

Special Town Hearing
Blanchard Road Winter Maintenance

September 27, 2021

Meeting called to order by Selectmen Norman Beckwith at 6:00pm

Calling of the roll

Selectmen: Norman Beckwith, Kirk Hamilton, David Thorp

Secretary: Carolyn Nye

Article 1: Elect a moderator

Bill Fortin made a motion to elect David Thorp as a moderator. Seconded by Karen Jodrey. Vote carried 8-0.

David opened the meeting to find out how the town wants to proceed with the Blanchard Road in the future.

The town voted at the Annual Town Meeting on June 28, 2021, on Article 36 to see if the town will continue to plow the southern end of the Blanchard Road. The vote was opposed.

Norman and David have attended two hearings with the county commissioner to reopen the road for winter maintenance. The county commissioner has said that they cannot overturn a town vote. They are wanting the town to come up with a plausible answer at which time they will have another meeting. The county commissioner stated if this town hearing doesn't change its decision, then Tim Gora can take it to court.

Norman spoke with the county commissioner before leaving the meeting and suggested that Daniel Varieur's family with a school age child has moved onto the Blanchard Road and the town would be willing to plow to his driveway, so they have a passable way to get out.

Norman stated if this goes to court it will cost the town \$5,000.00 to \$10,000.00 to get the case started according to the town lawyer. Norman went on to explain that it will cost the town a \$1,000.00 more a year which will be \$4,000.00 for the year to plow from the Blanchard line to Daniel Varieur's driveway.

Norman reminded the residents that last year the selectmen had spoken with Tim Gora about ditching his driveway and install a long enough culvert so the snowplow could turn around there. Tim had verbally agreed to this. Once the work was completed Tim came to a selectman meeting and said it was never written up so I never said you could do anything.

Questions to the selectmen:

Is there a lawsuit pending? No lawsuit filed yet.

What is land assessed at on the Blanchard Road? Will have to investigate that.

If we spend \$4,000.00 on the Blanchard Road how far will you be going, and will we still have to go to court? It will go past Tim's house and we won't have to go to court.

Is it going to be a lot of maintenance to go to Daniel's house? No, we will put in gravel and make a turnaround.

What about a grant from the state to fix the Blanchard Road? We have spoken with Susan Collins and there aren't any grants available.

If we do this for this family and we, do it for that family, will they come to the town and use this scenario against the town? This is a possibility and according to the county commissioner it's starting to be a problem for many towns.

Shouldn't you be plowing the CC Road? No, that road is a private road and does not belong to the town of Shirley.

A resident brought up that there is a sign posted stating that the Blanchard Road is a seasonal road.

Another resident stated when a resident purchases these properties the realtor must have a disclosure as to who maintains these types of roads.

A selectman responded with a resident purchased property and the realtor told the resident that the road is plowed year-round. The selectmen stated the realtor has called him regarding this matter and the response is always the same as to what the town does to maintain that road.

David mentioned the only reason that road is plowed during the winter is because Colin Arey is cutting down trees and may leave a false impression that the road is plowed by the town. The town is not responsible if someone other than the town plows it. Before the town can accept a liability to plow the road, it will have to be built up to standards, so the plow can navigate safely and not get stuck.

David asked Daniel how he felt about this situation and where the town should go with this. Daniel responded he bought a piece of property for a quiet place. He didn't know it would be this involved. It would be great to plow up to my road and it would save me a lot of plowing.

Tim Gora was asked this same question with no response.

Tom Taliento was asked this question and he responded that he has always accepted the road as the way it is. His neighbors have assisted him in the winter. His main concern is safety year-round. He noted that we lose a lot of gravel to the ATV's.

A response from the selectmen was the ATV club wants to buy the railroad tracks to get the traffic off the Blanchard Road. The state won't give them the money due to liability issues.

A straw vote which is only for the selectmen to see how the residents felt.

The question posed to the residents was, "All those in favor of leaving the town vote not to plow the Blanchard Road."

The vote was 11 in favor not to plow

The question posed to residents was, "All those in favor to plowing to Daniels's driveway".

The vote was 8 in favor to plow

The straw vote stands 11 in favor and 8 against.

Karen Jodrey made a motion to adjourn the meeting. Kirk seconded.

Meeting adjourned at 7:10pm.

Submitted by,
Carolyn Nye