

11/6/84
COURANT

Firm Keeps Floodgates Open Despite State Order

By LISA STENZA
Courant Staff Writer

LEBANON — The once-picturesque Williams Lake, drained in September by the owners of the lake's dam, will remain a 247-acre mud puddle despite a state order to close the floodgates so the lake will refill.

Lawrence Gilman, president of the Gilman Bros. Co., which owns the dam and the water rights, said Monday he will not comply with a state Department of Environmental Protection order to close the dam's floodgates and is proceeding with plans to remove the dam. Without the dam, the lake cannot exist.

Although the draining of the lake cut short the swimming season, lakeside residents were hoping the 120-year-old lake would be full in time for winter recreation. They say that, since the lake was drained, wells have gone dry and they fear property values have dropped.

The company drained the lake to permit engineering studies on removing the dam. In 1980, Gil-

man was ordered to repair the dam or remove it after the U.S. Army Corps of Engineers inspected it in June 1978 and concluded the dam needed repairs to meet federal safety standards.

Gilman Bros. decided this year to remove the dam. The company must submit a report to DEP by Jan. 1 describing how it will go about making the repairs or removing the dam. DEP then will hold a public hearing on the company's proposal before allowing it to proceed.

"The department feels they have had adequate time to gather the information," said Philip W. Moreschi, principal civil engineer with DEP's Water Resource Unit.

Lawrence Gilman, however, said his company is receiving conflicting orders from DEP. "The problem is, we haven't finished our planning (for removal of the dam)," he said. "As far as we're concerned, they want us to abort what we're doing for them and close the gate."

Gilman said the order was un-

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Firm Keeps Floodgates Open Despite Order

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necessary in light of the company's plans for removal of the dam, of which DEP officials have been informed. "What's the good of closing the gates if we are going to take it down?" he asked.

George Mitchell, president of the Williams Lake Beach Association, said the sight of the empty lake bed, which now contains dead fish and rotting stumps, is depressing.

"Especially now that the leaves are all falling," he said. "The leaves were blocking the view for a while."

A DEP official said nothing can be done immediately to force Gilman Bros. to allow the lake to refill. And for every week that passes, the chances of the lake refilling for the winter grow slimmer.

Moreschi said it is impossible to predict how long it will take for the lake to refill once the gates are closed, but estimated it could take from one to six months, depending on rainfall.

DEP Commissioner Stanley J. Pac requested that the cease-and-desist order be issued after he received reports that lake residents' wells were going dry because the water table was so low, Moreschi said. DEP also was concerned about silt being washed from the lake bed into connecting streams and nearby ponds.

But Gilman said he would not comply with the order, which was issued Friday and was effective immediately, because his engineers have not completed their study of the dam. He said the engineers can perform the study only when the lake is drained.

Assistant Attorney General Robert A. Whitehead said a hearing on Gilman's cease-and-desist order will be held Friday, when the company will have the opportunity to challenge it. If the hearing officer, a representative from DEP's Adjudications Department, rules that the order must be followed, DEP could take Gilman Bros. to court to force compliance.

Although the lake association had hoped to negotiate with Gilman Bros. to buy the dam or pay for the necessary repairs themselves, Mitchell said they now are at a stalemate.

Gilman Bros. will not negotiate with the association unless it withdraws a lawsuit against the company for allowing the lake to drain, Mitchell said. The lake association is not willing to drop the lawsuit, which is expected to be heard

in the state Supreme Court within two months.

"I suspect it will come down to the question, 'Does someone like Gilman have the right to destroy the lake?'" Mitchell said.

Gilman said his attorneys recommended the company not negotiate with lake owners while the lawsuit is pending. "I feel terrible about letting the water out of this lake. I love the lake much as anyone else does," he said. "But there's economics involved here. It's all a burden on us."

Williams Lake was created in 1865, when a dam was built to harness the water power for energy. In 1898, the dam was sold to Gilman Bros., which owns the Bozrah Light and Power Co. and used a hydroelectric plant to supply power to a business that makes insulation and flotation devices.

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(CONT)

acter in 1961 despite political threats. The round- night, Mrs. Hoff testified, seventy police officer

Company won't refill dam ^{Waterbury Re} 11/7/8

LEBANON (AP) — The Gilman Bros. Co. in Lebanon has refused to cooperate with a state order to close its dam's floodgates to refill Williams Lake.

The once-picturesque lake, drained in September, is now a 247-acre mud puddle. Gilman Bros. owns the dam and the water rights.

Company president Lawrence Gilman said Monday he will not comply with a state Department of Environmental Protection order to close the floodgates, and is proceeding with plans to remove the dam. Without the dam, the lake cannot exist.

Lakeside residents were hoping the 120-year-old lake would be full in time for winter recreation. They say that since the lake was drained, wells have gone dry and they fear property values have dropped.

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Gilman Bros. decided this year to remove the dam. The company must submit a report to DEP by Jan. 1 describing how it will go about making the repairs or removing the dam. The agency then will hold a public hearing on the company's proposal before allowing it to proceed.

Gilman said the order was unnecessary because of the company's plans to remove the dam. "What's the good of closing the gates if we are going to take it down?" he said.

Mathematician wins prize

ALBUQUERQUE, N.M. (AP) — Mathematician Ernest Brickell of Sandia National Laboratories in Albuquerque has won a \$1,000 prize after being first to break a complex cryptographic system known as "knapsack."

A co-developer of the code, Ralph Merkle of California, offered \$1,000 in Time magazine almost two years ago to anyone who could break the sophisticated two-key code.

Time mistakenly had reported then that an Israeli mathematician, Adi Shamir, had broken the code.

However, Merkle said Shamir's method was only partially correct and offered the money to anyone who could definitively break the code.

PURLOINED PORTRAIT

The Mona Lisa was recovered in 1913 — two years after it had been stolen from the Louvre museum in Paris.

NEW ZEALAND FACT

Abel Tasman, the Dutch navigator, discovered New Zealand in 1642.

11/7/84

JOURNAL COURIER
NEW HAVEN

Firm refuses to shut dam to let Williams Lake refill

LEBANON (AP) — The Gilman Bros. Co. in Lebanon has refused to cooperate with a state order to close its dam's floodgates so Williams Lake will refill.

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because the water table was so low. The DEP was also concerned about silt being washed from the lake bed into connecting streams and nearby ponds.

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Gilman Bros. decided this year to remove the dam. The company must submit a report to DEP by Jan. 1 describing how it will go about making the repairs or removing the dam. The DEP then will hold a public hearing on the company's proposal before allowing it to proceed.

Gilman said the DEP order was unnecessary in light of the company's plans to remove the dam.

"What's the good of closing the gates if we are going to take it down?" he said.

DEP claims Gilman Co. delaying

LEBANON — The owners of the Lake Williams Dam have failed to comply with a Department of Environmental Protection agency order to close the gates of the dam, DEP commissioner Stanley J. Pac said yesterday.

The Gilman Brothers Company denied an Associated Press report that it had not closed the gates as ordered last Friday.

"We haven't made a decision yet," Charles Gilman said. "That decision will be made by our engineer and our attorney."

But Pac said the company was "procrastinating" and "playing games with us."

The company drained the lake to permit engineering studies on removing the dam. In 1978, the Army Corps of Engineers declared the dam unsafe and concluded it needed repairs to meet federal safety standards. The DEP followed, ordering the company to repair or remove the dam. Gilman decided this year to remove it.

"He is under order to repair that dam," Pac said. "We gave them that time to make the study. He had all of September and October to do it and we believe all he is doing is procrastinating. He's belaboring it."

The company is scheduled to appear tomorrow before the DEP to show due cause why the cease and desist order should not remain in effect.

Pac said if the DEP hearing officer reaffirms the order, "then the next recourse is the courts." He said whatever tomorrow's decision, the company is still in violation of the cease and desist order and action will have to be taken against it.

Pac said he has seen nothing in writing to indicate Gilman will remove the dam. But, he said, removing the dam "seems like a horrendous solution to a problem that can be solved rather simply."

The company must submit a report to DEP by Jan. 1 describing how it will go about making the repairs or remove the dam.

11/8/84

~~CONFIDENTIAL~~

BULLETIN

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CHRONICLE

Lake Williams hearing Friday

LEBANON — The Gilman Brothers Co. of Bozrah will have the chance at a hearing Friday to contest a state order to close the gate of the Lake Williams dam.

Officials today reported the gate is still open despite the state cease and desist order issued Nov. 2. Lawrence Gilman, a spokesman for the company which owns the dam, declined to say whether his company would dispute the order at Friday's hearing.

The Lake Williams Beach Association plans to be represented at the hearing by its attorney and some association members.

The hearing will be

held at 10 a.m. in Room 567 of the state office building in Hartford.

Last week the state 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 the lake down below that level with permission from DEP, the order said.

Closing the gate of the dam would allow the 247-acre lake in southwestern Lebanon, which is now empty, to refill.

A hearing officer from the DEP's adjudications department will preside over the hearing and decide whether to uphold the

state order. If the hearing officer does uphold the order, and the Gilmans fail to comply, the DEP would have to go to court to force compliance.

DEP is already preparing documents in case the matter has to go to court, said a source.

The lake was drained earlier this fall by the Gilman Bros. Co. to allow engineers for the company to study the dam to prepare plans for its removal. The company has until Jan. 1 to submit those removal plans to DEP. At least two public hearings would have to be held on the matter. DEP must grant approval before the dam can be removed.

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CHRONICLE

the Chronicle, Wiffimantic Conn., Friday, November 9, 1984 5

DEP, lake owners and residents meet privately on gate closing

By **BILLSWEENEY**
Staff Writer

HARTFORD — State Department of Environmental Protection officials and attorneys for the Gilman Brothers Co. and the Lake Williams Beach Association met behind closed doors today to discuss the state order to close the gate of the Lake Williams dam.

The officials closeted themselves shortly after 10 a.m. today.

They were still meeting at noontime.

The hearing was called to give the Gilman Brothers Co., the dam's owners, a chance to contest a state order issued Nov. 2. The state ordered the company to close the gate of the dam, which opened about two-and-a-half months ago.

However, before the hearing convened, a DEP hearing officer

asked the attorneys and the department officials to meet among themselves to resolve the issues.

Lake Williams' residents, several of whom waited in the hearing room for a decision, reported the gate was partially closed sometime around noon Thursday.

Apparently, a branch was caught in the gate however preventing the gate from completely closing, said George Mitchell, lake association president.

Closing the gate would allow the 247-acre lake in southwestern Lebanon to refill naturally. Currently the lake is empty.

The gate was opened about two-and-a-half months ago, and the lake drained completely about one month ago.

The Gilman Brothers Co. drained the lake so engineers for the com-

pany could study the dam to prepare plans for its removal. The company is under a four-year-old DEP order to either repair or remove the dam due to its condition. The company has, at this point, chosen to remove it. It has until Jan. 1 to submit plans for the removal to DEP.

The state attorney general's office at the request of DEP issued the order to close the gate. DEP officials said the company had sufficient time to study the dam and the gate should therefore be closed allowing the lake to refill.

Officials estimated it will take anywhere from one to six months for the lake to refill.

The DEP order said the draining of the lake had caused pollution to Lake Williams and nearby Brewster Pond, destroyed fish and plants in the lake and

hurt nearby private wells. Outraged lake association members appealed to the governor's office for intervention, and the controversy prompted a site visit by DEP officials last month.

Four years ago, the DEP ordered the Gilmans to either repair or dismantle the dam creating Lake Williams, the fourth largest lake in southeastern Connecticut.

Subsequently, in June this year, the owners asked DEP for permission to drain the lake and do a study on dismantling the dam. They were given until Nov. 1 to submit detailed engineering plans showing how the removal would take place.

Later the date for submitting the engineer's report on how the dismantling would take place was extended to Jan. 1.

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CHRONICLE

Time limit put on state order to allow Lake Williams to fill

By BILL SWEENEY
Staff Writer

HARTFORD — An empty Lake Williams will be allowed to refill, but only until Jan. 15, as a result of a settlement negotiated Friday by state Department of Environmental Protection officials and attorneys for the Gilman Brothers Co.

Lake Williams residents, several of whom waited nearly five hours for a decision, were dismayed the settlement lasts only until mid-January. The lake association attorney strongly objected to the cut-off date.

"This only protects my clients until Jan. 15. Then they're in legal limbo again with no protection," said M. Hatcher Norris, who was also involved in the nearly five hours of private negotiations.

"They just opened the door wide open again for the

Gilmans," said lake association President George Mitchell.

However, Benjamin Warner, director of water resources for the DEP, said the negotiations "made a lot of progress toward the long-term problem" of whether the dam will be fixed or

taken down. Officials for the Gilman Bros. were unavailable afterwards to comment on their final plans for the dam, though the company has said it will dismantle it.

Warner conceded the Gilmans could legally drain the lake again after Jan. 15, but said his department could issue another order prohibiting a second draw-down.

The settlement was reached privately by the officials in lieu of a hearing on a state order to close the dam issued Nov. 2 to the company. The DEP wanted

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G & L CHRISTMAS BARN
46 Days 'Til Christmas OPEN SUNDAYS

Dam deadline

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Gilman Bros. to allow the lake, which at 247 acres is the fourth largest in southeastern Connecticut, to refill. The original order had no cut-off date.

DEP hearing officer Louis Miller accepted the stipulated agreement between the department and the company and revoked the original state order.

The company plans to file plans with the state in December, said its attorney, to either repair or dismantle the dam. By mid-January, public hearings should be held on the application and a decision made soon after, said Warner. Warner said a decision by DEP on final plans for the dam could be made as soon as one month after the hearings.

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COURANT

Lebanon Residents Charge State Betrayed Them on Lake Drainage

By LISA STENZA
Courant Staff Writer

The now-drained Lake Williams in Lebanon began to refill Friday, but lakeside residents say the state betrayed them because it could be dry again in a few months.

Gilman Bros. Co., which owns the dam that created the lake, agreed Friday to comply with a state Department of Environmental Protection order issued last week to close the dam's floodgates, allowing it to refill. In return, the DEP agreed to revoke the order, providing the gates remain closed until Jan. 15.

After Jan. 15, however, the company can decide to open the gates and allow the lake to empty again.

"I think the DEP has taken two steps backward now on getting the situation resolved," said George Mitchell, president of the Lake Williams Beach Association. The association has been trying unsuccessfully to buy the dam, which the DEP has ordered repaired or demolished.

"It was a big sham," Mitchell said. "It appears to me that they put out the order a week ago to look like they were getting tough . . . and then they revoke the order."

Lake residents said the agreement only postpones the ongoing dispute they have had with Gilman Bros. over the 247-acre lake. The lake was drained when the company opened the floodgates in September to do a study of the dam.

"This is six years that we have endured this," said Bernyce Brennan, a lakeside resident for 18 years. "When is it going to stop? Six years

"This is six years that we have endured this. When is it going to stop?"

Bernyce Brennan
Lakeside resident

of looking out and wondering if we are going to have any water."

Gilman Bros. has vowed to remove the dam and is proceeding with plans to do so. But first, the company must obtain DEP approval.

Ben Warner, DEP's director of water resources, said he agreed to the Jan. 15 date because officials were confident the matter would be resolved by then. After Gilman Bros. submits its plans for removal of the dam, a public hearing must be held before DEP decides whether to approve them, he said.

If proceedings take longer than Jan. 15 and Gilman Bros. opens the dam's floodgates without a good reason, Warner said, another cease-and-desist order can be issued. But Mitchell said the order would be useless because it takes the lake about a week to drain and up to six months to fill to capacity.

The agreement Friday between Gilman Bros. and the DEP officials came after a four-hour negotiating session during a hearing on the order to close the gates. The company at first refused to comply and left the

gates open. Company President Lawrence Gilman said engineers were studying how to remove the dam and could do that only when the lake was dry.

Edmund W. O'Brien, the attorney representing Gilman Bros., said the study was completed Thursday and the gates were shut that day. The lake is beginning to fill again, he said.

Half of the 12 residents who attended Friday's hearing at the DEP's Hartford offices waited four hours to hear the result of the closed negotiations, and all expressed their dismay with the outcome.

Residents say the lake is now a huge mud puddle dotted with rotted stumps and dead fish. Some residents said deer crossing the lake have gotten stuck. They added they were worried that a child wandering onto the lake bed might become trapped.

Because the water table has dropped, some residents said their wells have gone dry, and they fear all property values have dropped drastically.

Gilman Bros. will not negotiate with the lake association to sell the dam, unless it withdraws a lawsuit against the company for allowing the lake to drain, Mitchell said. The lake association is not willing to drop the suit, which is expected to be heard in the state Supreme Court within two months.

Lake Williams was created in 1865, when a dam was built to harness the water power for energy. In 1898, the dam was sold to Gilman Bros., which owns the Bozrah Light and Power Co.

Lake Williams

Down Main St.



Bulletin photo by Fran Funk

Bernyce Brennan in front of her home on the shore of Lake Williams.

Lake Williams residents yearn for a lake to enjoy

By TRACEY O'SHAUGNESSY
Bulletin Staff Writer

LEBANON — It is now the hotly debated mudpile that sits about six miles from Lebanon Center.

Lake Williams, now mired in legal and political debate, has become, these days, more a matter of concern than a matter of recreation.

And for the 120 families which live in the 79 cottages dotting southeastern Connecticut's fourth-largest recreational lake, the fight over the

draining of the lake has affected more than the lake itself.

It has affected the families' attitudes; it has affected their relationships.

"When I think of it, really," said Rose Miller, a resident of the lake, "it's more than this fight. It's really more — it's just sad that this has happened to the lake itself. It's man, really — it's man destroying the lake."

Yet this lake man is destroying also is one he created.

Originally, the 247-acre area

was an apple orchard, flooded to create a lake used for ice in the winter. Shopkeepers from Willimantic would trek down the unpaved roads, cut into the ice, and haul chunks of it back to town.

It wasn't until 1948, when the Gilman Brothers Company, owners of the dam, built the dam higher, that the lake flooded to its present size.

And in the post-war economic expansion, it wasn't long before a savvy Boston land developer

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TWELVE Sunday Bulletin, November 11, 1984

Lake

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snatched up the surrounding area and sold the land. Lots were divided up, sold out, and developed.

Mary Wilcox sits in an upright wood chair in the living room of Dorothy and Stanley Gierula on the east end of the lake. She has been here the longest, she says. She remembers the uncultivated beginnings, the unkempt wilderness that brought her and her husband here early in 1949.

"We were a handful then," she says wistfully. "It was peaceful; it was quiet. You had the lake — it was beautiful, it was country living. Now, when I take a walk at night, I have to look twice because of the cars."

As cottages sprouted up among the trees, the few residents, now beginning to develop the relationships that are still intact 30 years later, saw the need for some form of governance.

The Lake Williams Beach Association was formed in 1953, with five members. It sent representatives to Hartford to charter the small community as a municipality. The borough-like form of government endures today.

Before telephones, campaigning was done the old-fashioned way: door-to-door on foot. Residents taxed themselves to develop the area; phones were brought in,

roads were dug, streetlights were installed.

At the time, on the south corner of the lake, there stood a lodge. The Grand Lake Luxury Lodge was a chic, kosher resort that brought New Yorkers to the country, provided them with country air, country water, country ambience.

But it also provided souvenirs from home. Broadway snapped, tapped and glitzed its way across the hardwood country floors. A sightseeing boat — a sort of nautical surry with the fringe on top — was docked on the lake and carried its high-paying customers around the lake.

Lake residents who worked at Grand Lodge would take their boats to work.

While the lodge was in business, the draining of Lake Williams took place in October. Both resort customers and the burgeoning lake population took advantage of the lake outside their back door. The area was renowned for having some of the best bass fishing in Connecticut.

By Oct. 15, residents would gather by the shore, lanterns in hand, and set out in boats to all ends of the lake. Apple trees are stubborn creatures, and the stumps left from the transformation from orchard to lake remained in the lake bed. Residents tied cables to the

stumps, yanked them out, and pulled them to shore.

Dorothy Gierula remembers: "Everybody would go out and pull up the weeds and the stumps and we'd go and have a party. We'd say, 'let's have a bonfire,' and look for somebody's house and we'd burn the stumps. We looked forward to those times. We'd have a real party."

At night, when the kids were scrubbed, fed, and tucked into bed, mom and dad would light the lanterns, which then served as streetlights, and head out into the summer evening air.

They would meet other couples, walk the road, and eventually end up at somebody's house — preferably one with a piano — and spend the night in song.

"Those were the days," said Stanley (Stosh) Gierula.

In 1975, the Grand Lake Lodge was struck by fire. Restoration was quick and efficient, but the Lodge never regained its former prominence. Management changed and the lodge finally went out of business in 1977.

In 1980, the lake was drained for **Artificial-heart calls**

LOUISVILLE, Ky. (AP) — Twenty prospective artificial heart recipients have contacted Humana Heart Institute International since the hospital got federal approval to have the heart implants performed.

the first time during a recreational season.

In 1978, the Army Corps of Engineers in declared the dam unsafe and the DEP ordered the Gilman's to either repair or remove the dam. Contending that repairs would be too expensive, the company elected to remove the dam. They say the draining of the lake is part of a study on how best to remove the dam.

The state attorney general recently ordered the company to halt the drainage.

Meanwhile, the lake remains muddied, its northern portions turning to marsh.

"It's just changed your whole outlook," said Bernyce Brennan. "It's more than just frustration. It's almost agonizing. In life, most people buy a home because that's their edge against everything. I've got 24 feet of glass in my bedroom overlooking the lake — and there's no lake," she said.

"It's a mudpile. I used to watch all the wildlife — that's what drew me here, the primitive quality of

the lake. Now it's all I can do to stay here and look at it. It makes you anxious. It's a strain. I've just withdrawn from all activities because I just can't bear to look at this mess out there anymore."

Brennan says that resolution of the problem — no matter what its implications — will draw the residents back together.

"When all is settled and we have our lake back again," said Dorothy Gierula, "I just hope that we'll get back to living the way we were living before."

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DEP's Lake Williams Dam order could establish precedent in state

By TRACEY O'SHAUGHNESSY
Bulletin Staff Writer

LEBANON — An order by the Department of Environmental Protection forcing owners of the Lake Williams Dam to close the dam gates could set a precedent for dams in the state.

DEP Commissioner Stanley J. Pac said the cease and desist order marks the first time his agency ordered a private company to close the gates of that company's own dam. But the order itself will not resolve the issue. According to DEP Director of Water Resources Benjamin Warner, the problem can be solved in one of three ways:

- The state could take over the dam.
- The Lebanon Flood and Erosion Control Board could take over the dam.
- The Gilman Brothers could destroy the dam.

Warner had hoped board members, armed with the right of eminent domain, could negotiate with the Gilmans about the dam.

But the board's attempts to negotiate were thwarted when the Gilmans refused to speak to board representatives, citing a suit filed against them by the Lake Williams Beach Association. The association sued the Gilmans over the company's right to drain the lake. Both Gilman brothers have refused all comment while the matter is in litigation.

DEP then ordered the Gilman company either to destroy or repair the dam. To comply with a DEP-mandate that it supply the agency with a study on how best to repair the dam, the company has drained the lake.

State ownership, Warner contends, would mean turning the area into some form of state park.

But Clark, who favors state ownership, said he doubted the area would become a park, noting the property around the lake is owned by the surrounding residents.

The last option would be to have the Gilman company follow through with its stated intention to destroy the dam.

Of the three options, George Mitchell, president of the Lake

Association, said he prefers having the board take over the dam. But he said there is a fourth option: having the Gilmans, the state and the Lake Association work to get the dam repaired and leave the water level up.

Whatever the resolution, it will probably not come until after Jan. 1, the date the company is required to present its engineering study to the DEP.

"I'm disgusted with the whole bunch of them," Warner said. "The Gilmans and the Lake Association for not trying to settle this in an intelligent manner. It's absolutely ridiculous that they carry on in such a juvenile manner. Both sides are trying to circumvent all our practices and intentions."

A municipal flood and erosion control board has not yet taken over a dam anywhere in the state.

If the board takes the dam away from the company, it would have to pay whatever the courts decided to be the appraised value of the dam and water rights.

First Selectman Edward O. Clark noted no cost estimate has been made for either the dam or its repair. Without this, he doubted the town would take over the dam.

The Army Corps of Engineers in 1978 declared the dam unsafe. The

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THIRTY-TWO Norwich Bulletin, Wednesday, November 14, 1984 *

DEP satisfied with plans to cl

By TRACEY O'SHAUGHNESSY
Bulletin Staff Writer

LEBANON — The Department of Environmental Protection says the owners of Lake Williams Dam complied with a cease-and-desist order to close the dam gates.

The Gilman Brothers Co. agreed to keep the gates closed until Jan. 15.

Benjamin Warner, of the DEP Department of Water Resources, said because the company closed the gates last Thursday, the cease-and-desist order was revoked. He

also said the DEP would not fine the company for not complying with the order by a specified time.

"We were disposed to pressing them on the issue as to when they were to close the gates. We just wanted the gates closed."

Reversing a previous position, Warner said Gilman attorneys indicated the company would not present proposals to destroy the dam, but would instead request the dam gates be left open for an unspecified time to allow the company to repair the dam.

The company has to present the DEP with a proposal on dam modi-

fications by Jan. 1.

A hearing was called Friday so the company could present reasons why the Nov. 2 DEP cease-and-desist order was unjustified.

Last Wednesday, DEP Commissioner Stanley J. Pac said the company had not complied with the order. He reacted angrily, saying the Gilmans were "playing games with us" and "procrastinating."

Neither Pac nor Lawrence Gilman were available for comment.

The dam was declared unsafe in 1978 by the Army Corps of Engineers and in 1980 the DEP ordered

ose Lake Williams dam

the company to repair or remove the dam. The Gilman Co. has stated its intention to remove the dam, although DEP Commissioner Stanley J. Pac said last week he had seen nothing in writing to that effect.

Calling the company's decision to leave the gates open while it seeks methods to repair the dam "a concession on the Gilmans' part," Warner said it was "well worth the compromise. At least it's not a permanent destruction of the dam."

George Mitchell, president of the

Lake Williams Beach Association, said he realized dam repairs would require opening the gates and draining the lake. "I don't see any way around that," he said.

Warner said Friday's hearing was delayed five hours because the DEP's hearing officer suggested Gilman and the DEP try to negotiate a solution to the problem to avoid a possible court case.

Warner said DEP engineers have verified the company's assertion that silt is stuck in the dam gates and that the company may have to open the gates to remove the silt.

First Selectman Edward O. Clark and Mitchell questioned the reasons

for the cease and desist order. Said Mitchell, "I question why they issued the order that they did and then turn around two weeks later and revoke the order."

Mitchell said revoking the order places the company "out from under the constraints imposed" by the DEP. "The fate of the lake is pretty much in the hands of Mr. Gilman," he said. "The DEP is letting him do that."

11/14/84
BULLETIN

Board accuses beach group of interfering in dam talks

LEBANON — Members of a town board last night charged that the

Lake Williams Beach Association has blocked its negotiation efforts to solve the dam controversy.

Specifically, Flood and Erosion Control Board members pointed to the association's repeated appeals to the governor and the Department of Environmental Protection.

Gilman Brothers Co. has refused to negotiate with the board, citing a suit filed against it by the Lake Association.

Since the board appointed the negotiation committee last month, the association has appealed to the governor to resolve the case. It has also requested a legislative inquiry into the DEP's authority to act in the situation.

Board members said they were angry the association had started the action without informing the board.

Al Lopes, a member of the negotiating committee, singled out board member and association president George Mitchell for not notifying chairman Irving Kiotic of his actions. He said the failure to do so pushed Lawrence Gilman further away from negotiations.

"The man is steamed up enough," he said. "I feel hurt that you folks were out there steaming up the governor without notifying this board. You're throwing gas on the fire. This is no way to negotiate. I didn't want to be in there talking to Gilman while you were out there appealing to the governor. You made us as a fool."

Mitchell maintained the association was "a separate and distinct entity" and is entitled to act as it sees fit.

But Raymond Kanter joined in Lopes' attack, saying, "Your attorney made the remark to somebody at the DEP that he didn't think you guys would win this case. You're not helping matters, you're making them worse."

However, board member Chester Sergent expressed concern that the Gilman Brothers were using the board "as leverage to get the Lake Williams Association to drop their suit.

"As the board, we have to function separately and distinctly (from the association) And if somebody is making negotiations difficult, well then, we have to negotiate anyway."

Mitchell and the seven lake residents present said they refused to drop or postpone the suit, noting the association had spent four years and \$12,000 to continue the suit. They also said their suit was a direct result of not being able to come to a settlement with the company.

Mitchell angrily questioned whether the board would function better without the association present, saying that "most of the meetings we've had have been taken up with me being shot at and it isn't solving the problem."

He also said the Gilmans' refusal to discuss the issue while the suit is in litigation "is a bunch of bunk" because more cases are settled out of court than in court.

11/15/84

CHRONICLE

Board to lake group: cool it on the talk

LEBANON — Members of the flood and erosion control board have advised the Lake Williams Association to tone down its public efforts in the ongoing dispute with the dam's owner, prompting the president of the association, also a member of the flood panel, to accuse the board of setting a double standard that is unfair to the association.

Board chairman Sol Kiotic Wednesday charged that George Mitchell, lake association president and board member, has interfered with the board's attempts to negotiate a settlement with the Gilman Bros. Co., owners of the Lake Williams dam, by generating excessive negative publicity.

Kiotic claimed the majority of rest of the board felt the same way.

Mitchell, however, said "the board members are operating with a double standard." He claimed that while the flood board is asking the association to keep quiet about the dispute, it's not applying the same standard to the Gilman Bros., the company which has planned to dismantle the lake's dam.

"Our response is: 'Hey, what are you asking the Gilman's to do?'"

The Gilman Bros. Co., under a four-year-old state order to either repair or dismantle the dam, have apparently chosen the latter route. They have until Jan. 1 to submit final plans for the dam to the state Department of Environmental Protection. An attorney for the company told a state DEP hearing officer last week, however, that the company would submit plans in December.

Though Kiotic and Mitchell disagreed on the association's public efforts opposing the plans, they agreed that the option of dismantling the dam should be eliminated from the state order. If the option was eliminated, the company would not be able to take down the dam, leaving it with only the option of repairing the dam.

The flood board has officially urged the DEP to take the dam-removal option out of the order.

Kiotic has urged the lake association to drop its suit, now pending before the state Supreme Court, against the Gilmans. The suit seeks to establish association rights to at least a certain amount of water in lake. The company has said it will not negotiate with the flood board while the suit is going on.

Said Kiotic: "They (the association) are not willing to give us a chance to try to help them. They need the Gilmans, the Gilmans don't need them."

Mitchell, however, said the association will not drop its suit.

"You're asking us to throw out something (for which) we've worked for four years and spent \$12,000 for. But what are you asking Mr. Gilman?" asked Mitchell.

He conceded his dual role as board member and lake association president has caused tension on the flood board.

DEP determines Gilman Brothers complied with cease and desist

LEBANON — After five hours of closed-door negotiations, the Department of Environmental Protection determined the owners of the Lake Williams Dam had complied with a cease and desist order to close the gates of the dam. The Gilman Brothers Company agreed to keep the gates closed until January 15.

Benjamin Warner, of the DEP's Department of Water Resources, said because the company closed the gates last Thursday, the cease and desist order was revoked. He also said the DEP would not fine the company for failure to comply with the order by the specified time.

"We were disposed to pressing them on the issue as to when they were to close the gates. We just wanted the gates closed."

In a reversal of a previous position, Warner said Gilman attorneys indicated the company would not present proposals to destroy the dam, but would instead request the dam gates be left open for an unspecified time to allow the company to repair the dam.

The company has to present the DEP with a proposal on dam modifications by January 1.

Friday's hearing was called so the company could present reasons why the November 2

DEP cease and desist order was unjustified.

Last Wednesday, DEP Commissioner Stanley J. Pac said the company had not complied with the order. He reacted angrily to the defiance of the order, saying the Gilmans were "playing games with us" and "procrastinating."

Neither Pac nor Lawrence Gilman were available for comment.

The dam was declared unsafe in 1978 by the Army Corps of Engineers and in 1980 the DEP ordered the company to repair or remove the dam. The Gilman Company has stated its intention to remove the dam, although DEP Commissioner Stanley J. Pac said last week he had seen nothing in writing to affirm this intention.

Calling the company's decision to leave the gates open while it seeks out methods to repair the dam "a concession on the Gilman's part," Warner said it was "well worth the compromise. At least it's not a permanent destruction of the dam."

George Mitchell, president of the Lake Williams Beach Association, said he was not aware of the position reversal. He said he realized dam repairs would require opening the gates and draining the lake. "I don't see any way around that," he said.

Please see page 11/DAM

Community Bulletin
11/21/84

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Lebanon board to attend DEP hearing on dam

LEBANON — The Flood and Erosion Control Board voted last night to send representatives to a Department of Environmental Protection hearing involving the Lake Williams Dam.

The Gilman Brothers Company, owners of the dam, will be presenting state-mandated dam modification proposals to the DEP Jan. 1. The board voted to obtain a copy of the company's proposal and to discuss it at a special meeting, if necessary.

The company drained the lake in late August to permit engineering studies on removing the dam. The Army Corps of Engineers declared the dam unsafe in 1978 and concluded it needed repairs to meet federal safety standards. The DEP followed, ordering the company to repair or remove the dam. Gilman decided this year to remove it, although no formal proposal has been sent to the DEP confirming this intention.

The board also voted to contact an attorney from the company to negotiate the controversy over draining the lake. The Lake Williams Beach Association has filed suit against the company over the company's right to drain the lake. Negotiations have been stalled because the Gilmans refuse to talk about the issue while it is in litigation.

The board voted to have Clark contact association secretary Nancy Mitchell to set up a meeting with the board.

ProQuest

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12-12-84 Norwich
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Bulletin

Assistance on dam promised

By ANDREW LIDDELL
Staff Writer

LEBANON - Citing the economic and environmental benefits afforded by the Lake Williams dam, the two state legislators who represent the town Monday promised to do what they can to save it.

State Representative Edith Prague (D-Eighth District) and state Senator Eric Benson (R-19th District) told the Board of Selectmen they will work both with the state legislature and the commissioner's office at the state Department of Environmental Protection in their efforts to save the dam.

The two legislators also promised to attend a DEP public hearing on the dam scheduled for January 15.

"We can't let them (the Gilman Brothers Company) breach that dam," Prague said. "Eric and I will work with legislators and the (DEP) commissioner's office to do everything we can to keep that from happening," Prague said.

Benson said his presence at the January 15 public hearing is crucial because he is chairman of the Senate Environment Committee.

The selectmen also criticized the state Department of Environmental Protection for allowing the situation with the dam to go on for six years while doing little to get the matter resolved or prevent the destruction of the 264-acre lake in southwestern Lebanon.

"We're asking you do what you can to cut through all this red tape," selectman Rob-

ert Leone told the legislators.

Four years ago, the DEP ordered the Gilman Brothers Company, owners of the dam, to either repair or dismantle the dam due to its deteriorating condition.

The dam gate was opened about three-and-half months ago, and the lake

drained completely six weeks later, leaving behind a lake bed of dead fish and mud.

The Gilman Brothers Co. drained the lake so company engineers could study the dam to prepare plans for its removal.

But the company closed the dam gate in November in compliance with an order by the state Attorney General's office.

The order was issued at the request of Stanley Pac, the state Commissioner of Environmental Protection who had conducted an onsite inspection of Lake Williams in October.

The company was ordered to keep the gate closed until January 15, the date of the upcoming public hearing on the Gilmans' application to remove the dam.

The town established a Flood and Erosion Control Board in July which could, with town approval, take over the Gilman dam by eminent domain. The town would have to pay the company fair market value for the property and would then have the option of refilling the lake.

However, First Selectman Edward Clark said Monday he anticipated town-wide resistance to purchasing the dam if such a take-over is recommended by the control board.

12/13/84
Chronicle

1/5/85
Courant

Owners of Dam Propose Drain

By LISA STENZA
Courant Staff Writer

LEBANON — Owners of the dam at Lake Williams, who are under state orders to repair or remove the structure, want to leave the floodgates open year-round and drain the 247-acre lake.

Wes Marsh, field inspector with the state Department of Environmental Protection's Water Resources Unit, said Friday that DEP officials are studying the proposal made by Gilman Bros. Co., which has owned the dam for almost a century.

A hearing on the proposal is scheduled Jan. 22 at 10 a.m. in the State Office Building, Marsh said.

"It's a totally irresponsible act," said George Mitchell, president of the Lake Williams Beach Association. "If the proposal is implemented, it would destroy one of the largest recreational lakes in southeastern Connecticut."

The DEP, at the request of the town's Flood and Erosion Control Board, is studying alternatives to the floodgate plan, Marsh said. Town officials established the board in September to study the dam situation.

Marsh said he expects the results of the DEP's study to be presented to Gilman at the hearing. "We hope to work with the Flood and Erosion

Control Board to come up with an alternative that is acceptable," he said.

Marsh said Gilman has proposed building a small dam upstream to control silt erosion and act as a flood control.

The prospect of losing the picturesque, 120-year-old lake infuriates lake residents, who last fall watched it become a huge mud puddle when Gilman drained it to study the dam. The lake bed was dotted with rotted stumps and dead fish, they said, and animals got stuck in the mud.

Residents also complained that draining the lake caused the water table to drop and made nearby wells go dry. They fear that property val-

ing Lake Williams

ues have dropped drastically as a result.

Residents' complaints prompted DEP Commissioner Stanley J. Pac to visit the site in October. He told residents that any demolition proposal concerning the dam would need his approval.

In November, the DEP ordered Gilman to allow the lake to refill. The company first refused, but then agreed to comply, although only until Jan. 15. The water level still is about 4 feet below capacity, Mitchell said, and a large portion of the lake's northern end, which normally is about 5 feet deep, now contains less than a foot of water.

A June 1978 inspection by the U.S.

Army Corps of Engineers concluded the dam needed repairs to meet federal safety standards. In 1980, Gilman was ordered to repair the dam or remove it.

This year Gilman decided to remove the dam, saying that the cost of repairs played a role in the decision.

In an attempt to save the lake, the Williams Lake Beach Association filed an unsuccessful lawsuit. An appeal will be heard Jan. 17 in the state Supreme Court, Mitchell said.

Gilman will not negotiate unless the lawsuit is withdrawn. The lake association is not willing to withdraw it because, if negotiations fail, it would have to begin the lengthy court process again.

1/9/85

BULLETIN

Lebanon board studies Lake Williams options

LEBANON — The Flood and Erosion Control Board last night discussed its options to deal with the problems at Lake Williams dam, including the possibility of having the state take over the dam.

Faced with the Gilman Brothers Company's recent proposal to keep the dam gates open year-round, thus destroying the lake, the board also suggested seeking opinions of lake residents.

"All board members should come up with a list of options the board can exercise with respect to the lake," board alternate David Day suggested. "Let's be prepared to set out our options, whatever they may be."

Because the Army Corps of Engineers declared the dam unsafe in 1978, the Department of Environmental Protection ordered the company to repair or remove the dam. A dam modification proposal was submitted to the DEP last week, outlining how the company plans to correct the dam's current problems.

Leaving the dam gates open, as the proposal suggested, would destroy the lake, but would still provide flood protection required

by the Army Corps of Engineers' report.

Presented with that option, board Chairman Irving Kiotic suggested state ownership, an opinion shared by First Selectman Edward O. Clark.

But DEP Director of Water Resources Benjamin Warner has discouraged state-ownership of the dam, saying the area would be turned into some form of a state park and lake residents would lose control over it.

Other options discussed in the meeting included renting the dam from the company, assuming the lake by the board's power of eminent domain, or negotiating an agreement by which the company would keep the lake at a suitable recreational level. Such an agreement existed when the Grand Lake Lodge operated on the lake's shores more than 40 years ago.

George Mitchell, president of the Lake Williams Beach Association, said prior to his tenure as president, the company had asked for \$10,000 a year to keep the lake at a suitable level. Kiotic dismissed the sum as too expensive.