Army Corps of

Engineers inspection found the dam in need of upgrading. Since that time, negotiations between the company and the lake association to share repair costs have failed to come up with a mutually agreeable solution. Mitchell conceded last week the association's negative attitude about cost-sharing in the early stages may have set the tone for following years.

But, Mitchell said, the association has been willing for some time to negotiate — and still is. The Gilmans have turned down requests for even preliminary talks, he said.

The association's letter to O'Neill criticized DEP's handling of the matter, saying the department "has allowed this situation to fester for six years," despite being "asked, cajoled, and begged," by the association.

The association contends the removal of the dam would pose a serious flood control problem for downstream communities along the Yantic River basin such as Gilman, Fitchville, and Norwichtown.

Gilman said his company has no plans to meet with a negotiating committee of the flood and erosion control board. The committee is comprised of Al Lopes, First Selectman Ed Clark, and Raymond Kanter, a businessman who operates a campground which is

normally on the shores of the lake.

"We can't negotiate with anybody until the court case is resolved," he said, referring to a case now pending before the state Supreme Court. The lake association, which brought the suit, is seeking to establish rights to have some say in how the water in the lake is used, said Mitchell. The case is slated to be heard by the court next month, he said.

Flood and Erosion Control Board Chairman Sol Kiotic has urged the association to drop the suit so negotiations could be more successful, but Mitchell said the group has no plans to withdraw the case now when its on the verge of being heard.

Gilman declined to say why his company would prefer to dismantle the dam rather than negotiate some deal that could include leasing or selling it to the town. He also declined to say how the loss of the dam could effect his company's operations which have sometimes relied on water from the lake.

The flood and erosion control board does have the statutory right of eminent domain and could take over the dam and pay fair market value for it. However, town officials believe that action would need town approval and both state and town officials regard that option as the last resort.