



**NOTICE OF DAM SAFETY INSPECTION REPORT
COMPLIANCE REVIEW**

August 26, 2008

Mr. Stephen E. Cotton
Foster's Pond Corporation
19 Pomeroy Road
Andover, MA 01810

Re: Fosters Pond Dam, Andover, MA00153, May 10, 2008 Follow-Up Inspection Report

Dear Mr. Cotton,

The Foster's Pond Corporation is the record owner of the Foster's Pond Dam in Andover.

The Department of Conservation (DCR), Office of Dam Safety (ODS) recently reviewed your Follow-Up Dam Safety Inspection Report of the above-referenced dam, in accordance with the 302 CMR 10.00 Dam Safety Rules and Regulations adopted under M.G.L. Chapter 253 s. 44-48, as amended by Chapter 330 of the Acts of 2002. According to 302 CMR 10.00 the dam falls into the DCR-jurisdictional category and is classified significant hazard potential and intermediate in size. Please be reminded that significant hazard potential dams must be inspected by a registered professional civil engineer every 5 years.

The Follow-Up Inspection conducted by GEI Consultants, Inc. on May 10, 2008 found the dam to be in satisfactory condition. Our records will be updated to indicate current condition of the dam.

The Office of Dam Safety recommends that all dam owners hire a qualified dam engineering consultant to develop an operation and maintenance plan and implement the plan to ensure compliant dam operations.

It is also recommended you hire a qualified dam engineering consultant to develop a plan to address the recommendations presented in section VII of the inspection report, including:

- Monitor Seepage for changing conditions and new locations downstream of the dam and development of sinkholes within the embankment.

Please note it is the responsibility of the dam owner to ensure compliance with all local, state and federal permit requirements that may apply to work you plan to execute at your dam. Nothing in this correspondence releases you from this responsibility. Work other than typical maintenance activities at your dam may trigger the need to apply for a Chapter 253 Dam Safety Permit with this office.

Thank you for your cooperation.

William C. Salomaa
Director, Office of Dam Safety
<http://www.mass.gov/dcr/pe/damSafety/index.htm>

