

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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Firm Needs
Approval To
Remove Dam

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

1 of 3

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
Dunbar, Vermont

To 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 refilled as soon as this week. Photo by Lisa D. George

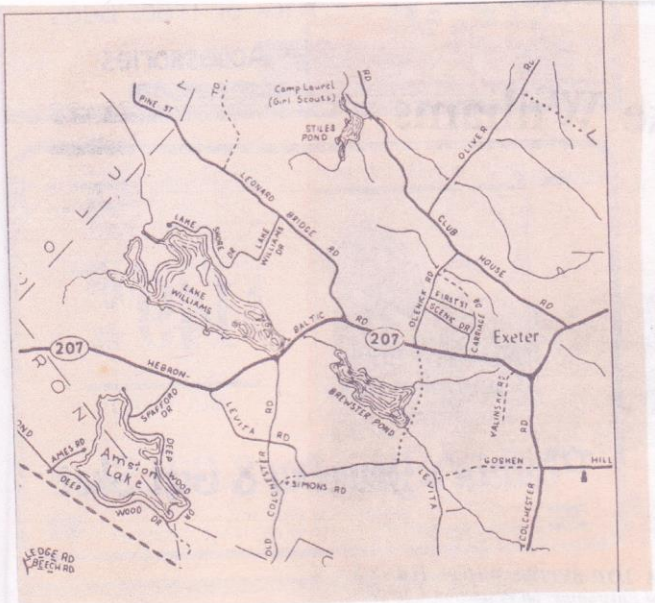
with the owners.

"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

LEBANON — The Flood and Erosion Control Board voted 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 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.

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.

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 whether the Gilman Brothers over whether the company has the arbitrary right to raise and lower the lake as they wish.

Bosse named as Lyman's new Assistant Principal

DUE TO
CIRCUMSTANCES

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 scheme 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 Wangumbaug, 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, Ariston and Red Cedar lakes in Lebanon must leave by Nov. 1. The Stonahas



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-

See Owners, Page A14

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10/11/84
CHRONICLE

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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 it's 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.

10/23/84
~~CHRONICLE~~
BULLETIN

Dam owners won't talk with board

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 ask them to stop the drainage.

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

Kiotic blamed George Mitchell, association president, and the association's suit for the refusal.

Mitchell sits on the board, but was not appointed to the committee.

Kiotic said Mitchell led Lebanon citizens to believe that the Gilman Brothers Company was "draining the lake out of spite." However, the DEP has said the drainage is part of a DEP-ordered engineering study.

The dam was determined unsafe by the Army Corps of Engineers in 1978 and the company has been asked to either repair the lake or destroy it. It has elected to destroy it.

Said Mitchell, "I am acting as a directed by the Board of Directors of the Association. I am not taking any personal action."

He added that before the suit was started, the association had tried at least three times to negotiate an agreement with the company.

"The suit is a direct result of him not negotiating with us. I think it's pretty unreasonable of him to say drop the suit and we'll negotiate with you."

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

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CHRONICLE
BULLETIN

10/23/84

CHRONICLE
BULLETIN

DEP wants Gilman Brothe

By TRACEY O'SHAUGHNESSY
Bulletin Staff Writer

LEBANON — The Department of Environmental Protection, after talking to engineers working for the Gilman Brothers Company, yesterday drafted a letter to the company asking it to close the gates of the Lake Williams Dam as of next week.

The company, which owns the

dam, has been doing an engineering study and has been draining the dam to determine how best to remove the dam.

DEP's action comes just after the Lake Williams Beach Association sent a letter to Governor William O'Neill, appealing to him to resolve the problem.

The letter, hand-delivered to O'Neill, said: "We believe that the

DEP has allowed this situation to fester for six years, taking virtually no action to stop the destruction of Lake Williams or to prevent the dam owner from using the situation to deprive the residents of recreational activity."

Officials at the governor's office said they were not yet aware of the letter.

The dam was determined unsafe

Norwich Bulletin, Tuesday, October 23, 1984 SEVEN

rs to close dam's gates

by the Army Corps of Engineers in 1978. The DEP has ordered the company to either repair or remove the dam. The firm has elected to remove it and contends draining the lake was necessary to provide the DEP with an engineering study on how best to achieve that end.

Told of the DEP's latest action, association president George

Mitchell said it was a "step in the right direction" but "not near as strong as it should be."

Mitchell maintained the company needs a permit to draw down the lake, and that the DEP should order it to obtain one. "I'm glad to see they're taking some action," Mitchell said. "I guess I'm a little sad to see they're asking them, instead of telling them, to close the

gates. Asking them — I guess that's just about as soft as you can get."

DEP Commissioner Stanley Pac visited the site two weeks ago. He said the DEP could do nothing to stop the Gilman Brothers because the company was complying with regulations to provide the agency with a report.

Mitchell said further delays will worsen the condition of the lake. Northern parts of the lake, he said, have already become overgrown with vegetation.

The letter to the governor quotes a "high-level DEP official" as saying "Gilman has been playing games with water and the DEP is partly to blame."

Mitchell refused to reveal the source of the comment.

26 Oct 84

Gilman study continues on Lake Williams Dam

LEBANON — Lawrence Gilman, of the Gilman Brothers Company, said yesterday the company has not yet finished its study of the Lake Williams Dam, and has "a long, long way" to go before finishing its survey.

Department of Environmental Protection Commissioner Stanley Pac said Monday he had talked to the company's engineers, and they had indicated their study was almost done. He said the DEP was consequently drafting a letter to the company asking it to close the dam gates.

The company, which owns the dam, has been doing an engineering study to determine how best to remove the dam. The dam was

declared unsafe by the Army Corps of Engineers in 1978 and the DEP ordered the company to either repair or remove the dam. The Gilman Brothers elected to remove it.

Gilman said he had not yet received any correspondence from the DEP.

Pac was not available for comment.

"We have told the DEP that we're going to tear the dam down," Gilman said.

The Lake Williams Beach Association last week wrote a letter to Gov. William A. O'Neill, asking for help in the matter.

A spokesman for O'Neill's office said the governor had received the letter and was drafting a reply. The spokesman would not say what that reply would be.

But Gilman said the request would do no good.

"They can go to O'Neill, they can go to the president," he said. "This is private property. We own the dam. It's private property. Nobody can tell us what to do with it."

Earlier, the company had refused overtures from the newly-formed Flood and Erosion Control Board to negotiate a settlement with the town. But it refused, citing a suit brought by the association over drainage rights.

"I like to talk to everybody," Gilman said. "But we cannot talk to them as long as the court case is in progress. They know better than that."

Association Requests

The Lake Williams Beach Association has requested the DEP to order the dam closed. The association says the dam is unsafe and that the DEP should act to protect the public.

The association also requested that the DEP order the dam removed. It says the dam is a hazard to the community and that its removal is necessary for public safety.

The association's request is part of a larger effort to have the dam removed. It has already filed a lawsuit against the Gilman Brothers Company and is seeking a court order to force the company to remove the dam.

The association's president said that the dam is a major liability for the community and that its removal is a top priority. He said that the association is willing to work with the DEP and the Gilman Brothers Company to reach a mutually agreeable solution.

The association also requested that the DEP order the dam closed. It says the dam is unsafe and that the DEP should act to protect the public. The association is also seeking a court order to force the company to remove the dam.

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10/27/84
STANDARD

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Association Requests O'Neill's Action

LEBANON - the Lake Williams Beach Association has requested the assistance of Governor William O'Neill to bring and end to a six-year battle between lake residents and the owners of the dam which form the lake.

Citing the flood protection, environmental and economic benefits afforded by the dam, the residents claim the Department of Environmental Protection has allowed the situation to go on for six years while doing little to solve the matter or prevent destruction of the lake.

In the letter to O'Neill, which was hand-delivered last Thursday, the lake association has asked the governor to modify a four-year old DEP order by deleting one of the two options for the dam owner that allows them to dismantle the dam. The letter included sworn testimony from Charles Gilman, vice-president of

the Gilman Brothers Co. of Bozrah, the owners of the dam, indicating that the dam was of great importance in reducing the flooding of downstream communities.

The town has formed a Flood and Erosion-Control Board to conduct negotiations with the Gilmans that might allow the town to take over ownership of the dam. But the Gilmans refuse to discuss the situation with the flood board until the lake association dropped its suit against the company.

The lake association has requested the dam's gate, which was opened last month and has transformed the fourth largest recreational lake in southeastern Connecticut into a mud bed, be closed as soon as possible. The gate was opened by the Gilmans to allow engineers to study the dam and make plans for its removal.

The original DEP order was a result of a 1978 inspection which found the dam in need of repair to allow greater flood capacity, and it gave the Gilmans two options - fix the dam or remove it. The Gilmans have decided upon the latter option and have until Jan. 1 to submit plans for the dam's removal.

The associations letter to the governor claims the DEP has let the situation "fester" for six years. DEP Commissioner Stanley Pac visited the dam site earlier this month and told local officials and residents he had the authority to prevent the dam removal but was not planning to exercise that authority at the time. He said the dam owners were complying with his agency's regulation to provide

an engineering report.

If all other methods fail, the lake residents do have one more step to take, but have been advised by both state and town officials to use it as a last resort. The flood board, established at a town meeting in June, has the statutory right to take over the control of the dam by eminent domain and recompense the dam owners with a fair market value payment.

10/31/84

COMMUNITY
BULLETIN

DEP investigating
Lake Williams Dam

Lebanon dam study unfinished

LEBANON — Lawrence Gilman, of the Gilman Brothers Company, said yesterday the company has not yet finished its study of the Lake Williams Dam, and has "a long, long way" to go before finishing its survey.

Last Monday, Department of Environmental Protection Commissioner Stanley Pac said he had talked to the company's engineers and they had indicated they were nearly through with their study. He said the DEP was consequently drafting a letter to the company asking it to close the dam gates.

The company, which owns the dam, has been conducting an engineering study to determine how best to remove the dam. The dam was declared unsafe by the Army Corps of Engineers in 1978 and the DEP ordered the company to either repair or remove the dam. The Gilman Brothers elected to remove it and are conducting an engineering survey to deter-

mine how best to achieve that end.

Gilman said he had received no correspondence from the DEP as of yet.

Pac was not available for comment.

"We have told the DEP that we're going to tear the dam down," Gilman said, "It seems in another field when someone tells us to close the gates. We're going to tear the dam down."

The Lake Williams Beach Association wrote a letter to Governor William O'Neil, requesting his assistance in the matter.

A spokesman for O'Neil's office said the governor had received the letter and was drafting a reply. He refused to elaborate on what that reply would be.

But Gilman said the request would do no good.

"They can go to O'Neil, they can go to the President," he said. "This is private property. We own the water rights. We own the dam. It's private prop-

Please see last page 11/DAM

Dam

(Continued from Page 4)
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refused overtures from the newly-formed Flood and Erosion Control Board to negotiate a settlement with the town. But it refused, citing a suit brought by the association

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10/31/84
BULLETIN

TWENTY Norwich Bulletin, Wednesday, October 31, 1984

DEP investigating Lake Williams Dam

By TRACEY O'SHAUGHNESSY
Bulletin Staff Writer

LEBANON — The state Department of Environmental Protection is investigating legal methods to force the Gilman Brothers, owners of the Lake Williams Dam, to close the dam gates.

DEP Director of Water Resources Benjamin Warner said yesterday, "Commissioner (Stanley) Pac has instructed me and my staff to put all the legal pressure possible on the Gilmans to make sure the gates are closed."

Warner said he was not sure of the process for achieving that end.

The decision comes after the DEP sent a letter to the company, indicating the company's engineers had said a DEP-mandated engineering study was done about how to remove the dam. The letter asked the company to close the gates by Oct. 29.

But Lawrence Gilman, who said he had received a copy of the letter, said the study was "a long, long way" from being finished.

"The commissioner asked us to

make a study," he said. "We're in the middle of a study and now they're asking us to abort a study that they required."

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 draining the lake is part of the engineering study to determine how best to achieve that destruction.

"I don't know what (Pac) can do because we're in the middle of doing (the study)," Gilman said. "If he says now that he doesn't want us to do a survey, let him say so."

Warner said the company has a permit that allows it to draw the lake down three feet. He said he believed the company could not draw it down further than that.

"Our contention is because of the diversion law, they can use that three feet. But the rest of the water they do not have the right to use." He said he would take the matter up with the State Attorney General to see what actions the DEP could take.

11/1/84
CHRONICLE

11/1/84
NORWICH BULLETIN

DEP chief seeks OK to close gates of dam

By TRACEY O'SHAUGHNESSY
Bulletin Staff Writer

LEBANON — Accusing the Gilman Brothers Company of "procrastinating," Department of Environmental Protection Commissioner Stanley J. Pac yesterday said he was asking the attorney general to begin action to force the company to close the Lake Williams Dam gates.

Pac said the action was similar to an injunction, but would not specify exactly what the action was. He said the Attorney General's office was consulting with officials from the DEP's Department of Water Resources on what to do.

Pac sent the company a letter, dated Oct. 23, in which he said DEP engineers had spoken to the Gilman company's engineers, who indicated the study was nearly finished. He therefore requested the company close the gates of the dam.

"I say I have the authority (to close the gates)," he said, "but of course they'll contest it."

After the Army Corps of Engineers declared the dam unsafe in 1978, the DEP ordered the Gilman Brothers Company to either repair or remove the dam. Contending that repairs would be too expensive, the company elected to remove the dam. They say the current draining of the lake is part of a study on removing the dam.

The draining has left southeastern Connecticut's fourth-largest recreational lake empty and muddied. Residents fear the lake will become oxygen-deficient, a condition it already suffers at its northern end. They fear snake and leach infestation and a muddied lake bed would be harmful to residents and lower property values.

The lake has received considerable publicity because of DEP estimates that nearly 1,000 lakes throughout the state are in similar situations, in which a lake is owned by a group of citizens but the dam is owned by a private company.

11/2/84

CHRONICLE

DEP orders dam owner to allow lake to refill

By BILL SWEENEY
Staff Writer

LEBANON — The state Attorney General's office this morning ordered the Gilman Brothers Co. to close the gate of the Lake Williams dam to allow the 264-acre lake in southwestern Lebanon, which is now empty, to refill.

The order was issued at the request of state Commissioner of Environmental Protection.

Lawrence Gilman confirmed that his company, which owns the dam forming the lake, received a cease and desist order from the attorney general's office this morning. He declined all other comment.

The state has ordered the

company to close the gate of the dam immediately, and subsequently maintain the lake at not less than three feet below the dam's spillway. The company could only draw down the lake below that level with the permission of the DEP, the order says.

Officials are not sure how long it would take for the lake to refill. The lake would refill through rainfall and natural stream feeds.

The Gilmans have the right to dispute the order. The Department of Environmental Protection has scheduled a hearing on the matter for Nov. 9, 10 a.m., in Hartford.

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Dam order

(Continued from Page 1)

The company opened the dam's gate about two and a half months ago to drain the lake so engineers for the company could study the dam to prepare plans for its removal. The company is under a DEP order to either repair the dam or take it down. The company's plans for the dam removal are due at DEP Jan. 1. At least two hearings on the removal will be held after that.

The last bit of water trickled out of the lake about one month ago.

Gilman declined to say whether engineers for his company had completed their study.

A DEP official said this morning the department believes the company had sufficient time to do its study. The department, he said, had monitored the

progress of the engineering study and determined that the study has been completed for the most part.

The order said that the continued draining of the lake had caused "extensive damage" to Lake Williams and nearby water courses such as Brewster Pond. The order said it has caused destruction of fish and other water life at Lake Williams, lowered the ground water level hurting nearby private water supplies, and polluted Lake Williams and other water courses in the area including Brewster Pond.

The DEP Commissioner had asked the company by letter in mid-October to voluntarily close the gate of the dam. The company did not respond to the request, a DEP official said.

11/3/54
BULLETIN

Gilmans ordered to halt draining of Lake Williams

By TRACEY O'SHAUGHNESSY
Bulletin Staff Writer

LEBANON — The state attorney general's office yesterday ordered the Gilman Brothers Co. to immediately close the gates of the Lake Williams Dam.

The cease-and-desist order brings to a head a more than six-year conflict over the right of the company, which owns both the dam and the water rights, to drain the lake.

The company has the right to appeal the decision within 10 days. Lawrence Gilman had no comment yesterday on the order, saying only he was preparing the company's case to bring to the attorney general's office.

The Department of Environmental Protection, which requested the order, had sent a letter to the company, requesting it close the dam gates by Oct. 23. Commissioner Stanley J. Pac said DEP engineers had spoken with engineers from the Gilman Brothers earlier and they said they were almost through with a DEP-mandated engineering study.

After the Army Corps of Engi-

neers declared the dam unsafe in 1978, the DEP ordered the Gilmans to either repair or remove the dam. Contending that repairs would be too expensive, the company elected to remove the dam. Company officials say draining the lake, which began in mid-August, is part of a study on how best to remove the dam.

The company has insisted it is complying with DEP regulations in conducting the study. It contends that while it is doing the study, the DEP cannot order it to close the gates.

Gilman said last week, "The commissioner asked us to make a study. We're in the middle of a study and now they're asking us to abort a study that they required."

But Philip W. Moreschi, of the DEP's Department of Water Resources, said the DEP believed the company had had enough time to do the study. He said the most recent order was issued to ensure that the Gilmans comply with DEP's earlier request that the company close the dam gates.

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(Continued from Page One)

He added that DEP engineers determined the drained lake water was lowering the water table and impairing private wells around the lake.

George Mitchell, president of the Lake Williams Beach Association, said the decision was "long in coming."

"I'm rather disappointed that the northern portion of the lake has been destroyed and the DEP has taken six years to do anything about it."

He said the association is sending a letter to state Sen. James J. Murphy, asking that he start a legislative investigation into DEP management and operations to determine whether sufficient statutory authority exists for the DEP to act "promptly and efficiently in situations like this."

The draining has left southeast-

ern Connecticut's fourth largest recreational lake empty. The northern portion of the lake has begun to turn to marsh, and residents fear that process will continue through out the lake, promoting snake and leech infestation.

Because the DEP estimates that nearly 1,000 lakes throughout the state are similarly owned by a group of citizens — but the dam itself is owned by a private company — the lake has received considerable attention. Lake residents say traffic outside their homes has never been so busy. They say lake residents from across the state, fearing similar action will occur on their lake, have been asking about the progress of the situation at Lake Williams.

Under a new state statute to deal with such situations, Lebanon recently established a Municipal Flood and Erosion Control Board to deal with lake problems. The board has the power of eminent domain.

The board tried to negotiate with the Gilmans about three weeks ago. The Gilmans refused, citing a suit the Lake Williams Beach Association brought against them draining the lake.

