

Otter's Run Ludlow, Vermont



The Trials and Tribulations of Building a Log Home in Vermont

This tale of woe and joy, is dedicated to all those, we've had the good fortune, to meet along the way, through out our journey, to making Otter's Run a reality. Without fail, everyone, involved in our project has shown us the best possible efforts, in human kindness. We thank you all for putting up with us, tolerating our endless questions, and requests, for calming our fears, when panic attacked, and for helping us achieve our life long dream.

The people in Vermont, from the State, Federal, and Local officials, to the professionals, contractors, friends, and neighbors, have truly proven to us, that it is the quality of the people, that make a place worth while to live in, and call ones home.

To all of those folks, within the Log Home community, to the manufacturers, builders, contractors, and architects, those with whom we chose to work with, and to those we did not, we thank you all for your time, kindness, and dedication.

And lastly, to our friends on the Log Home web boards, Loghometalk, The Log Cam, and Log Homes on the Internet (LHOTI), your experiences, advice, support, and kindness along the way, has been the driving force that has keep us going, throughout this project. More then any of you will ever know, your help has been invaluable to us. We owe you all, our debt of gratitude, and thank you all, from the bottom of our hearts.

Chapter One: "What a fool believes"

In 1976 two naive 19-year-old kids, from New Jersey, spent their honeymoon skiing at Killington, Vermont. At that time, my wife, and I, fell in love with, all that, that beautiful State had to offer. We made a promise to ourselves that, some day, we'd own a home (preferably Log) in Vermont's ski country.



We never forgot that promise, and our life long dream. Now, some 27 odd years later, that promise, and our dream those many years ago is finally coming to fruition. We only hope our sanity stays intact long enough, to enjoy it.



After years of scrimping and saving, and three kids later, we took our first steps toward realizing our dream. In February of 2002, I sent out an email to 30 reality companies, in Central Vermont, asking for the impossible:

**** **Original Email** ****

Sent: Thursday, February 28, 2002 2:30 PM

Subject: Saw your ad & want to purchase land

“We are looking for as much acreage as possible in a private woodland setting (wildlife habitat acknowledged). Ideally we are most interested in the following attributes for the property.

- * Located between Killington and the Okemo Ski areas
- * Mostly wooded lot (1/2 to 1 cleared acre at home site maximum).
- * Southern Exposure preferred.
- * View preferred with minor clearing.
- * Some sloped property preferred for walkout basement, at home site, mountain property fully considered, with good access, and proper site for home building)
- * Good drainage required at home site.
- * Home site should have little to no subterranean ledge, to minimize blasting for foundation.
- * Perc test completed (if possible and septic design engineered).
- * Potable water sources for well a must.
- * Dirt or gravel road to home site ideal.
- * Property should be off town maintained road (NOT off major highway)
- * Power access at road or as close to home site as possible.
- * Privacy wanted, ideal if it adjoined State forestland.”

***** **End** *****

After several weeks of no replies, we figured, everyone laughed us off, as a couple of wackos, asking for what everyone wants, because, if this kind of property was available, it would have been sold long ago.

Then, much to our surprised we received a call from an kind and knowledgeable gent, (Ray Ahern, of Killi-Kemo Realty) who was open to, giving us a chance, to look for this pipe dream land request. In April, we went to visit the Reality agent, and traveled for 2 days around Central Vermont, from North of Ludlow, to just South of Killington. We saw so many sites, everything was a disappointment. 10 acre spaghetti lots, 200 feet wide, and forever long, (due to Vermont's Act 250, "Keep the State Green Act", new land developments must be a minimum of 10 acres, so the developers try to maximize acreage, by making these spaghetti lots). There were lots with, nothing but ledge, everything logged out, broken down abandoned trailers next door, knee deep marsh land, you name it, we rejected it! Our disappointment, and frustration, had gotten the better of us. We thanked our host for



his time, and was about to high tail it back to NJ, when he says; "Is there any reason, you DON'T want to be in the Ludlow (home of the Okemo Ski resort) area?" We said no, Ludlow's great, it's a beautiful, picturesque town, like something right out of a Norman Rockwell painting, we love Ludlow, but isn't it expensive? Ray tells us, "I have two 11.1 acre lots on the back side of Okemo, that have been on the market for two years, and are very reasonable, but there's this little brook that separates the land from the private road, would you like to see it?" Sure! Why not, what have we got to lose.

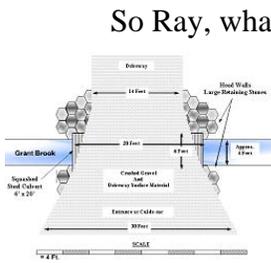
Good Lord, what a find, two rectangle 11.1 acre lots, side by side, off a private road/cul-de-sac, at it's South side. Just off a town maintained road, 3.5 miles from town (a stones throw from "Wicked Good Pizza" best pizza outside of NYC), fully wooded, with an old logging road, up through the lots (perfect rough driveway). Power, and Phone lines, are all available in the cul-de-sac. It is nicely sloped, for a walk-out basement, no evidence of ledge, located in the towns Aquifer district, has a good probable water source (Just down the road, are the towns reservoirs, set in a beautiful, rolling hills, park like setting, perfect for sled riding, snowmobiling, ATVing, and kite flying). The Lots are perfect for a Southern exposure, East and West sides land locked by neighbors wooded land (their homes are located far below the properties, and out of sight, and town rules will never



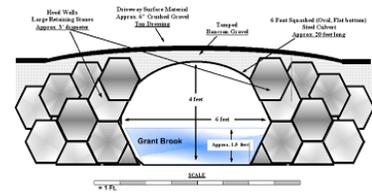
allow development on either side of these two lots). Both lots have Perc. Tests and town approved septic designs. The North side is land locked, as it backs up to 5770 of acres of the Okemo State forest, and it's priced right in our ballpark! Everything we could ask for, and it even has this beautiful babbling brook, which surrounds the entire two lots, and cuts them off from the rest of the world! Private and charming, exactly what we were looking for, WE LOVE IT!!!! It's just too good to be true, the only thing missing was a view, but we could live with that.

So our first question to Ray is, why is this still on the market, after two years? Ray says, that everyone loves the properties, but always walk

away, because of the brook, no one wants to deal with it.



So Ray, what needs to be done to cross this little 9-foot wide 5-inch deep, babbling brook, to get to the land? Ray calls an excavating buddy, Mike O'Neil, of M&M Excavating, who comes up, looks at the brook, and says for \$ 7,000.00, he'll throw in a large crushed culvert, build a driveway over it and your all set to go, no problem.



We call the town zoning department, ask about the culvert, and are told, no problem, in fact you don't even need a permit from us to do it, just advise the state water management agency about it, and you're good to go.

OK, we love the property, and town of Ludlow is OK with it. So, we make a reduced offer to the seller to cover the cost of the culvert, and put a financial cap on the culvert cost, for both 11.1 acre lots together, and stipulate the deals only good if we can obtain all required State, and Town, permits to cross the brook and build our home. Our offer is surprisingly accepted, we pop down our deposit, and we're off, back home, to NJ, and our exciting adventure, into the land of, Vermont State, and Federal, environmental red tape. Oh, what joys, this beautiful babbling brook, was about to bring, to us. Soon, we would learn the true reason, no one, in their right mind, would ever consider crossing a brook, in Vermont, much less buying these lots!



Upon our return, we contacted the Vermont Department of Water Resources (the Vt. ANR/DEC). We're told, we are not in a wetland area, which is a good thing, but we need to apply for a Stream Alteration Permit, to install the culvert. Fee \$ 105.00, OK, that's reasonable. Along with the permit we need to contact all our future neighbors, about the project (called them all, everyone seemed pleasant, friendly, and agreeable, wow, great neighbors, to boot, this place just keeps getting better), and submit these notification letters, and a set of plans, to the state for approval. All right, done by the beginning of April, we're in good shape, and ready to go.



To make a very long story shorter, after I spent hours, taking brook measurements, photos, designing culvert plans, countless calls, letters, and emails, to the State, we are advised, two months later that, upon testing the brook (electro shock, and capture), that our little babbling brook is;

- A) Breeding ground for brook trout, all species, sexes, and ages,
- B) Is too steep a pitch, and,
- C) May be a historical site for an ancient Indian tribe.

So the ANR/DEC says, "The culvert is out of the question, we'll require a 20 foot long, by 12 foot wide, 5 foot high, reinforced concrete abutment, and wing walled bridge, with five 20 foot long, 16" web, 7" flange, steel I beams, and a wood deck of 160, 12 foot long, 2" x 6" PT wood boards, set on the 2" edge, to cross this little brook. Oh, and by the way, you need to get a permit, and/or approval, from the:

US Corps of Army Engineers,
The US EPA,
The National Historical Department (which may require an archeology dig at the site, for arrow heads, and old Indian bones),
The Vermont Fisheries biologist, and
The Act 250 (Vermont land development) Department, and
Any local town permits, that you might need.

Once you get all that submit new plans for the bridge, to us, and we'll get started. We'll wait to hear from you, have a good day!"

Have a good day, HAVE A GOOD DAY! ARE YOU @\$%&* NUTS! What do you mean, HAVE A GOOD DAY!

OK, I understand it's in everyone's interest to protect our wildlife, and the history of our nation, and to keep Vermont green, safe, and enjoyable for all concerned, and our future generations. Hey I agree with that, I'm all for it, that's why I love Vermont in the first place. So OK, maybe they are not so nuts after all, but did all this have to be done at my land, our little piece of nirvana? Yep!

Yes, I'll admit it, they aren't nuts, but I am! Any sane man, would have turned tail, and run away screaming, but not me, I like a hot stick in the eye, and as someone once quoted, on the Loghometalk web board, " If you want something badly enough, you'll find a way to do it". Being the cheap Scotsman that I am, although I could back out of our the deal, and get my deposit back on the land, but I'd already sunk \$ 105.00 into the project, for the state permit, and by God I was going to get my moneys worth out of it! Besides, we still loved the land, and I truly **believed**, how difficult could all this be? Oh Gordon, you stupid, stupid **fool**!

Chapter Two: "A Bridge over Troubled Waters"

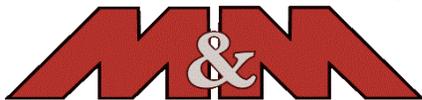
OK, so they want a Bridge, how hard can this be, I know mechanical drawing, and I can do this. All I need is the specifications required, to find someone with an engineering background to help us, and to find someone to build it, after I draw it up. This can't be that difficult, can it? Actually, it turned out to be a piece of cake thanks to the help of some really fantastic folks in Vermont.

The same gentleman that broke the bad news to me about the culvert turned out to be one of the most helpful and supportive persons when it came to getting our Bridge

designed right, built right, and defended (more on that later). He was after all an engineer, "The Vermont State Stream Engineer." He had a reputation as being a tough guy when it came to opposing stream crossings, but after several conversations with this gentleman of the Vermont Department of Environmental Conservation/Agency of Natural Resources (VT.DEC/ANR), I realized the guy really cared about what was important. Sure he took his job seriously, but he took keeping Vermont green, and protecting its wildlife and marine inhabitants even more serious. Hey, this guy actually cares! What a culture shock to someone like me who grew up in the sprawling suburbs of New Jersey, worked in New York City, and had his heart hardened by years of skepticism, greed, graft and bullshit, especially when it comes to dealing with any Local, or State government agencies. Hey, that negativity has always been one of the driving forces, which made us, look to Vermont as an escape in the first place. So this guy works for the state, really cares about the same things I came to love about the State of Vermont, he's an engineer, extremely helpful and a heck of a nice guy to boot! This guy explained exactly what was required in a Bridge to pass the muster. I now had a good understanding of what was needed, off to find someone to build it.

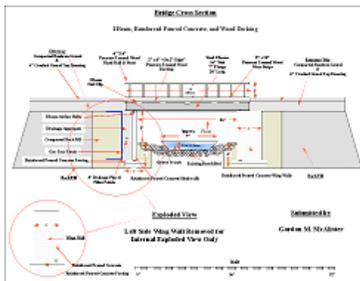


I turned to Mr. Mike O'Neal of M & M Excavating for help and advice. This wasn't the first time and surely wouldn't be the last. Mike came highly recommended by our Realty agent, and went out of his way to help us during the early stages of trying to get the culvert passed for the stream crossing. Mike and his company were also highly praised by the State Engineer, but more importantly I'd come to trust Mike and his highly valued advice. As we'd learn later in our dealings with the State and Local municipalities, various contractors in Vermont, and from our own experience, Mike's reputation, and that of his company M & M Excavating, Inc., is legendary in Vermont, for being a great company with excellent people, and for their achievement of high quality work. (Yes, they **ARE** that good!)



Mike recommends a company he had worked with in the past on a previous Bridge build the Steven L. Moore Construction Corp. So I contact Mr. Moore, and although I should not be surprised by now, he turns out to be another extremely helpful and kind sole, willing to take on our problem and help us solve it. (Must be the water and air up there in Vermont that produces such fine folk). Steve meets with Mike, they check

out the brook; both give their recommendations on the Bridge structure, and quote us a price (that in our opinion, although expensive, was fair and reasonable). With that advice and a few more phone calls to the state Engineer, to run by our ideas, I draft up some plans for the Bridge and off they go to the VT DEC/ANR and the US Army Corps of Engineers for approval. (At this point it is also important to mention that my dealings with the US Army Corps of Engineers, has been a wonderful



experience, everyone I spoke to in the Essex Junction, VT office, went out of their way to support and to help us along our journey in getting this Bridge built.)



I should mention that up in Vermont, if you need to build a Bridge, you will need to build it between June 1st and October 1st. This is your only window of opportunity, as required by the State DEC/ANR. Once you're issued the State permit it's only good for one year. So we'd need the permit, and would need to get going on the construction of the Bridge before October 1st.

So here it is, the end of July and after several months of emotional ups and downs, we are sitting here hoping for our Bridge plan approval and our Vermont State permits so we can finally close on the property with the seller. (Remember our closing on the property all hinged on us getting the approved permits necessary to access and build on the land. But, there was also the question of the monetary cap we put on the culvert crossing in our initial offer for the land.) We'd already rescheduled the closing twice waiting for the culvert approval and now had to once again postpone, awaiting the Bridge approval and permits. We spent this time checking and assuring that we would be able to get a well drilled (no problem, so were told, after all we're in the town's Aquifer district, and there is plenty of water available). Power and phone to the property (no problem, there are existing overhead easements with the utility companies, and its fully covered by the covenants of the subdivision). We already had a septic plan and the property was Perc tested already.

Now, it was just that matter of the difference in cost between the culvert and the Bridge (almost 4 times as much cost to install the Bridge, then it was for the culvert). We'd heard from many of our neighbors and our Realtor that the seller was a fair individual and had a reputation of being a great guy. Since all of our negotiations up to now were through the Realtor, we had no way to confirm this (until later on in our dealings). We advised our Realtor of the difference in cost, and expressed the fact that we really loved the property and were determined to purchase it, one way or the other. We asked him to speak to the seller on our behalf about the cost of the Bridge. If the seller could see his way clear to make an adjustment to the selling price of the land, to help us cover some of the additional cost of the Bridge, we would, forever be grateful. If not, so be it, it would not deter us from continuing forward. To our great and ecstatic surprise, the seller returned with a most generous offer that could only be called above and beyond our expectations. So there must be some truth in this nice guy reputation, I think to myself. Over the next year, I confirmed that, yes indeed this man's reputation is more than justified, and his continued support and help so far in the project has more then been greatly appreciated!

So now we are anxiously awaiting the Bridge approval and permits. On Friday, July 12th, our postman delivers a fat envelope from the State of Vermont. Low and behold our Bridge plans are stamped approved and is accompanied by our State permit, which states the following requirements. (Edited)

- 1) The project shall be accomplished according to the approved plans



- 2) The contractor's equipment shall be clean and well maintained
- 3) There shall be absolutely no discharge of wet concrete into the stream
- 4) Pumping from excavation area shall be discharged to an overland area so the effluent shall be clarified before reentering the stream
- 5) All area of the stream bank disturbed during construction shall be stabilized with stone fill and vegetative planting prior to project completion
- 6) Permitting authority shall be contacted prior to facility installation for a pre-construction conference at the site with the contractors
- 7) The method of installation shall be that which presents the least disturbance of the stream flow
- 8) In stream earth work shall be accomplished during the period of June 1st and October 1st
- 9) The Permittee agrees to allow representatives of the State of Vermont access to the property to assure compliance with this permit
- 10) Pursuant to 10 V.S.A. section 1024 (the Vermont water quality statute) the permittee or any other person aggrieved by this decision or any conditions or restrictions contained herein may appeal to the Vermont Water Resources Board within 15 days. Filing an appeal shall stay the effectiveness of this permit.
- 11) This Permit expires on October 1, 2002 and can be revoked at any time inspection reveals that compliance is not being made with the above conditions.

This permit does not relieve you of the responsibility of obtaining all other necessary State, Local or Federal permits.

We are on cloud nine, absolutely overjoyed! On the following Monday, we start making the calls to the contractor to set up construction dates and calls to our Realtor to get the closing going. The entire week felt like a celebration, there was singing and dancing around the house, we thought this high would never end. All we needed now was approval from the US Army Corps of Engineers and all of the other Federal agencies.



Well, it seems that because we changed the brook crossing structure from a culvert (in stream) to a Bridge (over the stream), the structure would no longer be in the water, and the support walls for the Bridge, while on the banks of the brook, would mean there was, in fact, no actual structure within the waterway. Therefore, as far the Army Corps of Engineers was concerned, it no longer fell within its jurisdiction. No longer in its jurisdiction! That meant all the other departments would no longer need to review our project and we were set to go! Yippee! It just keeps getting better and the party continues. On Friday, the postman delivers the letter of non-jurisdiction from the US Army Corps, our final hurdle. Then on Saturday, the postman delivers an envelope from the Vermont Water Resources Board, what's this? As I open it and start to read its' contents, it's like someone grabbed the record players arm and dragged the needle across the spinning vinyl to an abrupt halt of the music, as the house light are brought up to full illumination, it hits us, the Party's

Over!

“This letter is to advise you that an appeal has been entered against your Bridge to halt the construction and to put a hold on your permits, and a public hearing is to be convened in this matter.” Wha, Wha, Wha, WHAT!

Remember those great neighbors I spoke about, well, the vacation home, of one of them sits just above the cul-de-sac and because of the clearing from his house down the cul-de-sac and road, he has a perfect view of the Southern Vermont mountain range. As such he is most concerned about his view being affected especially by our overhead utility lines. Attached to the notification is an appeal letter from my neighbor that states;



“The reason for this appeal is that Mr. McAlister has not made provision in the Bridge design application for an agreeable routing of the power line to his site. This routing must be done across a cul-de-sac mutually owned by the current owners in the subdivision. I will be happy to lift the appeal and sign the application once this routing is agreed upon.”

Now it should be noted that:



A) There is already, one set of over head utility lines running across the road, and his view, to our other neighbor's house (but of course, that was already there before he built, and he couldn't do anything about those.)

B) There are existing easements in effect since 1992 (prior to this neighbor building) with the utility companies granting overhead access across all properties within the subdivision.

C) There is an existing “Declaration of Protective Covenants” received by and signed off by our neighbor upon purchasing his property that grants an easement and right of way across all lots in the development for purpose of electric line, cable TV line, and maintenance of roadways,

D) The “mutually owned cul-de-sac and road” is not mutually owned, and was still the sole property of the seller (as fate would have it, this cul-de-sac and the access road was later deeded to us upon closing on our properties).

All of these easements and covenants were put into effect years ago by the seller (did I mention besides being a great guy, he's a pretty smart cookie besides) to protect future property owners from just such actions as we are now experiencing, as well as, to protect his ability to sell the rest of the lots within the subdivision.

Now this appeal shouldn't come as a surprise, in fact it was somewhat expected and might I add quite predictable. Shortly after my initial conversation with “VTD” (actual name withheld), I received a letter expressing his great interest in preserving his view and advising me that (read you should pay for);

“The cost to put this section (across his view) of the power line underground when you are investing substantially in the brook crossing, driveway and utility runs to your home seems proportionally appropriate under the circumstance”

Our initial reaction was; Well, OK “Mr. D” happy to oblige, cost is no object, anything to make YOU happy, besides I poop gold bricks, so spare no expense, can I do anything else for ya while I’m at it? Wash your windows, shine your shoes, buy you a new car, just name it and it’s yours, ‘cause I’m just that kind of guy willing to do anything you want, no matter what the cost, just so YOU can be happy!



When we had our first contact with all our neighbors we asked that they sign off on the Stream alteration Permit application to acknowledge receipt of notification. “Mr. D” of course was the only neighbor who refused to sign the application. He refused to sign it unless I would guarantee to take the utilities underground to preserve his view. What “Mr. D” didn’t understand was that, fortunately, I did not require his permission to apply for the permits, I only needed his acknowledgment of notification, which he gave to us with his, follow up letter, about the underground utility lines. Since the brook crossing did not actually abut his property (we were also buying the lot between his property and the lot where the bridge would be built, so technically he was not even an abutting property owner, and didn’t need to be advised in the first place, but we did so out of common courtesy.

The day after his receipt of the approved permit and Bridge plans, I received a call from “Mr. D” asking what my intentions were with the utility lines. Being one to always want to deal from a position of strength, and not being one to commit to something until all facets of a matter have been fully investigated (I was brought up to believe that if one gave their word on something, you should adhere to that commitment, and never give your word unless you are sure you will be able to commit to it). I advised “Mr. D” that I would fully investigate the complete possibility and financial feasibility of working something out with him and when we were ready to install the utilities, in a year to two years, depending on how our construction progresses. I told him I would certainly contact him to discuss the matter before any decisions or work was done. This unfortunately was not good enough for him as he wanted an answer there and then, and said he would not be willing to wait until we were ready.

So in an effort to consummate our future friendship and foster in a new era of neighborly cooperation, “Mr. D decided it was in his best interest to appeal my bridge permit as a way to force me to cave into his demands to take, and pay for, the utilities underground to preserve his view.

As I said this was predictable and as such I had already instituted a preemptive strike against his possible actions several weeks before the permits were approved. I had already received copies of the utilities companies easements for overhead utility line installation, and copies of the covenants that were issued to and signed off on by “Mr. D”

when he purchased his property in the subdivision. I had already contacted the VT DEC/ANR in writing notifying them of a possible appeal from “Mr. D” and had received the required statues of law representing any and all reasons our Bridge could not be installed. All of which involved reasons for water quality and wildlife preservation only. None which, involved utility line installations. The only allowable reasons for dismissal of permits by law under Vermont Statute 10 V.S.A. Section 1023 was that the stream crossing would:



- 1) adversely affect the public safety by increasing flood hazards, and
- 2) significantly damage fish life or wildlife,
- 3) significantly damage the rights of riparian owners, and
- 4) if any of the waters are designated by the board as outstanding resource waters and would adversely affect the values sought to be protected by designation.

Since none of these issues were at stake, the Stream Engineer assured me that there was no concern about our permits being revoked. As he put it, “if I issued you the permits, I made sure that you would have to comply with all the requirements by law. I haven’t had a permit revoked in twenty years and yours will not be my first.” But just to be sure we also retained the legal services of a local law firm to represent us in the event of an appeal.

Never being one to run away from a fight, especially when we are fully within our rights by law, I welcomed the challenge and decided to pick up the glove thrown down by “Mr. D”.

Don’t get me wrong. I fully understand and can appreciate “Mr. D’s” position in the matter, he does after all, have a great view, and I have asked myself many times if I were in his shoes would I not feel the same? Yes, most likely! Would I approach resolving the matter the same way? Definitely not! Quite frankly, the original letter from “Mr. D” insinuating that I should pick up the tab, for the extra \$ 3,854.18 from the Power company for underground line installation, in the cul-de-sac, plus the cost for conduits and riser materials, an electrician, and an excavator to do the trench work, to protect his view, really ticked me off. Our initial investigations estimated the additional cost to be in excess of \$ 12,000.00 to our normal utility line extension cost. If he had said he would like to preserve his view and would like to work with us to cover the cost for the underground portion of the line extension, there never would have been a question in the matter. We would have agreed up front and resolved his issue at once. But the way it was handled just left a bad taste for us.

OK, so here we are early August and faced with an appeal on our permits and a public hearing. The hearing was announced in the local, state newspapers, and now we ran the risk of any Tom, Dick or Harry, with their own personal agenda, showing up and testifying against our Bridge installation. OH boy, what fun! So it was time to call in the professionals.

First call, my lawyer, we discuss the defense cost, and agree to proceed, and agree that its important that I be there, at the State capitol for the hearing (Hey, I love going to Vermont so this will be enjoyable, besides it gives me a chance to take two unnecessary days off from work, travel 12 hours in the car, and bolster the Vermont economy by helping out the local gas stations, restaurants, and motels! Yes, I do my part for the State I love?)

Second, call the VT DEC/ANR to discuss the hearing at the VT Water Resource Board. I'm again assured that in the many years that they have been issuing permits, never have they lost one for such an issue as power lines, or any issue not relating to a water quality issue or a wildlife preservation issue. I'm assured not to worry, but it is recommended that I appear for the hearing, because it is a public hearing.

Third, call to the Water Resource Board for a quick understanding of my legal requirements to proceed with the hearing (you're not allowed to discuss the actual case until the hearing).

Fourth, call to the seller of the property, to once again ask for a postponement of the closing until we can get through the hearing. (Since the seller also sold " Mr. D" his property, and actually knows him well, as they do business together, he said he'd give him a call. I said that would be great, but at this point, no matter what he does, or if he changes his mind, we need to proceed with the hearing, as it is Public, and is already publicly announced, on the docket already, and cannot be stopped. So we will go forward and let the judges decide the issue for us). As I said I won't back down from a fight! Especially, if I'm in the right!

Fifth, call all my contractors to push back the construction start date to September 1st. With four weeks installation time meeting that October 1st deadline is going to be tight, but still doable.

Now everything is in motion and as we await our public hearing date, I decide to follow up on the rest of the requirements for the Bridge permit. If you remember there were no requirements from the local town government to install the culvert type of Bridge crossing to access our property but just to be sure this still held true for this new type of Bridge, I called the local zoning department. One of the nicest and most friendly ladies I have every met heads up the zoning department in Ludlow. The woman is, and has been fabulous to us over the course of our project, and has gone above and beyond the call of duty more than once for us. So I call her and say we just got our Bridge permit from the State and I just wanted to double check and make sure we still don't need a permit to cross the brook. Her reply "OK, you're installing an actual Bridge? Well, we consider a Bridge to be an auxiliary structure here in Ludlow. As such you will need a permit. I'll send you the permit application forms, submit them with plans and your check for the permit fees (a few hundred dollars) and we will start the review process." OK, I can handle that "Will we be able to get them in time for our September 1st start date?" The



Ludlow, Vermont
A Better Place To Live, Work & Play
DIVISION OF PLANNING SERVICES
Municipal Offices
Ludlow, VT 05149-0250

reply: "OK, well you know, you're building in our Aquifer district, and we have a ruling that in the Aquifer district, no structure can be within 100 feet of a body of water. So there may be a problem, and the permits may be denied, and/or referred to our Development Review Board to issue a ruling on the Bridge."

What! "Excuse me did I hear that correctly? A structure in the Aquifer district, in this case a Bridge that is designed to cross a body of water, can't be within a 100 feet of a body of water?" Reply: " Yes, that is correct, that's the rule." OK, so if I understand this correctly to build a Bridge in the Aquifer district, which is the only way to access our property, across this 9-foot wide brook, it will need to be at least 209 feet long, and 100 feet in the sky. Yes basically, that's what would need to be done, if it's to comply with the town's rules.

My first thought was, OH boy if "Mr. D" is worried about a 2" thick overhead power line obstructing his view, wait until he gets a load of the size of this Bridge in the cul-de-sac! Good Lord! I'll be building the Brooklyn Bridge up there in Ludlow, Vermont! By gosh, it'll be the 10th Wonder of the World, right there in his front yard!



This is too funny for words, you know sometimes I just want to crawl back into bed, pull the covers over my head, and laugh myself back to sleep. Then the other shoe drops.... As I'm informed; "Once we get your permits, and the town lawyer has reviewed them, if you wish to appeal the denial, we'll need a check for \$ 350.00 to schedule a hearing with the Development Review Board (DRB). You'll need to fill out an appeal form, contact all of the local town services (Police, Fire, Ambulance, and School board) to have them review the impact of your case on town services, and get their approval. Once that is all done we can get you on the schedule with the DRB. They meet the second and fourth Tuesday of every month. Good news is we can get you in soon, we have an opening on the 21st of October."

Wha, Wha, Wha What! The 21st of October, but I need to complete the Bridge by October 1st before my permits run out! " Yeah, I realize that, I'm really sorry about that, I really wish I could have better news for you, honestly I do!"

In a matter of minutes my whole world came crashing down around my ears. Oh well, "MUST MOVE FORWARD". More calls to the lawyer, seller, contractors and the VT DEC/ANR.

Can we legally defend the Bridge with the new DRB situation? Yes, possibly. Can we postpone the closing? Yes, can do. Can we reschedule construction for next June? Yes, no problem. Can we get an extension on the state permit? Yes, we can accommodate you. Well then, let's give it a go, we are already in, this deep, no turning back now, full steam ahead!

Here it is just a few days before the Vermont Water Resources Board public hearing and I get a call from the seller of the property. He tells me he talked to "Mr. D"

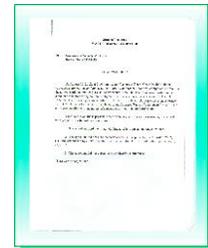
about the power line issue, and if the both of them share the cost to install the line underground across the road and cul-de-sac, would I be open to it? Of course, "Mr. D" will also drop his appeal on the Bridge. My answer was yes, why wouldn't I, I have no ax to grind, but you and "Mr. D" need to understand it is a little too late, and dropping the appeal will not stop the public hearing at this point. So no matter what "Mr. D" does, I still have to address the hearing and the appeal with the panel of judges and must be held by their ruling.

The next day "Mr. D" called and confirmed what the seller and I talked about and advised he would drop the appeal. As I said to the seller, I told "Mr. D", "That's great, but whether you drop the appeal or not, really doesn't matter, as my lawyers and I are off to the State capitol tomorrow for the hearing and the official ruling on my case."



I advised "Mr. D" that I would contact him in advance of the power line installation and there would be no hard feelings on my part over the issue. Like I said before, I like a hot stick in the eye! In all honesty, we were fairly confident the appeal had no merit by law and we would win. Whether the seller, or "Mr. D" had called before the hearing, or not, once we were ready to install the power lines, I would have contacted "Mr. D" and given him the option to pay for underground portion anyway. I gave my word when we first spoke about this, that I would discuss it when we were ready and I always keep my word. Besides, I would rather live in harmony with my neighbors than not, life's too short for that kind of crap.

The Vermont Water Resources Board hearing went well, as expected. The official ruling went in our favor, that the appeal had no merit, as it pertained to the issues of water quality or wildlife preservation. We were told the permits were good to go, and that if you need an extension, contact the VT DEC/ANR, as it should not be a problem. Whew, one down, one to go.



We filed all of our applications and fees for the local town permits. They were denied, we appealed, and the matter was referred to the Development Review Board. After several phone calls and letters, we finished our preparation and we were back off to Vermont for our October site visit and hearing with the DRB. After meeting with the members of the DRB for our site review, we returned to the town hall for our hearing. I had a real sense that all of these people were reasonable and understanding of our situation. They were all professionals and generally just a nice bunch of folks.



Due to our unique land situation surrounded by water and state forest, we met the hardship criteria for access to our property. The Board heard our case and agreed that since we had no other way to access our land but by a Bridge, and since the Bridge was already approved by a higher authority (the State of Vermont) to protect the standards for water quality and wildlife preservation, it would be difficult to deny our appeal. Therefore, our request for a variance to the current Aquifer rules had merit. I would have

their decision in thirty days. My Attorney and I left, and they continued to debate our situation behind closed-door session. The next morning I stopped by the town hall to thank the Zoning Officer, and her assistant, who had become true friends through our ordeal, for all of their help and support. The Zoning Officer advised, off the record, that the closed-door session went well, and she was sure I would be pleased when the ruling came down in thirty days.



By mid November, our approved local permits arrived, as well as our extended state permits. I sent off my letters of thanks to all those involved. We were now ready to schedule the actual construction of the Bridge for June 1st, 2003. We scheduled the closing on the property for the last time. The day before Thanksgiving, I was back in Vermont and closed on the property. That year we had much to be thankful about at our Thanksgiving dinner table. The champagne corks flew and the celebrations commenced for the **Bridge Over** the Grant Brook would be installed next June and our **Troubled** time, like the **Waters** of the brook itself, had all flowed downstream.



Chapter 3 - It's a Small World After All

As we enter the winter of 2002/2003, since nothing can be done on the property until the Bridge is installed, we decide to take this opportunity to find our Log home manufacturer and our builder.



We knew exactly the type of log home we wanted and were fairly sure which company we would use. For over two years we had been designing the home, drawing and redrawing the plans. Making rooms smaller, making rooms larger, changing rooflines, and changing room positions, etc. All done painstakingly by hand, drawing with a mouse on the computer inside MS Publisher. We'd



drawn every aspect of the home from the stones on the Fireplace, right down to the script writing on the Ball Mason jars sitting on the kitchen shelf. OK, I'll admit I was obsessed and extremely anal, but I wanted to be able to walk through each room in my mind, and actually live in the house on paper to make sure it was perfect. We even staked out all three floors and rooms on the front lawn of our current house in the suburbs of North New Jersey, so we could physically walk through the house layout. It was a sight to see and quite a few neighbors were left scratching their heads. Are you guys installing a new sprinkler system? Is it a strategy for an attack on the lawn moles? Are you guys on dope?



OK, so it was weird, but it gave us a real sense of how the house would be, when it was finished. During these two years, we had also been studying Log home construction, reading every magazine and book on the subject, as possible. We visited Log home shows and Log home companies here in the Northeast. We had spent hours upon hours visiting every Log home web site we could find. We spent time checking out Log home construction techniques and inspecting homes of friends that were already

living Logs. We studied foundation systems, Log assembly systems, and Log maintenance systems, plumbing, and electrical techniques for Log homes. We studied heating systems for Log homes, installation systems, selected cabinets, flooring, countertops, plumbing fixtures, lighting fixtures, electrical components, tile, stone, windows, doors, and roofing material. We knew exactly what we wanted from the fireplace/furnace unit right down to the cabinet knobs on the bathroom vanities.



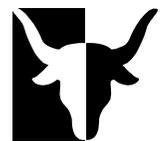
As far as the Logs themselves, it had to be Lodgepole pine/Englemann spruce, 10 inch round, Swedish Cope with what we called a “Modified D” profile, (full round Logs at the corner that sweeps down to flat interior walls) and Saddled Notched corners. The Logs would have to be a smooth finish, with a through bolt “All-thread” assembly system, and 1000 lb. compression springs attached. There would be settlement jacks throughout the house to allow for maximum log shrinkage. Kiln dried, Standing dead, or Yard dried, was not a huge factor for us. We’d heard all the arguments for each method, and had a 6 of 1/half dozen of the other attitude about it. Each system has its pluses and minuses, the whole point is that the logs just need to be dried, dry enough to build with, and you must allow for enough settlement in the house during construction.



I’ve been building wood structures for years, especially furniture, and I have come to understand wood and a bit about its nature. Wood still moves and breathes long after it is dead and chopped off at the knees. It will expand, it will contract, it will shrink, it will check, it will twist, it will bow, it will do its dance no matter what you think, until it is happy in its new home and its moisture content reaches equilibrium with its surrounding atmosphere, and my friend, there Ain’t nothin’ you or I can do about it. I believe the ghost of the tree continues to live in the wood forever, and when he’s thirsty, he’ll drink up water. I have heard him moan in the dead of night in fifty-year-old homes. I’ve watched his anger split from inside hundred year old antiques as he objected to being placed next to that heating duct. No matter what you do, how you dry, or how you finish, the spirit of the trees will still be with you and he’ll still be doing his dance long after you and I are gone. The point is, respect his spirit, allow for his dance, and just deal with it!

After listing all of the requirements we needed in a Log home manufacturer and listing those manufacturers we knew about in a spreadsheet, the list just kept pointing to one Log home company in particular. Although, they didn’t have everything we wanted, such as long Logs, they were fairly close to meeting all of our requirements. So we contacted the company, and they directed us to their local builder/representative. We arranged for a meeting to visit some homes that he had built for that company.

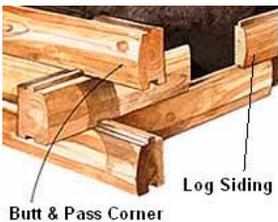
Sometimes you just hit it off with people, and sometimes you don’t, and quite frankly, we didn’t! As my Dad once told me when I was only knee high, “Son, don’t ever bullshit a bullshiter”. After 20 minutes into our meeting, my wife and I looked at each other and silently agreed “the cows may come and the cows may go, but with this guy, the bull never ended!”



We'd traveled two and half-hours to meet him and spent almost an hour out in the cold, outside a home he had built. He discussed how he was the best thing to come along in the Log home industry since the invention of the ax. We heard of how he had built sprawling Log homes for the Hollywood stars, and we watched him practically break his arm patting himself on the back. Why were we standing outside in the cold, instead of touring the home, you may ask? Well it seems the homeowners were upset about the work the Mason did on the fireplace, and were mad at the builder for not catching it, even though it wasn't his Mason, and the Mason was actually hired by the homeowners themselves. Huh? We asked, could we see another home, the one he was currently building now, and the whole reason we had traveled two and a half hours for this appointment? Answer, boy I would really like to show it to you, but the owner just had a trailer overturn in the driveway this morning and he's all pissed off and doesn't want anyone there today. OK, any other homes in the area we can see? Answer, well I have to get back to the job site (I thought the homeowner didn't want anyone there today?) so I can't go with you, but if you want to drive another 45 minutes, I'll tell you where there is another home I built for you to see. OK, we've come this far, what have we got to lose. We take the directions, say our good-byes, and with an uneasy feeling, travel another 45 minutes away from our home to see this other house.



Upon arrival at this house, the first thing we note are that the construction methods aren't the same as the company the builder reps, produces (it was butt and pass, not Saddled Notched corners). So we go up and ring the doorbell. The homeowner opens the door and we introduce ourselves. We explain that we were sent over by a Log home builder/Log home company representative to look at their home, and we were wondering if we could ask you a few questions. The homeowner says, first off, this is not a Log home, this was a regular stick built home, that we had Log siding put on. Who sent you here? We mention the builders name and with that, the expression on the homeowners face changes, and he says, "I have nothing to say to you about the builder, have a nice day", and proceeds to shut the door in our face. Hum, that was rather rude and cold!



We have always found that Log homeowners are a unique breed. If you ask to see their home, they usually go out of their way, and with a great deal of excitement, as they always proudly show off their home. I guess that since this home was only Log sided, the homeowner can't really qualify as a Log homeowner, and perhaps we caught him on a bad day. Whatever, but still why would the builder/rep send us over here if it wasn't even a Log home? Not to mention the reaction we received upon mentioning the builder's name. Something was fishy here, and we felt quite uneasy. We left to head back home, and on the way we stopped by the first Log home we saw, again. No one was home, so we left a note in the mailbox asking the homeowners to call us collect so that we could ask them a few questions. About four days later the homeowner calls and tells us, well I can't really say much about the Log home company itself, as we dealt directly with the builder. But, we have had many problems.

They proceed to tell us one horror story after another about the builder, and how, now after they had paid him, he still has not come back to finish their home. Reminded me of that old joke, "where does the contractor go after the jobs half done". We get the full story about the Mason job, there are always two sides to every story, and theirs was quite a different one. Their advice to us was, run away, run away now, just run away, and don't look back!

After speaking to the homeowners, we quickly distanced ourselves from the builder/rep, and thought maybe it was just the builder, and not the company as a whole, but then again, could this be an indication of the way the company does business? As my Dad always said, "Son, employees and sales reps always take their cue from the top. If the company is good and the management is good, so will be the employees and sales reps, if not, well ----". Did I tell you my Dad was a very wise man, as a matter of fact, the older I get the smarter, and wiser, my Dad becomes!

So, we start checking the Internet for information about the company. We discover quite a few unhappy soles out there in Log land. Some felt they had been taken on a one way boat ride down the river. So here we are disappointed again and back to square one searching for a Log home company. What should we do now? Being a member of Loghometalk Yahoo Group, I post an email explaining our plight, and low and behold we get a recommendation from Paula in Colorado, to check out some company we have never heard of before, "Montana Timber Structures". I have always read Paula's posts, with great interest, and had gained respect for her opinions, so I followed her advice, and sent off an email to "Montana Timber Structures", what did I have to lose?



After my initial email, I had the chance to speak to Tom Quinn of "Montana Timber Structures" and like a breath of fresh air, I quickly realized this was not your ordinary Log home company. I immediately felt this was a company and a person I could trust. Tom confirmed the unique "Modified D" profile I wanted could be done and had been produced by "Montana Timber Structures" before. I sent off my plan book for his review and to get a preliminary quote. Tom also mentioned that if I was interested they were about to produce their first Log home on the East Coast, and I could visit the home in Finksburg, MD in April to see the quality of their product. We finished our conversation and I hung up the phone knowing I had found the right company to produce my Log home.

Now it was time to find an architect to convert our rough draft plans into construction blueprints. I had reviewed several Log home design firms around the web, and was leaning toward a company in Washington State. I liked the look of their designs and had a sense there was an emphasis on personal attention from their web site. When I spoke to Tom at "Montana Timber Structures", he also recommended this firm, "Taron Design", as a great company to work with. So off went our email to Rick Taron. During



our initial conversations, I had a real sense that Rick understood our goals, and felt we were able to communicate our ideas to him. All of, which is so important when having someone, design your dreams. Once again, we felt we had found the right company to work with and were on the path to success.

Two down, two to go. Next we needed a builder to bring our dream to completion. We needed someone with the expertise and understanding to build a Log home, yet be willing to cooperate with us. We wanted our builder to complete our Log home to a weather tight shell, and thereafter we would take over the project to complete all the finish work. We would be acting as General Contractor throughout the project, and would do much of the finish work ourselves, with sweat equity. Our intentions were to complete the finish carpentry, plumbing, electric, HVAC, security, and home automation systems ourselves. We had done this before in our current home, and had the knowledge and experience to accomplish the task at hand. We had a good builder in Vermont in mind. They had built our lifelong friends Log store at "Coger's Sugar House



Gardens" in North Springfield, Vermont. They had a great reputation with the local trades in Vermont, and came highly recommended by our attorneys in Vermont. A perfect match for us! So we made an appointment, and we're off to Vermont for a meeting. Unfortunately, during our meeting, we discovered the builder was now representing a Log home company out of New Hampshire. Unfortunately, they could not build our home from "Montana Timber Structures", as it would be a

conflict of interest. With much disappointment, we headed back to New Jersey and realized we were back to square one again, looking for a builder. When I returned home, I turned again to the Log home web boards, Loghometalk, The Log Cam, and Log Homes on the Internet, to look for advice and suggestions.

We posted our situations, and received a lot of good advice where and how to find a builder. We also received a short email which said, "Gordon, we are an independent builder in New York State. We would be willing to travel to Vermont and would like to talk to you about your plans. Please email contact info to me if interested at aalogbuilder@aol.com, Thanks J C Schultz". OK, this was interesting, but of course, my skepticism about being contacted like this made me a bit nervous. I struggled for a few days, should I, or should I not contact J C? Finally, I figured what the hell, and sent this guy an email reply, let's see where this leads. After my initial email to J C, I advised him that I'd send off my rough drafts for him to review and quote on. His reply was, he would be happy to work with us, and if interested in meeting with him, he was going to be down in Finksburg, Maryland this coming April putting up a Log home for a company called "Montana Timber Structures".



OK, this was weird, and somewhat amazing. I never mentioned "Montana Timber Structures" to him, but here he is building one of their homes, the first on the East Coast. Could this be fate knocking at our door? After talking to J C by phone, I again had a real comfortable feeling that we could work well together and that he was a professional, and he really knew his stuff about Log home construction!

Wendy, I do believe we may have found our builder! We agreed to meet in Maryland in April and over the course of the next few months we would build our friendship, and we will eventually build our home together with J C.

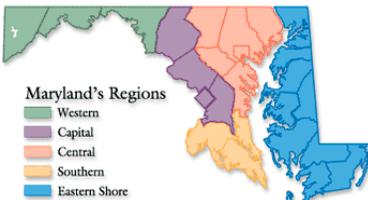
Three down, one to go. I have always believed that if you were going to build a home to last forever, you need to make sure it is built with sound structural techniques. I therefore, wanted to have our home reviewed, certified, stamped, and sealed by an architectural engineer, preferably from the State of Vermont. That way, our zoning department in Ludlow, would feel comfortable knowing the home was certified by someone that understood the local requirements for proper loading. I turned to Rick Taron and he suggested James Nickels, of Nickels Design out of North Concord, Vermont. Rick had worked with James before and highly recommended him, he had extensive experience in Log home design and he just so happened to be from Vermont. Four in a row, way to go!

NICKELS DESIGN, LLC



35 YEARS PROFESSIONAL ARCHITECTURAL EXPERIENCE

So here we are, we have a Log home company, an architect, an engineer, and a builder, all lined up. All we need to do is take a look at the product and meet the builder in Maryland in the spring of 2003. It would be really helpful if we were able to speak to the homeowners, confidentially, for this Maryland Log home. It would be nice to get their views and find out why they choose “Montana Timber Structures” and “J C Schultz”. But alas, we had no idea how to contact them. Then out of the blue, a message pops up in my email from the Loghometalk Yahoo Group, titled “Update from Maryland”. Could this be the same people in Maryland with the MTS/J C project? Couldn't be, that would just be too weird and amazing. So I shot off an email to the author of “Update from Maryland” to ask her if it would be OK to contact her off list



about her home and builder. This kind soul agrees, and I think, does she know what she is getting into? After our initial contact, she confirms that yes indeed, she is building the MTS home in April, and J C is her builder. She points me to her web site where I learn they also used Taron Design and James Nickels for their project. This is just too coincidental. I later find out that she is a friend of Paula in Colorado and contacted “Montana Timber Structures” based upon her recommendations. With that, our turn of events has come full circle. We had several more email conversations with both Paula from CO and Kathy from MD, and are convinced that we are on the right track with all of the people we have contacted to build our Log home. After a site visit to the beautiful Log home in Maryland, and a meet and greet with J C, we confirmed and reach agreements with Tom, Joe, Rick, and James to design, manufacture, and build our Log home dream at Otters Run in Ludlow, Vermont.

I don't know if you would call it “karma”, and “good” was never a prefix to the word “luck” in my book. But this circle of information, contacts, and people was just too amazing to ignore! It truly amazes me, that because of the Internet, the world has become such a small place. It is a technology that can be a double edge sword. In the case of our first choice for a Log home company, it worked against that company in convincing us that there may be trouble in Log land if we went with them. Today,

Manufacturers and companies should be aware that if they don't take care to uphold their reputations and correctly service their customers, there can be a domino effect to their business with the advent of negative informational posting on the web. And for those manufactures and companies that are a cut above the rest, such as "Montana Timber Structures", Taron Design, J C Schultz & Sons, and Nickels Design, the word of mouth postings on the web will surely come back to benefit them ten-fold. The bottom line is, with today's technology, it's best to treat your customer right, or suffer the consequences. As Walt Disney sang, **"It's A Small World After All"**.

Chapter 4 – "On the Road Again"

As the snow melts and the trees begin to bud in the spring of 2003, like the black flies along the Grant Brook, our property begins to swarm with activity. In mid May, our Excavator, the VT DEC/ANR Stream Alteration Engineer and I meet at the site to go over the last details for insuring proper construction techniques to preserve the water quality of the brook during the Bridge construction phase. Everything moved swiftly and smoothly, thanks to M & M Excavating, and Steven Moore Construction and our Bridge is complete and installed in the month of June. Now it is time to stake out the location for our home site. I made an appointment with the original surveyor of the property. He kindly joins me at the property, and we go over the details of where the original septic system was located. Based upon its location, he suggests where the house should sit. As per the original site plans that were made in 1992, the



location was approximately 150 feet from the Bridge up an old logging road into the woods of Lot 3. The location had a decent contour for the walk out basement we were planning on building and had a direct easy access from the Bridge. The only thing missing was a view, but we figured we could live with that. We felt that, it might be unique and romantic to view our Bridge from the front of the house. I was, however, troubled, and had an uneasy feeling, that the home site was too close to the property line of our neighbor's land (You remember Mr. "D" our neighbor don't you?). I was assured that there was plenty of room and all I'd need was a variance from the DRB to meet the towns' requirements.



Wha, Wha, Wha, WHAT! More DRB meetings? More variances? More fees? Since we are building in the Aquifer district of the town, they have rules that no structure can be within one hundred feet of a body of water (remember the bridge) and there must be a minimum setback from all property lines of one hundred feet. I was very concerned that, very close to the home site, were several mountain runoff streams that fed the Grant Brook. Also the home site was really much less than one hundred feet from the West property line and in my opinion the area was way too wet due to these runoffs. Again, I was assured that the runoffs could be diverted with culverts to reroute them away from the house and a simple variance should take care of the setback requirements. In all



fairness to the original surveyor who went out of his way to help us, this subdivision was done ten years ago, and on a wooded mountain a lot can change in ten years. Over time, there was plenty of additional undergrowth, and coupled with the fact that the original lot line flags had deteriorated or were missing, it was really difficult to tell deep in the woods exactly where the Perc tests were done. It was also difficult to tell exactly where the lot lines laid. This uneasy feeling of being too close for comfort was eating away at me for weeks. To assure myself of where exactly the lot lines were, I went out and bought a Brunton Survey Master sighting compass. Armed with the original survey, compass, stakes, flags and my surveyor helpers (Wendy, Ryan and Kyle) we spent two days finding the West lot lines from the iron pins at the cul-de-sac to the proposed home site. Now I am no expert, I am not a surveyor by trade, but I do know how to read a compass, and after checking and double checking, I came to the conclusion that if we built our home where we first intended to, the West lot line would run right through the Northwest corner of my wraparound deck. That would not be good for anyone, never mind not meeting the one hundred-foot setback rules the town required. Do you think I could get a variance to build part of my home on my neighbor's land? Ahhh, no! So it was time to call in the professionals again and get a second opinion.



Again, we called our friends at M & M Excavating to see if they could suggest another surveyor. They did, and we met with a surveying company and we were promptly turned down, due to what we felt was a bit of animosity over the original subdivision location. During our meeting, the surveyor took us to a room in their office to show us what they called their “wall of shame”. Low and behold, smack dab in the middle of the wall was our subdivision and our two lots. So my wife and I politely left and said to each other, “boy, that was uncomfortable, well what do we do now?”

We headed back up to the property, and while trying to come up with a game plan, a gentleman named Peter stopped by to say hi. Peter was coordinating the construction and development up the main road for a few additional subdivisions and home sites that our seller owned. I had met Peter several times before and he was another one of those kind, friendly, helpful souls we'd met up in Ludlow. He's just generally a really nice guy. He asked us how it was going and we proceed to unload on him our current problem. He then takes a half-hour out of his busy schedule and walks the land with us giving us numerous suggestions.

He says if you can try to get up higher, you just might get a view. Before he leaves, he gives us the name of a site engineer he is working with on the upper developments, Mr. Alan Regier. We thank him for his time and help and head back to New Jersey.

First thing we do, upon our return home to New Jersey, is contact Alan and arrange a meeting for the next Saturday morning at the site. Unfortunately, my wife and kids were off to Cape Cod for two weeks vacation, so it was just Otter and I that would meet with Alan. Alan brought his two pups, Maude and Pip, and they both kept Otter entertained as Alan and I spent several hours walking the 22.2 acres, surveying the lot

lines. Alan confirmed our original home site was not good, was too close to the brook and lot lines, and the soil conditions were way too wet to support any kind of septic system.

Finally, after trudging through the woods, we found a location high enough and dry enough to build our house. It was only 1034 feet from the bridge, not bad for a day's work. Not bad! Any idea what the cost of building this far was going to do to my budget? Never mind the future snow plow bills!

It was, however, really the only sensible location to site the house considering the abundance of ground water on the property. But hey, we really liked the idea of being this much deeper in the woods and the added privacy this location would afford us. All things considered, we were happy with this location, budgets be damned!

With the new location found, we flag off our proposed route from the bridge to the home site and call in our old friends, M & M Excavating. M & M fine-tunes the path for the road through the woods to the new-elevated home site and begins clearing and building the road by early July. The first week of August, we arrive to spend a few days at the property for taking progress pictures and to video tape the road construction. By the third day, we were able to get fully up to the home site area that was just being cleared. While talking to Jeff, the operator of the excavating equipment, I had the chance to turn



around to look back down the road, I was stunned. I couldn't believe it, there before my eyes was a beautiful view of the Western mountain range. I yelled, Wow, this view is unbelievable, and Jeff said yeah, that's pretty nice, but once we get a little further up and get more cleared out you should be able to see around the whole valley. Wow was right. Here we were having to move our home site 984 feet further than we expected, which some might consider to be a deterrent, but not us, for the new location gave us more of what we wanted. More privacy and something we never thought we would have, a fabulous view!



This land was now really everything we had hoped for.

The rest of that summer and fall was spent getting the home site prepared for our future house. The first thing we needed was to find an acceptable area for the septic drainage field. It took three failed test pit digs and soil examinations until we could find two acceptable locations for the primary field and the back up field. Even at this new height, it was difficult to locate an area without a significant amount of ground water. Finally, we found a good location and completed our new Perc tests.



In October, I went up to the property to take measurements and to stake out the homes footprint so we could finish the required clearing and figure out exactly where the septic tank, well and driveway would be in relationship to the home.

For the most part, every time we were at the property, we were faced with either rainy or cloudy weather, but this Columbus Day weekend, it was sunny, clear, and beautiful. We were in the peak of the leaf-changing season. Explosions of cornflower, pumpkin, burgundy, saddle, and emerald were set against an azure sky. It was amazing, as I hiked up the clearing to the proposed home site; I started staking out the front deck facing South. As I turned South to view the location in relationship to the rest of the property, I was confronted with our Southerly view for the first time. In an instant, my breadth was taken away and the words of Jeff from M & M Excavating were ringing in my ears: Once you get up high, you should be able to see the whole valley, boy was that an understatement!



As I stood there breathless in awe, I felt just like a little kid on Christmas morning, arriving downstairs to be confronted with all the shiny bright packages Santa had left beneath the tree, the night before. The excitement was unbelievable! What a view! This place just keeps getting better and better.

All through the fall and into the early winter, M & M Excavating continued working on the property, clearing, stumping, and installing the septic system. In mid January, Parker Water Wells arrived at Otter's Run to drill our well. We were quite confident, that being in the Aquifer district, and with the over abundance of groundwater, we would have little trouble sinking a well. Unfortunately, due to our new elevation, it took 350 feet down just to hit bedrock. It then took another 355 Feet to hit water. Even then, the flow was not an acceptable rate and we had to hydro-fracture to get a decent flow rate, not great, but acceptable. It seems that water can be an elusive little mink when it wants to be.



Also, by this time Central Vermont Public Service (CVPS) was able to complete the overhead portion of our utility line extension up the road, to the clearing. With a few minor hassles, our seller and neighbor were able to complete the underground portion of the line extension across the road and cul-de-sac.

At this point, we were all set for building in the spring. Clearing, power, water, and septic were all done and ready to go. Come spring, we would be ready for the excavating trucks, foundation trucks, log trucks and our builder's trucks to be **On the Otter's Run Road Again.**

Chapter 5 – “To be continued”