

# BEAVER HILL/RIDGE USE SURVEY

The Select Board is collecting the public's memories, stories, and ongoing uses of the historic Beaver Hill/Ridge Road in response to a lawsuit filed against the Town of Freedom, claiming the road to be private property. Survey responses are not limited to Freedom residents, but open to any member of the public who uses/has used this road. Paper copies of this survey were sent to each Freedom household and are available at the Town Office.

Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

Occasionally I walked up through there. . 2013 - 2019.

How do you use the road? Check all that apply.

Snowshoe

Hiking

Skiing

ATV

Snowmobile

Motor Vehicle

Other

If other, please describe:

How often do you use the road?

I haven't used it recently. But when I did, it was when I walked with my dog.

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

No.

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Margaret FitzGerald    [margaret.nogomaq@gmail.com](mailto:margaret.nogomaq@gmail.com)

Please leave any additional comments here:

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If other, please describe:

How often do you use the road?

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Lincoln greeley lincgreeley96@gmail.com

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Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

From the time I bought my land in 2020, to the present

How do you use the road? Check all that apply.

Snowshoe

Hiking

Skiing

ATV

Snowmobile

Motor Vehicle

Other

If other, please describe:

.....

How often do you use the road?

I was using it several times a week in 2022, about once a month when I came up from 2020-2022. And then pulled back to a few times a season once I realized it was in contention. It's a clearly marked road on all the maps of Freedom, so I didn't think anything of it. It's a beautiful road that connects north and south Freedom.

.....

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

Yes, via a barrier and sawhorses, cameras and the stories from other residents of the Hadyniak's threatening to call law enforcement.

.....

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Heather Donahue littlemoonrefuge@gmail.com

.....

Please leave any additional comments here:

.....

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Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

My whole life

How do you use the road? Check all that apply.

Snowshoe

Hiking

Skiing

ATV

Snowmobile

Motor Vehicle

Other

If other, please describe:

How often do you use the road?

Often before it got shut down

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

Just barricaded in the way

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Russell Littlefield @rlittlefield450@gmail.com

Please leave any additional comments here:

Obstacles in public road way should be enforced by law

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Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

Since 2001

How do you use the road? Check all that apply.

Snowshoe

Hiking

Skiing

ATV

Snowmobile

Motor Vehicle

Other



If other, please describe:

How often do you use the road?

Here and there

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

No

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Carrie Bennett Carriebennett53@yahoo.com

Please leave any additional comments here:

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Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

2020

How do you use the road? Check all that apply.

Snowshoe

Hiking

Skiing

ATV

Snowmobile

Motor Vehicle

Other

If other, please describe:

---

How often do you use the road?

---

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

Yes was by Tyler and his Mother Lynn this was at Lynn's driveway and was told to turn around. They said the private road ended by the cart gate. The yellow chain road on the left. They said we couldn't go past that because the private road ended there I turned around and went back home. Have not used the road personally till the signs were put up.

---

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Paula mcsweeneyp980@gmail.com and my husband Sigmund Dziurdz

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Please leave any additional comments here:

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Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

Since 1957

How do you use the road? Check all that apply.

- Snowshoe
- Hiking
- Skiing
- ATV
- Snowmobile
- Motor Vehicle
- Other

If other, please describe:

How often do you use the road?

12 times a year

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

Several times in the past few years by Tyler Hadynjak. I feel the barrier is very dangerous especially at night.

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Donald k Hager. dhager176@gmail.com

Please leave any additional comments here:

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Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

Since 2020

How do you use the road? Check all that apply.

- Snowshoe
- Hiking
- Skiing
- ATV
- Snowmobile
- Motor Vehicle
- Other

If other, please describe:

It is not passable

How often do you use the road?

N/A

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

No

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Carrie Bickford, carriebbickford@gmail.com

Please leave any additional comments here:

I would like this road to remain private

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Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

10+ years

How do you use the road? Check all that apply.

- Snowshoe
- Hiking
- Skiing
- ATV
- Snowmobile
- Motor Vehicle
- Other



If other, please describe:

.....

How often do you use the road?

1/month on avg

.....

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

No

.....

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Ronald Porter

.....

Please leave any additional comments here:

I hope privacy can be maintained by those responding, have concern that some individuals seeking to close road whom may be involved with town govt/boards may seek to retaliate.

.....

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Have you ever used any portion of Beaver Hill/Ridge Rd past the paved section, up to the windmills, extending over to where it becomes Deer Hill Rd?

Yes

No

How long have you used the road? Please provide dates.

2003 thru the present

How do you use the road? Check all that apply.

Snowshoe

Hiking

Skiing

ATV

Snowmobile

Motor Vehicle

Other

If other, please describe:

Our home is on the unpaved part of the road.

How often do you use the road?

daily

Has anyone tried to prevent you from using the road? Please describe any encounters and the dates.

no

What is your name and email address?

\*This is required for your voice to be counted, as we are gathering this information in response to a lawsuit filed against the Town of Freedom.

Lynn Warren, lynniewarren23@gmail.com

Please leave any additional comments here:

We live on Beaver Ridge Road because of its quiet and beauty. Even though we pay taxes to the town, Beaver Ridge Road is not maintained by the town. We work with our neighbors to maintain the road (grading and ditching) and for snow removal. I am not clear on what the town is considering to do to Beaver Ridge Road, but if it is to make it accessible for recreation, which I strongly oppose, then the town should take over all of the maintenance of the road. I do not want the use of the road to change. If it is to renew an easement, I support that as long as it doesn't become a thoroughfare. Keep Beaver Ridge Road peaceful and beautiful.

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31. Therefore, there was no public easement expressly retained in the disputed portion of Beaver Ridge Road and the legal requirements of abandonment were met as early as 1956.

32. In 2011, I spearheaded an effort to make the disputed portion of Beaver Ridge Road formally declared abandoned, but would have left a "foot traffic" only easement. I thought the road had much value as a recreational trail across the axis of town.

**So did the residents in 1956**

33. In the annual town meeting that year, my proposed warrant article passed as a "non-binding" measure, but the Selectmen subsequently failed to follow-up on it.

34. In 2021, I supported the Hadyniaks effort to get the Select Board – on which I served at that time – to formally declare the disputed portion of Beaver Ridge Road abandoned. However, this effort was itself abandoned following Tyler Hadyniak's recusal from the





ON X HUNT



Weather

Sibley Rd

KEATH THOM

WADE, JASON

mapbox

BENNETT, FT

Sat  
2D

Hunt Map  
Layers





Freedom	1877	AUGUST	Peter W. Ayer & als	Discontinuance	#17CARP	Denied	6/7	Freedom toward Thomdike Station east of Beaver Hill, terminating near the mouth of the Friend Elliott road.
Freedom	1877	DECEMBER	Alfred Warren & als	Open road	#17CARP	Closed	6/99	To open road of J.H. Fuller's petition 1875
Freedom	1879	APRIL	Selectmen of Freedom	Discontinuance	#18CARP	Dismissed	6/75	Highway in Freedom
Freedom	1882	APRIL	J.C. Harding & als	Alteration	#18CARP	Closed	6/326	2 From B.J. Woods house to Packard's Corner
Freedom	1882	APRIL	N.B. Goswin & als	Alteration	#18CARP	Closed	6/241	Leading from South Freedom over Beals Ridge to Freedom Village, commencing near Mrs. Mary Clements house, easterly to intersect the road leading from C.M. Plummer's Corner to Freedom Village.
Freedom	1883	AUGUST	Selectmen of Freedom	Bounds	#19CARP	Closed	6/288	11 Leading from Albion line to Freedom Village
Freedom	1883	AUGUST	William Glidden & als	Alteration	#19CARP	Closed	6/286	6 Leading from Albion line to Freedom Village near William Glidden's house, near John Whitman's house, also near Isaac Plummer's house.
Freedom	1887	APRIL	J.D. Lamsen & als	Repairs	#20CARP	Closed	6/811	3 Bridge across Sandy Stream
Freedom	1898	DECEMBER	J.B. Wiggin & als	Repairs	#22CARP	Closed	7/284	4 Road from Freedom to Thomdike Station
Freedom	1904	APRIL	Selectmen of Freedom	Designation	#21 CARP	Closed	7/385	Road from Ford's Corner in Palermo to Freedom, then to Unity
Freedom	1914	APRIL	J.W. Dlane & als	Repairs	#24CARP	Dismissed	8/126	59
Freedom	1915	AUGUST	Fred K. Bradford & als	Alteration	#24CARP	Dismissed	8/173	72
Freedom	1920	AUGUST	Reuben Sibley & als	Repairs	#25 CARP	Dismissed	8/247	105
Freedom	1920	AUGUST	J.H. Jackson & als	Discontinuance & location	#25 CARP	Dismissed	8/253	107
Freedom	1922	APRIL	James Foshay & als	Repairs	#25 CARP	Repairs Ordered		from Sodom Corner to Clark's Corner
Freedom	1922	SEPTEMBER	L.V. Penny & als	Repairs	#25 CARP	Repairs Ordered	8/303	119 Road leading from Knox Corner to Freedom Village
Freedom	1928	AUGUST	J.H. Jackson & als	Repairs	#25 CARP			Beaver Hill Road, and Johnson Road
Freedom	1931	AUGUST	F.W. Pinsky	Repairs	#26 CARP	Repairs Ordered	8/445	From McDonald's Corner over Beaver Hill to Sibley's Four Corners, etc.
Freedom	1932	NOVEMBER	Selectmen of Freedom	Discontinuance	#26 CARP	Discontinued	8/468	To Hutchins's Corner, at Turner residence southwesterly to new state highway; from the McDonald Corner thru Daniel Walker place.
Freedom	1933	NOVEMBER	Selectmen of Freedom	Discontinuance	#26 CARP	Settled by agreement	8/490	From Hutchins Cemetery to Proctor turn in Albion; At a three corners in Albion near V.H. Farris' residence, easterly to Richard Smith residence in Freedom.
Freedom	1944		Joseph Irving & als	Repairs	#27 CARP	Repairs Ordered	9/193	63 Nathan Russell property to Town of Albion by Joseph Irving farm
Freedom	1948	NOVEMBER	Selectmen of Freedom	Winter closure	#28CARP	Petition Granted	9/263	87 From O.B. Ward residence on Rte 137
Freedom	1948	NOVEMBER	Selectmen of Freedom	Winter closure	#28CARP	Petition Granted	9/264	88 From Harry Young residence



The complaint alleges facts that would entitle the Plaintiffs to relief as to their request for judgment declaring the Road abandoned pursuant to statute. However, the absence of facts asserting that the municipality disclaimed its interest in a public easement at the time of abandonment indicates that the Road may still be subject to a public easement, and therefore the Plaintiffs' complaint does not support their request for a judgment declaring that the Road is now their private property. Regardless, pursuant to the liberal standard under which the Court must evaluate a Rule 12(b)(6) motion to dismiss, the complaint is legally sufficient in that it presents a justiciable controversy and therefore the Court DENIES the Town's motion to dismiss as to the Plaintiffs' statutory abandonment claim.

municipality abandons a town way under common law, "all rights to the way pass[] to the owners of the land that abut[s] the center line of the way." *Martin*, 631 A.2d at 1241.

The Plaintiffs allege that "the general public has not used the . . . Road . . . for at least the past twenty years, and in fact . . . for at least the past 80 years." (Compl. ¶ 14(b).) Such allegation of nonuse supports their claim that the Road was abandoned pursuant to common law in 1986. Additionally, the complaint's allegations regarding the Select Board's actions in September 1997, as well as the allegation that the Town has never interfered with the Plaintiffs posting the Road as private property, are also sufficient to support a claim of common law abandonment due to the municipality's "intentional and voluntary desertion" of the Road.

Therefore, the complaint is legally sufficient because it alleges facts that would entitle the Plaintiffs to relief as to their request for judgment declaring that the Road has been abandoned



1. The disputed portion of Beaver Ridge Road is the red line seen in the enclosed Petitioners' Exhibit 1.
2. Since January 25, 2025, there have been no less than four incidents involving members of the public using the disputed portion of Beaver Ridge Road in a manner which could be deemed a public nuisance, and/or would be subject to criminal investigation but for the pendency of Petitioners' request for declaratory judgment.







