

Calais Select Board Minutes of Emergency Site Visit and Meeting

6.13.23; 2:30 – 4:30

Site Visit on Leonard Road and at Calais Town Hall Minutes Approved on 6/26/23

An emergency site visit of Leonard Road was conducted by the Select Board, Road Crew and others from 2:45 until about 3:20 on June 13.

Present at the site visit: Select Board Members - Anne Winchester, Gabrielle Malina, Jamie Moorby, Jordan Keyes and Anne Toolan; Town Road Crew - John Staffard, Tyler Stecker, and Dana Huoppi; Kathy Kashanski, John Brabant, and Larry Orr.

The purpose of the site visit was to evaluate the condition of road work undertaken by Larry Orr on the Leonard Road Right of Way (ROW). Area evaluated included the “triangle” of George Rd and Leonard Road and up to the old Orr curb cut and the unsanctioned new Orr curb cut.

At around 3:20, the full Select Board met at the Town Hall and resumed discussion of what they saw and how to move forward to fix it. Larry Orr and John Brabant were also present.

Leonard Road is a Class 4 Road accessed by vehicle from George Road and extending to Singleton Road on the other side. The road is only driveable by most standard vehicles up to the area of Mr. Orr’s original curb cut, and now, his new curb cut. The road is a “pent road” and blocked from cars on the Singleton Road side and is primarily used for recreation purposes including walking, biking, skiing, and snow machines. The snowmobile club maintains a trail in the winter.

The work done by Orr includes leveling of ditches on the sides of the road, removal of existing culverts, the installation of a new, unsanctioned curb cut, the spreading of excavated earth on the Right of Way from cellar-material as a road subsurface material, and significant other earth moving resulting in general degradation of the road. The immediate and pressing concern is increased erosion into waterways.

Anne Winchester said she saw three choices for moving forward to repair the poor work done by Mr. Orr: the Road Crew can do the work; a contractor sanctioned by the Road Crew can do the work; or, a hybrid of the two options. Mr. Orr can no longer perform the work on the town ROW himself.

The Road Crew says they are technically capable of doing the work but they are very busy and may not have sufficient time. Winchester noted that the Road Crew had estimated the cost for them to repair the work done by Mr. Orr prior to the conditions set in the permit approval of May 25, 2023, and the unsanctioned work done by Mr. Orr prior to Mr. Orr’s seeking a permit, as \$7,000. On June 13th, the Road Crew hesitated to estimate the cost of repairs because of the sheer magnitude of improper work needing to be repaired, and the immediate need for erosion control. Mr. Orr will reimburse the town for any work conducted.

In addition to the question of who should do the work, the Select Board identified two overarching issues: one is the immediate need for erosion control and the second is whether the road should be restored to the poor state it was already in prior to Mr. Orr's work, or whether it should be upgraded to a better state than it was before. Based on Road Crew input, Select Board members agreed that the new, unsanctioned curb cut was better than the old one and should not be undone. Mr. Orr will be required to seek a permit for the new curb cut.

Actions

- Larry Orr is ordered by Select Board to stop work on the Town Right of Way. All repair work will be done by the Road Crew or a sanctioned contractor. All repair work on ROW will be paid for by Larry Orr.
- All specifications for repair work should be communicated directly from the Town to the parties doing the work.
- The Select Board instructs the Road Crew to prioritize erosion control by revegetating embankments. If Road Crew cannot address erosion control immediately, the Road Crew should seek a contractor for it. {{timeline for other repair work done on ROW unclear to me}}
- Co-Road Commissioners Toolan and Moorby will confer with Road Crew to write up repair work specifications and assign cost estimates.
- Road Crew will report back on June 26th at Regular Select Board meeting.

The meeting adjourned at 4:30.

Orr/ Leonard ROW Timeline for Reference

Larry Orr starts work on Leonard Road – prior to seeking ROW permit.

5/22/23 Orr comes before the SB and John Staffard of Road Crew relays issues with work done by Orr up to that point. SB provides that Orr meet with Staffard on site and be “walked through” conditions and specification set by Road Crew which are based on state road handbooks.

5/25/23 Orr returns to SB at a Special Meeting. Co-Road Commission Anne Toolan reports that Staffard has met with Orr at site and reviewed specs that Mr. Orr must follow to be in compliance. Orr agrees to meet specifications and SB signs ROW permit.

6/12/23 Co-Road Commissioner Toolan reports at regular SB meeting that work done by Mr. Orr on ROW was sub-par and in need of immediate attention. SB sets Emergency Site Visit and Meeting.

6/13/23 SB, Road Crew and others conduct site visit to evaluate extent of damage and determine next steps.