

Cedar Meadow Lake Watershed District

CEDAR MEADOW LAKE

2008 - 2009

ACTION PLAN

Cedar Meadow Lake Watershed District

CEDAR MEADOW LAKE

2008 - 2009
ACTION PLAN

CURRENT SITUATION

May 2008

As a result of new State dam safety regulations, the District was ordered to have a visual dam inspection performed by a qualified engineering firm. Such inspection was performed by the engineering firm of Fuss and O'Neill in October 2007. They issued their final report to the District and to the Office of Dam Safety in February. The report concluded that the dam was only in "Fair" condition due to the growth of large trees within close proximity to the toe of the dam and to significant water seepage through the dam. This seepage is estimated to be between 30 and 50 gallon per minute and is causing erosion. Elected District officials first noted this seepage for the first time just prior to the inspection.

Fuss and O'Neill, the Office of Dam Safety, and the District are all concerned that trees located close to the toe of the dam could be uprooted under high wind conditions and damage the integrity of the dam. The land below and to the south of the dam is owned by Raymond Shea. Mr. Shea has refused numerous requests for permission to enter his property to remove these trees. A public safety related solution to this dilemma was explored previously without success.

The dam inspection reported other areas of deficiency which have since been corrected. These included repairs to a breach in the security fencing, cutting small trees and brush growing from the dam and on the crest, the replacement of several capstones on the crest of the dam, filling small sinkholes on the crest, developing an operations and maintenance manual and updating the District's emergency action plan.

The proliferation of nuisance aquatic vegetation continues to be a problem in the lake. The lake is on the State's (303d) impaired waters list for this reason. The District's annual draw down program has successfully reduced the weed population in most shoreline area. However, the weed population in the cove off Rawson Street is increasing. This increased weed growth is thought to be influenced by the quality of the water flowing from Burncoat Pond. Experimental work is continuing to measure the effectiveness of a benthic barrier as a means of controlling weeds in the Rawson Street cove.

The District is currently the defendant in a civil complaint filed by the former owner of the dam and land under the lake, Central Water District Associates ("CWDA"). The basis of the civil complaint is that a full and fair market value was not paid by the District for the property. The law firm of Lynch, DeSimone and Nysten is representing the District. This case, which was originally scheduled to be heard in October 2002, is not currently listed on the Worcester Superior Court calendar. Action on the law suits has been delayed as the result of intervention by the Massachusetts Department of Revenue ("DOR") in the above referenced suit, and similar suits brought by CWDA against the Stiles Reservoir Water District and the Burncoat Pond Watershed District. The DOR is seeking to recover unpaid taxes by Raymond Shea, Sr., a deceased principal in CWDA, from any moneys awarded by a jury or court in these law suits.

CEDAR MEADOW LAKE

2008 - 2009 ACTION PLAN

GOAL 1. DAM MAINTENANCE

Maintain the dam in good condition and provide the ability to engage in periodic draw downs or other actions to maintain the lake in good condition. Routine maintenance will include painting on the gate house, repair of cut security fencing, and monthly mowing of the upper dam surface.

Responsibility: Management Committee with assistance of qualified contractors

Resources: Funds in Annual Budget

GOAL 2. TREE REMOVAL

Continue to seek permission of the owner of the property on the south side of the dam to cut large trees within ten feet of the dam structure. Take those legal steps necessary to gain access to the land and to remove the necessary trees before the start of the hurricane season in September.

Responsibility: Management Committee with assistance of qualified contractor

Resources: Funds contained in the Annual Budget

GOAL 3 REPAIR DAM

Draw down lake approximately five feet and perform repairs to stop seepage through dam identified in Phase I Dam Inspection / Evaluation Report.

Responsibility: Qualified contractor(s) under the supervision of Management Committee

Resources: Funds contained in Annual Budget

GOAL 4. WEED CONTROL

Draw down the lake five feet in late September or early October to coincide with dam repair and maintain this water elevation until the lake bottom freezes for weed control purposes. Thereafter, efforts will be undertaken to maintain lake levels between 30 and 36 inches below the spillway elevations during that portion of the winter when the lake is covered with ice to minimize ice damage to shoreline structures.

Responsibility: Management Committee

Resources: Volunteer hours and minor administrative expenses

CEDAR MEADOW LAKE
2008 - 2009
ACTION PLAN
(continued)

GOAL 5: BENTHIC BARRIER

Redeploy, and periodically move, the 7 foot by 80 foot benthic barrier in the Rawson Street cove.

Responsibility: Management Committee with assistance of volunteers

Resources: Funds in Annual Budget for minor material

GOAL 6: CONDUCT WATER QUALITY MONITORING PROGRAM

Measure total phosphorus content and clarity through the collection and analysis of lake water samples.

Responsibility: Management Committee with assistance of volunteers

Resources: Volunteer hours and low cost or no cost analysis

GOAL 7: LEGAL DEFENSE

Vigorously defend the District in a law suit brought by Central Water District Associates (CWDA) seeking a greater value for the dam and land under the lake than that paid by the District as part of an eminent domain taking. Continue to support the Massachusetts Department of Revenue in their efforts to collect unpaid taxes from the prior owner of the Cedar Meadow Lake dam to discourage pursuit of the law suit by CWDA.

Responsibility: Management Committee with assistance of legal counsel and expert witnesses

Resources: Funds in Annual Budget

GOAL 8: FRIENDS PROGRAM

Continue to implement a program to solicit voluntary contributions from non-Proprietor neighbors that might use or otherwise enjoy the lake.

Responsibility: Management Committee

Resources: Minor postage and copying expenses

GOAL 9: COMMUNICATIONS

Communicate information regarding happenings on and around the lake through periodic newsletters.

Responsibility: District Clerk

Resources: Funds in Annual Budget