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Calais dam solution a struggle

Aug 29, 2003

By Patrick Joy TIMES ARGUS STAFF CALAIS □ Maple Corner resident Bill Powell is keeping one eye on the sky and the other on the Curtis Pond dam these days. □We□re darn lucky we haven□t had 36 hours of torrential rain,□ he said of the aging and decrepit stone dam. □That□s about all it would take.□ Powell, along with other concerned residents who live around the village, is scrambling to find a solution to fixing the dam, which threatens roads, homes and businesses below it and, according to Powell, the property values of residents on the pond. If the dam broke, or the state was forced to draw down the pond to prevent silt failure, he says owners of prime waterfront real estate could soon be looking out over a mudflat. Powell serves on the recently formed Curtis Pond Fire District Committee, which is working on a proposal the group hopes to place before the town selectboard in late September. The plan is to create a fire district □ a form of municipal organization □ around the pond, and everyone included in that district would be responsible for funding repairs to the dam. The annual cost could range from \$30 to over \$300 a year, depending on the financing arrangement of any loans. According to Powell and the committee, a breach of the dam would immediately threaten more than 25 homes and businesses in Maple Corner, Worcester Road, Kent Road and a Washington Electric Co-op substation. Agency of Natural Resources dam safety engineer Bob Finucane has said the dam is bordering on □imminent hazard□ status. If the dam reaches that hazard level, the state would be forced to draw down the pond several feet to relieve pressure. The failing dam has been vexing local officials for years, as has the issue of who owns the dam, a question which was only answered earlier this summer. An exhaustive title and deed search by the state fingered Calais resident Candace Beardsley and her husband Jeff Fothergill as the owners. But without the means to fund repairs, the couple □disowned□ the dam, sending it back up the ownership river to Beardsley□s father. He too, is likely to legally disown the dam, leaving the hand-laid stone structure in legal

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September 12, 2003

Sep 12, 2003

Dam is town's responsibility There isn't any question as to the economic liability for the Curtis Pond dam. It is the town of Calais, plain and simple! The town of Calais collects taxes from the camps and residences on Curtis Pond. There is substantial annual revenue from the taxes on these properties. Also, as there are very few year-round residents on the pond, it's been take the money and run. There are no town services provided to the seasonal residences. As the town of Calais is more than happy to include these properties when figuring its grand list, the town needs to step up and assume the costs associated with these properties: Costs that shouldn't be borne by an individual or group of individuals, but by the town as a whole. The town maintains a public beach for swimming on Curtis Pond, and there is a boat landing for public use. Probably most of the town's population has been swimming or canoeing on Curtis Pond. Curtis Pond is a town resource. Now, at the first sign that money may need to be reinvested back into one of the town's resources, the dam suddenly becomes the responsibility of a single family, the camp owners, or a newly created fire district. But we're not sure if this district would be a one-, two- or three-mile radius district, because we have to check on the political ramifications. If we can keep the cost to 20 percent of the town's property owners (especially when 70 percent of those are non-residents), and keep the rest of the taxpayers happy, that would seem to be the way to go. Sounds like England's mentality; all you want is the tax revenue! I hope this is the minority of Calais residents we are hearing, and not the overall town view. I would like to think the overall population of the town is a little more responsible than that. When you take into account the properties on Curtis Pond, Greenwood Lake, Nelson Pond, Mirror Lake, Bliss pond, etc., the town of Calais has made out quite well. If the town of Calais isn't willing to take responsibility for maintenance items that should fall under its jurisdiction, perhaps the property owners on all these bodies of water should form a district, secede from the town of Calais, and join up with the town of Worcester or East Montpelier. I'm sure either of those towns would love to have the revenue generated from these properties, even if it meant reinvesting \$300,000 to repair the dam. While the current problem is limited to Curtis Pond, property owners on the other lakes and ponds should follow the town decisions closely, because your fate would or will be the same in similar circumstances. It would be nice to see the town of Calais get over its divisions and squabbling and start addressing issues as a town! Acknowledge this as a town responsibility and get the state representatives busy working with the state on financial aid. The benefits of addressing this issue as a town certainly outweigh the costs. Is it just me, or were engineers and workers that much more intelligent and efficient 100 years ago? We are talking about a small dam made from a stone wall, (probably no engineer involved). If the current dam has been able to stand up for the 100-plus years or so that it has been there, and was put up by a family, then it shouldn't be that difficult

for a town to do the same. How about we just form up behind the existing wall, put in some re-bar and pour some concrete? Nah, that sounds too easy. We better do a 10-year study, drain the pond, do an archeological dig and soil sampling, and rebuild the existing dam for historical value. Bruce Watson East Montpelier News brief was incorrect I'm disappointed in your reporting. The way you re-wrote the information provided you made your article incorrect and totally disregarded the real hero of the story. Mrs. Kozlouskya was found by Park Ranger Peter Berger (Groton rescue.) The Vermont State Police and search dog Max arrived on the scene an hour later and helped Ranger Berger bring her down the mountain. I see you mention the name of a park ranger when they do something wrong. I guess bad sells better than good??!! Jim Dresser Groton Polluters getting off scot-free I It's beginning to look a little like Christmas. I'm not talking about late summer temperatures; I mean the Bush administration's rollback of our clean air protections after 33 years of the Clean Air Act. Think of it as an early Christmas for polluters. Actually, the utility industry paid handsomely for its gift. Between 2001-02, the very companies charged with violating the law the EPA recently gutted gave more than \$6 million in campaign contributions. Under the now-weakened enforcement rules, the nation's oldest and dirtiest power plants can be given a lifetime license to pollute. Polluters like Ohio Edison, which just a few weeks ago was convicted of violating the Clean Air Act, will get off scot-free. Why should Vermont care if Ohio companies get away with breaking a few laws? We care because we are downwind, and while the money and jobs that industry provides will not help furloughed IBM employees, its pollution will sicken our children, poison our lakes and streams and hasten global warming. Many of our political leaders, including Sen. James Jeffords and especially Gov. James Douglas, are to be commended for their strong opposition to this dirty air plan. Their leadership may help to slow the wave of environmental rollbacks that have come out of this White House. But strong opposition to the White House's plan will not clear the air, and we need our leaders to go a step farther, to support innovative solutions that encourage investment in clean energy sources like wind, solar and biomass. Andrew Hudson VPIRG Field Coordinator Montpelier Intersection is a hazard There is a big problem at the intersection of Route 2 and Route 14 in East Montpelier. I am spending 10 and 15 minutes sitting there in a long line. The problem is going west on Route 2 trying to get on route 2/14. If I have any appointments I have to build in 15 minutes of waiting time in East Montpelier. I know the state has a wonderful plan of new roads to be built in two or three or more years. Maybe they could save some money and help the traveling public by putting a traffic light in the intersection - now. Sylvia J. Dole Plainfield State should invest in higher ed Suggesting that college costs in California can somehow be compared to Vermont and that California college systems "have deteriorated" with budget cuts that took affect this month (Times Argus Editorial, "A positive spirit," Sept. 6) misleads and frankly verges on the ludicrous. Yes, California college costs like ours went up this fall, but as of spring semester this year, a full course schedule was \$880 in California state college system (all tuition and all fees) compared to \$3,000-plus here. California community colleges costs for a full schedule, tuition and fees, this spring amounted to \$181, less than a single course in the Vermont community college system. Even more important, California allows any out-of-state student to establish residency in one year while taking courses at a community

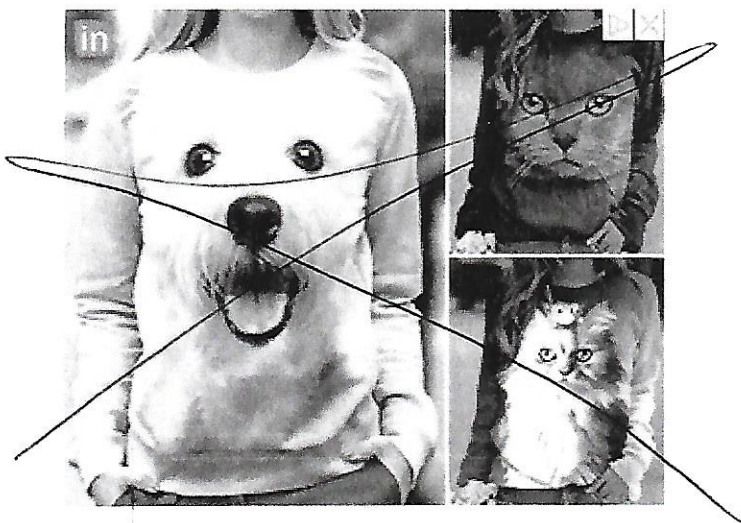
college, then qualify for in-state resident tuition. Probably the only way an out-of-state student could qualify for Vermont's \$3,000-plus in-state tuition is by proving they are a direct descendent of Ira Allen, the father of UVM. We need to re-think education costs and structure at the college level in Vermont, including shifting at least one of our three state colleges to technical education aimed specifically at serving industry and commerce. Meanwhile, having the highest tuition for state colleges (a strange situation shared by other New England states) while incomes are near national averages certainly brings into question the commitment of the state to providing educational opportunity to meet the challenges of a globally driven economy. Tony Redington Montpelier

<https://www.timesargus.com/articles/town-hears-report-on-dam-condition/>

Town hears report on dam condition

Nov 25, 2003

By Sky Barsch TIMES ARGUS STAFF CALAIS - Building a new structure to remedy the ailing Curtis Pond Dam could cost some \$175,000, an engineering firm told the selectboard this week. DuBois & King, a Randolph-based engineering firm, gave the board and roughly 30 townspeople an update on the study of the historic dam at a Monday meeting. The firm is assessing the condition of the dam, researching alternative plans and developing an emergency warning plan in case the dam fails. Using state data, the firm determined that if the dam should fail during a 100-year flood, the river would flow at a rate of 2,200 cubic feet per second. The river flows at 150 cubic feet per second under normal conditions. Though the report was not final, DuBois & King representatives said building a dam upstream from the Curtis Pond Dam is an option that would take the strain off of the aging dam. Workers would have to draw down Curtis Pond or put a portable dam in during the construction phase. A final report, including a complete emergency action plan, is expected out in December. An ad-hoc group, Concerned Citizens for Repairing Curtis Pond Dam, hired the engineering firm with state grants. Selectboard Chairman Bob Withey said the board is awaiting all of the available information on the dam before making a decision on a solution. In other news, the selectboard voted 4-1 to put \$3,025 of conservation funds towards the \$11,000 it will cost to enroll a 100-acre Collar Hill Road parcel in the Calais Conservation Fund. The opposing selectman was Paul Hannan. The remainder of the \$11,000 will come from the Stowe-based Freeman Foundation and Rosemary Wheelock, who owns the property. Withey said the parcel was a good fit for the conservation fund because it abuts the scenic Cherington property. Additionally, construction is underway on the new town offices in Gospel Hollow. Concrete will be poured early next week and carpentry will begin in two weeks. Contact Sky Barsch at sky.barsch@timesargus.com or 479-0191, ext. 1153.



<https://www.timesargus.com/articles/calais-officials-urged-to-repair-curtis-pond-dam/>

Calais officials urged to repair Curtis Pond dam

Mar 3, 2004

By Andrew Nemethy TIMES ARGUS STAFF The town of Calais has a big dam problem, residents were told Tuesday at town meeting. The failing Curtis Pond dam in Maple Corner was not on the town meeting agenda, but it came up anyway. The discussion was spurred by the release of a new engineering study that detailed the wide swath of destruction that could occur should the old stone dam fail. It already leaks copiously. The report by Dubois & King of Randolph spelled out the dire potential of the dam's failure, including a map showing that a sudden water release would wipe out a corridor from the hamlet of Maple Corner through historic Kents Corner. According to town resident Bill Powell, who has been spearheading an effort to study ways to address the dam problem, some \$5 million worth of property is in harm's way, including a Washington Electric Co-op power substation and several key roads. Powell said the dam is considered one notch below "imminent danger" of failure under state classifications, and it could go at any time, though just when that might happen engineers can't say. Complex issues of liability and insurance would batter the town and residents, though, in the event of a failure. "It would be a calamitous event if it happens," Powell said. "Every springtime runoff we go through puts us more at risk," he said. Powell said the engineering report detailed a \$200,000 plan to put in a concrete dam behind the scenic stone spillway, leaving it intact while stabilizing the dam. Numerous residents urged the selectboard to look into a repair plan, even though ownership of the dam is unclear. Jeff Fothergill and Candace Beardsley, who discovered after a lengthy title search last year that they were the owners, have disclaimed ownership. According to a recent report to the town by lawyer Paul Giuliani, the dam's eventual owner may end up being the local school. But resident Chris Miller, who lives on the pond in Maple Corner, said for all practical purposes it is a town-run and -promoted pond. The town swimming program is run there and it is widely used by local residents for fishing and recreation. He said any repair proposals that envision a small number of families and lakeside camp owners paying for the replacement ignores "the public nature of this pond." "If this was a private place, that would make sense," he said. "Curtis Pond is very much a societal benefit to the town of Calais," agreed Warner Shedd, arguing that privatizing the repair responsibility is unfair. Jack Russell said he saw the consequences when a similar dam gave out on Sunset Lake in Brookfield, harming recreation and closing the town's famous floating bridge. He said the ownership questions were a red herring. "It's nice to figure out who owns it, but it's almost irrelevant," he said, urging the selectboard to step up and promote a repair plan that the town could embrace. "We're all in this together," he said. Others noted that should the dam fail, liability may fall to the town anyway, because it has deeper pockets and would be a likely target of lawsuits. Resident Lewis Franco, who lives in the downstream path in Maple Corner, argued the swamp and mud flats that would be left behind in a failure

would lower property values and leave the town open to possible law suits if it didn't act. John Rosenblum explained that if the state puts the dam into the highest category for risk for failure, it could order it taken down and then look for someone to pay. A similar situation cost another town \$45,000, he said. However, others remained cautious, if sympathetic, with residents' concerns on the issue. Barry Bernstein said Calais should take a more systematic approach and look at all the dams in the town. He urged a full and civil debate on the issue, noting it might cost the town a lot of money. Engineer Rick DeWolfe added there is no way engineers can predict when the dam might fail, because so-called 50- or 100-year floods that could cause a failure can be very localized due to the varying severity of the weather in Vermont. Selectboard Chairman Bob Withey said the board is looking at the issue and considering when to present a proposal to voters. Powell said "municipalizing" the dam to pay for the estimated \$200,000 repair cost would come to around \$15 a year per resident if bonded, or about a nickel a day. That seemed small potatoes to many at Tuesday's meeting, considering the alternatives and the need to act. Residents David Healy said, "I'd like the selectboard to be proactive on this and move forward." A discussion of the dam issue is scheduled for the next selectboard meeting on March 8.



<https://www.timesargus.com/articles/dam-codes-in-calais/>

Dam codes in Calais

Mar 10, 2004

By Sky Barsch TIMES ARGUS STAFF CALAIS - Homeland Security Secretary Tom Ridge isn't the only one with a color-coded warning system. The townspeople of Maple Corner now have their own elevated alert level: yellow for when the Curtis Pond Dam threatens to collapse and red for when it is collapsing. The color cues are part of an emergency evacuation plan designed to notify neighbors in the case the failing structure collapses, to allow those down the hill from Curtis Pond to head for higher ground. Though the stone outlet dam on Curtis Pond, which is a key community recreation resource for the hamlet of Maple Corner, is showing signs of deterioration, town Emergency Coordinator Toby Talbot said he "doesn't see anyone getting trapped in a situation they can't escape." Talbot discussed the plan with the selectboard Monday night. "It's not as if water would be rushing down towards the valley," Talbot said. A group of residents concerned with the dam's stability has been working with the DuBois & King engineering firm of Randolph to assess the situation. Spurred by the potential of a flood, the dam group and the firm have collaborated to create a 21-page action plan that includes calling for a dam monitor, yearly expert inspections and a phone tree. DuBois & King has also recommended a \$200,000 construction plan to stabilize the stone structure and build a concrete cofferdam behind it. The dam monitor would be a position assigned by the dam owner, but since ownership is unclear, the town may appoint a dam monitor. Should the dam reach code red conditions, the monitor would call 911, the Calais road commissioner, the emergency management coordinator and nearby residents. Others on the phone tree include schools, local emergency services and the state officials who oversee dams. Residents have been lobbying the selectboard for the town to acquire the dam, to divide repair costs among taxpayers and to enable repair costs to be eligible for certain grants. The town is creating a five-member "Task Force on Calais Dams" and is seeking members. Ideally one member would be an attorney and one have a "healthy degree of skepticism regarding town ownership of and town-wide financial commitment to dam repair," according to a proposal from Selectman Paul Hannan. Other dams in the state, including a timber crib dam in Warren, face similar problems.

<https://www.timesargus.com/articles/calais-needs-to-do-the-right-thing-on-dam-repair/>

Calais needs to do the right thing on dam repair

By J.C. Myers

Feb 16, 2005

last spring, I was appointed with others to a task force charged with making recommendations about what policy the town of Calais should develop to deal with its dams, most urgently Curtis Pond dam, which has been failing. The good news is that the task force will recommend that the dam on Curtis Pond be repaired, and that the town should seek not to let the pond empty its millions of gallons through catastrophic failure nor seep away, leaving a mud hole where this jewel of a pond once was. The bad news, from my point of view as the lone dissenter, is that the task force will also recommend that the repair and maintenance of the dam be paid for by creating a special assessment district of shoreline property owners around Curtis Pond, and creating a formula whereby these property owners would pay 50 to 90 percent of the cost of the repair, while the rest of the taxpayers in town make up the remainder. This means that for a repair cost of \$175,588 (one repair estimate), if the shoreline owners pay 80 percent and the town pays 20 percent, then for \$100,000 of property value the shoreline owner pays annually for 20 years \$169.98, and the rest of Calais residents pay annually \$2.65 apiece. If no special assessment district is formed, Calais property tax payers all pay annually \$13.25 each (the cost of a movie and popcorn). Curtis Pond is accessible to all Calais residents (as well as others), and is heavily used year-round by fisherman, swimmers, boaters, skaters, snowmobilers, etc. It has a public swim area (with public swim lessons), a public boat access, and 7.4 percent of the shoreline is actually owned by the town. Anyone can canoe right up to any of the shoreline houses. Because of all this public access, we the public should repair the dam, and we should not act as though the looming failure of the dam is more the problem of the shoreline property owners than it is our collective problem. The argument for the special assessment district goes something like this: "Since shoreline property owners have deeded access to the pond that the rest of us don't have, they have a larger vested interest in the pond, and should pay more for its preservation." I think the problem with this logic is that these property owners already pay taxes based on the value of their property, which is enhanced by their proximity to the pond. The fact remains that anyone can swim, skate or boat right up to their property line. The pond itself is a public resource. If you need convincing just go see the weekend crowds. What kind of precedent would we be setting? If the grand trees of Hubbard Park should be damaged in a wind storm, should the owners of adjoining property be marshaled into a special tax district to pay for clean-up, since they have "special access" to the park? If vandals should burn down the dugouts at the Calais recreation field, should close neighbors bear a lion's

share of the repair costs? Why should people without kids pay for the schools? Hurray! Let's fix the dam on this lovely pond. But let's also do the right thing and not burden our neighbors to keep what so many of us enjoy, especially when the collective burden is relatively light. J.C. Myers is a resident of Maple Corner.