



November 6, 2023

James L. Bentley
33 Marcy Road
Woodstock, CT 06281

Re: Lake View Drive Dam, ID#: TBD
Hazard Class: TBD [Low/Moderate/Significant/High Hazard Potential Dam]
Municipality: Woodstock

Dear Mr. Bentley:

According to property research conducted by the Department of Energy and Environmental Protection (DEEP), you are the owner or one of the owners of Lake View Drive Dam, (DEEP ID# TBD). The State of Connecticut Regulation Section 22a-409-1 requires dam owners to register their dam with DEEP. According to DEEP records, as of the date on this letter, your dam is not registered with DEEP. Therefore, complete and submit the form enclosed entitled "Dam Registration Form" according to its instructions.

If you are not a current owner or have sold the property, please contact us at the phone number or email address listed below. Persons selling land containing a dam are required by law to notify the Commissioner of DEEP of the sale.

If you have any questions regarding this matter please call DEEP's Dam Safety Program at 860-424-3706 or email DEEP.DamSafety@ct.gov. Additionally, please refer to www.ct.gov/deep/dams for more information on DEEP's Dam Safety Program.

Sincerely,

Daniel Lesniewski

Daniel Lesniewski
Civil Engineer II
Dam Safety Program
Water Planning & Management Division

Enclosure-Dam Registration Form



James L. Bentley
33 Marcy Road
Woodstock, CT 06281

Re: Request for Completion of Engineering & Maintenance Work
Lake View Drive Dam, ID#: 169XX
Hazard Class: BB [Moderate Hazard Potential Dam]
Registration#: N/A
Municipality: Woodstock

Dear Mr. Bentley:

According to property research conducted by the Department of Energy and Environmental Protection (DEEP), you are the owner or one of the owners of Lake View Drive Dam, (DEEP ID# 169XX). Lake View Drive Dam was inspected by a professional engineer on February 17, 2022 and then again on March 16, 2023 to address a drainage issue in the vicinity of 16 to 32 Lake View Drive. A letter was sent to the Lake Bungee Tax District after each inspection detailing the condition of the dam. These letters were submitted to the DEEP Dam Safety Program on October 19, 2023. The DEEP Dam Safety Program has reviewed the letters.

The letter following the February 17, 2022 inspection laid out observations with respect to drainage problems and embankment stability issues, and subsequently made a recommendation for alleviating these issues. The letter following the March 16, 2023 inspection noted that the drainage and embankment stability issues in the vicinity of 16 to 32 Lake View Drive had not only remained unchanged, but appeared to have become worse. Based on the information laid out in the letters, DEEP has determined that Lake View Drive Dam is in Poor overall condition.

The completion of the following investigations and repairs are necessary to ensure the dam is stable and capable of safely discharging the spillway design flood. You must hire a professional engineer experienced in dam safety to help you address the following items:

1. Lake View Drive Dam needs to be either removed or properly designed and permitted through DEEP.
2. If the pond atop the embankment is to remain, the design must comprise of detailed drainage improvements and installation of a proper drainage system.
3. As part of the above-mentioned design, a proper topographic survey and delineation and assessment of wetlands on-site will be required.

The items listed above require authorization under DEEP's Dam Safety permitting process, unless noted otherwise. There are two types of Dam Safety permits available: individual and general. Information on Dam Safety permits is available on the DEEP Dam Permitting webpage:
<https://portal.ct.gov/DEEP/Water/Dams/Dam-Permitting>

DEEP has also recommended that the hazard classification of the dam be "BB", moderate hazard potential. Moderate hazard class dams are required to have regulatory inspections performed every seven years.

ADDITIONAL ITEMS:

1. Dam Registration: According to DEEP Dam Safety records, your dam is not registered. A Registration Request Letter (enclosed) was sent out on November 6, 2023 along with a blank dam registration form. As of the date of this letter, DEEP has not received a completed registration form for this dam. Therefore, please complete the enclosed dam registration form for your dam and submit it with the fee to the CT DEEP Central Permit Processing Unit.

The Dam Safety Regulation requires you as the owner of a moderate hazard class (Class "BB") dam to informally inspect your dam minimally once per year and maintain a record of the inspections. Frequent inspections will allow you to identify potential problems and schedule maintenance work. You should also examine your dam after all major weather events to assure no unsafe conditions are developing. You are required to report any major changes found during your inspection to the Dam Safety Program immediately.

The Dam Safety Program must be notified of your proposed schedule to undertake the investigations, repairs and maintenance within 30 days of receipt of this letter. You may email the proposed schedule to us at DEEP.Damsafety@ct.gov and may contact me at (860) 424-3706 to answer any questions you may have regarding this matter.

Sincerely,

Date: December 13, 2023

Anna Laskin

Anna Laskin, Supervising Civil Engineer
Dam Safety Program
Water Planning and Management Division

Enclosures [Registration Request Letter & Blank Registration Form]

cc: Town of Woodstock

- John V. Swan, Jr., First Selectman, 415 Route 169 Woodstock, CT 06281, firstselectman@woodstockct.gov
- Dan Malo, Wetlands Agent, Inland Wetland and Watercourses Agency, 415 Route 169 Woodstock, CT 06281, buildingclerk@woodstockct.gov

Edward Adams, President, Lake Bungee Tax District, 46 Lake View Drive Woodstock, CT 06281
president@lakebungee.org

LAW OFFICE OF BRIAN S. MEAD
P.O. BOX 508, 148 OLD TURNPIKE ROAD
QUINEBAUG, CT 06262

TELEPHONE: (860) 935-9211
FAX: (860) 935-5176

Brian S. Mead *
attymead@gmail.com
* ALSO MEMBER OF MASSACHUSETTS BAR

Curran R. Mead
curran.r.mead@gmail.com

February 28, 2024

Darren & Diana Weldon
28 Lake View Drive
Woodstock, CT 06281

RE: 28 Lake View Drive

Dear Mr. & Mrs. Weldon:

My office represents James Bentley, who owns property across from you on the other side of Lake View Drive. Currently, Mr. Bentley is facing pressure from the Bungee Tax District regarding the state of the swale he has built along the roadside edge of a pond on his property and the drainage he has in place which currently prevents water that is being run onto his property from the town of Woodstock from running across Lake View Drive and onto your property.

It appears that Bungee Tax District has been actively involved with the Connecticut DEEP advocating for their intercession, without any consideration as to the effects of their actions on both yourselves and Mr. Bentley. When Mr. Bentley commenced activities in the vicinity of his pond, he built the swale in an effort to preclude water damage to your property,

At this time, the CT DEEP has informed Mr. Bentley that the swale he has built is being categorized as a dam, and they have given him the option to either register it with the state and comply with extensive state regulations which is extremely cost prohibitive, or remove it. Based upon Mr Bentley's observations over the past few years, it would appear if he removes this swale that excess water from the town will likely run across the road and onto your property. As your neighbor, he wanted to put you on notice that there is a likelihood that damage will occur to your property as a result and give you the opportunity to prepare and or to discuss what solutions are available. If you or your attorney would like to discuss the matter, please do not hesitate to contact my office with any questions or concerns.

I am very truly yours,



Curran R. Mead, Esq.