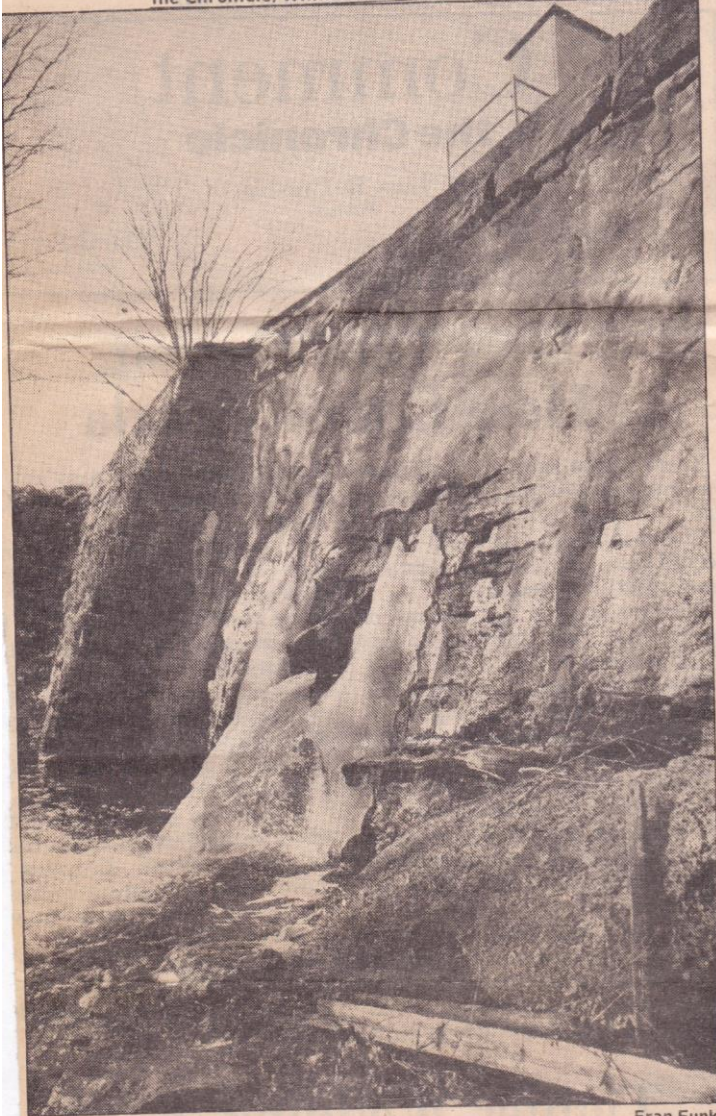


1985-86 newspaper articles part 3

the Chronicle, Willimantic Conn., Monday, January 27, 1986 5



Fran Funk

THESE pictures taken last week show a lowered water level in Lake Williams. The DEP has rejected a second request by its owners to drain the lake, and given them until May 1 to present a plan for repairing the damn.

DEP order:

Gilman's told to repair dam at Williams

By CHRISTINE KOTRBA
Staff Writer

LEBANON — The state Department of Environmental Protection has rejected a second request by its owners to drain Lake Williams and has, instead, ordered them to present a plan immediately for temporary repairs to the dam, which is broken and has left a low water level in the lake.

The DEP also told the owners, Lawrence and Charles Gilman, that they have until May 1 to seek approval for their long term plan to repair the dam.

Lawrence Gilman said this morning vandalism to the dam which occurred during the summer is one reason for the low level of the lake. The dam gate, he said, is still stuck slightly open accounting for the loss of water there. "The dam can't be repaired," he said. "We can't do anything in the middle of the winter."

Ben Warner, director of the DEP's Water Resources Division, said this morning Commissioner Stanley Pac has rejected Lawrence and Charles Gilman's second application to drain Lake Williams. A letter was mailed Friday to the Gilmans, owners of the lake and dam, informing them of this decision, he said.

Although dam owner Lawrence Gilman said this morning he had received word of the DEP's decision, he indicated the agency had not said why it reached such a decision. He speculated additional information would be forthcoming.

In his letter, Pac said he rejected the Gilmans' second application because the owners' second plan would have the same adverse impact as their first proposal. In both cases, the result would be the permanent loss of the 270-acre lake and the adjacent wetlands, he said.

"It was found that reasonable alternatives exist," Pac wrote, "which would not have the same environmental impact."

Pac denied the Gilmans' first

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Lake Williams

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application to drain the lake on the grounds for essentially the same environmental reasons. The first application called for removing a valve to drain the lake, according to DEP principal Civil Engineer Philip Moreschi, while the second one involved removal of the most of the dam.

In his letter, Pac pointed out that the Gilmans were supposed to have lowered the level of the lake to four feet below the spillway to repair vandalism which occurred over the summer. Recently, he said, the level has been observed as low as six-and-a-half feet below the spillway.

"The lake must not be allowed to drain down indefinitely," Pac wrote. He ordered the Gilmans to respond immediately regarding the repair schedule and the condition of the valve which was to have been fixed.

Gilman added that the courts have never denied him the right to control the water level in the lake, since it is private property

and they own the water rights.

Last week's denial of the Gilmans' application by the DEP may not be appealed, according to Warner. "If the Gilmans don't do something now," he said, "there will be legal action taken against them."

Flood and Erosion Control Board Chairman Sol Kiotic indicated he was pleased with the DEP's decision on the Gilman brothers' application. "We, the people of Lebanon should be happy the commissioner is sticking to his first decision that the dam should not be removed," he said.

The latest ruling, however, is not that important to town officials or the Flood and Erosion Control Board, which are still counting on Sen. Eric Benson's (R-19th District) bill calling for a \$1.8 million appropriation to take over and repair the dam, as a permanent solution to the problem.

"We're banking on Benson's bill," Kiotic said. "That's all. The town is in no position to do anything financially."

State Orders Repair of Lebanon Dam

By SUSANNE DOWDEN
Courant Correspondent

LEBANON — State officials have rejected a plan to remove a dam at Lake Williams and have ordered the owner, the Gilman Bros. Co., to submit plans by May 1 to repair it.

The ruling by the state Department of Environmental Protection follows a decision it made in November rejecting the Gilmans' plan to remove the dam's floodgate, which would drain the lake. Agency officials said they were surprised the company submitted another plan this month that would have the same effect.

"We didn't expect them to do this, Benjamin Warner, DEP director of water resources, said Wednesday. "We expected them to appeal."

Although the Gilmans had notified the DEP and the attorney general's office that they would appeal the DEP's November order to repair the dam, they did not file an appeal in court by the Jan. 5 deadline.

Lawrence and Charles Gilman, owners of the dam, could not be reached for comment.

The DEP and residents of the lake have been fighting to force the Gilmans to repair the deteriorated dam, but the Gilmans have resisted spending the estimated \$200,000 for

repairs. DEP officials maintain that draining the 270-acre lake would harm the environment.

If the Gilmans do not file repair plans, Warner said, the agency will seek a court order and, if necessary try to have them declared in contempt of court if they disobey the order.

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Hearing On Purchase Of Lake Williams,

By Greg Barden
LEBANON - The state legislature's Environment Committee will hold its public hearing on two bills proposed by state Sen. Eric Benson (R-19th District) that call for the state to take over and repair the Lake Williams dam at Lyman Memorial Junior-Senior High School, Tuesday, beginning at 7 p.m.

Benson, chairman of the State Environmental Committee, encourages residents concerned about the future of Lake Williams to attend the hearing and testify before the committee if they wish. "There's a great deal of interest in the lake. I

expect a real good turnout at the hearing to show the committee people out in Lebanon want the lake to be saved," Benson said from Hartford, Wednesday.

A bill for the state to purchase the dam and water rights died in the legislature last year because officials from the state Department of Environmental Protection (DEP) opposed the plan. The DEP officials are expected to testify before the committee Tuesday, Benson said.

This year, the second-year senator from Franklin has used a different approach by submitting two bills to the general

assembly. Each proposal calls for the state to earmark up to \$1.8 million to buy the dam and water rights of the lake, and make the necessary repairs to the dam. The only difference between the bills is that one would authorize bonding for the purchase while the other calls for a direct appropriation.

Once the environment committee hears both bills, the direct appropriation proposal would be submitted to the Legislative Appropriations Committee, and the bonding plan would be submitted to the Finance, Revenue and Bonding Committee, Benson said.

"I prefer the direct appropriation form of the bill since that one would not have to go before the state Bonding Commission," the senator explained.

Benson said both versions of the bill are more clearly spelled out this year to ensure that the purchase price for the dam and water rights is appropriate. The state Properties Review Board will have final say on the purchase price, Benson said.

"I think the bills have a much better chance this year," Benson commented. "With all the actions that have taken place over the past year it's more

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obvious than ever that the situation is further from getting resolved. The opportunity that the lake could be destroyed is much more evident."

If one of the versions of the senator's bill is successful, it would most likely put an end to a seven-year controversy surrounding Lake Williams since the Army Corps of Engineers inspected the dam in 1979.

In 1982, DEP Commissioner Stanley Pac issued an order to the Gilman Brothers Co., owners of the dam, to make the dam safe by repairing or removing it. Since then, two sets of plans to remove the dam and dam gate have been rejected by Pac. Attorneys for the Gilmans have filed an appeal to the attorney general's office

claiming Pac has overstepped his authority in denying the owners their right to destroy the 270-acre lake.

Pac has since ordered the Gilmans to submit an acceptable repair plan for the dam by May 1. That order has also been appealed by the Gilmans.

Town officials and members of the town Flood and Erosion-Control Board have said Commissioner Pac's order is still too vague, and are hoping Benson's bill for the state to obtain the dam and water rights will be a solution to the long standing dilemma.

"I'm glad the hearing is in Lebanon. I hope to see a good turnout of people there," First Selectman Edward Clark said this week.

Proposed lake bills to get public hearing

By CHRISTINE
KOTRBA
Staff Writer

LEBANON — State legislators, state Department of Environmental Protection commissioners and town officials will be on hand Tuesday to hear testimony from residents on legislation proposed to save Lake Williams.

State Sen. Eric Benson (R-19th Dist.), the chairman of the legislature's Environment Committee, will conduct a public hearing Tuesday on two bills calling for state takeover of the lake. The hearing is set to begin at 7 p.m. in the auditorium of Lyman Memorial High School.

Benson has proposed two bills calling for the

state to appropriate up to \$1.8 million for purchase and repair of the dam at Lake Williams. One bill calls for the state to earmark the funds, while the other authorizes bonding.

Benson presented a similar bill to the legislature last year, but it was defeated in the Finance, Revenue and Bonding Committee.

First Selectman Ed Clark said this morning he believes the bills will be more likely to be passed the second time around. "I think probably (Benson's) got a much better chance than he had last year," Clark said. "The people in the legislature are the ones who were there last year. Hopefully they'll know what it's all about."

The DEP opposed Benson's original legislation because state takeover of the Lake Williams dam would set a precedent throughout the state.

At the time, DEP Water Resources Director Benjamin Warner said he was in favor of a local solution

to the problem and suggested the town Flood and Erosion Control Board form a taxing district comprised of Lake Williams residents. The taxing district would negotiate with the dam owners, Lawrence and Charles Gilman, for a long-term lease of the dam, and would enter into a cost-sharing agreement with the state on paying for dam repairs.

Warner could not be reached for comment this morning.

Following the public hearing, according to Clark, members of the Environment Committee will consider the testimony presented by residents and make a recommendation to the state Senate and the bonding commission.

In the meantime, the DEP has given the Gilmans until May 1 to submit a plan for repairs to the dam. The owners, however, are seeking to overturn the state's ruling which prohibits them from draining the lake, and have filed an appeal in Hartford Superior Court.

MARCH 3rd 1986

Lake may cost residents money

MARCH 5, 1986

By CHRISTINE KOTRBA
Staff Writer

LEBANON — Either the town or lake area residents should be prepared to assume some of the purchase and repair cost of Lake Williams, State Sen. Eric Benson (R-19th Dist.) told 75 people at a public hearing on his proposed lake purchase legislation Tuesday night.

The suggestion was met with mixed reactions from the residents.

Benson's bill, now before the legislature's environment committee, which he heads, calls for the state to bond up to \$1.8 million to purchase and repair the lake. Benson told the crowd Tuesday, however, that he believes the bill will be more apt to pass if local residents pick up a portion of the cost of saving the 274-acre lake.

Committee members have expressed concerns that purchasing and repairing the Lake Williams dam with only state funds will set a dangerous precedent. "My gut feeling is we have to lean toward some kind of local participation effort," Benson said. "I have the feeling that's what would make the bill

pass as opposed to being tucked under the rug again," he said referring to a defeat of a similar bill last year by another legislative committee.

Benson suggested forming a special taxing district composed of Lake Williams residents. Under Benson's plan, lake residents would pay one-third of the cost of purchasing and repairing the dam. They would have a one- or two-mill tax increase over the next 50 years, he said, or until one-third of the cost of saving the lake has been paid.

This was tried last year, but the town Flood and Erosion

Control Board rescinded a motion to form such a district shortly after it passed because of unanswered questions about its formation.

Benson calculated that if the taxes of lake residents were raised by one mill, they will pay an extra \$25 per year on property assessed at \$50,000.

Another solution proposed by the senator is to raise the taxes of the entire town by a half mill.

At the two-hour hearing Tuesday, though, the speakers were divided on who should be

(Lake, Page 5)

Lake Williams ownership debated publicly

Continued from Page 1
 responsible for saving the Lake Williams dam. Some residents said it was the state's duty to foot the bill, while others agreed the town should pay one-third of the cost. Still other residents said that the Lake Williams homeowners should solve the problem themselves.

Ronald LaForge, president of the Lake Williams Beach Association, said he favors Benson's proposed legislation calling for state takeover of the dam. He would oppose a special taxing district, he said, if it would put a

heavy financial burden on Lake Williams residents.

"As written it's a good bill," LaForge said. "But one-third of \$1.8 million is an unbearable burden. It would be a choice between saving our lake or losing our homes."

LaForge said he would not oppose a tax increase if it meant only a \$30 increase per year on a current tax bill of \$1,000.

Lake resident Mary Anderson, who also supports state takeover of the lake, said she would not be in favor of a special taxing district composed of lake residents under any circumstances. "I don't think we need another level of bureaucracy in town," she said. "Once you have (a taxing district for lake residents) in place it can become abused. There's no guarantee that the Flood and Erosion Control Board won't make us pay for walls or dikes in the future."

A one-mill tax increase should be assessed to every taxpayer in town, according to Anderson. Given the

choice between a tax district for lake residents or no lake, Anderson said she "just might lobby for no bill at all."

Resident Phil Oley, however, said Lake Williams residents should solve the problem themselves and not look to the townspeople for money. "It's a local problem," he said. "To me the property owners are the ones who should confront it."

State Rep. Edith Prague of Columbia

(D-8th Dist.) said she wondered whether the town should give in to the demands of the dam owners, Lawrence and Charles Gilman.

"The longer I sit and hear about the Gilman brothers," she said, "the more I don't want to give them \$1.8 million of the taxpayers' money. The thing that burns me up is one family is holding the town hostage," she said to applause.

Prague said she wondered whether it would be wiser to put the

bill on hold for a while and push for state repair of the dam instead.

Resident Alicia Wayland said she opposed using any town funds to pay for the lake unless a public beach is built for residents.

The public hearing on Benson's bonding bill, as well as other proposed pieces of legislation, will continue March 11 in Hartford. The hearing is set to begin at 10:30 a.m.

in the temporary office building on the south lawn of the state Capitol.



Fran Funk

LEBANON — SOME 75 residents heard proposals to buy and repair Lake Williams Tuesday at a hearing on Sen. Eric Benson's legislation. Residents divided over whether the state and town should share the costs.

Lawmaker Offers Plan To Save Lake Williams

Dowden, Susanne

The Hartford Courant (1923-1987); Mar 11, 1986;

ProQuest Historical Newspapers: Hartford Courant (1764-1987)

pg. AB4C

Lawmaker Offers Plan To Save Lake Williams

By SUSANNE DOWDEN
 Courant Correspondent

LEBANON — A plan to save Lake Williams by splitting the cost of repairing its dilapidated dam among the state, the dam owners and the town's residents, has been proposed by a state legislator.

State Sen. Eric H. Benson, R-Franklin, said he will present a bill to the General Assembly's Environment Committee calling for the state, the Gilman Bros. and Lebanon residents to contribute about \$500,000 to purchase and repair the dam.

Benson, whose district includes the 247-acre lake, said the town's contribution would come from a special tax that would cost property owners between \$12 and \$15 a year for the next 20 years. In return, the state would set up and maintain a public beach and boat launch area for residents to use, he said.

The Gilmans have agreed to give the state one-third ownership of the lake and dam as their share of the cost, Benson said.

Last year, Benson unsuccessfully sponsored a bill that would have required the state to pay \$1.8 million to purchase the water rights and the

dam. Unlike that bill, his new proposal has the support of the state Department of Environmental Protection, the Gilmans, legislators and residents, he said.

Lake Williams is one of hundreds of lakes in the state with dams that have fallen into disrepair.

Although it is not a precedent-setting solution as some state officials had predicted, Benson said his plan may be applied to other lakes with similar problems.

"It has its own formula," Benson said. "In other situations ... the state will have to make a determination of the value of the resource.

Clearly, if [Lake Williams] is worth saving."

The owners of the lake, Lawrence and Charles Gilman, have been ordered twice by the DEP to repair the dam and have until May 1 to present repair plans.

The Gilmans have applied to the DEP to remove portions of the dam which would drain the lake rather than repairing the dam. But DEP officials have said draining the lake would destroy the environment around it.

At a public hearing last week, residents said they would agree to a small yearly tax to help maintain the lake, Benson said.

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Breakthrough could

By CHRISTINE KOTRBA
Staff Writer

LEBANON — The owners of Lake Williams apparently agreed Monday to share the \$1.5 million cost of purchasing Lake Williams with the state and the town, thus providing a possible end to the seven-year dispute over ownership and repair of the property.

The agreement was made public this morning by State Sen. Eric Benson (R-19th Dist.) who has proposed legislation for state purchase of the lake and dam, but has stated that for his bill to pass more funding sources might have to be tapped. Lawrence Gilman refused to confirm or deny the agreement this morning, and instead referred all questions to Benson.

Benson said the dam owners agreed to the cost-sharing plan Monday. "It's very, very encouraging," he said. "The Gilmans seemed to accept the proposal very readily and in a very philanthropic spirit. I think they are as desirous to have an end to this problem as anyone is."

Benson's bill, which is getting a hearing today in Hartford, calls for the state, the town, and Lawrence and Charles Gilman to each put \$500,000 toward state takeover of Lake Williams. Under the senator's proposal, state funds will also be used to build a public beach and boat launching area at the lake.

If Benson's plan is approved by the legislature, the state will bond \$1 million to purchase Lake Williams and its water rights,

while the Gilmans will "donate" the remaining half million dollars, Benson said. If voters agree in a referendum, the town of Lebanon would then pay the state \$500,000 over a 20-year period as its share.

Voters would decide whether the entire town, its lake residents or both should shoulder the resulting tax increase, accord-

ing to Benson. "This would have to go to a referendum by the citizens of Lebanon," he said. "They will decide how important a resource it is for the town to sustain."

The DEP is currently eyeing a 91-acre parcel of land on the east side of the lake for a public beach and a boat launching area, according to Benson. The

end lake

\$200,000 it would cost to buy the land and make the necessary improvements would be paid for with money allocated by the legislature for this purpose last year, he said.

Benson said the legislature last year also set aside \$1 million to pay for repairing the dam.

In January, Benson submitted

a bill to the legislature which called for the state to bond up to \$1.8 million to purchase and repair the dam at Lake Williams. At a public hearing on the bill last week in Lebanon, Benson told residents that for the proposal to become law, the town must be prepared to shoulder some of the cost of saving the lake.

controversy

Last year, he said, the state was opposed to paying more than a third of the cost of purchasing and repairing Lake Williams.

Benson said he plans to submit his proposed legislation to the Finance, Revenue and Bonding Committee immediately, and that committee will vote on it within two or three weeks.