



# Town of Bowdoinham

13 School St • Bowdoinham, ME 04008

Phone 666-5531 • Fax 666-5532

[www.bowdoinham.com](http://www.bowdoinham.com)

Nicole Briand, Town Manager

## Memo:

**To:** Select Board

**Date:** March 12, 2024

**From:** Matthew James, CEO

**Reference** Loud and Local, LLC; 50  
Birchwood Lane

### **Inspection Report:**

On Wednesday, February 28, I was tasked with inspecting the proposed marijuana caregiver storefront at 50 Birchwood Lane to ensure that landscaping, lighting, and access management were completed per the Planning Board permit. Inspections were performed on February 29, March 1, and March 6.

Landscaping/Buffering: In addition to the existing landscaping on-site, the applicants proposed an eight-foot-tall fence, juniper and holly trees, flowering plants, herbs, and stone accents. Current landscaping is minimal due to the time of year and the presence of deciduous plants but is otherwise in-line with what was approved by the Board. Grass is present and interspersed between other plantings and features. According to the applicant, this grass can grow to approximately 6 feet tall during the summer. Evergreen plantings are small or immature, except for two that are located at the stone wall in front of the farm stand (*Fig. 2, 3*).

Lighting: Applicants proposed two LED porch lights and two LED security lights on the building. Both sets of lights are installed and face southward, away from the private roadway, as per the approved Planning Board permit. A digital light meter was used to record the illuminance of the LED porch lights on Thursday, February 29, at approximately 7:15 PM. These lights produced 0.31 footcandles at the base of the south-facing porch, and 0.00 footcandles at the property line.

A second inspection was conducted on Wednesday, March 7, at approximately 7:00 PM. Two readings were taken at the porch, with readings of 15.5 and 16.7 footcandles. Three readings were taken on the road, reading 0.00 footcandles at the entrance, 0.00 footcandles behind the farmstand, and 0.01 at the exit.

Illumination from the farmstand did not produce undue glare and was lower than that of the ambient neighborhood residential lighting, which is not regulated by the Land Use Ordinance. Illumination from businesses must not exceed 0.50 footcandles at the property line, per Article 10.D.6.d. of the Land Use Ordinance.

Access Management: The Planning Board permit states that “[t]he applicant is proposing to upgrade the road to be 18-feet wide with 2-foot shoulders. All work to widen the road should be on the south side of the road, or before any work is done on the north side of the road, the property pins must be located.”

The roadwork was undertaken and completed by Tourtelotte Excavation. On September 3, 2020, CEO Carey issued a Stop Work Order which alleged that modifications had been made to the north side of the road prior to the property pins being located. This Stop Work Order was removed on September 10, 2020. According to CEO Carey, the road was approved, and the Conditions of Approval had been met.

Currently, the road has an average width of 20.57 feet, including shoulders. The narrowest part Birchwood Lane is located from Millay Road to the road-side dumpster, with an average width of 18 feet. Erosion appears to be present around multiple culverts, which may be an explanation for the gradual reduction in road width (*Fig. 1*). There are rutted and muddy areas on the road, particularly between 9 and 35 Birchwood Lane. The portion of the road closest to the farmstand is generally in good working order (*Fig. 2*).

The applicant has requested that their application be tabled until a plan for ensuring that the road meets the Conditions of Approval can be created. As a private roadway, the maintenance of Birchwood Lane is the responsibility of all residents who live on the road. Complaints about the road condition or a lack of maintenance do not fall under the jurisdiction of the Town, but rather the road association. Currently there is no road association, and the informal association is defunct.

Sincerely,

Matthew James  
Code Enforcement Officer  
13 School Street  
Bowdoinham ME, 04008  
[ceo@bowdoinham.com](mailto:ceo@bowdoinham.com)  
666-5531

**Attached:**

1. Images and Figures
2. Request to Table Application
3. Stop Work Orders
4. Public Comment (Doug Tourtelotte)
5. Evidence of Work Completed
6. Statement on Number of Employees
7. Informal Road Association Documents
8. Public Comment and Complaints

# **Images and Figures**



**Figure 1:** Culvert near 9 Birchwood Lane. Slight erosion visible on southern side of road. Traveled way appears to have shifted southward. This section of road is approximately 20 feet across.



**Figure 2:** Current state of landscaping and buffering at the entrance to the farm stand. The road is in good condition here.



**Figure 3:** Current state of landscaping and buffering at the exit from the farm stand. To the left of the picture can be seen a driveway that provides access to a residential building.

# **Request to Table Application**

## Matt James

---

**From:** Duncan Alden <loudandlocal207@gmail.com>  
**Sent:** Tuesday, March 12, 2024 11:15 AM  
**To:** Matt James  
**Subject:** 50 Bichwood Lane

You don't often get email from loudandlocal207@gmail.com. [Learn why this is important](#)

Hey Matt, just touching base about the select board meeting tonight. I know there are some concerns about the road so I spoke with Bobby and Kate. They informed me Doug Tourtelotte will be coming to repair portions of the road that need to be widened or smoothed out. He is familiar with the project, as he did the initial road improvement about 4 years ago.

I know there have been MANY concerns submitted by the neighbors. Those concerns have been resolved or proven to be false since the last meeting, with the exception of the road. I'd like to respect the board's time here and offer to table the topic if they are unable to conditionally approve my application. I will still be there this evening to answer any questions the board may have for me but please give me a heads up if they do decide to table the application. That being said I would like to obviously have the store open as soon as possible and meeting again in early April would be ideal, if not earlier.

Thanks,

--



**Duncan Alden**  
*Owner/Operator*  
Loud & Local  
207-329-1191  
[loudmaine.com](http://loudmaine.com)

# **Stop Work Orders**





# Town of Bowdoinham

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Phone 666-5531 • Fax 666-5532

[www.bowdoinham.com](http://www.bowdoinham.com)

Nicole Briand, Interim Town Manager

September 10, 2020

Kate & Robert Gaudette  
50 Birchwood Lane  
Bowdoinham, ME 04008

**Stop Work Order Removal**  
**Farm Store at 50 Birchwood Lane, Bowdoinham Map R02 Lot 052**

Dear Mr. & Mrs. Gaudette

I am writing in regard to the Stop Work Order issued on September 3, 2020. As you know this was based on your Planning Board approval for the Farm Store.


On September 10, 2020 we met and I inspected Birchwood Lane and here are my findings:

Since my last inspection the property pins have been located in the areas on the northside of road where work was conducted. I feel this is in keeping with Planning Boards condition of approval related to the road expansion.

At this time, I am lifting the stop work order issued on September 3, 2020

If you have any questions please don't hesitate

Sincerely,

  
Darren Carey  
Deputy CEO  
13 School Street  
Bowdoinham, ME 04008  
[dcarey@bowdoinham.com](mailto:dcarey@bowdoinham.com)  
666-5531

Cc  
Nicole Briand





# Town of Bowdoinham

13 School St • Bowdoinham, ME 04008

Phone 666-5531 • Fax 666-5532

[www.bowdoinham.com](http://www.bowdoinham.com)

Nicole Briand, Interim Town Manager

Certified Mail #7018 1130 0000 5299 0897

September 3, 2020

Kate & Robert Gaudette  
50 Birchwood Lane  
Bowdoinham, ME 04008

**Stop Work Order – Order to Correct - Letter of Violation**  
**Farm Store at 50 Birchwood Lane, Bowdoinham Map R02 Lot 052**

Dear Mr. & Mrs. Gaudette

I am writing in regard to your Planning Board approval for the Farm Store located at 50 Birchwood Lane in Bowdoinham.

On June 25, 2020 the Planning Board approved the Farm Store with conditions of approval. One of these conditions of approval stated:

*"The road shall be upgraded to 18-feet wide with 2-foot shoulders on either side for a total width of 22 feet wide. All work to widen the road should be on the south side of the road, or before any work is done on the north side of the road, the property pins must be located. Any cost associated with moving utilities serving the abutters, shall be borne by the applicant."*

On September 2<sup>nd</sup>, 2020 I visited Birchwood Lane to ensure that the upgrade to the road meets the condition of approval set by the Planning Board. I am of the opinion that work has been conducted on the north side of the road and there is no evidence to show property pins have been located. Therefore, you are now working outside of the Planning Board's approval and this letter is Stop Work Order for all operations related to the Farm Store.

Prior to commencing work on the Farm Store, the condition of approval related to the road needs to be addressed and brought into compliance.

I am going to take this opportunity to inform you that the concrete foundation to south of the Farm Store requires a building permit. This is a violation of Article 11.B.1.d of the Bowdoinham Land Use Ordinance:

***"B) Permits Required***


*1) It shall be unlawful, without first obtaining a permit from the appropriate reviewing authority, to:*

*d) engage in the construction, alteration, relocation, demolition or replacement of any building or part thereof;"*

At this time, I ask that you contact me no later than September 14, 2020 to discuss the violations I have outline above. I can conduct an inspection on September 15, 2020 if this works for you. I or Nicole Briand can be reached at 666-5531 or by email at [dcarey@bowdoinham.com](mailto:dcarey@bowdoinham.com) or [nbriand@bowdoinham.com](mailto:nbriand@bowdoinham.com).

If the above Order is not followed, then I will refer this matter to the Town's Board of Selectmen for commencement of legal action in the Sagadahoc County District Court to correct the violation. If the Town is the prevailing party in enforcement litigation, you may be liable for the Town's attorney fees and costs, plus civil penalties. Fines currently accrue daily at \$100 per day per violation up to \$2500 per day per violation pursuant to Title 30-A M.R.S.A. 4452.

Sincerely,

  
Darren Carey  
Deputy CEO  
13 School Street  
Bowdoinham, ME 04008  
[dcarey@bowodinham.com](mailto:dcarey@bowodinham.com)  
666-5531

Cc  
Nicole Briand

**Public Comment**  
*Doug Tourtelotte*

## **Matt James**

---

**From:** Doug Tourtelotte <abbyriver1@gmail.com>  
**Sent:** Monday, March 4, 2024 8:22 PM  
**To:** Matt James

[You don't often get email from abbyriver1@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Matt, I hear there's a problem with the road we widened on birch wood lane.

First of all these people have been grasping at whatever they can to make life miserable for these people , it's pathetic!

I don't remember a lot about widening the road as it was 4 years ago but what I do remember is Darren approving it and the smalls were apparently fine with it because we never heard anything from them about road until now.

This harassment from them has got to stop. If you let the Smalls hold this Application up over the road than the town in my opinion is just fueling the fire!

I won't be back in town until end of April, plus the roads are posted. So that means the applicants are put off for 2 more months.

Again the town approved this road !!!! How can this be an issue after 4 years????

I'll call you tomorrow!

Doug

## Nicole Briand

---

**From:** Doug Tourtelotte <abbyriver1@gmail.com>  
**Sent:** Monday, March 11, 2024 10:04 AM  
**To:** Nicole Briand  
**Subject:** Birchwood Lane

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sent from my iPhone

Nicole and Select Board ,

I would like to comment on the license renewal at the Gaudette's farm.

The Gaudette's have been harassed by the Smalls ever since they bought the property. I know first hand that Kate and Bob Gaudette have bent over backwards to be good neighbors to the small's. And for whatever reason these people have been relentless, costing the Gaudette's lots of money. Kate and Bob are the neighbors that we all would love to have , absolutely great people.

As a business owner it's kind of scary to me that someone who puts there life and sole into a business has to worry about a few neighbors every time there license is renewed, possibly costing them more money. Absolutely nothing has changed since the Gaudette's first got inspected and approved by the codes department.

I know they say the road is 18inches narrow in a couple spots where we didn't originally do work.

When it dries out and road posters come down I will be doing some work on the road and will address the few areas that's narrow.

I hope this will not delay the license renewal.

Doug Tourtelotte

## **Evidence of Work Completed**

# Tourtelotte

---

## EXCAVATING

# ESTIMATE

**T&H Excavation Inc.**  
188 Millay Road  
Bowdoinham, Maine 04008  
United States

Phone: 2076665941  
Mobile: 2078373935

BILL TO  
**Bobby Gaudette**

bobbygaudette@gmail.com

**Estimate Number:** 3234

**P.O./S.O. Number:** Birchwood Lane

**Estimate Date:** May 13, 2020

**Expires On:** May 13, 2020

**Grand Total (USD):** \$6,200.00

Items	Amount
Scope of Work: -Widen Birchwood Lane to 18' with 2' shoulders where needed	\$6,200.00
<b>Total:</b>	<b>\$6,200.00</b>
<b>Grand Total (USD):</b>	<b>\$6,200.00</b>

### Notes

#### Service Contract

The Customer hereby agrees to engage T & H Excavation Inc. to provide the Customer with the services outlined in the above Estimate.

The Term of this Contract will begin on the date both Parties signed this Estimate and will remain in effect until completion of services, subject to earlier termination or extension as agreed upon mutually by both Parties.

The amount outlined in the Estimate above plus any change orders are payable upon completion of services at the time an invoice is provided to the Customer by T & H Excavation Inc.

T & H Excavation Inc. will maintain general liability and workers compensation insurance at a level that is reasonable in the industry of the Contractor.

\_\_\_\_\_  
Customer Signature / Date

\_\_\_\_\_  
T & H Excavation Inc. Signature / Date



# Tourtelotte

---

## EXCAVATING

# ESTIMATE

**Tourtelotte Excavating**  
369 Millay Road  
Bowdoinham, Maine 04008  
United States

Phone: 2076665941  
Mobile: 2078373935

**BILL TO**

**Bobby Gaudette**

bobbygaudette@gmail.com

**Estimate Number:** 5548

**Estimate Date:** January 28, 2020

**Expires On:** January 28, 2020

**Grand Total (USD):** \$11,400.00

Items	Amount
-Widen 550' of road to 18'	\$3,872.00
-120' x 35' parking lot with one way entrance and exit	\$7,528.00
Notes: price does not include removing stumps off site	
<b>Total:</b>	<b>\$11,400.00</b>
<b>Grand Total (USD):</b>	<b>\$11,400.00</b>

**ANCIENT GREEN FARM STAND  
50 BIRCHWOOD LANE  
BOWDOINHAM ME 04008**

**MAP/LOT R02-052**

**TOWN OF BOWDOINHAM SITE PLAN APPROVAL**

Official Seal of the  
TOWN OF BOWDOINHAM  
ME

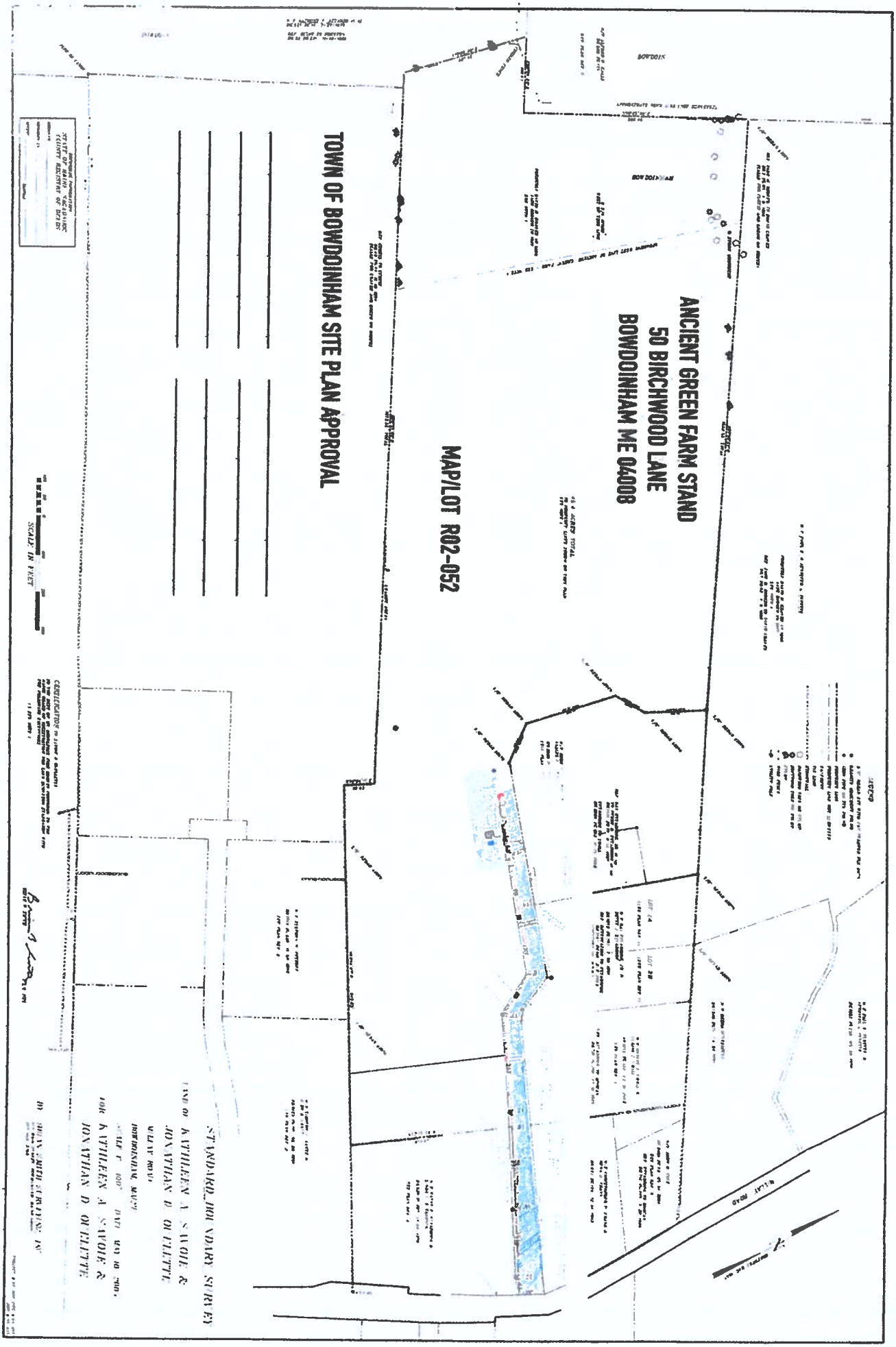
SCALE IN FEET

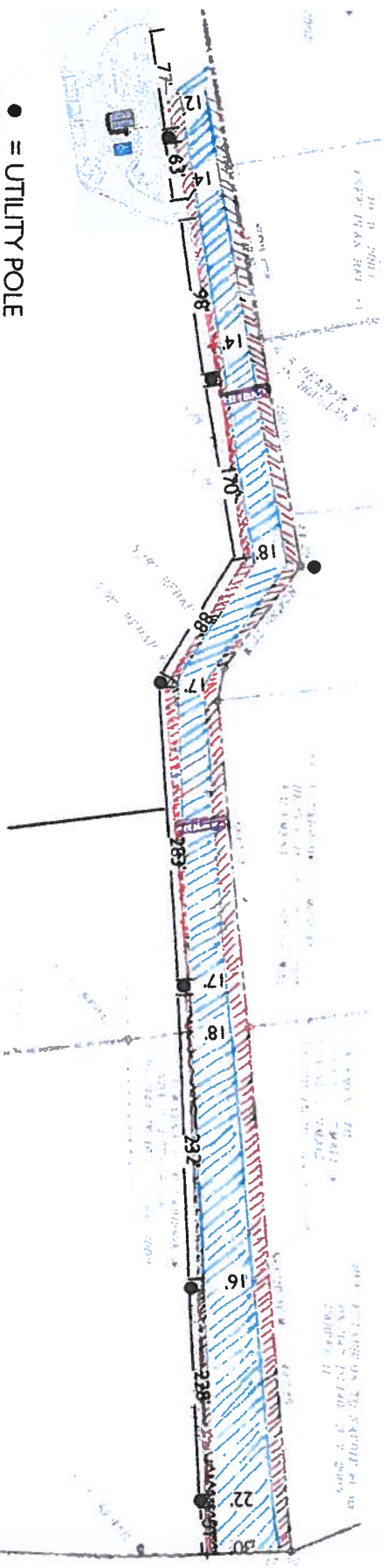
CONSTRUCTION IN STONE & BRICK  
TO BE COMPLETED WITHIN 180 DAYS OF THE  
ISSUANCE OF THIS PERMIT. SEE SECTION 17.00  
OF THE ZONING REGULATIONS FOR FURTHER  
DETAILS.

*John A. Savole*  
1215 PM

BY: **SHAWN SMITH**, SECRETARY, JAV

STANDARD HOUSING SQUARE  
END OF AYLEEN A SAVOLE &  
JONATHAN D ORFELTTE  
WELLS ROAD  
BOWDOINHAM, ME 04008  
FOR: AYLEEN A SAVOLE &  
JONATHAN D ORFELTTE





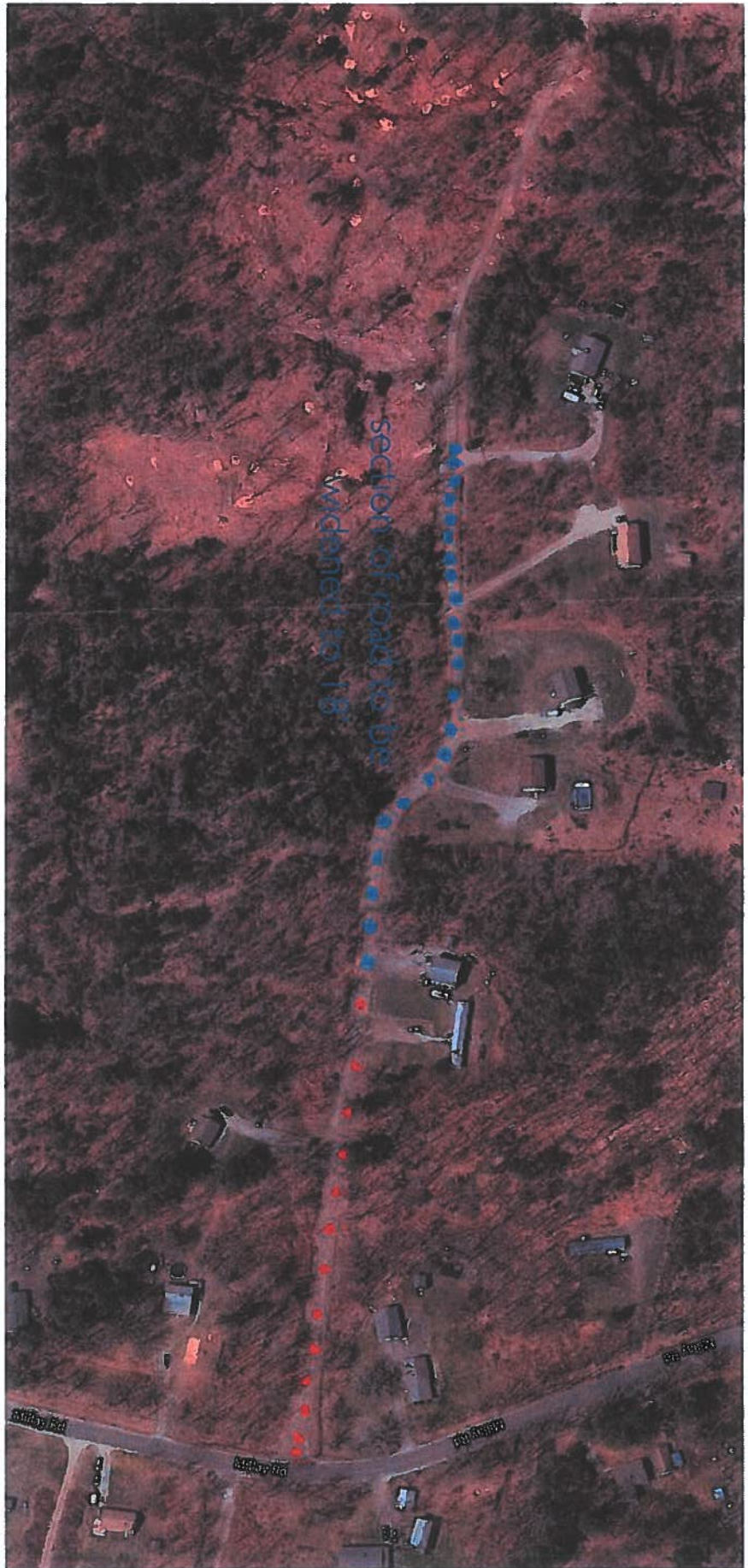
● = UTILITY POLE

 = CURRENT ROAD WIDTHS

 = PROPOSED 22' WIDENING OF ROAD

 = CULVERT REPLACEMENTS

\* ROAD HAS BEEN FOUND ABLE TO ACCOMMODATE THE PROPOSED CHANGES IN WIDTH WITHOUT HAVING TO MOVE ANY EXISTING UTILITY POLES







Photos of roadwork being done by Tourtelotte  
Excavation, courtesy of Kate and Bobby  
Gaudette, 2020.

## Matt James

---

**From:** Kate Gaudette <k8gaudette@gmail.com>  
**Sent:** Friday, March 1, 2024 11:48 AM  
**To:** Matt James  
**Subject:** Re: Road Work Documentation

You don't often get email from k8gaudette@gmail.com. [Learn why this is important](#)

Hi Matt,

We only have the estimates, Doug was paid in cash upon completion but I can reach out and see if he can send me a receipt. Darren was out to verify the construction and saw the machinery working on the road. There is also a complaint from Chris Small to the town about the excavator being parked too close to his house. I will work on getting receipts from Tourelotte excavating to send over.

I did forward an email between myself and Andrea Small Blunda where she acknowledges the road work, I think there may have even been a permit pulled by Doug with the town.

I am also attaching a photo of the original buffering when the trees were newly planted.

Thanks!

✦ Kate Gaudette



Sent from my iPhone

On Mar 1, 2024, at 10:43 AM, Matt James <CEO@bowdoinham.com> wrote:

Kate,

I've looked through the file and have found an estimate and some plans regarding the widening of Birchwood Lane. Nicole seems to think that Darren had received some official confirmation that the work had been completed, but I can't seem to find that. If you have this, would you be able to send it to me? I am trying to gather as much documentation as possible for my report.

Thank you,

Matthew James  
Code Enforcement Officer  
13 School Street  
Bowdoinham, ME 04008  
[ceo@bowdoinham.com](mailto:ceo@bowdoinham.com)  
666-5531

## Matt James

---

**From:** Kate Gaudette <k8gaudette@gmail.com>  
**Sent:** Friday, March 1, 2024 11:39 AM  
**To:** Matt James  
**Subject:** Fwd: Road work

You don't often get email from k8gaudette@gmail.com. [Learn why this is important](#)

Matt, this is an email between myself and Andrea Blunda about the road work on Birchwood lane. I am working on tracking down more documents but this does show that the Smalls were aware of the road work.

Begin forwarded message:

**From:** Andrea Blunda <ladybug78001@hotmail.com>  
**Subject: Re: Road work**  
**Date:** August 27, 2020 at 3:44:54 PM EDT  
**To:** Kate Gaudette <k8gaudette@gmail.com>

Okay thanks for letting me know. I will pass this message along to my brothers. Does Doug have an idea as to how long it will take to complete the work?

-Andrea

---

**From:** Kate Gaudette <k8gaudette@gmail.com>  
**Sent:** Thursday, August 27, 2020 2:42 PM  
**To:** Andrea Blunda <ladybug78001@hotmail.com>  
**Subject:** Road work

Hello Andrea, this message is to inform you that Doug Tourtelotte will beginning work on the road tomorrow morning, Friday 8/28 and the beginning of the following week. Doug has assured us that the road will be passable during this time. I would appreciate if you would pass this message along to your siblings. Thank you.

✧ Kate Gaudette

Sent from my iPhone



## **Statement on Number of Employees**

March 5, 2024

RE: Additional Info regarding the Birchwood Lane issue

Dear Members of the Select Board and CEO James,

My opinion is that this application (Loud & Local) should be sent back to the Planning Board due to the applicant having 3 employees.

Mr. Favreau asked Duncan Alden, at the Feb. 27, 2024 Select Board Meeting: "how many employees do you have"? The applicant replied "three". Mr. Favreau commented to the applicant, "This changes things". Mr. Alden replied, "yes I know, bathrooms". The applicant was aware of the significance of his three employees, but omitted any mention of them in the application: referring instead "to the already permitted farmstand".

The Planning Board, in their June 25, 2020 letter to the Gaudettes, notifying them of approval for their farm stand on Page 2 of 6, Site Plan Review Approval, #12 WATER SUPPLY "The Proposed Development will be provided with an adequate supply of water. In Their Finding: "no water supply is Proposed for the farm store at this time. If employees are added to the farm store, the applicant shall amend their application with the Planning Board to meet the State's Subsurface Wastewater rules".

Again, on the Conditions of Approval Page 6 of 6 Item #2: If Employees are added to the farm store in the future, therefore requiring water & wastewater disposal, the applicant shall return to the Planning Board with an amended plan.

While the road is a major issue in itself, this is another reason why at a minimum, this application should be referred back to the Planning Board.

Thank you for your time.

*Elaine Small*

## Matt James

---

**From:** Duncan Alden <loudandlocal207@gmail.com>  
**Sent:** Friday, March 8, 2024 12:04 PM  
**To:** Matt James  
**Subject:** 50 Birchwood Lane

You don't often get email from loudandlocal207@gmail.com. [Learn why this is important](#)

Hey Matt, just wanted to clarify something that came up at the public comment hearing last week. I currently have 2 employees and will probably be hiring another thing spring, that being said none of those employees will be working at the storefront. I will be the only person working the store, I hope that was clear in my testimony last week. If you have any questions please let me know!

Cheers,

--



**Duncan Alden**  
*Owner/Operator*  
Loud & Local  
207-329-1191  
[loudmaine.com](http://loudmaine.com)



# **Informal Road Association Documents**

## Matt James

---

**From:** Andrea Blunda <andreaublunda@gmail.com>  
**Sent:** Sunday, March 3, 2024 2:03 PM  
**To:** Mark Favreau; Allen Acker; Peter Feeney; Joanne Joy; Deb Smith; Matt James  
**Subject:** Information Regarding Birchwood Lane  
**Attachments:** Kate November 23, 2020.docx; Kate March 20, 2022.docx; Kate June 8, 2022 full email.docx

Some people who received this message don't often get email from andreaublunda@gmail.com. [Learn why this is important](#)

I am attaching some emails with conversations that Kate Gaudette and I have had in the past. The first one is from November 23, 2020 and it is when she says that she will take over the road. She doesn't mention who is going to plow the road and doesn't respond when another resident asks who is going to plow the road, etc. Another email is dated March 20, 2022. I ask Kate if she can get some gravel to put down at the bottom of Birchwood because the road is so bad that I am having trouble getting up the road. She acknowledges that the road is bad and tells me that as soon as Millay Road is no longer posted then they have plans to fix it. The last email I have attached is from June 8, 2022. I ask her for an update on fixing the road now that Millay is no longer posted. She replies back telling me that it is too expensive and that "the unnecessary financial burden placed upon us through the lawsuit from your family has really put a damper in what we are able and willing to do at this time." The lawsuit Kate is speaking about was between her and my father. This was settled out of court 2 years prior. This should have nothing to do with fixing the road. In sharing these emails with you I am showing you that Kate said she was taking over the road, knew what her responsibility was, as far as fixing the road, but then decided not to do it. Thank you for your time.

---

Hello

Andrea,

Thank you for your concern about the road. The contractor we hired decided not to do the work after one of the road residents left a negative review on his business. We are speaking with several other contractors but the pricing to do the job is quite high. Most are booked months out. We received no "road dues" for the last two winters from any residents other than the Estabrook Family. The plowing cost for this last season was substantial and the work desired is costly. The unnecessary financial burden placed upon us through the lawsuit from your family has really put a damper in what we are able and willing to do at this time. The road in its condition does not inhibit your ingress or egress.

Have a wonderful evening,

❖ Kate Gaudette

Sent from my iPhone

On Jun 8, 2022, at 7:10 PM, Andrea Blunda <ladybug78001@hotmail.com> wrote:

Hello Kate,

I am just checking in with you about the road. In a previous email you sent to me in March, you mentioned having some work done to Birchwood Lane after the roads are no longer posted. I am just checking in to see where you are with that. Quite a few of us on the road have gotten newer vehicles within the last year. As you are aware, the road is very rough and hard to maneuver with all the pot holes. I am just wondering if you know when the contractor will be able to start working on the road. Thank you.

Andrea

**From:** Kate Gaudette <k8gaudette@gmail.com>  
**Sent:** Sunday, March 20, 2022 8:39 PM  
**To:** Andrea Blunda <ladybug78001@hotmail.com>  
**Subject:** Re: Road

Hello Andrea,

We are aware of the situation with the road and have plans for some work done to that portion of the road as soon as the contractor is able. Unfortunately Millay road is posted so there is no way for us to get a load of gravel delivered until the road is no longer posted. Bobby smoothed out some of the ruts with the tractor today but the rain and snowmelt are not helping the mud.

Im sorry its not an immediate fix but please know there is a plan to build up the aggregate so this problem does not continue to occur.

Thanks,



Kate Gaudette

[k8gaudette@gmail.com](mailto:k8gaudette@gmail.com)

On Mar 20, 2022, at 1:17 PM, Andrea Blunda <[ladybug78001@hotmail.com](mailto:ladybug78001@hotmail.com)> wrote:

Kate,

I am writing to you about the road situation at the bottom of Birchwood. I am wondering if you can get some gravel to put down. At this time the road is impassable for emergency vehicles, as well as, some of the residents' vehicles. I am also unsure if delivery vehicles are able to make it up the road. I came home from work on Friday and barely made it up past the hill. I haven't taken my car out all weekend because I am afraid I will get stuck. I'm unsure of how I will get out for work tomorrow. That area of the road has not been this bad in years. Some attention needs to be given to it and it needs to get fixed. Thank you.

Andrea

Hello Andrea,

We are aware of the situation with the road and have plans for some work done to that portion of the road as soon as the contractor is able. Unfortunately Millay road is posted so there is no way for us to get a load of gravel delivered until the road is no longer posted. Bobby smoothed out some of the ruts with the tractor today but the rain and snowmelt are not helping the mud.

Im sorry its not an immediate fix but please know there is a plan to build up the aggregate so this problem does not continue to occur.

Thanks,

Kate Gaudette

[k8gaudette@gmail.com](mailto:k8gaudette@gmail.com)

On Mar 20, 2022, at 1:17 PM, Andrea Blunda <[ladybug78001@hotmail.com](mailto:ladybug78001@hotmail.com)> wrote:

Kate,

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Andrea

Hi Kate,

Can you please share the name of the contractor and their price per storm? Also, will they return for a cleanup after initially "breaking" open the road so that residents may leave for work, if it is an all-day storm?

Thanks,

Derek

On Mon, Nov 23, 2020, 12:27 PM Kate Gaudette <[k8gaudette@gmail.com](mailto:k8gaudette@gmail.com)> wrote:  
Hello Birchwood lane Residents,

This message is to inform you that I will be taking over the "Road Association" responsibilities as of now. I have hired a local, licensed & insured plow person to plow the road when snow removal is needed. I will bill each house at the end of the season, and will cap the amount at \$250 as to not surpass the "road dues" sum for the previous years. If the divided total is less than \$250 per household I will of course bill for the lesser amount. My goal for billing at the end of plowing season is to eliminate the need for a "road association" bank account which after consulting with my lawyers we learned is illegal. Any additional cost for plowing or road maintenance after the \$250 per home my family will endure. Each resident is on their own for driveway plowing.

I know some of you need to be able to pass the road at earlier times than others, please feel free to reach out to me via email on a storm by storm basis and I will communicate with the plow driver to ensure that everyone is able to safely ingress and egress from their homes. I am already in communication with the other neighbors in regards to this issue.

Thank you.

Kate Gaudette

[k8gaudette@gmail.com](mailto:k8gaudette@gmail.com)

## Birchwood Lane

The road started out with \$1500.00 in the account.

Here is a break down of what we have spent so far:

Dates That Chris Plowed	Sand/Gravel For Road	Road Sign
November 24, 2005	January 11, 2006 sand was delivered for icy walkways, etc. This was for a total cost of \$90.00.	We have been given a quote of \$55.00 for a road sign.
December 9, 2005	April 25, 2006 14 cu. yds. of gravel was delivered to take care of pot holes in road. This was for a total cost of \$126.00.	
December 16, 2005	April 29, 2006 28 cu. yds. of gravel was delivered for the road. This was for a total cost of \$252.99.	
December 27, 2005		
January 5, 2006		
January 15, 2006		
Total = Chris was given \$200.00 for all of this.	Total = \$468.99	Total = \$55.00

\$1500.00  
- \$723.99

\$776.01 is what we have left over in the account.

\*\*Deadline for next road association fee (\$500.00) is November 15, 2006. This is the date that we would like to have everyone's money in by, before it gets too crazy with the holidays.

-John and Andrea Blunda

## Birchwood Lane

The road had \$1776.01 in the account for the 2006-2007 year.

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 9, 2006	September 6, 2006- Chris was given \$300 to fill plow truck with gas and get plow truck ready for winter.
December 30, 2006	September 7, 2006- Paid for "Birchwood Lane" road sign which totaled \$70.00.
January 15, 2007	April 27, 2007- bought Darin a grill for \$313.96 as a thank you gift for plowing.
February 3, 2007	
February 14, 2007	
March 2, 2007	
March 15, 2007	
April 4, 2007	Total = \$683.96

\$1776.01  
- \$683.96

\$1092.05 is what we have left over in the account.

\*\*Deadline for next road association fee (\$500.00) is November 15, 2007. This is the date that we would like to have everyone's money in by, before it gets too crazy with the holidays. Thanks!

-John and Andrea Blunda

## Birchwood Lane

The road had \$1092.05 in the account for the 2007-2008 year.

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 3, 2007	Chris was given \$227.40 for a new clutch and other parts for the plow truck.
December 16, 2007	January 16, 2008- Mark Favreau was given \$75 to salt and sand the road as well as our driveways.
December 20, 2007	February 2, 2008- Mark Favreau was given \$ 35 to salt and sand up to the dumpster only.
December 31, 2007	
January 1, 2008	
January 2, 2008	
January 14, 2008	
April 4, 2007	Total = \$337.40

\$1092.05  
- \$337.40

\$754.65 is what we have left over in the account.

## Birchwood Lane

The road had \$1954.65 in the account for the 2008-2009 year.  
(\$754.65 left over from last year + \$1200.00 total that we all put in for plowing, etc. = \$1954.65)

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 19, 2008	
December 21, 2008	
January 8, 2009	
January 11, 2009	
January 18, 2009	
January 28, 2009	
February 19, 2009	
February 22, 2009	
March 2, 2009	
Plowing Grand Total = \$630.00	

Note: \$70 per storm to plow road.

\$1954.65  
- \$630.00

\$1324.65 is what we have left over in the account.

## Birchwood Lane

The road had \$2524.65 in the account for the 2009-2010 year.  
 \$1324.65 left over from last year + \$1200.00 total that we all put in for plowing,  
 etc. = \$2524.65)

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
	October 10, 2009- clean up day = \$40 to rent the chipper, \$41.16 for food, drinks, etc., and \$15 for diesel for truck which got the chipper here. Grand Total of \$136.16
	November 17, 2009 = Rake was rented to grade the road. Rake was \$40.00 and fuel for tractor was \$15.00. Grand Total of \$55.00.
December 6, 2009	
December 9, 2009	
December 15, 2009 (sanded road only)	
January 1, 2010	
January 2, 2010	
January 18, 2010	
January 20, 2010	
Plowing Grand Total = \$460.00	

Note: \$70 per storm to plow road.

\$2524.65  
 - 460.00 (plowing)  
 -----  
 \$2064.65  
 - 191.16 (other expenses)  
 -----  
 \$1873.49

## Birchwood Lane

The road had \$3373.49 in the account for the 2010-2011 year.  
 \$1873.49 left over from last year + \$1500.00 total that we all put in for plowing,  
 etc. = \$3373.49)

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 23, 2010	October 2010- Brian Hobart mowed the sides of the road prior to clean up day. Total Cost= \$100.00
December 27, 2010	October 2, 2010- Food and drinks for clean up day came to a total of \$47.50
January 12, 2011	September 3, 2010- Private Property signs to put at the end of the road came to a total of \$2.46.
January 19, 2011	
January 21, 2011	
February 2, 2011	
February 6, 2011	
February 25, 2011	
April 1, 2011	
Plowing Grand Total= \$630.00	Other Expenses Grand Total= \$149.96

Note: \$70 per storm to plow road.

\$3373.49  
 - 630.00 (plowing)  
 -----  
 \$2743.49  
 - 149.96 (other expenses)  
 -----  
 \$2593.53

(Please note: This is the amount that we officially have in the account right now. After June 30<sup>th</sup> the amount will go up to \$4093.53).

## Birchwood Lane

The road had \$4093.53 in the account for the 2011-2012 year.  
 \$2593.53 left over from last year + \$1500.00 total that we all put in for plowing,  
 etc. = \$4093.53)

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
November 23, 2011	October 2011- Brian Hobart mowed the sides of the road prior to clean up day. Total Cost= \$100.00
January 12, 2012	October 12, 2010- Food and drinks for clean up day came to a total of \$52.60
January 20, 2012	
March 1, 2012	
Plowing Grand Total= \$280.00	Other Expenses Grand Total= \$152.60

Note: \$70 per storm to plow road.

\$4093.53  
 - 280.00 (plowing)  
 -----  
 \$3813.53  
 - 152.60 (other expenses)  
 -----  
 \$3660.93

(Please note: This is the amount that we officially have in the account right now. After June 30<sup>th</sup> the amount will go up to \$5160.93).

## Birchwood Lane

The road had \$5160.93 in the account for the 2012-2013 year.  
 \$3660.93 left over from last year + \$1500.00 total that we all put in for plowing,  
 etc. = \$5160.93)

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 27, 2012	June 29, 2012- We purchased a grader for \$1322.50
December 30, 2012	July 1, 2012- 4 hours of grading to the road for \$160.00
January 16, 2013	July 12, 2012- 1 hour of ditching of the road for \$40.00
February 8, 2013	July 13, 2012- 1 hour of ditching of the road for \$40.00
February 23, 2013	September 27, 2012- Brian Hobart mowed the sides of the road prior to clean up day. Total cost= \$100.00
March 19, 2013	October 12, 2012- Food and drinks for clean-up day came to a total of \$47.41
(We only had 4 storms last year.)	June 1, 2013- 6 hours of grading the road for \$240.00.
Plowing Grand Total= \$420.00	Other Expenses Grand Total= \$2149.91

\*\*Bob Small is charging the association \$40.00 an hour for tractor and operator to grade the road.

Note: \$70 per storm to plow road.

\$5160.93  
 - 420.00 (plowing)  
 -----  
 \$4740.93  
 - 2149.91 (other expenses)  
 -----  
 \$2591.02

(Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$4091.02 in the account for the 2013-2014 year.  
 \$2591.02 left over from last year + \$1500.00 total that we all put in for plowing,  
 etc. = \$4091.02)

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 15, 2013	July 22, 2013- road work \$137.18
December 18, 2013	October 5, 2013- Food and drinks for clean-up day came to a total of \$49.47
December 23, 2013 (sanded road)	
December 29, 2013	
January 3, 2014	
February 5, 2014	
February 14, 2014	
February 18, 2014	
Plowing Grand Total=\$530.00	Other Expenses Grand Total=\$186.65

\*\*Bob Small is charging the association \$40.00 an hour for tractor and operator to grade the road.

Note: \$70 per storm to plow road.  
 \$40 to sand the road as needed.

\$4091.02  
 - 530.00 (plowing)  
 -----  
 \$3561.02  
 - 186.65 (other expenses)

\$3374.37 (Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$5124.37 in the account for the 2014-2015 year.  
 \$3374.37 left over from last year + \$1750.00 total that we all put in for plowing,  
 etc. = \$5124.37) NOTE: There are 7 home owners/land owners that put in \$250.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
November 27, 2014	October 11, 2014- Food and drinks for clean-up day came to a total of \$47.80.
December 10, 2014 (sanded road)	
January 4, 2014	
January 24, 2015	
January 27 & 28, 2015- This was the blizzard. We were charged for a 2 day storm.	
January 30, 2015	
February 2, 2015- We were charged for 1.5 storms due to the volume and drifting.	
February 5, 2015	
February 8 & 9, 2015- We were charged for a 2 day storm due to the long duration of the storm (46 hours).	
February 15, 2015	
February 19, 2015	
February 22, 2015	
February 25, 2015	
March 4, 2015	
Plowing Grand Total=\$1285.00	Other Expenses Grand Total=\$47.80

\*\*Bob Small is charging the association \$40.00 an hour for tractor and operator to grade the road.

Note: \$80 per storm to plow road.  
 \$45 to sand the road as needed.

\$5124.37  
 - 1285.00 (plowing)  
 -----  
 \$3839.37  
 - 47.80 (other expenses)

\$3791.57 (Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$5306.57 in the account for the 2015-2016 year.  
 \$3791.57 left over from last year + \$1515.00 total that residents put in for plowing,  
 etc. = \$5306.57) NOTE: In July there were 6 home owners/land owners that put in \$250.  
 In October John and Kathy sold their land and were given back \$185 which was the remaining money for the rest of the year. Bobby Gaudette then picked up the remaining bill (\$185) and then some for a total of \$200.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 29, 2015	October 3, 2015- Food and drinks for clean-up day came to a total of \$50.53.
January 13, 2016	
January 16, 2016	
February 5, 2016	
February 9, 2016	
February 16, 2016	
March 21, 2016	
Plowing Grand Total=\$560.00	Other Expenses Grand Total=\$50.53

Note: \$80 per storm to plow road.

\$5306.57  
 - 560.00 (plowing)  
 -----  
 \$4746.57  
 - 50.53 (other expenses)

\$4696.04 (Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$6446.04 in the account for the 2016-2017 year.  
 (\$4696.04 left over from last year + \$1750.00 total that residents put in for plowing,  
 etc. = \$6446.04) NOTE: In July 2016 there were 7 out of 9 home owners/land owners that put in \$250.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 12, 2016	October 8, 2016- Food and drinks for clean-up day came to a total of \$87.03.
December 17, 2017	January 4, 2017- We had the road salt and sanded for \$165.00
December 31, 2016	
February 7, 2017	
February 9, 2017	
February 12, 2017- This was a blizzard storm. We were charged for a 2 day storm due to the long duration of the storm and the amount of snow we received.	
February 16, 2017	
March 13, 2017- We were charged for a 2 day storm due to the long duration of the storm which was over 24 hours.	
April 1, 2017	
Plowing Grand Total=\$990.00	Other Expenses Grand Total=\$252.03

Note: \$90 per storm to plow road.

\$6446.04  
 - 990.00 (plowing)  
 -----  
 \$5456.04  
 - 252.03 (other expenses)

\$5204.01 (Please note: This is the amount that we officially have in the account right now).



## Birchwood Lane

The road had \$6704.01 in the account for the 2017-2018 year.  
 \$5204.01 left over from last year + \$1500.00 total that residents put in for plowing,  
 etc. = \$6704.01) NOTE: In July 2017 there were 6 out of 8 home owners/land owners  
 that put in \$250.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Sand/Stone for road	Other Expenses
December 9, 2017	August 17, 2017- Ray Labbe and Sons delivered 30 yards of 3/8 crushed stone for a total of \$714.77	October 7, 2017- Food and drinks for clean-up day came to a total of \$63.71.
December 18, 2017	December 14, 2017- sand delivery due to ice- \$150	
December 23, 2017	December 24, 2017- sand delivery- \$150	
December 25, 2017	December 26, 2017- sand delivery- \$150	
January 4, 2018- This was a blizzard storm. We were charged for a 2 day storm due to the long duration of the storm and the amount of snow we received.	January 25, 2018- sand delivery- \$150	
January 17, 2018	January 5, 2018- sand delivery- \$150	
February 2, 2018		
February 7, 2018		
February 10, 2018		
February 18, 2018		
March 8, 2018- This was a blizzard storm. We were charged for a 2 day storm.		
March 13, 2018- This was a blizzard storm. We were charged for a 2 day storm.		
Plowing Grand Total= \$1350.00	Sand/Stone Grand Total= \$1464.77	Other Expenses Grand Total= \$63.71

Note: \$90 per storm to plow road.  
 \$150 to sand road

\$6704.01  
 - 1350.00 (plowing)

\$5354.01  
 - 1464.77 (sand/gravel)

\$3889.24  
 - 63.71 (other expenses)

\$3825.53 (Note: This is what we officially have in the account right now.)

## Birchwood Lane

The road had \$5,575.53 in the account for the 2018-2019 year.  
 (\$3,825.53 left over from last year + \$1,750.00 total that residents put in for plowing,  
 etc. = \$5,575.53) NOTE: In September 2018 there were 7 out of 8 home owners/land  
 owners that put in \$250.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
November 16, 2018	October 13, 2018- Food and drinks for clean-up day came to a total of \$51.36.
November 20, 2018	Greg mowed the sides of the road for clean-up day. Total was \$125.00
November 27, 2018	
January 1, 2019	
January 3, 2019	
January 8, 2019	
January 20, 2019	
January 30, 2019	
February 13, 2019	
March 4, 2019	
March 10, 2019	
Plowing Grand Total= \$990.00	Other Expenses Grand Total= \$176.36

Note: \$90 per storm to plow road.

\$5575.53  
 - 990.00 (plowing)

\$4585.53  
 - 176.36 (other expenses)

\$4409.17 (Note: This is what we officially have in the account right now.)

## Contract for Mowing

This agreement is made this 8<sup>th</sup> day of September 2012

Between: Birchwood Lane Road Association  
 And: Brian Hobart  
 For: Mowing Services

Brian will mow both the right and left sides of Birchwood Lane for \$100.

  
 Andrea Blunda

9/8/12  
 Date

  
 Brian Hobart

9/10/12  
 Date



### Contract for 2009-2010 Plowing

This agreement is made this 30<sup>th</sup> day of September 2009

Between: Birchwood Lane Road Association  
And: Brian Hobart  
For: Plowing Services

Brian will plow for \$70 a storm. This \$70 will cover Brian coming back within the same 24-hour period.

If sanding of the road is needed then an additional \$40 will be charged.

Brian is not responsible for plowing and/or sanding residents' driveways. If residents would like Brian to plow then this is a separate agreement between Brian and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda  
Andrea Blunda

9-30-09  
Date

Brian Hobart  
Brian Hobart

10/1/09  
Date

### Contract for 2010-2011 Plowing

This agreement is made this 20<sup>th</sup> day of September 2010

Between: Birchwood Lane Road Association  
And: Brian Hobart  
For: Plowing Services

Brian will plow for \$70 a storm. This \$70 will cover Brian coming back within the same 24-hour period.

If sanding of the road is needed then an additional \$40 will be charged.

Brian is not responsible for plowing and/or sanding residents' driveways. If residents would like Brian to plow then this is a separate agreement between Brian and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda  
Andrea Blunda

9/20/10  
Date

Brian Hobart  
Brian Hobart

9/22/10  
Date

### Contract for 2011-2012 Plowing

This agreement is made this 27<sup>th</sup> day of September 2011

Between: Birchwood Lane Road Association  
And: Brian Hobart  
For: Plowing Services

Brian will plow for \$70 a storm. This \$70 will cover Brian coming back within the same 24-hour period.

If sanding of the road is needed then an additional \$40 will be charged.

Brian is not responsible for plowing and/or sanding residents' driveways. If residents would like Brian to plow then this is a separate agreement between Brian and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda  
Andrea Blunda

9/27/11  
Date

Brian Hobart  
Brian Hobart

9/28/11  
Date

### Contract for 2012-2013 Plowing

This agreement is made this 26<sup>th</sup> day of November 2012

Between: Birchwood Lane Road Association  
And: Brian Hobart  
For: Plowing Services

Brian will plow for \$70 a storm. This \$70 will cover Brian coming back within the same 24-hour period.

If sanding of the road is needed then an additional \$40 will be charged.

Brian is not responsible for plowing and/or sanding residents' driveways. If residents would like Brian to plow then this is a separate agreement between Brian and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda  
Andrea Blunda

11/26/12  
Date

Brian Hobart  
Brian Hobart

11/27/12  
Date

### Contract for 2013-2014 Plowing

This agreement is made this 23<sup>rd</sup> day of October 2013

Between: Birchwood Lane Road Association  
And: Greg West  
For: Plowing Services

Greg will plow for \$70 a storm. This \$70 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$140.

If sanding of the road is needed then an additional \$40 will be charged.

Greg is not responsible for plowing and/or sanding residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      10/23/13  
Andrea Blunda                      Date

Greg West                              10/25/13  
Greg West                              Date

### Contract for 2014-2015 Plowing

This agreement is made this 6<sup>th</sup> day of October 2014

Between: Birchwood Lane Road Association  
And: Greg West  
For: Plowing Services

Greg will plow for \$80 a storm. This \$80 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$160.

If sanding of the road is needed then an additional \$45 will be charged.

Greg is not responsible for plowing and/or sanding residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      10/6/14  
Andrea Blunda                      Date

Greg West                              10/18/14  
Greg West                              Date

### Contract for 2015-2016 Plowing

This agreement is made this 5<sup>th</sup> day of October 2015

Between: Birchwood Lane Road Association  
And: Greg West  
For: Plowing Services

Greg will plow for \$80 a storm. This \$80 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$160.

Greg does not have access to a sander. If sanding of the road is needed then the residents of Birchwood Lane will have to find another option.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      10/5/15  
Andrea Blunda                      Date

Greg West                              10/6/15  
Greg West                              Date

### Contract for 2016-2017 Plowing

This agreement is made this 8<sup>th</sup> day of October 2016

Between: Birchwood Lane Road Association  
And: Greg West  
For: Plowing Services

Greg will plow for \$90 a storm. This \$90 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$180.

Greg does not have access to a sander. If sanding of the road is needed then the residents of Birchwood Lane will have to find another option.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      10/8/16  
Andrea Blunda                      Date

Greg West                              10/13/16  
Greg West                              Date

### Contract for 2017-2018 Plowing

This agreement is made this 18<sup>th</sup> day of October 2017

Between: Birchwood Lane Road Association  
 And: Greg West  
 For: Plowing Services

Greg will plow for \$90 a storm. This \$90 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$180.

Greg does not have access to a sander. If sanding of the road is needed then the residents of Birchwood Lane will have to find another option.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      10/18/17  
 Andrea Blunda                      Date

Greg West                              10/19/17  
 Greg West                              Date

### Contract for 2018-2019 Plowing

This agreement is made this 29<sup>th</sup> day of October 2018

Between: Birchwood Lane Road Association  
 And: Greg West  
 For: Plowing Services

Greg will plow for \$90 a storm. This \$90 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$180.

Greg does not have access to a sander. If sanding of the road is needed then the residents of Birchwood Lane will have to find another option.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      10/29/18  
 Andrea Blunda                      Date

Greg West                              11/2/18  
 Greg West                              Date

### Contract for 2019-2020 Plowing

This agreement is made this 2<sup>nd</sup> day of November 2019

Between: Birchwood Lane Road Association  
 And: Greg West  
 For: Plowing Services

Greg will plow for \$90 a storm. This \$90 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$180.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      11/2/19  
 Andrea Blunda                      Date

Greg West                              11/10/19  
 Greg West                              Date

**BARD EXCAVATION, INC.**  
 402 MAIN ST.  
 LISBON FALLS, ME. 04252  
 207-353-4941

Page: 1  
**Estimate**  
 Number: E166  
 Date: November 16, 2011

Bill To: ANDREA/JOHN BLUNDA

Project Location: \_\_\_\_\_

Project			
BIRCHWOOD LANE (FIX)			
Description	Quantity/Hours	Price/Rate	Amou
MACHINE / LABOR TIME			2,940.
30 FT. 12" CULVERT			300.
BASE GRAVEL	336.00	12.00	4,032.
1 1/2" GRAVEL	208.00	17.00	3,536.

**BARD EXCAVATION, INC.**  
 402 MAIN ST  
 LISBON FALLS, ME. 04252  
 207-353-4941

# Estimate

Number: E168  
 Date: November 15, 2011

Bid To: ANDREA/JOHN BLUNDA Project Location:  

Project			
BIRCHWOOD LANE (FIX)			
Description	Quantity/Hours	Price/Rate	Amount
** THIS ESTIMATE INCLUDES **			
- DITCHING BOTH SIDES OF ROAD (FROM MELAY ROAD TO CHRIS'S DRIVE)			
- DITCHING RIGHT SIDE END OF DAWNS DRIVE			
- BUILDING UP ROAD WITH APPROX. 1" OF BASE GRAVEL (FROM THE MELAY ROAD TO CHRIS'S DRIVE)			
- PLACING 12" CULVERT ACROSS THE ROAD (TO THE LEFT OF JOHN/ANDREA'S DRIVE)			
- DITCHING ACROSS FROM DAWNS DRIVE			
- SURFACING ENTIRE ROAD WITH 1 1/2" GRAVEL (FROM THE MELAY ROAD TO DEREK'S DRIVE)			
- COMPACTING ENTIRE ROAD			
<b>Total</b>			<b>\$10,808.00</b>

**BARD EXCAVATION, INC.**  
 402 MAIN ST.  
 LISBON FALLS, ME. 04252  
 207-353-4941

# Estimate

Number: E168  
 Date: November 18, 2011

Bid To: ANDREA/JOHN BLUNDA  
BIRCHWOOD LANE  
BOWDOINHAM, ME Project Location:  

Project			
BIRCHWOOD LANE (FIX)			
Description	Quantity/Hours	Price/Rate	Amount
MACHINE / LABOR TIME			1,840
BASE GRAVEL	308.00	12.00	3,696
1 1/2" GRAVEL	132.00	17.00	2,244
SEEDWAY			100

**BARD EXCAVATION, INC.**  
 402 MAIN ST.  
 LISBON FALLS, ME. 04252  
 207-353-4941

# Estimate

Number: E168  
 Date: November 18, 2011

Bid To: ANDREA/JOHN BLUNDA  
BIRCHWOOD LANE  
BOWDOINHAM, ME Project Location:  

Project			
BIRCHWOOD LANE (FIX)			
Description	Quantity/Hours	Price/Rate	Amount
** THIS ESTIMATE INCLUDES **			
- DITCHING BOTH SIDES OF ROAD (FROM MELAY ROAD TO CHRIS'S DRIVE)			
- BUILDING UP ROAD WITH APPROX. 1" OF BASE GRAVEL (FROM MELAY ROAD TO CHRIS'S DRIVE)			
- SURFACING ROAD WITH 1 1/2" GRAVEL (FROM MELAY ROAD TO CHRIS'S DRIVE)			
- COMPACTING AREA OF ROAD WORKED ON			

**BARD EXCAVATION, INC.**  
 402 MAIN ST.  
 LISBON FALLS, ME. 04252  
 207-353-4941

# Estimate

Number: E168  
 Date: November 18, 2011

Bid To: ANDREA/JOHN BLUNDA  
BIRCHWOOD LANE  
BOWDOINHAM, ME Project Location:  

Project			
BIRCHWOOD LANE (FIX)			
Description	Quantity/Hours	Price/Rate	Amount
** THIS ESTIMATE INCLUDES **			
- DITCHING BOTH SIDES OF ROAD (FROM MELAY ROAD TO CHRIS'S DRIVE)			
- BUILDING UP ROAD WITH APPROX. 1" OF BASE GRAVEL (FROM MELAY ROAD TO CHRIS'S DRIVE)			
- SURFACING ROAD WITH 1 1/2" GRAVEL (FROM MELAY ROAD TO CHRIS'S DRIVE)			
- COMPACTING AREA OF ROAD WORKED ON			
<b>Total</b>			<b>\$7,880</b>



June 18, 2012

Ms. Andrea Blunda  
 41 Birchwood Lane  
 Bowdoinhm, ME

Dear Ms. Blunda,

The following is a proposal and estimate of charges to repair Birchwood Lane (Approximately 1,100.00' / 13'-20') in Bowdoinhm. As we discussed, my process is to scarify the existing surface material where possible, which will serve to re-mix the fines and stone and cut through to the bottom of potholes and ruts. I would then re-grade the road with attention to crowning and clearing shoulder growth and material so that runoff can reach side ditch lines.

As a result of our inspection of the road, it will also be necessary to install additional material since the surface is markedly recessed with respect to the road shoulders and base bank run gravel is exposed in many areas. I am suggesting that we resurface with 1&1/2" gravel as it has the best price point and is quite dense with respect to crushed rock content. Recognizing budgetary constraints, I would propose that the first 600' of Birchwood Lane up to the barn be resurfaced in phase #1 this year, and the last 500' as a phase #2 project for 2013.

**DESCRIPTION OF SERVICES:**

Scarify, Grade and Compact the roadbed where possible to repair depressions, potholes and ruts in the existing material. Grade back shoulder ridgelines and vegetation where necessary. Install 1&1/2" crushed gravel in designated areas as outlined.

Phase #1 Approximately 600' / 20' including 200 cubic yards of 1&1/2" gravel, labor and equipment time. \$ 5,200.00

Phase #2 Approximately 500' / 13' including 126 cubic yards of 1&1/2" gravel, labor and equipment time. \$ 3,400.00

Note: If the association chooses to resurface all areas at one time, the price would be \$ 8,400.00.

**EXCAVATION SERVICES PROPOSED BY E.M. WOOD CONSTRUCTION**

Install cross culvert at low spot by barn including bedding material, culvert, labor and equipment time. \$ 885.00  
 Excavate and re-establish ditch lines along entire road. \$ 1,100.00

Andrea, thank you for the opportunity to quote this repair.  
 Respectfully,

Jonathan P. Ludwick  
 The Gravel Doctor (Mid Coast Maine)  
 207-633-1099  
 jon@graveldoctornewengland.com

**BIRCHWOOD LANE ROAD ASSOCIATION TEN YEAR PROJECTION**

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Annual Services	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00
Cover Year 1 & 2		\$3,400.00								
Additional Material of Total Cover/Year 6-10										
Total 10 yr. Plan / yr.	\$ 6,400.00	\$ 3,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00
Total Program Cost	\$ 22,853.91									
Assumptions										

4% Annual Increase in material and labor over the ten year period.  
 4% Annual Increase in gravel prices over the ten year period.  
 Approximately 1/2 bush of material is lost annually.

**Notes From August 13, 2008 Meeting**

- \* Main topic of discussion again was snow plowing for the winter. The results from what everyone came up with were discussed.
- \* Andrea discussed what her and John found out for quotes:
  - Brian Hobart will plow for \$70 a storm. This doesn't matter how many times he has to come back in a 24-hour period. The \$70 is what he will charge. If we need any sanding done it will be an additional \$40 for the road.
  - Mark Favreau will plow for \$90 a storm. If he has to come back to plow again within that same 24-hour period then it will be an additional \$45. If he picks up some of our driveways then he will drop the price of plowing the road down to \$80. He will plow the driveways for \$25-\$30 depending on the length of them. Some are longer than others.
- \* Jim McPherson and Randy Skelton were also called but no calls were returned.
- \* No other results were discussed. We decided to go with Brian Hobart. Andrea will call Brian and meet with him and go over the plowing at further length. She will also find out the cost per driveway.
- \* Andrea let everyone know that no more dirt bikes, go carts or other motorized toys are allowed on her property. They are tearing up her driveway.
- \* John Ouellette thought that we should call Tortelotte and get professional advice on how to deal with the bottom of the road. There are big ruts and pot holes that we would like to fix before winter.
- \* Chris said that he could get a truck of gravel too and fill it in with a tractor.
- \* Everyone will give Andrea \$200.00 by November 15<sup>th</sup> to take care of the plowing for the winter.
- \* The date for the next meeting was not discussed.

**Notes from August 2, 2008 meeting**

- \* The main topic of discussion was snow plowing for the winter.
- \* Any plowing that would be done would only be for the road. We as homeowner's have to come up with the money and person to plow out our own driveways. The "Road Association" is only paying for the road.
- \* We discussed whether it would be cheaper to buy a plow truck and do the plowing ourselves or hire someone to do it.
- \* We decided to give everyone a job in order to get some answers.
- \* Rusty and Dawn will look into used trucks.
- \* Bob and Elaine will look into getting some quotes for plowing the road.
- \* Jessie and Adrian will look into used vehicles as well. Jessie's uncle goes to auctions so we may be able to get a truck for a cheap price.
- \* John and Andrea will also look into getting quotes for the road.
- \* The next meeting will be held on August 13, 2008 at the Blunda house.



## Meeting Notes from September 16, 2009 Meeting

\* Main topic of discussion was plowing for the winter. It was decided that we would hire Brian Hobart for plowing again. His prices are low. Andrea spoke with Brian and he is going to keep the same fee of \$70 a storm (within a 24 hour period).

\* Andrea will speak to Brian about making the road wider when he does come and plow for us. The association will also stake the road where the big rocks are and any other place that he would have a problem.

\* Andrea will double check on the driveway fees and will make sure that it has not changed from last year.

\* November 15<sup>th</sup> is the deadline for the \$200 that everyone needs to pitch in for plowing.

\* Cars are still continuing to drive too fast. It was mentioned that we could put speed bumps on the road, but then we would have to take them up for the winter months. It was decided that all homeowners need to remind their guests that they need to be driving slowly on the road.

\* Maintenance of the road was discussed. There are things that should be done before the winter. On October 10<sup>th</sup> we will have a clean up day to pick up trash, and trim bushes back. The association will rent a chipper and take care of the brush that is lying by the side of the road as you get to the bottom of Birchwood Lane. Clean up will begin at 8:00 a.m. and go until 12:00 p.m. Everyone will meet at the Blunda's where jobs will be assigned. Lunch will also be provided at 12:00. Andrea will send out notices as a reminder to everyone.

## Road Association Meeting Notes for September 1, 2010

### Agenda

- Plowing for the Winter
- Increase in road fees
- Clean up day
- Having visible road numbers
- ATV's on road

• Everyone agreed that Brian Hobart still has the best price for plowing. Therefore, Andrea will send him a contract to set up the plowing for the Winter.

• The bottom of Birchwood Lane is always an issue with the need for more gravel. Andrea will e-mail Brian Hobart, town selectman, and see how to get a load of gravel.

• The need for an increase in road fees was brought up and a vote was made. From now on instead of the \$200 in association fees it will be \$250.

• The \$250 will be due on November 15, 2010.

• Adrian brought up for discussion how hard it is to have the association fees due so close to the holidays. Everyone agreed that having the fees due in the Summer is fine. Therefore, next year the fees will be due on July 15, 2011. John B. mentioned that this will mean not having an entire year come around again before the next fees were due. Everyone was fine with this.

• Andrea mentioned that a meeting before the fees are due is a good idea in case anything needs to be changed. It was agreed upon that the next road association meeting will be at the beginning of June. An actual date will be decided upon as the date gets closer.

• The road should get cleaned up before the snow flies. The sides of the road need to be trimmed back again. A clean up day is scheduled for October 2, 2010 from 8:00 a.m.-12:00 p.m. Lunch will be provided at John and Andrea's house afterwards. Andrea will get in contact with Brian Hobart to see if he has any equipment that can help with this and what he would charge (for bushhog, sickle bar, etc.). On clean up day people should bring clippers, weed wackers, rakes, etc.

• John B. brought up having visible house numbers. This may cut down on the amount of people driving up and down the road to find the right house. If it isn't visible from the road (in John and Andrea's case) then maybe put it on a piece of wood at the bottom of the driveway. This is also very important in case emergency vehicles need to find your house.

• Andrea brought up how a particular 4-wheeler is coming on Birchwood Lane and tearing up the bottom of the road. When asked, everyone on the road said that they were not friends with these people and therefore these people should not even be on the road. Adrian mentioned that he knows someone he can speak to and find out legally what we can do about the situation because we are on a private way. John B. mentioned that we could put up sign(s) at the bottom of the road that say, "No Trespassing" or "Private Way Residents Only." John B. will look at getting a couple of these.

### \*\*UPDATE\*\*

Jessi called with the information we were looking for about the above issue. She had spoken with a law enforcement official who said that our first step is to put a sign up stating that this is private property. After this if the 4-wheeler comes up again then we need to get evidence and then get the law involved.

## Road Association Meeting Notes for June 22, 2011

### Agenda

- Plowing
- Brian Hobart- mowing
- Clean up day
- Repairing the road
- June meetings

• Everyone agreed that Brian Hobart still has the best price for plowing. Therefore, Andrea will send him a contract to set up the plowing for the Winter.

• Andrea will check with Brian Hobart about mowing the sides of the road again from the bottom of Birchwood up to Andrea's driveway. This will happen the last week of September in time for clean up day.

• Clean up day this year will happen on October 1, 2011. It will go from 9:00 a.m. - 12:00 p.m. We will pick up trash, pick up the brush left over from Brian Hobart mowing, etc. Lunch will be provided at Andrea's house afterwards.

• A lot was discussed about the need to fix the potholes, etc. on the road. The association has a good amount of money in the account so it was agreed upon by those present to take some of that money and look into fixing the road. However it was also brought up that a new house will be going in (either this year or next) next to Andrea so we should probably wait until that house moves in due to the dump trucks, etc. coming up. Those trucks may damage the road more after we fix it. It was decided by those present



## Birchwood Lane Road Association

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that Andrea would at least begin looking into how much it would cost to deal with the road. Once Andrea gets quotes, etc. from the companies then she will bring that information to the meeting and a decision will be made from there.

- It was agreed that having the meeting in June along with the \$250 that is due is a good time. Therefore, we will keep June as a meeting date once a year.



## Birchwood Lane Road Association

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### Road Association Meeting Notes for June 27, 2012

#### Agenda

- Repairing the road
- Brian Hobart- mowing
- Clean up day

• A lot was discussed about the appearance of the road. In the last couple of months Andrea met with Steve Bard and Jonathan Ludwick (gravel doctor of Maine) and got estimates on what it would take to repair the road. Both estimates were high (Steve Bard was \$7800 and Jonathan was \$7100). A copy of these estimates was given to all who were present at the meeting. It was decided that the estimates far exceeded what we have for money in the account. Therefore, for now we will try to repair the road ourselves. Bob went to Wallingsford equipment in Auburn and got an estimate for a grading scraper. This would attach to the back of Bob's tractor and we could grade the road ourselves. The estimate for this is \$1450.00 plus tax. We decided to purchase this. Bob will volunteer the tractor and Chris is going to do the grading on the road. Bob will check with Steve Bard because he did tell us in the estimate that we need a culvert to go in near Chris's garage to divert water from collecting on the road. Bob will check to see exactly where this would go. We will have Steve put the culvert in. We will get 2 dump truck loads of sand (we will use Bob's truck for this) which is necessary to put the culvert in. If we need gravel for the road then we will buy it. We will use Steve for compacting the road. It was agreed upon by everyone present that all of the major road work should be done after Derek and Rebecca's house is finished. This includes having gravel brought in and compacting the road.



## Birchwood Lane Road Association

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• Andrea will check with Brian Hobart about mowing the sides of the road again from the bottom of Birchwood up to Andrea's driveway. This will happen the first week of October in time for clean up day.

• Clean up day this year will happen on October 6, 2012. It will go from 9:00 a.m. – 12:00 p.m. We will pick up trash, pick up the brush left over from Brian Hobart mowing, etc. Lunch will be provided at Andrea's house afterwards.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.



## Birchwood Lane Road Association

PO BOX 147 - BOWDOINHAM, ME - 04008 (207) 666-3208

### Road Association Meeting Notes for June 26, 2013

#### Agenda

- Budget- plowing and expenses from previous year
- Brian Hobart- plowing, mowing
- Clean-up day
- Installing a culvert

• We had 6 plowable storms this year compared to the 4 the previous year. Therefore, we spent a little more on plowing. The big purchase from this past year was the grader and the grading that has been done on the road.

• Everyone seems to be happy with the plowing that Brian Hobart has been doing. We will once again have him plow the road this winter. Andrea will check with Brian and make sure that the cost to plow has not gone up.

• Andrea will check with Brian Hobart about mowing the sides of the road again from the bottom of Birchwood up to Derek's driveway. This will happen the first week of October in time for clean-up day.

• Clean-up day this year will happen on October 5, 2013 with a rain date of October 12th. It will go from 9:00 a.m. – 12:00 p.m. We will pick up trash, pick up the brush left over from Brian Hobart mowing, etc. Lunch will be provided at Andrea's house afterwards.

• We discussed the area in front of Chris' house which seems to collect a huge body of water every time it rains. He has removed the birches and leveled the ground. However, it still is puddling up after a hard rain. We discussed installing a 20 foot culvert across the road from his main



## Birchwood Lane Road Association

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driveway. This is a culvert which Andrea had delivered to her house, but decided there was no need for it at the bottom of her driveway. As of right now the culvert is free to the road because Andrea was never charged for it upon delivery. If Andrea does get charged for it then this could be up to the road to pay. The culvert would cost \$200. As of right now to put the culvert in we are looking at a \$245 estimate. \$150 for materials, \$75 for an additional piece of culvert (20 feet is not quite long enough to go across.) and \$20 for fuel for the tractor. Chris will install the culvert which will lead to the temporary closing of the road. He will try to do this either very early in the morning or first thing on a Sunday morning.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.



## Birchwood Lane Road Association

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• We discussed mud season and how the small hill by the dumpster was very bad this Spring from all of the frost. Some of us had to park at the bottom of Birchwood Lane because we couldn't make it up the road without getting stuck or damaging our vehicles. A small parking area off to the side at the bottom of Birchwood Lane may be beneficial if this were to happen again. This way we can still leave room at the bottom so that cars can easily pass through.

• Clean-up day this year will happen on October 4, 2014 with a rain date of October 11th. It will go from 9:00 a.m. - 12:00 p.m. We will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Lunch will be provided at Andrea's house afterwards.

• Road dues are due by July 15, 2014 to Andrea.

• Andrea is going to look into how many residents it takes to consider Birchwood Lane a town road.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.



## Birchwood Lane Road Association

PO BOX 147 - BOWDOINHAM, ME - 04008 (207) 666-3208

### Road Association Meeting Notes for June 26, 2015

#### Agenda

- Budget- plowing and expenses from previous year
- Greg West- plowing
- Dawn's house- dues
- Becoming a town road
- Grading the road
- Clean-up day
- Road dues

• We had 13 plowable storms this year compared to the 7 the previous year. Therefore, we spent much more on plowing. We didn't really have much for other expenses. We had expenses from food and drinks from clean up day last year.

• Everyone seems to be happy with the plowing that Greg West has been doing. Andrea contacted Greg 1 week before this meeting occurred to make sure his rates would be the same this year. His plowing rate for the road is going to remain the same, which is \$80. If sanding of the road is needed then residents will have to figure something out because Greg does not have a sander. Everyone agreed that he still has the cheapest rate for plowing. Therefore, we will once again have him plow the road this winter.

• Andrea wrote a letter to the bank that has taken over Dawn's old house to see if they would pay the dues. However, due to Birchwood Lane not having an official road association, Andrea was told that they would not pay it.



## Birchwood Lane Road Association

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• Andrea also inquired about what it would take for Birchwood Lane to become a town road. She was told that first she would have to talk to the town manager. If he decided that it would be something he would want the town to take on then he would have to bring it to a town meeting for everyone to vote on. Nothing further was discussed on this with the residents that attended.

• We discussed the need for the road to get graded. Chris said that within the next 2 weeks he would grade the road. The road association will pay him \$40 an hour for his labor.

• Clean-up day this year will happen on October 3, 2015 with a rain date of October 10th. It will go from 9:00 a.m. - 12:00 p.m. We will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Lunch will be provided at Andrea's house afterwards.

• Road dues are due by July 15, 2015 to Andrea.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.



## Road Meeting Notes for July 9, 2016

### Agenda

- Budget- plowing and expenses from previous year
  - Greg West- plowing
  - Clean-up day
  - Becoming a legal road association
  - Speed on the road
  - Road dues
- We had 7 plowable storms this year compared to the 13 the previous year. Therefore, we spent much less on plowing. We didn't really have much for other expenses. We had expenses from food and drinks from clean up day last year.
- Everyone seems to be happy with the plowing that Greg West has been doing. Andrea contacted Greg a couple weeks before this meeting occurred to check in as to what he would be charging to plow this year. His plowing rate for the road is going to increase from \$80 to \$90. Greg will plow up to Derek's driveway as Bobby Gaudette said that he will take care of the rest of the road/his driveway from there. If sanding of the road is needed then residents will have to figure something out because Greg does not have a sander. Andrea mentioned that having Greg plow is the best option because this is all he does for work in the winter. He will plow at all hours to make sure that residents are able to get out. Everyone agreed that he still has the cheapest rate for plowing. Therefore, we will once again have him plow the road this winter. If residents would like Greg to plow their driveway then that is to remain separate and be between the resident and Greg.
- Clean-up day this year will happen on October 1, 2016 with a rain date of October 8th. It will go from 9:00 a.m. – 12:00 p.m. Everyone will meet at John and Andrea's house and from there we will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Bobby Gaudette will be

allowing us to dump any trees, brush, etc. on his property. Lunch will be provided at Andrea's house afterwards.

• Andrea brought up the fact that not everyone has been paying the road dues every year and/or contributing to clean up day. Due to the fact that we are an informal road association there is no legal recourse if the homeowner/landowner refuses to pay. Andrea also mentioned that if one homeowner/landowner decides not to pay then others may follow leading to the draining of the road fund because there isn't any money going into it. This could ultimately lead to Bobby and his father (owners of the road) having to pay for everything on their own. Andrea didn't think this would be fair because if you live or have property on this road then you should have to pitch in and pay for plowing and any needed road repairs. Chris Small mentioned that he had gone to the town hall and inquired what the town's position was if the road became impassable during the spring. He was told that they would "fine" us. Bob Small said he thought that this meant the town would make the road "passable" and assess each landowner for the expense.

Bob Small came to the meeting with some information on forming a road association. As of right now we have what is called an informal road association. That means that we take the initiative to oversee the maintenance and attempt to collect the costs from all the people that use the road. However, this doesn't appear to be working. Also, having an informal road association comes with liability issues as liability insurance can only be purchased if the association is at least a statutory association. Unless the person or business doing the road maintenance has liability insurance for the work they are performing, they could be at financial risk in the event of a liability claim. Homeowner's insurance may or may not cover the work of volunteers. The other issue with having an informal road association is that it may be more difficult to get a construction loan or a mortgage for property on our road. That means that if you are trying to sell your house or property then you may have a more difficult time doing so because banks do not want to give financing for property on a road with an informal road association. Bob Small recommended investigating what is called a statutory road association. A statutory road association would involve having yearly meetings, a board and secretary. It would provide some "civil" immunity for the officers and also enable us to purchase liability insurance for claims that we might not be immune from. This type of road association doesn't pay taxes, does not have to file any returns and ownership of the road remains the same. It would not be voluntary for landowners to participate, as the equivalent of liens and interest can be attached to deeds if the dues are not paid per the rules of the association.

Insurance companies generally require anyone hired to do road maintenance by an association they insure to have a designated amount of liability insurance and that the association require a "certificate of liability insurance" be presented before work commences.

Bobby Gaudette mentioned that he didn't think that this was needed. He said that if it got to the point where people weren't going to pay or participate in the road then he would personally speak to them. Bobby also mentioned that he plans on taking care of the road and doing any maintenance to the road that is needed. He hopes to have the road paved in about a year and a half. The issue of forming a statutory road association was put on hold until further notice. For more information on forming a road association you can visit [www.maine.gov](http://www.maine.gov) – "A Guide to Forming Road Associations."

• Derek had brought up how people have been going too fast on the road. There are children that ride their bikes and adults that walk on the road. Residents and their guests need to slow down on the road. Bobby Gaudette mentioned that we could put up signs but it probably wouldn't help. We just all need to slow down and pass it along to the people that visit and travel on the road.

• Road dues are due by August 15, 2016 to Andrea Blunda. Due to the fact that she pays the plow bills and any other needed bills that occur on the road- the checks will be made out to her and she will put it in the account.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.

## Road Meeting Notes for July 29, 2017

### Agenda

- Budget- plowing and expenses from previous year
  - Greg West- plowing
  - Sanding the road in the winter
  - Clean-up day
  - Speed on the road
  - Road dues
  - Road work
- We had 9 plowable storms this year compared to the 7 the previous year. We also had 1 time when we had to have salt and sand spread on the road due to very slippery conditions. We had expenses from food and drinks from clean up day last year as well.
- Everyone seems to be happy with the plowing that Greg West has been doing. Andrea has been in contact with Greg to check in as to what he would be charging to plow this year. His plowing rate for the road will remain the same, at \$90. He will not go up on prices this year. Greg will plow up to Derek's driveway as Bobby Gaudette has said that he will take care of the rest of the road/his driveway from there. If residents would like Greg to plow their driveway then that is to remain separate and be between the resident and Greg.
- The residents voted on this before Bobby Gaudette and Kate showed up (they were 30 minutes late to the meeting) and it was decided to keep Greg for plowing. However, Bobby assumed that he was going to take care of the plowing. Bobby has a snowblower that attaches to a tractor. Some of the residents wanted to keep Greg because he is dependable. He is able to plow at all hours of the night so that residents can get out and go to work at various hours. His rates are also great. If we lose him, we are afraid that we won't be able to get him back and/or get somebody to plow for the same price. Greg also has a backup person to plow us

out if his truck breaks down or if he goes on vacation. After a big discussion we decided to keep Greg for plowing for another year. We may revisit this topic again next year though.

- Greg doesn't have a sander to do the road. Last year we used John Cote but that was a little pricey because he charged us \$165.00. Heather is going to check with her uncle who works for Labbe to see if he will do it. The residents agreed that getting a quote for \$115-125 to sand the road was an acceptable amount. We will only require this service if the road gets very slippery and icy. There is a definite need for sanding the road when it gets extremely icy because a couple residents have to walk their children to the end of the road to catch the school bus. Since there is a hill where they have to walk, we need to make sure that is safe.

- Clean-up day this year will happen on October 7, 2017 with a rain date of October 14th. It will go from 9:00 a.m. - 12:00 p.m. Everyone will meet at John and Andrea's house and from there we will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Bobby Gaudette mentioned that if we make piles along the side of the road then he can come along and pick them up to dump the brush, etc. on his land. Lunch will be provided at Andrea's house afterwards.

- Andrea brought up the fact that not everyone has been paying the road dues every year and/or contributing to clean up day.

- John had brought up how people are still going too fast on the road. Residents and their guests need to slow down on the road. We just all need to slow down and pass it along to the people that visit and travel on the road.

- Road dues are due by September 1, 2017 to Andrea Blunda. Due to the fact that she pays the plow bills and any other needed bills that occur on the road- the checks will be made out to her and she will put it in the account.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.

- Bobby Gaudette mentioned that he is going to be doing some road work. He wants to put down 30 yards of 3/8ths inch gravel. Heather is going to check in with her uncle who works for Labbe to see if he can deliver this. We will make 2 or 3 separate piles on the side of the road for Bobby. Bobby Gaudette will use his

tractor and spread it throughout the entire road. The residents agreed to pay Bobby \$35 an hour for his tractor work. A bill for the gravel and tractor work amount will be given to Andrea and she will get a check to the necessary people.

## Road Meeting Notes for August 18, 2018

### Agenda

- Budget- plowing and expenses from previous year
- Greg West- plowing
- Sanding the road in the winter
- Mowing the sides of the road
- Clean-up day
- Road dues

- We had 12 plowable storms this year compared to the 9 the previous year. We also had sand delivered 5 times from Ray Labbe and Sons to put down on the road due to very slippery conditions. We had expenses from food and drinks from clean up day last year as well. Bobby Gaudette also suggested at last year's meeting to have a delivery of crushed stone so that he could put it down on the road to help with the pot holes, etc. and that was an expense.

- Everyone seems to be happy with the plowing that Greg West has been doing. Andrea has been in contact with Greg to check in as to what he would be charging to plow this year. His plowing rate for the road will remain the same, at \$90. He will not go up on prices this year. Greg will plow up to Derek's driveway as Bobby Gaudette has said that he will take care of the rest of the road/his driveway from there. If residents would like Greg to plow their driveway then that is to remain separate and be between the resident and Greg.

- Greg doesn't have a sander to do the road. Sanding the road when it gets icy is an ongoing issue. Last winter we spent a total of \$750 just on sand delivery. Unfortunately we are unable to continue spending this much on sanding when everyone on the road is not contributing to the road fee. There is a definite need for sanding the road when it gets extremely icy because a couple residents have to walk their children to the end of the road to catch the school bus. Since there is a

## Road Meeting Notes for May 18, 2019

### Agenda

- Budget- plowing and expenses from previous year
- Greg West- plowing
- Mowing the sides of the road
- Clean-up day
- Road Maintenance
- Road speed
- Road dues

- We had 11 plowable storms this year compared to the 12 the previous year. We had expenses from food and drinks from clean up day last year as well. We had Greg mow the sides of the road ahead of clean up day to make it easier for residents to cut back trees, etc along the sides of the road.

- Since the annual road meeting was held months earlier then in previous years Greg didn't have plow rates available yet. Last winter his rate was \$90 per storm. His rates are cheap for what he does. It was agreed that we should keep him for plowing this year. Andrea mentioned that even when his rates have gone up in the past it has only been by \$5-10. Ally asked if we could ask Greg on the storm days that are blizzard like if he could at least give us access by 3am. Ally works early mornings for her job and needs to get out. Andrea will mention this to Greg. Greg usually comes by 5am so that residents can get out to get to work, but Andrea will see if he can come earlier. As always, if residents would like Greg to plow their driveway then that is to remain separate and be between the resident and Greg.

- We discussed having Greg mow the sides of the road again with a sickle bar or bush hog. Greg did this last year ahead of clean up day and it made cleaning up the sides of the road easier. Andrea will contact Greg to see if he is available to do this 1-2 weeks before clean up day. Last year he charged us \$125.

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• Clean-up day this year will happen on October 12, 2019 with a rain date of October 19th. It will go from 9:00 a.m. – 12:00 p.m. Everyone will meet at John and Andrea's house and from there we will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Lunch will be provided at Andrea's house afterwards. Andrea will send out a reminder e-mail 1 week before.

• The road is in bad shape and needs maintenance. There were 2 suggestions that had been previously mentioned. The first suggestion was from Bobby Gaudette to spend \$1500 to purchase gravel to fill in the potholes. Bobby would use his tractor and do the work himself. The second suggestion was from Bob and Chris Small who have a tow behind grader box (purchased from a tractor dealer) which is designed for the express purpose of leveling and repairing "camp roads." Since the grader box moves existing gravel into potholes, they have estimated \$500-600 worth of gravel will be needed to repair the road. Bob has a tractor and a small dump truck and Chris has experience using the grader box. There will be some fuel cost for diesel. It was agreed upon to have a budget of \$575 for this project. \$500 for the gravel and \$75 for the diesel. To try to make this work go as smoothly as possible, the work will be done in the evenings. The hope is that residents will be home from work when Chris is doing the repairs.

• There is some concern that when the road does get repaired that it will be treated as a "race track." Residents had concerns that we are spending money to make much needed repairs to the road and if cars go too fast then the gravel is going to go up in dust. This will mean more repairs will be needed each year. Residents present at the meeting agreed to speak to any guests they saw going too fast. There are children present on this road and residents enjoy walking on the road. We can't have people speeding on a 1 lane road.

• Road dues are due by August 1, 2019 in the amount of \$250 to Andrea Blunda. Due to the fact that she pays the plow bills and any other needed bills that occur on the road- the checks will be made out to her and she will put it in the account. We discussed the need for eventually increasing the road dues. Due to the increase in the amount of traffic that the road gets, yearly road maintenance may be a must. This may get costly indicating the need for increasing the dues. Next year we will re-visit this issue. However, everyone present at the meeting was in agreement that probably by next year the dues will be going up. Andrea will send out a reminder e-mail 1 week before road dues are due.

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## Birchwood Lane

The road started out with \$1500.00 in the account.

Here is a break down of what we have spent so far:

Dates That Chris Plowed	Sand/Gravel For Road	Road Sign
November 24, 2005	January 11, 2006 sand was delivered for icy walkways, etc. This was for a total cost of \$90.00.	We have been given a quote of \$55.00 for a road sign.
December 9, 2005	April 25, 2006 14 cu. yds. of gravel was delivered to take care of pot holes in road. This was for a total cost of \$126.00.	
December 16, 2005	April 29, 2006 28 cu. yds. of gravel was delivered for the road. This was for a total cost of \$252.99.	
December 27, 2005		
January 5, 2006		
January 15, 2006		
Total = Chris was given \$200.00 for all of this.	Total = \$468.99	Total = \$55.00

\$1500.00  
-\$723.99

\$776.01 is what we have left over in the account.

\*\*Deadline for next road association fee (\$500.00) is November 15, 2006. This is the date that we would like to have everyone's money in by, before it gets too crazy with the holidays.

-John and Andrea Blunda

## Birchwood Lane

The road had \$1776.01 in the account for the 2006-2007 year.

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 9, 2006	September 6, 2006- Chris was given \$300 to fill plow truck with gas and get plow truck ready for winter.
December 30, 2006	September 7, 2006- Paid for "Birchwood Lane" road sign which totaled \$70.00.
January 15, 2007	April 27, 2007- bought Darin a grill for \$313.96 as a thank you gift for plowing.
February 3, 2007	
February 14, 2007	
March 2, 2007	
March 15, 2007	
April 4, 2007	Total = \$683.96

\$1776.01  
-\$683.96

\$1092.05 is what we have left over in the account.

\*\*Deadline for next road association fee (\$500.00) is November 15, 2007. This is the date that we would like to have everyone's money in by, before it gets too crazy with the holidays. Thanks!

-John and Andrea Blunda

## Birchwood Lane

The road had \$1092.05 in the account for the 2007-2008 year.

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 3, 2007	Chris was given \$227.40 for a new clutch and other parts for the plow truck.
December 16, 2007	January 16, 2008- Mark Favreau was given \$75 to salt and sand the road as well as our driveways.
December 20, 2007	February 2, 2008- Mark Favreau was given \$ 35 to salt and sand up to the dumpster only.
December 31, 2007	
January 1, 2008	
January 2, 2008	
January 14, 2008	
April 4, 2007	Total = \$337.40

\$1092.05  
-\$337.40

\$754.65 is what we have left over in the account.

## Birchwood Lane

The road had \$1954.65 in the account for the 2008-2009 year.  
(\$754.65 left over from last year + \$1200.00 total that we all put in for plowing, etc. = \$1954.65)

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 19, 2008	
December 21, 2008	
January 8, 2009	
January 11, 2009	
January 18, 2009	
January 28, 2009	
February 19, 2009	
February 22, 2009	
March 2, 2009	
Plowing Grand Total = \$630.00	

Note: \$70 per storm to plow road.

\$1954.65  
-\$630.00

\$1324.65 is what we have left over in the account.



## Birchwood Lane

The road had \$2524.65 in the account for the 2009-2010 year.  
 \$1324.65 left over from last year + \$1200.00 total that we all put in for plowing,  
 etc. = \$2524.65)

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
	October 10, 2009- clean up day = \$80 to rent the chipper, \$41.16 for food, drinks, etc., and \$15 for diesel for truck which got the chipper here. Grand Total of \$136.16
	November 17, 2009 = Rake was rented to grade the road. Rake was \$40.00 and fuel for tractor was \$15.00. Grand Total of \$55.00.
December 6, 2009	
December 9, 2009	
December 15, 2009 (sanded road only)	
January 1, 2010	
January 2, 2010	
January 18, 2010	
January 20, 2010	
Plowing Grand Total = \$460.00	

Note: \$70 per storm to plow road.

\$2524.65  
 - 460.00 (plowing)  
 -----  
 \$2064.65  
 - 191.16 (other expenses)  
 -----  
 \$1873.49

## Birchwood Lane

The road had \$3373.49 in the account for the 2010-2011 year.  
 \$1873.49 left over from last year + \$1500.00 total that we all put in for plowing,  
 etc. = \$3373.49)

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 23, 2010	October 2010- Brian Hobart mowed the sides of the road prior to clean up day. Total Cost= \$100.00
December 27, 2010	October 2, 2010- Food and drinks for clean up day came to a total of \$47.50
January 12, 2011	September 3, 2010- Private Property signs to put at the end of the road came to a total of \$2.46.
January 19, 2011	
January 21, 2011	
February 2, 2011	
February 6, 2011	
February 25, 2011	
April 1, 2011	
Plowing Grand Total= \$630.00	Other Expenses Grand Total= \$149.96

Note: \$70 per storm to plow road.

\$3373.49  
 - 630.00 (plowing)  
 -----  
 \$2743.49  
 - 149.96 (other expenses)  
 -----  
 \$2593.53

(Please note: This is the amount that we officially have in the account right now. After June 30<sup>th</sup> the amount will go up to \$4093.53).

## Birchwood Lane

The road had \$4093.53 in the account for the 2011-2012 year.  
 \$2593.53 left over from last year + \$1500.00 total that we all put in for plowing,  
 etc. = \$4093.53)

Here is a break down of what we have spent so far:

Dates That We Were Plowed	Other Expenses
November 23, 2011	October 2011- Brian Hobart mowed the sides of the road prior to clean up day. Total Cost= \$100.00
January 12, 2012	October 12, 2010- Food and drinks for clean up day came to a total of \$52.60
January 20, 2012	
March 1, 2012	
Plowing Grand Total= \$280.00	Other Expenses Grand Total= \$152.60

Note: \$70 per storm to plow road.

\$4093.53  
 - 280.00 (plowing)  
 -----  
 \$3813.53  
 - 152.60 (other expenses)  
 -----  
 \$3660.93

(Please note: This is the amount that we officially have in the account right now. After June 30<sup>th</sup> the amount will go up to \$5160.93).

## Birchwood Lane

The road had \$5160.93 in the account for the 2012-2013 year.  
 \$3660.93 left over from last year + \$1500.00 total that we all put in for plowing,  
 etc. = \$5160.93)

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 27, 2012	June 29, 2012- We purchased a grader for \$1522.50
December 30, 2012	July 1, 2012- 4 hours of grading to the road for \$160.00
January 16, 2013	July 12, 2012- 1 hour of ditching of the road for \$40.00
February 8, 2013	July 13, 2012- 1 hour of ditching of the road for \$40.00
February 23, 2013	September 27, 2012- Brian Hobart mowed the sides of the road prior to clean up day. Total cost= \$100.00
March 19, 2013	October 12, 2012- Food and drinks for clean-up day came to a total of \$47.41
(We only had 4 storms last year.)	June 1, 2013- 6 hours of grading the road for \$240.00.
Plowing Grand Total= \$420.00	Other Expenses Grand Total= \$2149.91

\*\*Bob Small is charging the association \$40.00 an hour for tractor and operator to grade the road.

Note: \$70 per storm to plow road.

\$5160.93  
 - 420.00 (plowing)  
 -----  
 \$4740.93  
 - 2149.91 (other expenses)  
 -----  
 \$2591.02

(Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$4091.02 in the account for the 2013-2014 year.  
 \$2591.02 left over from last year + \$1500.00 total that we all put in for plowing,  
 etc. = \$4091.02)

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 15, 2013	July 22, 2013- road work \$137.18
December 18, 2013	October 3, 2013- Food and drinks for clean-up day came to a total of \$49.47
December 23, 2013 (sanded road)	
December 29, 2013	
January 3, 2014	
February 5, 2014	
February 14, 2014	
February 18, 2014	
Plowing Grand Total=\$530.00	Other Expenses Grand Total=\$186.65

\*\*Bob Small is charging the association \$40.00 an hour for tractor and operator to grade the road.

Note: \$70 per storm to plow road.  
 \$40 to sand the road as needed.

\$4091.02  
 - 530.00 (plowing)  
 -----  
 \$3561.02  
 - 186.65 (other expenses)  
 -----

\$3374.37 (Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$5124.37 in the account for the 2014-2015 year.  
 \$3374.37 left over from last year + \$1750.00 total that we all put in for plowing,  
 etc. = \$5124.37) NOTE: There are 7 home owners/land owners that put in \$250.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
November 27, 2014	October 11, 2014- Food and drinks for clean-up day came to a total of \$47.80.
December 10, 2014 (sanded road)	
January 4, 2014	
January 24, 2015	
January 27 & 28, 2015- This was the blizzard. We were charged for a 2 day storm.	
January 30, 2015	
February 2, 2015- We were charged for 1.5 storms due to the volume and drifting.	
February 5, 2015	
February 8 & 9, 2015- We were charged for a 2 day storm due to the long duration of the storm (46 hours).	
February 15, 2015	
February 19, 2015	
February 22, 2015	
February 25, 2015	
March 4, 2015	
Plowing Grand Total=\$1285.00	Other Expenses Grand Total=\$47.80

\*\*Bob Small is charging the association \$40.00 an hour for tractor and operator to grade the road.

Note: \$80 per storm to plow road.  
 \$45 to sand the road as needed.

\$5124.37  
 - 1285.00 (plowing)  
 -----  
 \$3839.37  
 - 47.80 (other expenses)  
 -----

\$3791.57 (Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$5306.57 in the account for the 2015-2016 year.  
 \$3791.57 left over from last year + \$1515.00 total that residents put in for plowing,  
 etc. = \$5306.57) NOTE: In July there were 6 home owners/land owners that put in \$250.  
 In October John and Kathy sold their land and were given back \$185 which was the remaining money for the rest of the year. Bobby Gaudette then picked up the remaining bill (\$185) and then some for a total of \$200.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 29, 2015	October 3, 2015- Food and drinks for clean-up day came to a total of \$50.53.
January 13, 2015	
January 16, 2016	
February 5, 2016	
February 9, 2016	
February 16, 2016	
March 21, 2016	
Plowing Grand Total=\$560.00	Other Expenses Grand Total=\$50.53

Note: \$80 per storm to plow road.

\$5306.57  
 - 560.00 (plowing)  
 -----  
 \$4746.57  
 - 50.53 (other expenses)  
 -----

\$4696.04 (Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$6446.04 in the account for the 2016-2017 year.  
 (\$4696.04 left over from last year + \$1750.00 total that residents put in for plowing,  
 etc. = \$6446.04) NOTE: In July 2016 there were 7 out of 9 home owners/land owners that put in \$250.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
December 12, 2016	October 8, 2016- Food and drinks for clean-up day came to a total of \$87.03.
December 17, 2017	January 4, 2017- We had the road salt and sanded for \$165.00
December 31, 2016	
February 7, 2017	
February 9, 2017	
February 12, 2017- This was a blizzard storm. We were charged for a 2 day storm due to the long duration of the storm and the amount of snow we received.	
February 16, 2017	
March 13, 2017- We were charged for a 2 day storm due to the long duration of the storm which was over 24 hours.	
April 1, 2017	
Plowing Grand Total=\$990.00	Other Expenses Grand Total=\$252.03

Note: \$90 per storm to plow road.

\$6446.04  
 - 990.00 (plowing)  
 -----  
 \$5456.04  
 - 252.03 (other expenses)  
 -----

\$5204.01 (Please note: This is the amount that we officially have in the account right now).

## Birchwood Lane

The road had \$6704.01 in the account for the 2017-2018 year.  
 \$5204.01 left over from last year + \$1500.00 total that residents put in for plowing,  
 etc. = \$6704.01) NOTE: In July 2017 there were 6 out of 8 home owners/land owners  
 that put in \$250.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Sand/Stone for road	Other Expenses
December 9, 2017	August 17, 2017- Ray Labbe and Sons delivered 30 yards of 3/8 crushed stone for a total of \$714.77	October 7, 2017- Food and drinks for clean-up day came to a total of \$63.71.
December 18, 2017	December 14, 2017- sand delivery due to ice- \$150	
December 23, 2017	December 24, 2017- sand delivery- \$150	
December 25, 2017	December 26, 2017- sand delivery- \$150	
January 4, 2018- This was a blizzard storm. We were charged for a 2 day storm due to the long duration of the storm and the amount of snow we received.	January 25, 2018- sand delivery- \$150	
January 17, 2018	January 5, 2018- sand delivery- \$150	
February 2, 2018		
February 7, 2018		
February 10, 2018		
February 18, 2018		
March 8, 2018- This was a blizzard storm. We were charged for a 2 day storm.		
March 13, 2018- This was a blizzard storm. We were charged for a 2 day storm.		
Plowing Grand Total= \$1350.00	Sand/Stone Grand Total= \$1464.77	Other Expenses Grand Total= \$63.71

Note: \$90 per storm to plow road.  
 \$150 to sand road

\$6704.01  
 - 1350.00 (plowing)  
 -----  
 \$5354.01  
 - 1464.77 (sand/gravel)  
 -----  
 \$3889.24  
 - 63.71 (other expenses)  
 -----  
 \$3825.53 (Note: This is what we officially have in the account right now.)

## Birchwood Lane

The road had \$5,575.53 in the account for the 2018-2019 year.  
 (\$3,825.53 left over from last year + \$1,750.00 total that residents put in for plowing,  
 etc. = \$5,575.53) NOTE: In September 2018 there were 7 out of 8 home owners/land  
 owners that put in \$250.

Here is a breakdown of what we have spent so far:

Dates That We Were Plowed	Other Expenses
November 16, 2018	October 13, 2018- Food and drinks for clean-up day came to a total of \$51.36.
November 20, 2018	Greg mowed the sides of the road for clean-up day. Total was \$125.00
November 27, 2018	
January 1, 2019	
January 3, 2019	
January 8, 2019	
January 20, 2019	
January 30, 2019	
February 13, 2019	
March 4, 2019	
March 10, 2019	
Plowing Grand Total= \$990.00	Other Expenses Grand Total= \$176.36

Note: \$90 per storm to plow road.

\$5575.53  
 - 990.00 (plowing)  
 -----  
 \$4585.53  
 - 176.36 (other expenses)  
 -----  
 \$4409.17 (Note: This is what we officially have in the account right now.)

## Contract for Mowing

This agreement is made this 8<sup>th</sup> day of September 2012

Between: Birchwood Lane Road Association  
 And: Brian Hobart  
 For: Mowing Services

Brian will mow both the right and left sides of Birchwood Lane for \$100.

  
 Andrea Blunda

9/8/12  
 Date

  
 Brian Hobart

9/10/12  
 Date

### Contract for 2009-2010 Plowing

This agreement is made this 30<sup>th</sup> day of September 2009

Between: Birchwood Lane Road Association  
And: Brian Hobart  
For: Plowing Services

Brian will plow for \$70 a storm. This \$70 will cover Brian coming back within the same 24-hour period.

If sanding of the road is needed then an additional \$40 will be charged.

Brian is not responsible for plowing and/or sanding residents' driveways. If residents would like Brian to plow then this is a separate agreement between Brian and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda  
Andrea Blunda

9-30-09  
Date

Brian Hobart  
Brian Hobart

10/1/09  
Date

### Contract for 2010-2011 Plowing

This agreement is made this 20<sup>th</sup> day of September 2010

Between: Birchwood Lane Road Association  
And: Brian Hobart  
For: Plowing Services

Brian will plow for \$70 a storm. This \$70 will cover Brian coming back within the same 24-hour period.

If sanding of the road is needed then an additional \$40 will be charged.

Brian is not responsible for plowing and/or sanding residents' driveways. If residents would like Brian to plow then this is a separate agreement between Brian and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda  
Andrea Blunda

9/20/10  
Date

Brian Hobart  
Brian Hobart

9/22/10  
Date

### Contract for 2011-2012 Plowing

This agreement is made this 27<sup>th</sup> day of September 2011

Between: Birchwood Lane Road Association  
And: Brian Hobart  
For: Plowing Services

Brian will plow for \$70 a storm. This \$70 will cover Brian coming back within the same 24-hour period.

If sanding of the road is needed then an additional \$40 will be charged.

Brian is not responsible for plowing and/or sanding residents' driveways. If residents would like Brian to plow then this is a separate agreement between Brian and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda  
Andrea Blunda

9/27/11  
Date

Brian Hobart  
Brian Hobart

9/28/11  
Date

### Contract for 2012-2013 Plowing

This agreement is made this 26<sup>th</sup> day of November 2012

Between: Birchwood Lane Road Association  
And: Brian Hobart  
For: Plowing Services

Brian will plow for \$70 a storm. This \$70 will cover Brian coming back within the same 24-hour period.

If sanding of the road is needed then an additional \$40 will be charged.

Brian is not responsible for plowing and/or sanding residents' driveways. If residents would like Brian to plow then this is a separate agreement between Brian and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda  
Andrea Blunda

11/26/12  
Date

Brian Hobart  
Brian Hobart

11/27/12  
Date



### Contract for 2013-2014 Plowing

This agreement is made this 23<sup>rd</sup> day of October 2013

Between: Birchwood Lane Road Association  
And: Greg West  
For: Plowing Services

Greg will plow for \$70 a storm. This \$70 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$140.

If sanding of the road is needed then an additional \$40 will be charged.

Greg is not responsible for plowing and/or sanding residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda      10/23/13  
Andrea Blunda      Date

Greg West      10/25/13  
Greg West      Date

### Contract for 2014-2015 Plowing

This agreement is made this 6<sup>th</sup> day of October 2014

Between: Birchwood Lane Road Association  
And: Greg West  
For: Plowing Services

Greg will plow for \$80 a storm. This \$80 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$160.

If sanding of the road is needed then an additional \$45 will be charged.

Greg is not responsible for plowing and/or sanding residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda      10/6/14  
Andrea Blunda      Date

Greg West      10/8/14  
Greg West      Date

### Contract for 2015-2016 Plowing

This agreement is made this 5<sup>th</sup> day of October 2015

Between: Birchwood Lane Road Association  
And: Greg West  
For: Plowing Services

Greg will plow for \$80 a storm. This \$80 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$160.

Greg does not have access to a sander. If sanding of the road is needed then the residents of Birchwood Lane will have to find another option.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda      10/5/15  
Andrea Blunda      Date

Greg West      10/6/15  
Greg West      Date

### Contract for 2016-2017 Plowing

This agreement is made this 8<sup>th</sup> day of October 2016

Between: Birchwood Lane Road Association  
And: Greg West  
For: Plowing Services

Greg will plow for \$90 a storm. This \$90 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$180.

Greg does not have access to a sander. If sanding of the road is needed then the residents of Birchwood Lane will have to find another option.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda      10/8/16  
Andrea Blunda      Date

Greg West      10/13/16  
Greg West      Date

### Contract for 2017-2018 Plowing

This agreement is made this 18<sup>th</sup> day of October 2017

Between: Birchwood Lane Road Association  
 And: Greg West  
 For: Plowing Services

Greg will plow for \$90 a storm. This \$90 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$180.

Greg does not have access to a sander. If sanding of the road is needed then the residents of Birchwood Lane will have to find another option.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      10/18/17  
 Andrea Blunda                      Date  
Greg West                              10/19/17  
 Greg West                              Date

### Contract for 2018-2019 Plowing

This agreement is made this 29<sup>th</sup> day of October 2018

Between: Birchwood Lane Road Association  
 And: Greg West  
 For: Plowing Services

Greg will plow for \$90 a storm. This \$90 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$180.

Greg does not have access to a sander. If sanding of the road is needed then the residents of Birchwood Lane will have to find another option.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      10/29/18  
 Andrea Blunda                      Date  
Greg West                              11/2/18  
 Greg West                              Date

### Contract for 2019-2020 Plowing

This agreement is made this 2<sup>nd</sup> day of November 2019

Between: Birchwood Lane Road Association  
 And: Greg West  
 For: Plowing Services

Greg will plow for \$90 a storm. This \$90 will cover Greg coming back within the same 24-hour period. However, if a large storm (2 feet or more) is received and Greg has to come back multiple times, then the charge will be \$180.

Greg is not responsible for plowing residents' driveways. If residents would like Greg to plow then this is a separate agreement between Greg and the homeowner. This will be billed directly to the homeowner and not Birchwood Lane Road Association.

Andrea Blunda                      11/2/19  
 Andrea Blunda                      Date  
Greg West                              11/10/19  
 Greg West                              Date

**BARD EXCAVATION, INC.**  
 402 MAIN ST.  
 LISBON FALLS, ME. 04252  
 207-353-4941

Page: 1  
**Estimate**  
 Number: E188  
 Date: November 15, 2011

Bill To: ANDREA/JOHN BLUNDA  
 Project Location: \_\_\_\_\_

Project			
BIRCHWOOD LANE (FIX)			
Description	Quantity/Hours	Price/Rate	Amount
MACHINE / LABOR TIME			2,940.
30 FT. 12" CULVERT			300.
BASE GRAVEL	338.00	12.00	4,032.
1 1/2" GRAVEL	208.00	17.00	3,536.

**BARD EXCAVATION, INC.**  
402 MAIN ST  
LISBON FALLS, ME. 04252  
207-353-4941

# Estimate

Number: E168  
Date: November 18, 2011

Bill To: ANDREA/JOHN BLUNDA Project Location:

Project: BIRCHWOOD LANE (FIX)

Description	Quantity/Hours	Price/Rate	Amount
<b>** THIS ESTIMATE INCLUDES **</b>			
- DITCHING BOTH SIDES OF ROAD (FROM BILAY ROAD TO CHRIS'S DRIVE)			
- DITCHING RIGHT SIDE END OF DAWNS DRIVE			
- BUILDING UP ROAD WITH APPROX. 1" OF BASE GRAVEL (FROM THE BILAY ROAD TO CHRIS'S DRIVE)			
- PLACING 12" CULVERT ACROSS THE ROAD (TO THE LEFT OF JOHN/ANDREA'S DRIVE)			
- DITCHING ACROSS FROM DAWNS DRIVE			
- SURFACING ENTIRE ROAD WITH 1 1/2" GRAVEL (FROM THE BILAY ROAD TO DEREK'S DRIVE)			
- COMPACTING ENTIRE ROAD			
<b>Total</b>			<b>\$10,608.0</b>

**BARD EXCAVATION, INC.**  
402 MAIN ST  
LISBON FALLS, ME. 04252  
207-353-4941

# Estimate

Number: E168  
Date: November 18, 2011

Bill To: ANDREA/JOHN BLUNDA  
BIRCHWOOD LANE  
BOWDOINHAM, ME Project Location:

Project: BIRCHWOOD LANE (FIX)			
Description	Quantity/Hours	Price/Rate	Amount
MACHINE / LABOR TIME			1,840
BASE GRAVEL	308.00	12.00	3,696
1 1/2" GRAVEL	132.00	17.00	2,244
SEED/HAY			100

**BARD EXCAVATION, INC.**  
402 MAIN ST  
LISBON FALLS, ME. 04252  
207-353-4941

# Estimate

Number: E168  
Date: November 18, 2011

Bill To: ANDREA/JOHN BLUNDA  
BIRCHWOOD LANE  
BOWDOINHAM, ME Project Location:

Project: BIRCHWOOD LANE (FIX)			
Description	Quantity/Hours	Price/Rate	Amount
<b>** THIS ESTIMATE INCLUDES **</b>			
- DITCHING BOTH SIDES OF ROAD (FROM BILAY ROAD TO CHRIS'S DRIVE)			
- BUILDING UP ROAD WITH APPROX. 1" OF BASE GRAVEL (FROM BILAY ROAD TO CHRIS'S DRIVE)			
- SURFACING ROAD WITH 1 1/2" GRAVEL (FROM BILAY ROAD TO CHRIS'S DRIVE)			
- COMPACTING AREA OF ROAD WORKED ON			

**BARD EXCAVATION, INC.**  
402 MAIN ST  
LISBON FALLS, ME. 04252  
207-353-4941

# Estimate

Number: E168  
Date: November 18, 2011

Bill To: ANDREA/JOHN BLUNDA  
BIRCHWOOD LANE  
BOWDOINHAM, ME Project Location:

Project: BIRCHWOOD LANE (FIX)

Description	Quantity/Hours	Price/Rate	Amount
<b>** THIS ESTIMATE INCLUDES **</b>			
- DITCHING BOTH SIDES OF ROAD (FROM BILAY ROAD TO CHRIS'S DRIVE)			
- BUILDING UP ROAD WITH APPROX. 1" OF BASE GRAVEL (FROM BILAY ROAD TO CHRIS'S DRIVE)			
- SURFACING ROAD WITH 1 1/2" GRAVEL (FROM BILAY ROAD TO CHRIS'S DRIVE)			
- COMPACTING AREA OF ROAD WORKED ON			
<b>Total</b>			<b>\$7,880</b>



June 18, 2012

Ms. Andrea Blunda  
41 Birchwood Lane  
Bowdoinham, ME

Dear Ms. Blunda,

The following is a proposal and estimate of changes to repair Birchwood Lane (Approximately 1,100.00' / 13'-20') in Bowdoinham. As we discussed, my process is to scarify the existing surface material where possible, which will serve to re-mix the fines and stone and cut through to the bottom of potholes and ruts. I would then re-grade the road with attention to crowning and clearing shoulder growth and material so that runoff can reach side ditch lines.

As a result of our inspection of the road, it will also be necessary to install additional material since the surface is markedly recessed with respect to the road shoulders and base bank run gravel is exposed in many areas. I am suggesting that we resurface with 1 1/2" gravel as it has the best price point and is quite dense with respect to crushed rock content. Recognizing budgetary constraints, I would propose that the first 600' of Birchwood Lane up to the barn be resurfaced in phase #1 this year, and the last 500' as a phase #2 project for 2013.

**DESCRIPTION OF SERVICES:**

Scarify, Grade and Compact the roadbed where possible to repair depressions, potholes and ruts in the existing material. Grade back shoulder ridgelines and vegetation where necessary. Install 1 1/2" crushed gravel in designated areas as outlined.

Phase #1 Approximately 600' / 20' including 200 cubic yards of 1 1/2" gravel, labor and equipment time. **\$ 5,200.00**

Phase #2 Approximately 500' / 13' including 126 cubic yards of 1 1/2" gravel, labor and equipment time. **\$ 3,400.00**

Note: If the association chooses to resurface all areas at one time, the price would be **\$ 8,400.00.**

**EXCAVATION SERVICES PROPOSED BY E.M. WOOD CONSTRUCTION**

Install cross culvert at low spot by barn including bedding material, culvert, labor and equipment time. \$ 885.00  
 Excavate and re-establish ditch lines along entire road. \$ 1,100.00

Andrea, thank you for the opportunity to quote this repair.  
 Respectfully,

Jonathan P. Ludwick  
 The Gravel Doctor (Mid Coast Maine)  
 207-633-1099  
 jon@graveldoctornewengland.com

**BIRCHWOOD LANE ROAD ASSOCIATION TEN YEAR PROJECTION**

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Annual Service	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00
Cover Year 1 & 2										
Additional Material										
Total of Total Cover/Year 8 & 10										
Total 10 yr. Plan / yr.	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00	\$ 4,400.00
Total Program Cost	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00
Assumptions										

4% Annual Increase in material and labor over the ten year period.  
 4% Annual Increase in the number of excavation years on years seven to ten.  
 Approximately 1/2 inch of material is lost annually.

**Notes From August 13, 2008 Meeting**

- \* Main topic of discussion again was snow plowing for the winter. The results from what everyone came up with were discussed.
- \* Andrea discussed what her and John found out for quotes:
  - Brian Hobart will plow for \$70 a storm. This doesn't matter how many times he has to come back in a 24-hour period. The \$70 is what he will charge. If we need any sanding done it will be an additional \$40 for the road.
  - Mark Favreau will plow for \$90 a storm. If he has to come back to plow again within that same 24-hour period then it will be an additional \$45. If he picks up some of our driveways then he will drop the price of plowing the road down to \$80. He will plow the driveways for \$25-\$30 depending on the length of them. Some are longer than others.
- \* Jim McPherson and Randy Skelton were also called but no calls were returned.
- \* No other results were discussed. We decided to go with Brian Hobart. Andrea will call Brian and meet with him and go over the plowing at further length. She will also find out the cost per driveway.
- \* Andrea let everyone know that no more dirt bikes, go carts or other motorized toys are allowed on her property. They are tearing up her driveway.
- \* John Ouellette thought that we should call Tortelotte and get professional advice on how to deal with the bottom of the road. There are big ruts and pot holes that we would like to fix before winter.
- \* Chris said that he could get a truck of gravel too and fill it in with a tractor.
- \* Everyone will give Andrea \$200.00 by November 15<sup>th</sup> to take care of the plowing for the winter.
- \* The date for the next meeting was not discussed.

**Notes from August 2, 2008 meeting**

- \* The main topic of discussion was snow plowing for the winter.
- \* Any plowing that would be done would only be for the road. We as homeowner's have to come up with the money and person to plow out our own driveways. The "Road Association" is only paying for the road.
- \* We discussed whether it would be cheaper to buy a plow truck and do the plowing ourselves or hire someone to do it.
- \* We decided to give everyone a job in order to get some answers.
- \* Rusty and Dawn will look into used trucks.
- \* Bob and Elaine will look into getting some quotes for plowing the road.
- \* Jessie and Adrian will look into used vehicles as well. Jessie's uncle goes to auctions so we may be able to get a truck for a cheap price.
- \* John and Andrea will also look into getting quotes for the road.
- \* The next meeting will be held on August 13, 2008 at the Blunda house.



## Meeting Notes from September 16, 2009 Meeting

\* Main topic of discussion was plowing for the winter. It was decided that we would hire Brian Hobart for plowing again. His prices are low. Andrea spoke with Brian and he is going to keep the same fee of \$70 a storm (within a 24 hour period).

\* Andrea will speak to Brian about making the road wider when he does come and plow for us. The association will also stake the road where the big rocks are and any other place that he would have a problem.

\* Andrea will double check on the driveway fees and will make sure that it has not changed from last year.

\* November 15<sup>th</sup> is the deadline for the \$200 that everyone needs to pitch in for plowing.

\* Cars are still continuing to drive too fast. It was mentioned that we could put speed bumps on the road, but then we would have to take them up for the winter months. It was decided that all homeowners need to remind their guests that they need to be driving slowly on the road.

\* Maintenance of the road was discussed. There are things that should be done before the winter. On October 10<sup>th</sup> we will have a clean up day to pick up trash, and trim bushes back. The association will rent a chipper and take care of the brush that is lying by the side of the road as you get to the bottom of Birchwood Lane. Clean up will begin at 8:00 a.m. and go until 12:00 p.m. Everyone will meet at the Blunda's where jobs will be assigned. Lunch will also be provided at 12:00. Andrea will send out notices as a reminder to everyone.

## Road Association Meeting Notes for September 1, 2010

### Agenda

- Plowing for the Winter
- Increase in road fees
- Clean up day
- Having visible road numbers
- ATV's on road

• Everyone agreed that Brian Hobart still has the best price for plowing. Therefore, Andrea will send him a contract to set up the plowing for the Winter.

• The bottom of Birchwood Lane is always an issue with the need for more gravel. Andrea will e-mail Brian Hobart, town selectman, and see how to get a load of gravel.

• The need for an increase in road fees was brought up and a vote was made. From now on instead of the \$200 in association fees it will be \$250.

• The \$250 will be due on November 15, 2010.

• Adrian brought up for discussion how hard it is to have the association fees due so close to the holidays. Everyone agreed that having the fees due in the Summer is fine. Therefore, next year the fees will be due on July 15, 2011. John B. mentioned that this will mean not having an entire year come around again before the next fees were due. Everyone was fine with this.

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• Andrea mentioned that a meeting before the fees are due is a good idea in case anything needs to be changed. It was agreed upon that the next road association meeting will be at the beginning of June. An actual date will be decided upon as the date gets closer.

• The road should get cleaned up before the snow flies. The sides of the road need to be trimmed back again. A clean up day is scheduled for October 2, 2010 from 8:00 a.m.-12:00 p.m. Lunch will be provided at John and Andrea's house afterwards. Andrea will get in contact with Brian Hobart to see if he has any equipment that can help with this and what he would charge (for bushhog, sickle bar, etc.). On clean up day people should bring clippers, weed wackers, rakes, etc.

• John B. brought up having visible house numbers. This may cut down on the amount of people driving up and down the road to find the right house. If it isn't visible from the road (in John and Andrea's case) then maybe put on a piece of wood at the bottom of the driveway. This is also very important in case emergency vehicles need to find your house.

• Andrea brought up how a particular 4-wheeler is coming on Birchwood Lane and tearing up the bottom of the road. When asked, everyone on the road said that they were not friends with these people and therefore these people should not even be on the road. Adrian mentioned that he knows someone he can speak to and find out legally what we can do about the situation because we are on a private way. John B. mentioned that we could put up sign(s) at the bottom of the road that say, "No Trespassing" or "Private Way Residents Only." John B. will look at getting a couple of these.

#### \*\*UPDATE\*\*

Jessi called with the information we were looking for about the above issue. She had spoken with a law enforcement official who said that our first step is to put a sign up stating that this is private property. After this if the 4-wheeler comes up again then we need to get evidence and then get the law involved.

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## Road Association Meeting Notes for June 22, 2011

### Agenda

- Plowing
- Brian Hobart- mowing
- Clean up day
- Repairing the road
- June meetings

• Everyone agreed that Brian Hobart still has the best price for plowing. Therefore, Andrea will send him a contract to set up the plowing for the Winter.

• Andrea will check with Brian Hobart about mowing the sides of the road again from the bottom of Birchwood up to Andrea's driveway. This will happen the last week of September in time for clean up day.

• Clean up day this year will happen on October 1, 2011. It will go from 9:00 a.m. - 12:00 p.m. We will pick up trash, pick up the brush left over from Brian Hobart mowing, etc. Lunch will be provided at Andrea's house afterwards.

• A lot was discussed about the need to fix the potholes, etc. on the road. The association has a good amount of money in the account so it was agreed upon by those present to take some of that money and look into fixing the road. However it was also brought up that a new house will be going in (either this year or next) next to Andrea so we should probably wait until that house moves in due to the dump trucks, etc. coming up. Those trucks may damage the road more after we fix it. It was decided by those present

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## Birchwood Lane Road Association

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that Andrea would at least begin looking into how much it would cost to deal with the road. Once Andrea gets quotes, etc. from the companies then she will bring that information to the meeting and a decision will be made from there.

- It was agreed that having the meeting in June along with the \$250 that is due is a good time. Therefore, we will keep June as a meeting date once a year.



## Birchwood Lane Road Association

PO BOX 147 - BOWDOINHAM, ME - 04008 (207) 666-3208

### Road Association Meeting Notes for June 27, 2012

#### Agenda

- Repairing the road
- Brian Hobart- mowing
- Clean up day

• A lot was discussed about the appearance of the road. In the last couple of months Andrea met with Steve Bard and Jonathan Ludwick (gravel doctor of Maine) and got estimates on what it would take to repair the road. Both estimates were high (Steve Bard was \$7800 and Jonathan was \$7100). A copy of these estimates was given to all who were present at the meeting. It was decided that the estimates far exceeded what we have for money in the account. Therefore, for now we will try to repair the road ourselves. Bob went to Wallingsford equipment in Auburn and got an estimate for a grading scraper. This would attach to the back of Bob's tractor and we could grade the road ourselves. The estimate for this is \$1450.00 plus tax. We decided to purchase this. Bob will volunteer the tractor and Chris is going to do the grading on the road. Bob will check with Steve Bard because he did tell us in the estimate that we need a culvert to go in near Chris's garage to divert water from collecting on the road. Bob will check to see exactly where this would go. We will have Steve put the culvert in. We will get 2 dump truck loads of sand (we will use Bob's truck for this) which is necessary to put the culvert in. If we need gravel for the road then we will buy it. We will use Steve for compacting the road. It was agreed upon by everyone present that all of the major road work should be done after Derek and Rebecca's house is finished. This includes having gravel brought in and compacting the road.



## Birchwood Lane Road Association

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• Andrea will check with Brian Hobart about mowing the sides of the road again from the bottom of Birchwood up to Andrea's driveway. This will happen the first week of October in time for clean up day.

• Clean up day this year will happen on October 6, 2012. It will go from 9:00 a.m. – 12:00 p.m. We will pick up trash, pick up the brush left over from Brian Hobart mowing, etc. Lunch will be provided at Andrea's house afterwards.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.



## Birchwood Lane Road Association

PO BOX 147 - BOWDOINHAM, ME - 04008 (207) 666-3208

### Road Association Meeting Notes for June 26, 2013

#### Agenda

- Budget- plowing and expenses from previous year
- Brian Hobart- plowing, mowing
- Clean-up day
- Installing a culvert

• We had 6 plowable storms this year compared to the 4 the previous year. Therefore, we spent a little more on plowing. The big purchase from this past year was the grader and the grading that has been done on the road.

• Everyone seems to be happy with the plowing that Brian Hobart has been doing. We will once again have him plow the road this winter. Andrea will check with Brian and make sure that the cost to plow has not gone up.

• Andrea will check with Brian Hobart about mowing the sides of the road again from the bottom of Birchwood up to Derek's driveway. This will happen the first week of October in time for clean-up day.

• Clean-up day this year will happen on October 5, 2013 with a rain date of October 12th. It will go from 9:00 a.m. – 12:00 p.m. We will pick up trash, pick up the brush left over from Brian Hobart mowing, etc. Lunch will be provided at Andrea's house afterwards.

• We discussed the area in front of Chris' house which seems to collect a huge body of water every time it rains. He has removed the birches and leveled the ground. However, it still is puddling up after a hard rain. We discussed installing a 20 foot culvert across the road from his main



## Birchwood Lane Road Association

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driveway. This is a culvert which Andrea had delivered to her house, but decided there was no need for it at the bottom of her driveway. As of right now the culvert is free to the road because Andrea was never charged for it upon delivery. If Andrea does get charged for it then this could be up to the road to pay. The culvert would cost \$200. As of right now to put the culvert in we are looking at a \$245 estimate. \$150 for materials, \$75 for an additional piece of culvert (20 feet is not quite long enough to go across.) and \$20 for fuel for the tractor. Chris will install the culvert which will lead to the temporary closing of the road. He will try to do this either very early in the morning or first thing on a Sunday morning.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.



## Birchwood Lane Road Association

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• We discussed mud season and how the small hill by the dumpster was very bad this Spring from all of the frost. Some of us had to park at the bottom of Birchwood Lane because we couldn't make it up the road without getting stuck or damaging our vehicles. A small parking area off to the side at the bottom of Birchwood Lane may be beneficial if this were to happen again. This way we can still leave room at the bottom so that cars can easily pass through.

• Clean-up day this year will happen on October 4, 2014 with a rain date of October 11th. It will go from 9:00 a.m. – 12:00 p.m. We will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Lunch will be provided at Andrea's house afterwards.

• Road dues are due by July 15, 2014 to Andrea.

• Andrea is going to look into how many residents it takes to consider Birchwood Lane a town road.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.



## Birchwood Lane Road Association

PO BOX 147 - BOWDOINHAM, ME - 04008 (207) 666-3208

### Road Association Meeting Notes for June 26, 2015

#### Agenda

- Budget- plowing and expenses from previous year
- Greg West- plowing
- Dawn's house- dues
- Becoming a town road
- Grading the road
- Clean-up day
- Road dues

• We had 13 plowable storms this year compared to the 7 the previous year. Therefore, we spent much more on plowing. We didn't really have much for other expenses. We had expenses from food and drinks from clean up day last year.

• Everyone seems to be happy with the plowing that Greg West has been doing. Andrea contacted Greg 1 week before this meeting occurred to make sure his rates would be the same this year. His plowing rate for the road is going to remain the same, which is \$80. If sanding of the road is needed then residents will have to figure something out because Greg does not have a sander. Everyone agreed that he still has the cheapest rate for plowing. Therefore, we will once again have him plow the road this winter.

• Andrea wrote a letter to the bank that has taken over Dawn's old house to see if they would pay the dues. However, due to Birchwood Lane not having an official road association, Andrea was told that they would not pay it.



## Birchwood Lane Road Association

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• Andrea also inquired about what it would take for Birchwood Lane to become a town road. She was told that first she would have to talk to the town manager. If he decided that it would be something he would want the town to take on then he would have to bring it to a town meeting for everyone to vote on. Nothing further was discussed on this with the residents that attended.

• We discussed the need for the road to get graded. Chris said that within the next 2 weeks he would grade the road. The road association will pay him \$40 an hour for his labor.

• Clean-up day this year will happen on October 3, 2015 with a rain date of October 10th. It will go from 9:00 a.m. – 12:00 p.m. We will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Lunch will be provided at Andrea's house afterwards.

• Road dues are due by July 15, 2015 to Andrea.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.



## Road Meeting Notes for July 9, 2016

### Agenda

- Budget- plowing and expenses from previous year
  - Greg West- plowing
  - Clean-up day
  - Becoming a legal road association
  - Speed on the road
  - Road dues
- We had 7 plowable storms this year compared to the 13 the previous year. Therefore, we spent much less on plowing. We didn't really have much for other expenses. We had expenses from food and drinks from clean up day last year.
- Everyone seems to be happy with the plowing that Greg West has been doing. Andrea contacted Greg a couple weeks before this meeting occurred to check in as to what he would be charging to plow this year. His plowing rate for the road is going to increase from \$80 to \$90. Greg will plow up to Derek's driveway as Bobby Gaudette said that he will take care of the rest of the road/his driveway from there. If sanding of the road is needed then residents will have to figure something out because Greg does not have a sander. Andrea mentioned that having Greg plow is the best option because this is all he does for work in the winter. He will plow at all hours to make sure that residents are able to get out. Everyone agreed that he still has the cheapest rate for plowing. Therefore, we will once again have him plow the road this winter. If residents would like Greg to plow their driveway then that is to remain separate and be between the resident and Greg.
- Clean-up day this year will happen on October 1, 2016 with a rain date of October 8th. It will go from 9:00 a.m. – 12:00 p.m. Everyone will meet at John and Andrea's house and from there we will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Bobby Gaudette will be

allowing us to dump any trees, brush, etc. on his property. Lunch will be provided at Andrea's house afterwards.

• Andrea brought up the fact that not everyone has been paying the road dues every year and/or contributing to clean up day. Due to the fact that we are an informal road association there is no legal recourse if the homeowner/landowner refuses to pay. Andrea also mentioned that if one homeowner/landowner decides not to pay then others may follow leading to the draining of the road fund because there isn't any money going into it. This could ultimately lead to Bobby and his father (owners of the road) having to pay for everything on their own. Andrea didn't think this would be fair because if you live or have property on this road then you should have to pitch in and pay for plowing and any needed road repairs. Chris Small mentioned that he had gone to the town hall and inquired what the town's position was if the road became impassable during the spring. He was told that they would "fine" us. Bob Small said he thought that this meant the town would make the road "passable" and assess each landowner for the expense.

Bob Small came to the meeting with some information on forming a road association. As of right now we have what is called an informal road association. That means that we take the initiative to oversee the maintenance and attempt to collect the costs from all the people that use the road. However, this doesn't appear to be working. Also, having an informal road association comes with liability issues as liability insurance can only be purchased if the association is at least a statutory association. Unless the person or business doing the road maintenance has liability insurance for the work they are performing, they could be at financial risk in the event of a liability claim. Homeowner's insurance may or may not cover the work of volunteers. The other issue with having an informal road association is that it may be more difficult to get a construction loan or a mortgage for property on our road. That means that if you are trying to sell your house or property then you may have a more difficult time doing so because banks do not want to give financing for property on a road with an informal road association. Bob Small recommended investigating what is called a statutory road association. A statutory road association would involve having yearly meetings, a board and secretary. It would provide some "civil" immunity for the officers and also enable us to purchase liability insurance for claims that we might not be immune from. This type of road association doesn't pay taxes, does not have to file any returns and ownership of the road remains the same. It would not be voluntary for landowners to participate, as the equivalent of liens and interest can be attached to deeds if the dues are not paid per the rules of the association.

Insurance companies generally require anyone hired to do road maintenance by an association they insure to have a designated amount of liability insurance and that the association require a "certificate of liability insurance" be presented before work commences.

Bobby Gaudette mentioned that he didn't think that this was needed. He said that if it got to the point where people weren't going to pay or participate in the road then he would personally speak to them. Bobby also mentioned that he plans on taking care of the road and doing any maintenance to the road that is needed. He hopes to have the road paved in about a year and a half. The issue of forming a statutory road association was put on hold until further notice. For more information on forming a road association you can visit [www.maine.gov](http://www.maine.gov) - "A Guide to Forming Road Associations."

• Derek had brought up how people have been going too fast on the road. There are children that ride their bikes and adults that walk on the road. Residents and their guests need to slow down on the road. Bobby Gaudette mentioned that we could put up signs but it probably wouldn't help. We just all need to slow down and pass it along to the people that visit and travel on the road.

• Road dues are due by August 15, 2016 to Andrea Blunda. Due to the fact that she pays the plow bills and any other needed bills that occur on the road- the checks will be made out to her and she will put it in the account.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.

## Road Meeting Notes for July 29, 2017

### Agenda

- Budget- plowing and expenses from previous year
  - Greg West- plowing
  - Sanding the road in the winter
  - Clean-up day
  - Speed on the road
  - Road dues
  - Road work
- We had 9 plowable storms this year compared to the 7 the previous year. We also had 1 time when we had to have salt and sand spread on the road due to very slippery conditions. We had expenses from food and drinks from clean up day last year as well.
- Everyone seems to be happy with the plowing that Greg West has been doing. Andrea has been in contact with Greg to check in as to what he would be charging to plow this year. His plowing rate for the road will remain the same, at \$90. He will not go up on prices this year. Greg will plow up to Derek's driveway as Bobby Gaudette has said that he will take care of the rest of the road/his driveway from there. If residents would like Greg to plow their driveway then that is to remain separate and be between the resident and Greg.
- The residents voted on this before Bobby Gaudette and Kate showed up (they were 30 minutes late to the meeting) and it was decided to keep Greg for plowing. However, Bobby assumed that he was going to take care of the plowing. Bobby has a snowblower that attaches to a tractor. Some of the residents wanted to keep Greg because he is dependable. He is able to plow at all hours of the night so that residents can get out and go to work at various hours. His rates are also great. If we lose him, we are afraid that we won't be able to get him back and/or get somebody to plow for the same price. Greg also has a backup person to plow us

out if his truck breaks down or if he goes on vacation. After a big discussion we decided to keep Greg for plowing for another year. We may revisit this topic again next year though.

- Greg doesn't have a sander to do the road. Last year we used John Cote but that was a little pricey because he charged us \$165.00. Heather is going to check with her uncle who works for Labbe to see if he will do it. The residents agreed that getting a quote for \$115-125 to sand the road was an acceptable amount. We will only require this service if the road gets very slippery and icy. There is a definite need for sanding the road when it gets extremely icy because a couple residents have to walk their children to the end of the road to catch the school bus. Since there is a hill where they have to walk, we need to make sure that is safe.

- Clean-up day this year will happen on October 7, 2017 with a rain date of October 14th. It will go from 9:00 a.m. – 12:00 p.m. Everyone will meet at John and Andrea's house and from there we will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Bobby Gaudette mentioned that if we make piles along the side of the road then he can come along and pick them up to dump the brush, etc. on his land. Lunch will be provided at Andrea's house afterwards.

- Andrea brought up the fact that not everyone has been paying the road dues every year and/or contributing to clean up day.

- John had brought up how people are still going too fast on the road. Residents and their guests need to slow down on the road. We just all need to slow down and pass it along to the people that visit and travel on the road.

- Road dues are due by September 1, 2017 to Andrea Blunda. Due to the fact that she pays the plow bills and any other needed bills that occur on the road- the checks will be made out to her and she will put it in the account.

Note: The increase of road dues was not discussed at this meeting. Therefore, they will remain at \$250 for next year.

- Bobby Gaudette mentioned that he is going to be doing some road work. He wants to put down 30 yards of 3/8ths inch gravel. Heather is going to check in with her uncle who works for Labbe to see if he can deliver this. We will make 2 or 3 separate piles on the side of the road for Bobby. Bobby Gaudette will use his

tractor and spread it throughout the entire road. The residents agreed to pay Bobby \$35 an hour for his tractor work. A bill for the gravel and tractor work amount will be given to Andrea and she will get a check to the necessary people.

## Road Meeting Notes for August 18, 2018

### Agenda

- Budget- plowing and expenses from previous year
- Greg West- plowing
- Sanding the road in the winter
- Mowing the sides of the road
- Clean-up day
- Road dues

- We had 12 plowable storms this year compared to the 9 the previous year. We also had sand delivered 5 times from Ray Labbe and Sons to put down on the road due to very slippery conditions. We had expenses from food and drinks from clean up day last year as well. Bobby Gaudette also suggested at last year's meeting to have a delivery of crushed stone so that he could put it down on the road to help with the pot holes, etc. and that was an expense.

- Everyone seems to be happy with the plowing that Greg West has been doing. Andrea has been in contact with Greg to check in as to what he would be charging to plow this year. His plowing rate for the road will remain the same, at \$90. He will not go up on prices this year. Greg will plow up to Derek's driveway as Bobby Gaudette has said that he will take care of the rest of the road/his driveway from there. If residents would like Greg to plow their driveway then that is to remain separate and be between the resident and Greg.

- Greg doesn't have a sander to do the road. Sanding the road when it gets icy is an ongoing issue. Last winter we spent a total of \$750 just on sand delivery. Unfortunately we are unable to continue spending this much on sanding when everyone on the road is not contributing to the road fee. There is a definite need for sanding the road when it gets extremely icy because a couple residents have to walk their children to the end of the road to catch the school bus. Since there is a

## Road Meeting Notes for May 18, 2019

### Agenda

- Budget- plowing and expenses from previous year
- Greg West- plowing
- Mowing the sides of the road
- Clean-up day
- Road Maintenance
- Road speed
- Road dues

- We had 11 plowable storms this year compared to the 12 the previous year. We had expenses from food and drinks from clean up day last year as well. We had Greg mow the sides of the road ahead of clean up day to make it easier for residents to cut back trees, etc along the sides of the road.

- Since the annual road meeting was held months earlier then in previous years Greg didn't have plow rates available yet. Last winter his rate was \$90 per storm. His rates are cheap for what he does. It was agreed that we should keep him for plowing this year. Andrea mentioned that even when his rates have gone up in the past it has only been by \$5-10. Ally asked if we could ask Greg on the storm days that are blizzard like if he could at least give us access by 3am. Ally works early mornings for her job and needs to get out. Andrea will mention this to Greg. Greg usually comes by 5am so that residents can get out to get to work, but Andrea will see if he can come earlier. As always, if residents would like Greg to plow their driveway then that is to remain separate and be between the resident and Greg.

- We discussed having Greg mow the sides of the road again with a sickle bar or bush hog. Greg did this last year ahead of clean up day and it made cleaning up the sides of the road easier. Andrea will contact Greg to see if he is available to do this 1-2 weeks before clean up day. Last year he charged us \$125.

• Clean-up day this year will happen on October 12, 2019 with a rain date of October 19th. It will go from 9:00 a.m. – 12:00 p.m. Everyone will meet at John and Andrea's house and from there we will pick up trash, cut down any needed tree branches, bushes, etc. and haul away the brush. Lunch will be provided at Andrea's house afterwards. Andrea will send out a reminder e-mail 1 week before.

• The road is in bad shape and needs maintenance. There were 2 suggestions that had been previously mentioned. The first suggestion was from Bobby Gaudette to spend \$1500 to purchase gravel to fill in the potholes. Bobby would use his tractor and do the work himself. The second suggestion was from Bob and Chris Small who have a tow behind grader box (purchased from a tractor dealer) which is designed for the express purpose of leveling and repairing "camp roads." Since the grader box moves existing gravel into potholes, they have estimated \$500-600 worth of gravel will be needed to repair the road. Bob has a tractor and a small dump truck and Chris has experience using the grader box. There will be some fuel cost for diesel. It was agreed upon to have a budget of \$575 for this project. \$500 for the gravel and \$75 for the diesel. To try to make this work go as smoothly as possible, the work will be done in the evenings. The hope is that residents will be home from work when Chris is doing the repairs.

• There is some concern that when the road does get repaired that it will be treated as a "race track." Residents had concerns that we are spending money to make much needed repairs to the road and if cars go too fast then the gravel is going to go up in dust. This will mean more repairs will be needed each year. Residents present at the meeting agreed to speak to any guests they saw going too fast. There are children present on this road and residents enjoy walking on the road. We can't have people speeding on a 1 lane road.

• Road dues are due by August 1, 2019 in the amount of \$250 to Andrea Blunda. Due to the fact that she pays the plow bills and any other needed bills that occur on the road- the checks will be made out to her and she will put it in the account. We discussed the need for eventually increasing the road dues. Due to the increase in the amount of traffic that the road gets, yearly road maintenance may be a must. This may get costly indicating the need for increasing the dues. Next year we will re-visit this issue. However, everyone present at the meeting was in agreement that probably by next year the dues will be going up. Andrea will send out a reminder e-mail 1 week before road dues are due.

# **Public Comment and Complaints**

## Matt James

---

**From:** robert@lifeassociates.biz  
**Sent:** Friday, March 1, 2024 2:40 PM  
**To:** Matt James  
**Cc:** Peter Feeney; Joanne Joy; Deb Smith; Allen Acker  
**Subject:** additional information  
**Attachments:** CCE03012024.pdf

Some people who received this message don't often get email from robert@lifeassociates.biz. [Learn why this is important](#)

Thank you for your time in speaking to me today and letting my wife and I review the Gaudette property file. In the interests of brevity, I am attaching a copy of my letter to the Select Board, Page 6 of Exhibit 1, (Conditions of approval), my son's Derek's measurements of the road taken Sunday 2/25/2024, Kate Gaudette's recent e-mail to you and a letter I found in the Gaudette file today from my daughter Andrea Blunda, dated August 23, 2020. During Covid, Andrea worked from home. She also had security cameras at the end of her driveway. I feel this letter will better explain Kate's representation in her 2/28/2024 e-mail "the many truckloads of fill that we have put in over the years" . Finally, the conditions of approval did not specify "X" amount of fill or "X" amount of money spent, but rather what the results were to be: 18' wide with 2' shoulders. Thank you again for your time and for answering my questions.



Select Board Meeting  
February 27,2024

Dear Members of the Select Board,

The application you are considering indicates the new Medical Marijuana farmstand business, "Loud and Local" will be using the previously "permitted" building that Bobby and Kate Gaudette built and did business in as Ancient Green Farms. However, measurements, testimony and photos indicate that certain performance standards set forth in the Land Use Ordinance and /or conditions of approval for Ancient Green Farms year 2020 Site Plan permit are not being currently met. The Select Board has the right to deny a license renewal under these conditions. I believe a denial would apply to a successor business as they should be only allowed to operate once these performance standards are met.

Permits for Ancient Green Farm were approved by the Planning Board at their meeting on June 25, 2020 after a Planning Board Site Review zoom meeting of 4/30/2020, Site Plan Review meeting of 5/28/2020, and another zoom meeting of 6/25/20. There was a huge submission of comments and letters on this from interested parties. The Planning Board spent a lot of time considering this application and accompanying correspondence. They were aware that it was an unusual situation having a retail business at the end of a gravel dead end road in a residential neighborhood. They wanted to minimize its impact on the neighbors aesthetically and also mitigate safety issues due to the increased traffic. We thank them for the time they spent on this.

The approval letter from the Planning Board to Kate and Robert Gaudette (III), and Robert Gaudette Jr. (father) dated June 25, 2020, outlined the conditions of approval. Duncan Alden has included this letter in his new application.  
( Exhibit #1)

The major non-compliance issue is the road. **Vehicular Access** is #1 on the first page of Findings and Conclusion with the Finding reading "The applicant is proposing to upgrade the road to 18 feet with 2-foot shoulders. Further along it says "Any cost associated with moving utilities serving the abutters, shall be borne by applicant". #3 on Page 1 addresses **Pedestrian Circulation** indicating the "proposed lay-out" (22 foot wide road) will provide for safe pedestrian

circulation, both on-site and off-site (road). On **page 6, Conditions of Approval, #7** takes the proposals of the applicant further and states: "The road **shall** be upgraded to 18-feet with 2-foot shoulders on either side for a total width of 22 feet".

In consideration of this new application, Derek Small, our son, measured the width of the road in 25 spots 50 feet apart beginning 5 feet in from the beginning of the road, all the way to the end (Exhibit 2). Discounting the last two measurements, which are smaller but at the end of the roadway, the other 23 average under 16 feet, substantially less than the 22 foot requirement. Not only does the road not meet one of the "Conditions of Approval" it is not safe for pedestrians as required in the Land Use Ordinances.

Exhibit 3 shows one pole that would have to be moved to widen the road to 22 feet. The area opposite the pole is Chris Small's yard. The white dots and black dots are pot holes. Exhibit 4 shows tracks off the road (on the left) where possibly someone was avoiding an oncoming vehicle from the blind curve.

Exhibit 5 shows narrowness of the road between the pole on the left with drop-offs on both sides.

Another major non-compliance issue is lighting. Referring back to "The Site Plan Review Approval" Exhibit 1, **Page 2, Item 6. Lighting** "All exterior lighting will be designed to avoid undue glare, adverse impact on neighboring properties and rights-of-ways, and the unnecessary lighting of the night sky". Exhibit 6a and 6b indicate the lighting in that area has changed substantially, capable of lighting up the sky and the forest, from how it was proposed on #4i in the original Gaudette application. The **same** description of lighting is also the 4i response in the Duncan Alden application. This lighting does not meet the requirements of the Land Use Ordinance.

Buffering and Landscaping have also failed to materialize. CEO James states in his letter to the Select Board on 2/20/24 that "Landscaping has yet to fully grow in but has been otherwise planted as approved". Photos taken on 2/25/2024 show that the 3 Juniper trees that were planted 4 years ago are mostly dead. Exhibit 7.

A final observation: Much of the new application was taken verbatim from the original 2020 Gaudette application. 4d of the application states that "Birchwood



lane will be widened to specifications set fourth by the Bowdoinham Land Use Ordinance. The gravel road (Birchwood lane) will be brought to a minimum of 18" wide WITH 2 foot shoulders. The parking lot of the proposed storefront and the road is under contract with Tourtelotte Excavation and will be covered with gravel" The applicant signed the application which certifies that "I have read and completely understand the application; I certify that the information contained in this application and its attachments are true and correct;" Exhibit 8 a and b.

Is the applicant aware of what he is promising to do and is he going to follow through with 4d in the near future?

If not, then the Conditions of Approval for this business will not have been met.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Robert Small". The signature is written in black ink and is positioned above the printed name.

Robert Small

EXCEPTED FROM  
EXHIBIT 1  
"CONDITIONS OF  
APPROVAL"

20) Town Plans & Vision Statements – The proposed development is consistent with the intent of the Town's Plans, including but not limited to the Comprehensive Plan, Waterfront Plan, and Transportation Vision Statement.

Finding: *The proposed farm store is in compliance with the Town's Plans and Vision Statements.*

Conclusion: **This standard has been adequately met.**


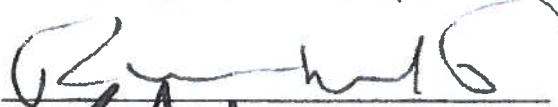
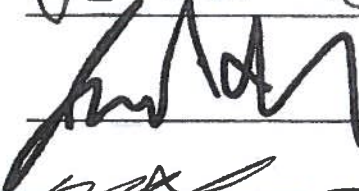


Based on the above findings and conclusions, we the Planning Board voted to approve your Site Plan Review application with following Conditions of Approval:

1. The applicant shall reimburse the Town for all noticing fees.
2. If employees are added to the farm store in the future, therefore requiring water and wastewater disposal, the applicant shall return to the Planning Board with an amended plan.
3. The development shall comply with the Sedimentation & Erosion Control Performance Standard of the Town's Land Use Ordinance.
4. The development shall comply with the Signage and Marijuana Performance Standards of the Land Use Ordinance.
5. Any marijuana disposal shall comply with State Laws and not be placed in the dumpster.
6. The store hours of operation will be from 7:00 a.m. to 7:00 p.m. and that the noise performance standards shall be met.
7. The road shall be upgraded to 18-foot wide with 2-foot shoulders on either side for a total width of 22 feet wide. All work to widen the road should be on the south side of the road, or before any work is done on the north side of the road, the property pins must be located. Any cost associated with moving utilities serving the abutters, shall be borne by the applicant.

Please contact us if you should have any questions regarding your approval.

Sincerely,

Bowdoinham Planning Board

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  


Measured from 5' of Millay, every 50' ascending to Farm Stand;  
17, 15, 16, 15, 13, 15, 14, 17, 18, 19, 16, 15, 15, 16, 14, 15, 17, 20, 19, 16, 15, 15, 13  
(at location of Farm Stand Exit), 12, 14 (from end of driveway at 43 Birchwood to  
snowbank in front of telephone pole.

\*please note tire tracks where one vehicle almost went in ditch as they must have  
encountered an oncoming vehicle.



August 23, 2020

To Whom it May Concern,

I just wanted to express a concern that I had regarding the activity happening at 50 Birchwood Lane. During the week of August 10, 2020 a dump truck hauling a trailer made a few trips up the road bringing an excavator, roller and a bulldozer. I just assumed that road work on the widening of the road was about to begin. However, that was not the case. These pieces of heavy equipment were brought to 50 Birchwood Lane and remained on the property. On August 13<sup>th</sup> and 14<sup>th</sup> dump trucks came back and forth every 15 minutes all day long. I could hear the use of the heavy equipment but was unsure what was going on. I have since discovered that Robert and Kate Gaudette have put in a road that is leading to a "wellness center" that is located behind the farm stand. In the monthly meetings that I attended I don't remember a wellness center being brought up. I have also reviewed the meeting minutes from May 28<sup>th</sup> and June 25<sup>th</sup> and nothing was brought up about this. This is just one more thing that will bring an increase in traffic. There still isn't a bathroom facility on the premises. The Gaudette's have done nothing to improve the road so having dump trucks go back and forth for 2 days straight didn't help. I would appreciate it if someone could look into this increased activity on their property. Thank you.

Sincerely,  
Andrea Blunda



## Matt James

---

**From:** Kate Gaudette <k8gaudette@gmail.com>  
**Sent:** Wednesday, February 28, 2024 9:20 AM  
**To:** Matt James  
**Subject:** Re: Road quandary

[You don't often get email from k8gaudette@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Hi Matt,

I would like to bring some things to attention after last nights planning board meeting:

There was a claim that there has never been any road work done to Birchwood lane since 2015 when we bought the property. I have supporting documents for the road upgrade, new culverts, extra width and receipts for the many dump truck loads of fill that we have put in over the years. There is even a stop work order from the Town of Bowdoinham from when the Smalls claimed we did work to the north side of the road (a condition of approval for the original application) Where Darren came out to Birchwood lane and verified that the North side had not been touched and we found all the boundary pins.

There was a claim that the road is so overgrown that bushes scrape passing vehicles yet I spent days last fall trimming back all the growth.

Basically every condition of approval was met by us when opening the original farm stand, down to the lighting (which is now a problem by the way). Everything was approved by Darren and based on the testimony of Bob Small last night he claims that we did not meet the promised standards.

I want to work on making sure everything is properly met as soon as possible so Duncan may operate his business. Please let me know your findings after going out to inspect to road - if you set an appointment I will try my best to be there with Duncan to go over it all. I have so much documentation of everything that was done to the road in addition to all the complaints while the road work was being done. I feel the road is a non issue. My father in law can drive his tractor trailer down the road and cars are able to pass uninhibited. The fire department ever came out with their trucks to test the road width and parking lot and it was found sufficient.

At this time we have no plans to do any upgrades to Birchwood lane. If the abutters want to finally put in their road maintenance dues of \$250 per year that they have never put in that maybe some changes could happen but to put it all on one person to be financially responsible for their demands is not right.

You have been so accommodating in working with Bobby, myself and Duncan and I sincerely appreciate your time and response.

With Gratitude,  
- Kate Gaudette

> On Feb 26, 2024, at 11:24 AM, Matt James <CEO@bowdoinham.com> wrote:  
>  
> Kate,  
>

> Thanks for reaching out about this. I wasn't sure what had been done since you received your Planning Board approval, but I received "complaints" from two neighbors regarding the condition of the road. I let Duncan know about the complaints so that he would be prepared for the meeting.

>

> I think if Duncan were to let the Board know that this roadwork was done, it would most likely be sufficient! I personally didn't see anything wrong with the road during my last inspection, but I didn't take any measurements at the time. The approved width was 18 feet with 2-foot shoulders, so as long it is at least that wide it will be fine. I don't know what, if anything, the board will require as part of their license.

>

> Matthew James  
> Code Enforcement Officer  
> 13 School Street  
> Bowdoinham, ME 04008  
> ceo@bowdoinham.com  
> 666-5531

>

> -----Original Message-----  
> From: Kate Gaudette <k8gaudette@gmail.com>  
> Sent: Monday, February 26, 2024 10:55 AM  
> To: Matt James <CEO@bowdoinham.com>  
> Subject: Road quandary

>

> [You don't often get email from k8gaudette@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

>

> Hello Matt!

>

> This is Kate Gaudette from Birchwood lane. I just spoke with Duncan Alden about the public hearing tomorrow and he mentioned that the abutters will complain that the road is not wide enough to withstand traffic for the store. In 2020, we worked extensively with Darren on this, put about \$15k worth of upgrades, culverts and full into the road and made it more than meet the performance standards. The road has not changed in the time between so I am confident that it more than meets what is needed to operate a business from Birchwood lane. My question for you is that is it possible that it will be found to not meet the standards? I have all the receipts and documentation to back up the original road work. What are your thoughts on this matter? As a town official do you think we will need to put more work in other than the fill we put into the pot holes several times a year?

>

> Thanks for your time.

> ❖ Kate Gaudette  
> 401-525-0042

>

> Sent from my iPhone



## Matt James

---

**From:** Andrea Blunda <andreaoblunda@gmail.com>  
**Sent:** Sunday, March 3, 2024 1:33 PM  
**To:** Mark Favreau; Allen Acker; Peter Feeney; Joanne Joy; Deb Smith; Matt James  
**Subject:** Birchwood Lane  
**Attachments:** Letter for Loud and Local meeting.docx

Some people who received this message don't often get email from andreaoblunda@gmail.com. [Learn why this is important](#)

Hello. I am attaching a letter that I was planning on reading at the meeting on the 27th but I never did. Please let me know if you have any further questions for me. Thank you for your time.

-Andrea Blunda

February 27, 2024

As a condition to getting the farm stand permit, Birchwood Lane was supposed to get widened and be fixed. That simply has not happened. When I leave my driveway or come home, there are 3 obstacles that I have to contend with: potholes, overgrown brush hitting my car and oncoming vehicles. When I drive down the road it is in a zig-zag kind of way to avoid the obstacles in my path. Before I leave my driveway I have to look down the road to make sure there aren't any vehicles coming. If there are, then I have to sit in my driveway and wait for them to pass. When I am driving down Birchwood Lane if I come across an on coming car then one of us has to move over. When I say move over, I mean finding the nearest driveway and pulling into it. There isn't enough road available to just move over. If you did that then you would be off the road in a ditch.

There is also a dip in the road in front of my house. This is where a new culvert was installed 4 years ago. I believe that this is due to the sand settling and it is getting worse with the amount of traffic driving over it.

When I heard that the road was going to be widened, I was sure that telephone poles would have to be moved. Referencing your meeting minutes from June 25, 2020 it said that any work done to widen the road be done on the south side. One instance I am thinking of is the pole in front of 35 Birchwood Lane. 2 cars are not able to pass at the same time, so if the road was to be widened then a pole would have to be moved. Another issue with the road is the ability for delivery trucks to come up. When the road is at its worse, either during mud season or during the winter, some residents have been told on several occasions by the UPS driver that he wouldn't come up the road to deliver.

On November 23, 2020 Kate Gaudette had emailed me and informed me she would be taking over the road association. On March 20, 2022 I emailed Kate Gaudette about the condition of the road. I mentioned that the road was impassable for emergency vehicles, as well as, some of the residents' vehicles and possibly delivery drivers. I asked if gravel could be put down. Kate replied back to me on the same day saying that they are aware of the situation and have plans for work to be done as the contractor is able to. They were waiting for the road not to be posted so gravel could be delivered. A couple months later on June 8, 2022 I emailed Kate again wondering when the road was going to be fixed. She replied back to me and told me that the plowing cost for the last season was substantial and the work desired is costly. They had an unnecessary financial burden placed upon them and it put a damper on what they are able and willing to do at this time. Referencing your meeting minutes from June 25, 2020, it was determined that the applicant has the financial ability to complete the proposed development. My question is, does he still have the financial capacity?

I would like to give you a little history of Birchwood Lane. When I first moved onto this road it was just Chris Small and I. He plowed the road and myself out when needed. As more residents moved in we decided to have an unofficial road association. Each household paid in \$250.00 per year. I held a road meeting every June where we discussed how much money we spent on plowing from the previous winter, how much money was in the account, who would be plowing the road for the upcoming winter, what maintenance work needed to be done and we would schedule a clean up day. During the clean up day we would pick up trash, trim the brush back and haul away the brush we knocked down. At every meeting I gave out a budget sheet to everyone that had a breakdown of what the money was spent on and how I got to the end result of how much money was left. I also had an agenda and took notes on everything that we discussed. After the meeting I typed up the notes and sent a copy to everyone. Anyone who wanted to come to the meeting with name(s) of a plow driver was encouraged. If there

was a way to get someone to plow the road who was cheaper, I always welcomed it. However, when the Gaudette's moved in they wanted to take everything over. Our clean up days no longer occurred so the brush began to get overgrown. There were never any meetings held. Kate refused to give the name of whoever she found to plow the road. She told everyone to pay \$250.00 but we were never sure where all of this money went. She never offered to give a break down of where the money was going and what was left. She would just say, "whatever we go over in funds for plowing, my family will cover." That could mean a lot of things. Essentially she wanted all the residents to give her money so that she could make all the decisions as to where that money was going. That just didn't sit well for many of us.

In conclusion I would just like to say that in the meeting minutes from April 30, 2020 it says, "The applicant stated that fixing the road was their first priority." This hasn't happened in 4 years so I am just wondering when that will happen.

## Matt James

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**From:** Derek Small <dsmall.ndi@gmail.com>  
**Sent:** Wednesday, March 6, 2024 1:05 PM  
**To:** Allen Acker; Mark Favreau; Peter Feeney; Joanne Joy; Deb Smith  
**Cc:** Matt James  
**Subject:** Loud and Local Application Follow-Up  
**Attachments:** NVRCH01-194843-194952.mp4

Greetings Members of the Select Board,

Derek Small here (43 Birchwood Lane); I'm writing to provide new information regarding the application of "Loud and Local" dispensary.

A "square peg in a round hole" is the best way to describe this;

In 2020 the planning board knew it was a unique situation to have a business on a dead-end dirt road. The "square peg" was the business, and the "round hole" was Birchwood Lane.

Members of the planning board dedicated much time and energy to round off the rough edges of the peg, getting it to fit the road and neighborhood. Unfortunately, the contingencies were never met to what was required.

Please see the attached video. This is an accident where a vehicle leaving 50 Birchwood struck a utility pole. This section of road is 14' wide. Although this particular section was not required by the planning board to be widened, there are other sections of the road that are just as narrow due to the utility poles.

Residents of the road experience a lot of traffic to the farm stand, regardless of whether or not it is operating; there's always employees or workers of the buildings. This and additional traffic brings the concerns of another collision, both vehicular and pedestrian.

Thank you for your consideration,

Derek

## Matt James

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**From:** Brandon Harris <bharris212010@hotmail.com>  
**Sent:** Thursday, March 7, 2024 9:55 AM  
**To:** Matt James; Frances Farias  
**Subject:** Birchwood Lane

You don't often get email from bharris212010@hotmail.com. [Learn why this is important](#)

Hi,  
My name is Brandon Harris and I live on Birchwood Lane as you may know we have had issues on the road but this last one has pushed me over the edge. We are trying to get oil delivered to our house and they refused due to the condition of our road (which is acceptable). Our road is so bad that some our neighbors can't even get to their houses. Are we just suppose to go without oil and let everyone freeze? I believe with their buisness, the road is supposed to be passable at all times and enough room for 2 cars to pass? Nothing is getting done about our road because the owners of it refuse to do anything to it. We would like some help in resolving this issue. Thank You

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)



## Matt James

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**From:** John Blunda <blundareno@gmail.com>  
**Sent:** Thursday, March 7, 2024 3:59 PM  
**To:** Matt James  
**Cc:** Allen Acker; Mark Favreau; Peter Feeney; Joanne Joy; Deb Smith  
**Subject:** Waivers?

Some people who received this message don't often get email from blundareno@gmail.com. [Learn why this is important](#)

The condition of the driving surface of Birchwood Lane has deteriorated rapidly to the point that the road is nearly inaccessible. FedEx nearly got stuck this morning, oil companies have refused to deliver, and there's no reasonable chance local first responders will be able to access any of its residents during an emergency.

The road's custodian, Kate Gaudette, has responded to the resident's concerns that she is unable to affect repairs due to the roads being posted.

Given the situation, is there any mechanism in the town's laws to allow an emergency waiver for dump trucks to bring material so Kate can make said repairs?

-John Blunda  
41 Birchwood Lane.

## Matt James

---

**From:** Kate Gaudette <k8gaudette@gmail.com>  
**Sent:** Friday, March 8, 2024 6:53 PM  
**To:** John Blunda  
**Cc:** Mark Favreau; dnse815@hotmail.com; allylewis@live.com; Andrea Blunda; christina.fellman@maine.edu; ejsmall@outlook.com; francesmfarias@hotmail.com; Bharris212010@hotmail.com; Duncan Alden; Matt James; C Small; Heather Estabrook  
**Subject:** Re: A path to make repairs

Some people who received this message don't often get email from k8gaudette@gmail.com. [Learn why this is important](#)

Hello John and Birchwood lane Residents,

Thank you for reaching out with you concerns as to the condition of Birchwood lane. After several days of thaw and rain, I completely agree that the road needs some attention, as it gets every single spring, around this time of "mud season". I have spent time over the last few days speaking with our trusted contractor Doug Tourtelotte about this matter and putting a plan in place to add gravel where it is needed and grade out the road. With that being said, this is not something that can happen overnight. Bringing the heavy equipment/ even just a skid steer too Birchwood lane that is needed to complete this job will require Millay Road and Birchwood Lane to dry up so that the machinery does not cause further damage. With a job like this there are many facets involved that require careful planning and coordination.

I guarantee the repairs WILL be completed this spring. We should all be very aware by now of the inconvenience that living on a private dirt road during mud season can cause. All I can offer at this time is to plan accordingly and utilize the periods with out rain or a ground freeze to your advantage. It is also not uncommon for delivery companies to refuse delivery to dirt roads this time of year, statewide.

With all of this ongoing concern regarding the width of the road, it is now imperative to address relocation of the dumpster that has been in the shoulder/ right of way - this MUST be moved off of the road to complete the proper grading and to allow residents full and unrestricted access to the shoulder as outlined very clearly in the easement. Insisting that this dumpster leased by Chris Small be moved will benefit ALL residents and allow Tourtelotte excavating to properly complete the necessary scope of work. The dumpster in the right of way not only poses unnecessary liability for the excavation company and all residents of birchwood lane but is also a blatant breach of the easement.

Next, I would like to take this time to address the topic of road dues. I have collected a grand total of \$250.00 from residents on the road for this 2023-2024 winter seasons plowing. This year has been unusually snow-less so it only cost \$500.00 to have the road plowed. Thank you Duncan Alden for doing a fantastic job and being very responsive to all winter storms. Last year was \$1000.00 in fuel for the tractor that Bobby used to snow blow. Again, I only collected \$250.00, from ONE single resident resident towards this.

I understand from reading some of your emails that there is a great concern as to what I would be doing with all the funds had I managed to collect \$250 from each resident on the road. Simply it would be gravel. If you do not feel comfortable giving me this yearly sum please take the time to do something else to benefit the road ie; pick up trash, trim back brush, call and order a load of gravel to be dumped at a specified location. At this time my tractor is being serviced and not at the farm so keep in mind if you choose to have gravel dropped it would have to be spread around by hand.

Please know that you are all heard and I believe we all want the same thing here- to access our homes peacefully and smoothly. It is a private dirt road, unlike a paved road maintenance will be ongoing.

Have a great weekend,

- Kate Gaudette  
50 Birchwood Lane

On Mar 8, 2024, at 2:17 PM, John Blunda <[blundareno@gmail.com](mailto:blundareno@gmail.com)> wrote:

Hello Kate,

After seeking the advice of the Bowdoinham Select Board, its been brought to my attention there is a way to get the trucks you need to Birchwood Lane to affect immediate repairs. Below is the response given by one of its members, Mark Favreau. I ask you to fulfill your duties and expedite your efforts to restore the driving surface and accessibility to your road.

"Hi John

Contractors do have a few things they can do, they can use a truck that hauls a load under 23000 lbs ( about 4-5 yard loads in a smaller dump truck) , they can call Toby the public works Forman and under certain conditions he will allow trucks to run on posted roads ( if the road is dry or mornings when they are frozen some). I hope this answers your question.

Mark Favreau

Select Board Member  
Town of Bowdoinham"

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-John Blunda  
41 Birchwood Lane.

## Matt James

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**From:** Frances Farias <francesmfarias@hotmail.com>  
**Sent:** Sunday, March 10, 2024 7:34 PM  
**To:** Kate Gaudette; John Blunda  
**Cc:** Mark Favreau; dnse815@hotmail.com; allylewis@live.com; Andrea Blunda; christina.fellman@maine.edu; ejsmall@outlook.com; Bharris212010@hotmail.com; Duncan Alden; Matt James; C Small; Heather Estabrook  
**Subject:** Re: A path to make repairs

Some people who received this message don't often get email from francesmfarias@hotmail.com. [Learn why this is important](#)

Sorry for the delay in writing this back. My mental health could not go any further after trying to figure out how to get oil to my house.

Correct me if I am wrong but there is no road agreement. By terms you (Kate and Bobby) are responsible for the road and there is no legal road agreement? Correct?

And when you say that we haven't helped with the road please elaborate more on this because my husband and Heather have helped clean up and clear up the road.

Thank you,  
Frances Harris

Sent from my Verizon, Samsung Galaxy smartphone  
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---

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**Cc:** mfavreau@bowdoinham.com <mfavreau@bowdoinham.com>; dnse815@hotmail.com <dnse815@hotmail.com>; allylewis@live.com <allylewis@live.com>; Andrea Blunda <ladybug78001@hotmail.com>; christina.fellman@maine.edu <christina.fellman@maine.edu>; ejsmall@outlook.com <ejsmall@outlook.com>; francesmfarias@hotmail.com <francesmfarias@hotmail.com>; Bharris212010@hotmail.com <Bharris212010@hotmail.com>; Duncan Alden <loudandlocal207@gmail.com>; Matt James <CEO@bowdoinham.com>; C Small <cssmall74@gmail.com>; Heather Estabrook <heather@alliancecm.me>  
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*-John Blunda  
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