

Beaver Ridge Hearing
1-28-2025

Recording Information:

<https://us06web.zoom.us/rec/share/7-8twaG6Z3AqYpyGhS-pL58Xp20XSNWs-CRdHSqDk3N7yU6NLAO6MJSBEJkidpAc.v-7yEhD0hZxBBT2i>

Passcode: +\$SxN9k2

Attendees: Atty. Bill Kelley, Ryan Willette, Laura Greeley, Heather Donahue, Cindy Abbott, Beth Owen-Mishou, Kyle Hadyniak (non-resident), Kyle Price (non-resident), Erin Bennett-Wade (non-resident), Sarah, Geo Maciolek (via zoom), Kayla Windbloom (via zoom), Alexis Bennett, David Bennett, Judith Bennett, Mary Ann Bennett, Stephen Bennett, Linda Banchard, Meredith Coffin, Sigmund Dziurdz, Lincoln Fraser, Brian Fuller, Anthony Grassi, Catherine Hadyniak, Charles Hadyniak, Lynn Hadyniak, Tyler Hadyndiak, Donald Hager Jr., James Hayes, Rober Kanzler, Jeffrey Keating, Babara Littlefield, Gwen Littlefield, Ronald Littlefield, Nathan McCann, Clarence Price, Kirk Thomas,

Below is a brief summary of the meeting. The Zoom transcription of the meeting will be attached to this document.

Atty. Kelly initiated the meeting by reviewing why the hearing is taking place. This hearing is an attempt to gather factual information regarding the use of the road. He provided a map that was provided initially by Tyler Hadyniak. He provided an annual report for 1956. There was a public vote. Article 34; regarding Beaver Ridge Road. He also presented correspondence regarding the road. This information will be available on the website.

Chuck Hadyniak: asked about Heather Donahue recusing herself. It is for the hearing itself and to determine bias.

Kyle Hadyniak asked about the survey and why was it not enough.

Ron Price asked about the recusal. He asked if Heather is recusing herself from a board vote.

Maryann Bennett asked about the statute that was on the hearing notice.

Kyle Hadyniak asked about what would happen if there were only two people voting. Atty Kelly clarified that those two people would vote.

Brian Fuller: (resident and has a home on Beaver Hill Road) He lives on the lower part of Beaver Ridge Road. He has not had any issues with any of his neighbors. When he purchased the property, he was happy that it said speed limit 25mph, dead end and no access to windmills and that was part of why he liked the property. Most people do the speed limit except the "big brown

truck”. He would not like it if the traffic and noise increased. 13 Beaver Ridge Road. Beginning around 2018. He is referring to the blue area.

Chuck Hadyniak: spoke of his involvement. Purchased in 1991. His mother had had conversations with Red Mitchell regarding the status of the road. Around 1994-95 he and his dad would camp on the property. They walked the road with Red Mitchel to clarify where the road was. Based on what Red Mitchel had said it was no longer public property and their family has been informing people ever since that it was private property. 200 Beaver Ridge Road. Atty Kelly asked if they wanted to see an August 1996 letter to Maine Municipal and respond to it.

Laura Greeley asked if there was a compromise if they would be open to foot traffic. Chuck Hadyniak

Selectmen in 1997: Red Mitchell, Everett Lingley, Hiedi Bruger

Lynn Hadyniak: they live on the 200 Beaver Ridge Road on the Red portion. The OB property was near the mail boxes. A sign has been posted since 1997 saying that it was private property. People asked permission to use the property. They built the road that starts at the yellow “dog way” . Evan Qualtrough wrote a letter stating that they came up camping, before 1997. She was going to provide a copy of the letter. They have put money into building and maintaining that road. They also paid CMP to put up poles for power. She has personally stopped people who have come onto the road and asked them why they were there.

Laura Greeley asked if when they purchased the property, were they comfortable with what their deed said? She also asked if they posted the sign with the Select Boards knowledge.

Robert Kanzler: reported that when Mr. Fosome owned the property, the boy scouts would use the property for camping. He is currently a Freedom resident but grew up in Unity. He was asked to groom the road up there for snowmobiles. He cleared an area and groomed it for snowmobiling and cross country skiing. There was a section that was washed out. He has looked for the Temple Cemetery but has not been able to find it. He went to Maine DOT and got the deeds of all the county roads.

Laura Greeley asked what year it was that he was asked to groom the trail for the snowmobile club. Laura Greeley asked about minutes from the Road Committee.

Robert Kanzler: has been going up there for the last 10 years looking for the Cemetery. He has clipped it out for the snowmobile club. He clarified where he had been and when.

Donald Heager: an abutter. In 1980 rabbit hunting all winter. He confirmed the snowmobile grooming. The back of his property is the yellow line 173 Greeley Road. He has had many negative interactions with the Hadyniaks. He has trimmed it out and maintained the road. He has

used the road his entire life. He has hunted up there. From 1980- present. Hunting, 4-wheeling. He has seen many people turned around from the property.

Laura Greeley asked when the last time was that he trimmed it or maintained it, he stated it was this year. When he was asked to turn around, he reported that most times he did not.

Kyle Hadyniak: is not a resident but is an abutter. Has lived on the road. He stated that there was not public traffic on the road. His parents would turn people away. 1997-2011 he lived on Beaver Ridge Road.

Mary Ann Bennett: lives on Bennett Lane and her property abuts. Has lived here since 1988. She would walk the loop. On her walks she would rarely see anyone. During the winter she would occasionally see snowmobile tracks. She walks to the gate. The snowmobiles go to Ron's gate.

Laura Greeley asked if Maryann is opposed to a compromise for foot traffic. She stated that she was not opposed.

Dave Bennett: has owned property up there for 45 years. He has ridden his snowmobile on that road to where it comes to Ron Price's field. The road is not passable. His land has been posted so he was wondering where people were hunting.

Laura Greeley asked about how snowmobilers cannot get through. She asked how the snowmobiles get through. He does not have a problem with foot traffic.

Ron Littlefield has been here since 1972. He has snowmobiles and has ridden horses on it. They have cleared under and over the Beaver. He used it for an ATV ride as recently as last summer. The last portion of the road is not passable. 23 Deer Hill Road. Last summer and the summer before he did clipping. Red Mitchel said that it was ok for him to use the road in the early 80s. He worked with Red Mitchel.

Steve Bennett: He is concerned about the process. He received a certified letter. He read the description of the statute. When they decided to have the hearing.

Atty Kelly clarified the statute further and why the statute was referenced.

Steve Bennett: Stated that Heather Donahue stated that the entire road is open all the way through. He said that the entire road is not open. The hurricane in 1954 had destroyed part of the road. He asked where the Beaver Hill Road is. He expressed concern about ATV's on his private property. He was concerned about Heather Donahue trespassing on his property. He called the sheriff's department and filed a criminal complaint. A dispute is one thing but using this as an excuse to take another person's property away. He presented the 1859 map that is on the wall in the town office. He also presented a US geological survey map, 1913-15. There were no houses on that road at that time. 1800's there were gris mills in Freedom. 1939 aerial photo from the USDA was presented. You cannot see any maintained road on this photo. He found a Maine Traffic flow map partially sponsored by the State of Maine. 1937-39 to determine in every town

what roads there were and were they maintained? By 1937-39 the road to under beaver hill was not on the map because it was not being maintained. He defined what it means to discontinue a road. There are 30 miles of town-maintained rd. There are 8 miles of discontinued roads with public access and there are two miles of road without public access. Hurricanes destroyed the roads years ago. 1956, 5 Roads were discontinued at the town meeting. He feels that the wording is misleading.

Laura Greeley asked why this was not dealt with earlier. Steve responded that he had brought this up at a town meeting for foot traffic only. His motion was made a non-binding vote. The select board changed it and decided that they were not going to do it. In 2021 as a Selectman, he felt he needed to avoid a conflict of interest, which is why he did not deal with this situation sooner. He read a summary of Martin vs Burnam. This was in reference to abandoned roads.

Laura Greeley asked for further clarification regarding the 1976 county roads. Laura asked if anyone had ever asked Steve about the private road sign while he was the selectmen.

Steve Bennett mentioned the statute again. He was concerned with it being called a “public way”.

Laura Greeley asked him if in the spirit of compromise would he allow foot traffic. He would agree to compromise.

Gwen Littlefield 445 Greeley Road. The road was never maintained by the town in 50 years. Red Michell had always said it was a public roadway. In the 80 and 90’s they rode horses and had sleigh rides during the winter. It was public property. From 1980-95 she used it for horseback riding.

Erin Bennett Wade: she owns the property that abuts the property in question. She stated that there are surveys and pins. She feels that the boundary lines are clear. She has given permission to people to use her property.

Catherine Hadyniak: asked the select board if they are willing to compromise. Laura Greeley responded regarding her question to the abutters.

Alexis Bennett: lives on Bennett Lane. She has lived on the hill since 1991. She walked all over the hill. She does not ever remember running into other people on any of the roads and paths that were mentioned. The road to the Hadyniak’s was not passable.

Jeff Keating: is an abutter from the fisher lot. Once you get down to a point there it is not passable. He put the bridge there. ATV use is rutting up the road that is there. He has cross country skied on that land. He has lived there since 1998. Red Mitchell had spoken to him about the road being closed. He is fine with foot traffic.

Tyler Hadyniak: public use of the road. Email exchange in 2023 it is 17 pages and he offered to share it. It started as a respectful conversation.

Steven Bennett: 2010 comprehensive plan showed the snowmobile trail. Beaver Ridge Road was not part of the snowmobile trail.

Atty Kelly closed the meeting and offered to have Heather Donahue present at the next meeting so she would have enough time to present the materials she had prepared.