



Rochester Conservation Commission & Town Forest Committee

Town Hall Annex, 37 Marion Road, Rochester MA 02770

Phone: 508-763-5421 Fax: 508-763-5379

June 8, 2011

Mr. Mark Rasmussen, President
The Coalition for Buzzards Bay
114 Front Street
New Bedford, MA 02740

RE: ROCHESTER – Hathaway Pond Dam, Property Off Marion Road designated as
Lot 22 on Rochester Assessors' Map 8

Dear Mr. Rasmussen,

I am writing to discuss the status of permitting for work involving the above-referenced dam and the water level impounded behind that dam. This correspondence is addressed to the Coalition for Buzzards Bay (the "Coalition") as the current and successor owner of the above-referenced property.

As you know, the Rochester Conservation Commission (the "Commission") issued a Determination of Non-Applicability to Susan Hampson on March 17, 2011 allowing for temporary lowering of the water level at Hathaway Pond Dam to inspect the submerged dam sluiceways. Our understanding is that said inspection has taken place. To date, the Commission has not received any report or order from the appropriate agency or agencies regarding the continued status of the lowered water level behind the dam nor has the Commission received any written request regarding that level.

The Determination issued in this matter was temporary in duration and for a specific purpose. The purpose has been achieved. It is the responsibility of the Coalition to seek the necessary permits to maintain any draw down. In order to allow the Commission to address this matter, I respectfully request that the Coalition provide the Rochester Conservation Commission with a written statement of the Coalition's intentions, timetable and/or copies of any applications for permits from the appropriate agencies by Tuesday, June 21, 2011.

Please feel free to contact me at 508-763-5421 ext. 206 with any questions.

Very truly yours,

Laurell J. Farinon, P.W.S.
Conservation Agent

Copy to: Attorney Blair Bailey, Rochester Town Counsel
Rochester Board of Selectmen
William M. Straus, State Representative
Edward M. Lambert, Jr., DCR Commissioner
Mary B. Griffin, DFG Commissioner
Kenneth M. Kimmell, DEP Commissioner
Elizabeth Kouloheras, Wetlands Section Chief - DEP SERO