

COMMONWEALTH OF MASSACHUSETTS  
**THE GENERAL COURT**  
STATE HOUSE, BOSTON 02133-1053

COPY

November 6, 2009

Richard Sullivan, Commissioner  
Department of Conservation and Recreation  
251 Causeway Street  
Boston, MA 02114

Dear Commissioner Sullivan:


We are writing on behalf of the Belchertown Land Trust (BLT) (Contact: James Fox, President, P.O. Box 152, Belchertown, MA 01007; Telephone: 413-323-8560), relative to the Certificate on Non-Compliance and Dam Safety Order on the Bondsville Upper Dam in Belchertown and Palmer.

As you know, the Department on Conservation and Recreation (DCR) has determined that the Bondsville Upper Dam does not meet dam safety standards and has subsequently issued a Certificate of Non-Compliance and Dam Safety Order to the BLT. BLT has worked diligently with Tighe and Bond Engineering Incorporation and estimated that it could cost more than \$350,000 to repair this 150 year old dam. Due to the importance of this decision and the dramatic cost of action, BLT is seeking an extension to its November 30, 2009 deadline for devising to either repair or remove the dam. We can attest to the fact that we have worked closely with BLT and would like to take this opportunity to urge you to grant this extension. We would appreciate you reviewing this matter at your earliest possible convenience and contacting Mr. Fox directly. It would also be appreciated if you would provide us with a copy of any correspondence that you may have with the Belchertown Land Trust in this regard.

Thank you for your time and attention to this matter.

Sincerely,

  
STEPHEN M. BREWER  
*Worcester, Hampden, Hampshire and Franklin*

  
STANLEY C. ROSENBERG  
*Hampshire and Franklin*

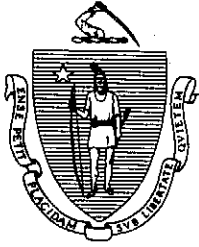
*Gale D. Candaras*  
GALE D. CANDARAS  
*First Hampden and Hampshire*

*Stephen Kulik*  
STEPHEN KULIK  
*First Franklin*

Enclosure

*Thomas M. Petrolati*  
THOMAS M. PETROLATI  
*Seventh Hampden*

*Todd M. Smola*  
TODD M. SMOLA  
*First Hampden*



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James Fox, President  
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P.O. Box 152  
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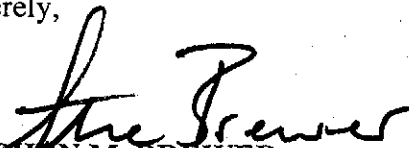
Dear Mr. Fox:


We are writing in response to our mutual concerns pertaining to the Certificate on Non-Compliance and Dam Safety Order on the Bondsville Upper Dam.

We wish to inform you that we have contacted Richard Sullivan, Commissioner of the Department of Conservation and Recreation, on your behalf (see enclosure). We have relayed our concerns to Commissioner Sullivan and asked that he grant and extension to this matter and asked that he contact you at his earliest convenience. If you do not hear from DCR within a reasonable length of time, please contact us and we will make further inquiries for you.

We are pleased to be of service to you in this regard. If we can be of further assistance in this matter, or in any future matter, please do not hesitate to contact us.

Sincerely,

  
STEPHEN M. BREWER  
*Worcester, Hampden, Hampshire and Franklin*

  
STANLEY C. ROSENBERG  
*Hampshire and Franklin*

*Gale D. Candaras*

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TODD M. SMOLA

*First Hampden*

cc: William Salomaa, Director, Office of Dam Safety