

Stephen J. Puleo

From: Brian Langerman <brianlangerman@gmail.com>
Sent: Friday, January 31, 2025 4:00 PM
To: Aaron Hunter
Cc: Stephen J. Puleo; Robert Cloutier; Gregory W Files
Subject: Re: [External] Lisa Drive Right-of-Way Easement (Map 11 Lot 49)

Warning: Unusual link

This message contains an unusual link, which may lead to a malicious site. Confirm the message is safe before clicking any links.

Hi Aaron,

As discussed with both you and Mr. Cloutier a few weeks ago, I have yet to receive a document from Mr. Files to review and therefore cannot speak to its contents. That still remains true at the time of this email.

As far as the ROW easement goes it would appear that my options are to accept the current version you proposed or outright reject it. There does not appear to be a third option, therefore I will work to support it as long as the conditions of the removal of all the deed restrictions to my property are met prior to the meeting. This includes the ability to review the documents or drafts of the documents prior to. Furthermore, this must include the right to access Monique Drive from my property and to be included in the road maintenance agreement of such, once access to the Monique is established and in use, not prior to. I have also not seen a copy of the road maintenance agreement for Monique Drive.

As far as the road maintenance agreement for Lisa Drive goes, I spoke with both neighbors and they seemed amenable to the proposal you listed in a prior email, however they both also stated that they would like to see the document or draft of the document to review prior to the meeting with time to have their own attorneys look over it.

This process has been ongoing for several months and the speed at which the legal documents are being created gives me great pause and concern. These are rather simple documents to draft and I am not sure why this is being drug out. I have asked to review these for over a month and the answer I keep getting from Mr. Cloutier is that "Mr. Files is working on it". I first requested these documents from Mr. Cloutier in a phone conversation with him on December 18, 2024 at 750pm in which he assured me I would have them in the first week of January. I further eluded to them twice more in a letter written to the planning board which was read at each meeting and stated the aforementioned concerns. As I have mentioned numerous times, I need time to review and discuss with my attorney as well as the trustees to the property before I agree to anything. The sooner I get these documents, the sooner I can get you a definite answer. Should I not have any of these prior to the meeting I will most likely ask for a decision pending my acceptance or a postponement of the decision until I have had enough time to review. I am assuming the other property owners have been advised similarly and will do the same. The delay is *not* on my end and not an issue I created.

I am resolute and steadfast pertaining to my right to review documents before I enter into any legal agreements or grant any easements onto my property. When you have completed all the necessary steps on your end to draft the documents, I am happy to review what's sent and then continue this conversation until we are able to mutually reach an result that benefits all parties involved. Until such time my answer remains the same.

Mr. Puleo, please add this correspondence into the record for the subdivision approval documents.

Respectfully,
Brian Langerman

On Jan 31, 2025, at 3:00 PM, Aaron Hunter <ahunter@sebagotechnics.com> wrote:

Hi Brian,

I wanted to follow up to see if you can provide us an update on the following items that we have been coordinating,

- The proposed modification of the existing access easement on your property to meet the Town's minimum 50-foot right-of-way width for Lisa Drive.
- The revised road maintenance agreement. Have you received any feedback from the other property owners?

We are scheduled for the 2/10 planning board meeting and would like to be able to provide the board with an update to allow us to obtain approval with conditions that we finalize the items.

Thanks,

Aaron Hunter, PE *Project Manager*

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From: Aaron Hunter

Sent: Friday, January 24, 2025 4:51 PM

To: 'Brian Langerman' <blangerman@westbrook.me.us>
Cc: Stephen J. Puleo <sjpuleo@windhammaine.us>
Subject: RE: [External] Lisa Drive Right-of-Way Easement (Map 11 Lot 49)

Hi Brian,

I talked with the project surveyor from Sebago, Matt Ek, and unfortunately, the yellow line you show will not work. There needs to be 50 feet in all directions as shown with the blue circle on the attached plan. This does not allow us to reduce the proposed easement area.

Please let me know if you have any questions.

Thanks,

Aaron Hunter, PE *Project Manager*

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From: Brian Langerman <blangerman@westbrook.me.us>
Sent: Friday, January 24, 2025 3:54 PM
To: Aaron Hunter <ahunter@sebagotechnics.com>
Cc: Stephen J. Puleo <sjpuleo@windhammaine.us>
Subject: Fwd: [External] Lisa Drive Right-of-Way Easement (Map 11 Lot 49)

Hi Araron,

My apologies my other email isn't working on this computer at the moment but I included an edit to the diagram below that I feel meets the standard and limits the amount of land I sacrifice for the ROW easement change. Please see the yellow lines below. That should be the 50 ft required for the section that was lacking. It eliminates the extra that was added to the ROW that isn't needed as part of the requirement. Thoughts?

Please update to reflect the change.

Brian M. Langerman

Begin forwarded message:

From: Brian Langerman <brianlangerman@gmail.com>
Subject: Fwd: Lisa Drive Right-of-Way Easement (Map 11 Lot 49)
Date: January 24, 2025 at 3:32:34 PM EST
To: Brian Langerman <blangerman@westbrook.me.us>

Sent from my iPhone

Begin forwarded message:

From: Aaron Hunter <ahunter@sebagotechnics.com>
Date: January 24, 2025 at 15:32:00 EST
To: Brian Langerman <brianlangerman@gmail.com>
Subject: RE: Lisa Drive Right-of-Way Easement (Map 11 Lot 49)

See attached exhibit with existing easement shown in red

Aaron Hunter, PE *Project Manager*

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From: Aaron Hunter
Sent: Wednesday, January 15, 2025 10:14 PM

To: brianlangerman@gmail.com
Cc: Stephen J. Puleo <sjpuleo@windhammaine.us>; Robert Cloutier <bob@cloutierbuilding.com>; Gregory W Files <gregorywfiles@hotmail.com>
Subject: RE: Lisa Drive Right-of-Way Easement (Map 11 Lot 49) [Filed 15 Jan 2025 22:14]

Hi Brian,

It was good talking with you this afternoon about the proposed modification of the existing access easement on your property to meet the Town's minimum 50-foot right-of-way width for Lisa Drive. Based on our discussion, I have included a list below that outlines my understanding of what you are requesting from Robert in order to provide the proposed modified access easement,

1. Release of the deed restrictions on your property.
2. Revise the road maintenance agreement for Lisa and Jules Drive (see attached existing agreement for reference) to include a split of the responsibility of maintenance and plowing expenses as noted below.
 - a. From the southeasterly side of River Road to the second Fork in Lisa Drive.

Map 11 Lot 49	
(Langerman)	25.00%
Map 11 Lot 49 B	
(Zajac)	25.00%
Map 11 Lot 49 D-5 (Manchester & Summers)	25.00%
Map 11 Lot 49 B-2	
(Sferes)	25.00%
 - b. From the second Fork in Lisa Drive to the land of Map 11 Lot 49 B-2

Map 11 Lot 49 B	
(Zajac)	33.33%
Map 11 Lot 49 D-5 (Manchester & Summers)	33.33%
Map 11 Lot 49 B-2	
(Sferes)	33.33%
3. Provide you with the right to access your property from Monique Drive. You have requested to not pay expenses for the maintenance and plowing of Monique Drive until you construct a driveway.

This information was discussed with Robert and will need to be finalized with the help of his attorney, Greg Files, who I have added to the email chain. Please confirm the above-listed items and add any additional information that I may have missed.

We understand that you have been in contact with the other landowners impacted by the revised maintenance agreement. Can you please pass along this relevant information and have them provide us with their approval via email? This will allow Robert's attorney to move forward with drafting the revised agreement for final review by the Town and all parties.

Lastly, I spoke with Steve Puleo and understand that the Town would like a corrective deed or a similar legal document to tie the revised maintenance agreement to each property. We will be in touch regarding this once I have more information.

Please feel free to give me a call with any questions.

Thanks,

Aaron Hunter, PE *Project Manager*

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From: Aaron Hunter
Sent: Tuesday, January 14, 2025 6:39 PM
To: brianlangerman@gmail.com
Cc: Robert Cloutier <bob@cloutierbuilding.com>; Stephen J. Puleo <sjpuleo@windhammaine.us>
Subject: Lisa Drive Right-of-Way Easement (Map 11 Lot 49) [Filed 14 Jan 2025 18:39]

Good Afternoon Mr. Langerman,

My name is Aaron Hunter, I am a Civil Engineer working on the After-the-Fact Minor Subdivision application for project #24-26 Monique Drive Subdivision which is currently under review with the Town of Windham. Copied here is Robert Cloutier. the applicant, and also Steve Puleo, the Town Planning Director.

A part of the proposed project involves approving Lot 3, identified on Town Tax Map 11 Lot 49D-5, which is accessed by Lisa and Jules Drive. A waiver of the Town’s 50-foot right-of-way width for Lisa Drive was requested as a portion of the right-of-way is less than 50 feet wide where it crosses your property identified on Tax Map 11 Lot 49. A color exhibit titled “04351 ROW Waiver Exhibit 2025-01-14” is attached showing the requested waiver that was included with our application.

We have been asked by the Planning Board to request a modification to the existing access easement on your property as recorded in the Cumberland County Registry of Deeds in Book 23231, Page 161. I have attached an exhibit titled “04351 Draft Access Easement Exhibit (Map 11 Lot 49) 2025-01-14” that displays the additional easement area that we are requesting on your property in order to meet Town standards.

Please let me know if you would be willing to consider the proposed easement modification, and we can set up a meeting to discuss the details further.

Thanks,

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<Planning_Board_25-02-10_Meeting_Prelim.pdf>