

# Court halts NCES landfill expansion

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BETHLEHEM—Construction at the North Country Environmental Services landfill has halted, just days before a new 3.3 acre cell was due to be completed.

Justice Gillian Abramson ordered the shut down Friday afternoon, hours after attorneys representing the Town of Bethlehem and the landfill left her courtroom at Grafton County Superior Court in North Haverhill. That morning, Abramson conducted a hearing on the town's petition for a temporary injunction to stop construction while the case is litigated.

In September, NCES started construction on the newest phase of its landfill. While the company holds a state construction permit for the project, the Bethlehem

selectboard is challenging the legality of the move in the face of local zoning laws prohibiting landfill expansion.

In recent weeks, NCES filed a lawsuit against the town alleging that the zoning laws themselves are illegal under New Hampshire law and the U.S. Constitution. The town filed its own suit defending and seeking to enforce its zoning laws.

## First round goes to Town

In a rapid fire proceeding limited to one hour, attorneys Phil Waystack of Colebrook, representing the town, and Bryan Gould of Concord, representing NCES, presented arguments on the well defined legal standards for granting a temporary injunction. In doing so, they also laid out the directions they will likely

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