

The following is a recap yesterday's (July 9th) activities (Ed Burt's notes).

At approximately 8:30 Friday morning (July 9th) I contacted the Town Administrator, Conservation Committee and Army Core of Engineers regarding activity beyond normal survey work reported at 364 West St.

Becca (Con Comm) followed up with the DEP, who along with the AC confirmed that no plans had been submitted to their organization, and requested documented information regarding the activities.

The general feeling was that if they were doing this work during the hard rain, something bigger must be coming soon. I thought there are 3 avenues to pursue related to this development –

- Army Core, specifically related to the wet lands and Mill River
- DEP, a broader environmental oversight
- Local authority related to the property ownership and the Town's non-development Chapter 61B rights.

So while a witness written statement and photos were being gathered, I made a request of Diana to have the police be called upon to stop the development activities.

At approximately 3:00, the witness statement was obtained and some photos became available, which were relayed to Becca (and DEP) and AC.

Having not heard back from Diana, I sent a text asking if the police were notified. Diana responded that she had not contacted the police, and questioned the authority that she could do so. That we should leave it with the DEP and AC. To which I stated that the property ownership is in question and later asked if the Select Board had been notified.

At approximately 6:00, the AC responded –

“Based upon the photos you provided it is clear that the construction corridor (delineated by the silt fences) is in close proximity to waterway and wetland boundaries, but Corps permits are only required if the Grafton & Upton Railroad team grades or fills jurisdictional waterway or wetlands. “

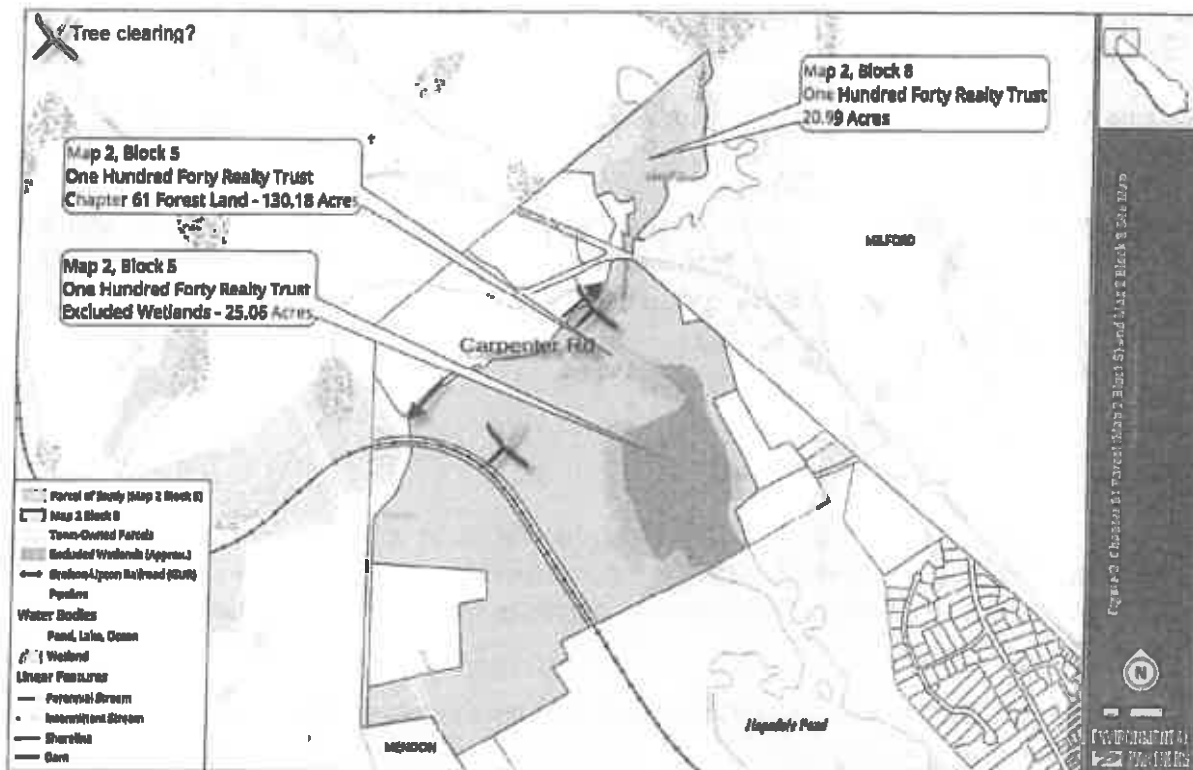
So we would have to report an actual after the fact violation, a proactive stop work order does not appear to be coming this weekend.

Haven't not heard from Diana and knowing that it was now very late, I contacted both Glenda and Lou directly. From this I learned that KP provided Diana with the advice not to contact the police because “GURR is the property owner”.

How can both the title be cleared to GURR and GURR not be obligated by the existing Chapter 61B designation, while the court case is still proceeding? There's nothing in the registry of deeds that removes the forestry designation. Shouldn't the local authorities be able to enforce the no development? With those questions in mind, I requested KP's written ruling, so I as a resident, or via our board, any next steps deemed appropriate may be taken. (Note: I repeated this request numerous times, but as of 10/14, still have not received anything supporting that ruling)

I've encouraged the Select Board to revisit this issue and take any steps you can to prevent areas of 364 West St from being clear cut. Clear cutting that land while the overall status of that property is still in the courts, if not outright illegal, certainly does not seem to be honoring the intent of your settlement with GURR in the best interest of any long term partnership.

This eventually ended up as part of Citizen's 10 court case, with a stop work order from the judge to preserve the forestland from further destruction while the court case proceeds.



Here is picture of the foot bridge back in the middle of July when residences first raised the concerns about GURR's development activities:



And here is video of Carpenter Road from the abutter after one of the July storms –

<https://mail.google.com/mail/u/0/?zx=1ic2s0b5k5m5#inbox/FMfcgzGlijnSMgfPTFTgfKizrKhRCvzr?projector=1>

Here's a picture from the beginning of that video showing Carpenter Rd as Carpenter river.

