

**Beech Mountain Lakes Association, Inc.**  
**Resolution No. 2005 - 1**

**WHEREAS:** The Beech Mountain Lakes Association Board of Directors is desirous of maintaining the roadways of the Beech Mountain Lakes Development in a manner that prolongs the useful life of the roads and obviates the necessity of excess expenditures for repairs of unnecessary and preventable damage; and

**WHEREAS:** The Beech Mountain Lakes Association Board of Directors is also desirous of providing the necessary safeguards to prevent damage to the roadways of the Beech Mountain Lakes Development by the use of heavy trucks and equipment utilizing the roadways during spring thaw conditions; and

**WHEREAS:** The Uniform Planned Community Act, 68 Pa.C.S.A. § 5101 *et seq.*, grants the power and authority to Property Owner's Associations to restrict road usage by vehicles of more than ten (10) tons gross weight during spring thaw conditions; and

**WHEREAS:** The Uniform Planned Community Act, at 68 Pa.C.S.A. § 5218 establishes the conditions under which the restrictions may apply, and provides as follows:

- (1) such restrictions shall be imposed only on a week-by-week basis for an aggregate period not to exceed eight (8) weeks during any calendar year;
- (2) thaw conditions shall be reviewed by the association weekly; and
- (3) signs shall be conspicuously posted by the association at all entrances to the planned community advising when and where such thaw restrictions are applicable; and

**WHEREAS:** In order to effectuate the safeguards provided by the Uniform Planned Community Act in preventing unnecessary damage to the roadways, the Beech Mountain Lakes Association Board of Directors is desirous of instituting reasonable rules and regulations which will govern the use of the Beech Mountain Lakes Development roadways during these spring thaw conditions.

**NOW THEREFOR BE IT RESOLVED:** That the rules and procedures as set forth in the Uniform Planned Community Act, at 68 Pa.C.S.A. § 5218 shall apply to the roadways of the Beech Mountain Lakes Development during spring thaw conditions, and if the Board, Manager or Staff determine that spring thaw conditions exist which can cause damage to roadways, the Manager shall give effect to this resolution, by taking whatever actions necessary to provide for the restrictions on the use of roadways during spring thaw conditions in keeping with the above mentioned provisions of the Uniform Planned Community Act.

Adopted this 22 day of February, 2005, by vote of the Beech Mountain Lakes Association, Inc. Board of Directors.

Attest:

Secretary

President of Board

ROAD MAINTENANCE COMMITTEE  
REGULATION DURING SPRING THAW

PURPOSE:ROAD PRESERVATION STRATEGY

RATIONAL:WHEN SPRING THAW OCCURS,PAVEMENT LAYERS ARE GENERALLY SATURATED DUE PARTIAL THAW CONDITIONS, AND TRAPPED WATER.

REFERENCE TEMPERATURE:OBSERVATION OF TEMPERATURE CHANGE OF MONTHS OF DECEMBER TO MARCH.(EXPECTED CHANGE OF 1% OR GREATER ON A WEEKLY BASIS).

GUIDE:THE CRITERIA WILL BE..WHEN THAWING INDEX EXCEEDS 20F DEGREES BASED ON A 3 DAY WEATHER FORECAST, AND PREDICTED INCREASES IN EXCESS OF 20 F DEGREES TO(40 DEGREES) THEREAFTER, THE ROADS WILL LIMITED. THIS WILL PERTAIN TO ALL CONSTRUCTION VEHICLES AND-VEHICLES WITH A 3<sup>RD</sup> REAR AXLE. (EXCEPTIONS TO THIS REGULATION ARE EMERGENCY VEHICLES,OIL,PROPANE AND GABAGE TRUCKS.--)THE GUARD WILL BE INSTRUCTED ON HOW TO FOLLOW THIS )--RESTRICTION IMPOSED WILL BE AT 20,000 TONS OR GREATER.-----

THE INTENT FOR THE 3 DAY PERIOD WILL THEN SERVE AS NOTICE, ON THE READER BOARD AND BML WEBSITE THAT RESTRICTION WILL BEGIN ON DATE OF DAY 4.

TEMPERATURE READING:THE GENERAL MANANGER OR DESIGNEE WILL BEGIN DAILY TEMPERATURE READINGS ON FEB 1<sup>ST</sup>. THIS WILL SERVE ALSO AS INFORMATION COLLECTED FOR PRESENT DETERMINATION,AND FUTURE ROAD RESTRICTION FROM YEAR TO YEAR.

POSTING:THE IN AND OUT READER BOARD WILL HAVE NOTICE POSTED, OTHER SOURCES WILL BE BML WEB SITE, THE E-MAIL ADDRESS WILL BE LISTED FOR EASY ACCESS FOR ALL CONTRACTORS AND OTHER PERTINENT PEOPLE.

THE SECURITY GUARD WILL BE INSTRUCTED TO ADHERE TO THE REGULATION AS POSTED.

01-23-02.

REVISED 02/02

10/01

**Beech Mountain Lakes Association**  
**1 Burke Drive**  
**Drums, PA 18222**  
Phone 570-636-1520 Fax 570-636-1227

## Performance Road Bond

I \_\_\_\_\_ (*name of contractor*) on this  
date \_\_\_\_\_ agree to repair any roadway which is disturbed during construction  
and, or excavation to the standards listed in the below contract. Determination as to  
whether repair is to the Beech Mountain Lakes Association standard will be determined  
by the B.M.L.A. General Manager. The Contractor must repair the road to the standard,  
and in the timeframe stated in this contract. Failure to comply will result in loss of  
posted bond money.

### Posting

Contractor will deliver bond money to the B.M.L.A. administrative office prior to  
disturbing the road. If it is an emergency such as a water leak, and it is not during normal  
B.M.L.A. Administration business hours, work can and should be started immediately.  
The Bond must be posted on the first business day following the emergency excavation.

### Bond Amount.

The amount of bond money that will need to be posted will be dependant on the size of  
the paved area that will be excavated or disturbed. The bond will be eight dollars per  
square foot excavated. For example, a ten by ten roadway excavation will need to result  
in an \$800 road bond.

### Roadway Repair Standards

**Timing.** Roads will be repaired within two weeks of when they are excavated. Failure to  
comply with this time schedule will result in the contractor loosing fifty dollars per day  
for each day the road remains unrepaired over two weeks.

**Materials for Backfilling:** Native trench materials will not be allowed to be used for  
backfill. They must be trucked away from the site by the contractor. All backfill shall  
be stone, gravel or slag meeting the requirements for 2A material of Section 703.3 of  
PennDot form 408 Specifications. In Lieu of 2A Material, the contractor may choose to  
backfill with modified material as described in section 351.3 of PennDot Form 408  
specifications. Temporary patching materials shall be either a winter mix asphalt  
material or a Penn Dot specified hot asphalt material. Winter mix material shall only be  
used between October 15<sup>th</sup> and April 1<sup>st</sup>

John Huls  
3

cut up 5000 bond - for future Road Cuts

**Backfill Methods and Procedures:** Backfill shall be compacted by means of mechanical rammers of vibrators or by pneumatic tampers. Hand tampers shall be used only around the pipe or structure or as approved by the Beech Mountain Lakes Association. All voids along the sides of the trench behind sheeting, under bracing or other objects, shall be completely and carefully filled, using such fine materials and labor and tools as may be necessary. Backfill materials shall be compacted to 98% of the maximum dry density as determined by AASHTO t-99 method C. Backfill material shall not be allowed to be dropped into the trench from a height greater than five feet from the top of the existing backfill trench.

**Clean Up:** The site of the work will be cleaned of all rubbish and surplus or unsuitable materials and promptly restored to its original condition as backfilling proceeds and work progresses. Pavement adjacent to the site of the work shall be constantly swept so as to prevent scarring of the pavement by scattered stones.

**Permanent Pavement:** Restoration: The restoration will generally include the placement of an asphalt binder course and an asphalt-wearing course.

4 for binder

2 for wearing course

Added New Cut

I understand and agree to this contract:

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

*Handwritten notes:*  
10/10/10  
10/10/10  
10/10/10

Class	Weight	\$ Fees
1	5000 or less	39
2	5,001 - 7,000	54
3	7,001 - 9,000	102
4	9,001 - 11,000	132
5	11,001 - 14,000	162
6	14,001 - 17,000	192
7	17,001 - 21,000	237
8	21,001 - 26,000	270
9	26,001 - 30,000	315
10	30,001 - 33,000	378
11	33,000 - 36,000	414
12	36,001 - 40,000	438
13	40,001 - 44,000	465
14	44,001 - 48,000	501
15	48,001 - 52,000	552
16	52,001 - 56,000	588
17	56,001 - 60,000	655
18	60,001 - 64,000	741
19	64,001 - 68,000	777
20	68,001 - 73,280	834
21	73,281 - 76,000	1065