

STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

OBJECTION TO STATE’S MOTION TO DISMISS

North Country Alliance for Balanced Change (NCABC), by its attorneys BCM Environmental & Land Law, PLLC, objects to the Motion to Dismiss (“Motion”) of the State of New Hampshire Department of Environmental Services (“Department”), by its counsel, the Office of the Attorney General (collectively, the “State”). The State’s Motion asserts two distinct grounds for dismissal: (1) standing; and (2) justiciability. NCABC takes each issue in turn and states as follows in support of its objection:

I. STANDING

STANDARD OF REVIEW

1. Because the State’s Motion challenges NCABC’s standing, the tribunal “must look beyond . . . unsubstantiated allegations and determine, based on the facts,” whether NCABC has “sufficiently demonstrated [its] right to claim relief.” *Stergiou v. City of Dover*, 175 N.H. 315, 317–318 (2022) (citation omitted); *Censabella v. Hillsborough County Atty.*, 171 N.H. 424, 426 (2018).

2. The general standard of review accepting all well-pleaded facts as true and viewing those facts in a light most favorable to the plaintiff does not apply. *Stergiou*, 175 N.H. at 317 (citation omitted).

3. Under Ec-Wst 203.03(c)(4)(b), the presiding officer must review a notice of appeal and, viewing it in a light most favorable to the appellant, determine whether the appellant has set forth facts or law sufficient to establish standing.

4. If the presiding officer dismisses the appeal, he or she must grant the appellant thirty (30) days to cure the identified defects, unless any of the defects is incurable and the opportunity to cure would be futile. Ec-Wst 203.03(d)(2).

5. As discussed in the remainder of this objection, NCABC has standing whether the Council reviews standing pursuant to Ec-Wst 203.03 or the *Stergiou* and *Censabella* decisions.

FACTUAL BACKGROUND

North Country Alliance for Balanced Change

6. Attached as **Exhibit A** is a notarized affidavit from Wayne Morrison, President of NCABC, on behalf of NCABC.

7. NCABC is a New Hampshire nonprofit corporation with 501(c)(4) status formed in 2008 and incorporated in 2019 that “works to advance initiatives and policies that balance [the North Country’s] natural attributes and economic interests.”

8. NCABC is based out of New Hampshire’s Great North Woods and operates in Coos, Carroll, and northern Grafton Counties, with particular focus on Forest Lake, Burns Pond, the Ammonoosuc River, the Johns River, and the communities of Dalton, Whitefield, Littleton, and Bethlehem.

9. NCABC currently seeks to especially preserve the important ecosystem and natural habitat in the area where Dalton, Littleton, Bethlehem, and Whitefield converge.

10. NCABC believes that a healthy economy in northern New Hampshire depends on a healthy environment and has three main goals towards that end:

- a. Advocating for clean water and air, climate protection, public health, and solid waste management reform;

- b. Educating New Hampshire residents and visitors, local officials, and state regulators and legislators on best solid waste practices; and
- c. Preventing development from sullyng the Ammonoosuc River watershed, unspoiled Forest Lake and the accompanying state park, and wetlands listed among New Hampshire's highest-rated wildlife areas.

NCABC Members

11. Attached as **Exhibit B** through **Exhibit K** are notarized affidavits from ten (10) individuals, all of whom are NCABC board members (present and past), officers (present and past), donors, supporters, and/or volunteers, several of whom have been involved with NCABC since its inception (hereinafter, the "Members").

12. These Members own land near—and in most cases directly abutting—Forest Lake (both permanent and part-time residences) and within about a one (1) mile radius of the proposed Granite State Landfill (hereinafter, the "Denied Landfill"), with ownership going back decades in many cases (as far back as the 1970s).

13. A few of these properties are only about half a mile from the Denied Landfill, and one property is only one lot away (~2,000 feet) from the land of JW Chipping, the current owner of one of the lots for the Denied Landfill.

14. The Forest Lake watershed/aquifer serves as the drinking water source for these Members (with one Member pumping water directly from Forest Lake), and analytical tests have shown that this water is currently free from contamination.

15. These Members use their properties and the environs surrounding Forest Lake for a multitude of activities, including gatherings with family and friends, stargazing, wildlife

observation, barbecuing and picnicking, gardening, and the full gamut of outdoor recreational activities across seasons.

16. Indeed, these Members chose to live near Forest Lake because of the quality of life inherent in living in New Hampshire's North Country—picturesque views, clean air and water, unrivaled recreational opportunities, and peace and quiet.

17. Many Members sought to move to this pristine environment for health-related reasons, including respiratory issues (bronchiectasis, asthma, allergies), cancer (prostate, breast), hypertension, and emotional health.

18. As set forth in the affidavits, Members anticipate numerous ill effects if the Denied Landfill is developed, including odors, vectors (e.g., scavenger birds), noise, traffic, water contamination (including drinking water), air pollution, and windblown litter.

19. Members also aver that the Denied Landfill would have an adverse effect on their property values.

20. The Members, many of whom enjoy wildlife observation in the area, are also concerned about the Denied Landfill's impact on threatened and endangered wildlife species (and wildlife in general), as well as the consequences the Denied Landfill would have on the area's outdoor recreation industry, especially in the case of family members that are employed in that field.

21. In sum, these Members and their families own property in close proximity to the Denied Landfill and Forest Lake, have deep roots in the communities that would host and be adjacent to the Denied Landfill, actively and consistently recreate in Forest Lake and surrounding wilderness areas, and have actively participated in the application process for the Denied Landfill through their involvement with NCABC.

LEGAL ANALYSIS

22. For appeals brought before the Waste Management Council (the “Council”), standing is governed by RSA 21-O:14’s “person aggrieved” standard.

23. RSA 21-O:14, I-a(a) provides that “[a]ny person aggrieved by a department decision may, in addition to any other remedy provided by law, appeal such decision by submitting a notice of appeal to the council having jurisdiction over the subject matter of the appeal within 30 days of the date of the decision.”

24. For purposes of RSA 21-O:14, I-a(a), a “person aggrieved” is a person who can show some direct, definite interest in the outcome of the proceeding. *Appeal of N.H. Dep’t of Envtl. Servs.*, 176 N.H. 379, 386 (2023).

25. In a similar context, the New Hampshire Supreme Court has indicated that the class of “persons aggrieved” includes “every person whose rights are involved or in any way affected injuriously by the decree.” *Weeks Restaurant Corp. v. City of Dover*, 119 N.H. 541, 543 (1979) (cleaned up).

26. The Court has also explained that, while “mere speculation” is not enough to confer standing, future harm can provide a basis for standing (i.e., the appellant has suffered or *will suffer* an injury in fact). *Appeal of N.H. Dep’t of Envtl. Servs.*, 176 N.H. at 388.

27. Here, NCABC has a direct, definite interest and by extension qualifies as a person aggrieved on two fronts: (1) based on organizational standing via its Members; and (2) based on its own interests as an organization.

NCABC Has Organizational Standing Both for Members and On Its Own

28. When it comes to organizational standing, the New Hampshire Supreme Court has stated in broad terms that an association “[has] standing to represent its members if they have been injured.” *Appeal of Richards*, 134 N.H. 148, 156 (1991).

29. The Court has not created a requirement that an organization must show that “all or most” of its members have already been adversely affected, nor has the Court announced any type of numeric, percentage, proportion, or similar membership prerequisite for organizational standing.

30. In fact, under previous iterations of the procedural rules for three of the environmental councils, organizational standing was met as long as *one* of the organization’s members could establish standing. *Appeal of N.H. Dep’t of Envtl. Servs.*, 176 N.H. at 386 (discussing former Env-WC 203.02(a)(6), Env-AC 204.02(b)(5), and Env-WtC 203.02(b)).

31. Given that no applicable law—neither the statutory scheme nor the Council’s procedural rules—creates a membership prerequisite for organizational standing, there is no basis to conclude that “all or most” of NCABC’s membership must be able to establish standing individually for NCABC to have standing.

32. In the absence of a specific statutory or regulatory requirement for organizational standing, the *Richards* rule that an organization can have standing based on injuries to *any* of its members governs, and the ten (10) NCABC members (**Exhibits B–K**) more than meet that threshold. *See also Appeal of New Hampshire Right to Life*, 166 N.H. 308, 314 (2014) (“NHRTL [non-profit organization] does not claim that *any of its individual members* has suffered, or will suffer, harm.” [emphasis added]).

33. Put plainly, NCABC has the right to represent any of its members that have been or will be injured (as explained in detail below), including the ten affiants included here; NCABC does not need to meet some magic number of members to establish organizational standing.

NCABC's Standing on its Own Right

34. NCABC also has standing in its own right as an organization.

35. Just as is true for an individual, an organization can establish standing if it has suffered or will suffer an injury in fact or its own rights have been or will be specifically or directly affected. *See Appeal of New Hampshire Right to Life*, 166 N.H. at 314.

36. The organization must have more than a mere interest in the problem, and the alleged injury cannot be caused by actions that affect the public in general. *Id.*

37. NCABC has an interest in these proceedings beyond that of the general public because NCABC's mission as an organization is to protect the North Country's natural resources, specifically the Ammonoosuc watershed, and the surrounding communities of Dalton, Whitefield, Littleton, and Bethlehem—all of which will be directly affected by the Denied Landfill.

38. The general public does not have this kind of particularized interest in a specific geographic area, the natural resources therein, and a development project proposed there.

39. These proceedings also speak directly to NCABC's three primary goals as an organization listed above.

40. Due to NCABC's particularized interest in these areas, its interest goes well beyond the concerns of the general public.

41. NCABC also has much more than a mere interest in the problem; the application at issue touches the geographic area and environmental and solid waste concerns that are the lifeblood of NCABC as an organization.

Direct, Definite Interest of NCABC and its Members

42. As is true for individuals looking to establish standing, an organization must still meet the “injury in fact” or “direct effect” requirement, showing that it has more than a mere interest in a problem. *Richards*, 134 N.H. at 156.

43. The facts set forth above and described in detail in the Members’ affidavits show that NCABC, both in its own right and through its Members, has a direct, definite interest in the outcome of these proceedings and is therefore a “person aggrieved.”

44. Though not an exhaustive list, factors that a tribunal considers for the “person aggrieved” standard include:

- a. Proximity of the plaintiff’s property to the site for which approval is sought;
- b. Type of change proposed;
- c. Immediacy of the injury claimed; and
- d. Plaintiff’s participation in the administrative hearings.

Johnson v. Town of Wolfeboro Planning Bd., 157 N.H. 94, 99 (2008).

45. The Members all live in close proximity to the proposed site for the Denied Landfill, some as close as half a mile.

46. While NCABC itself does not own property, its focus area includes the exact site for the Denied Landfill: the Ammonoosuc watershed and Forest Lake, as well as the communities of Dalton, Whitefield, Littleton, and Bethlehem.

47. A multi-stage landfill that will accept solid waste from New Hampshire and out-of-state is a much more intense use of the proposed site than the current gravel pit.

48. Due to their closeness to the proposed site, this significant change in use would have an outsized effect on the Members in the form of odors, noise, traffic, vectors, and many other detriments inherent in landfills.

49. The change of use would likewise have a disproportionate effect on the communities and natural resources that NCABC seeks to protect due to their proximity to the Denied Landfill.

50. If the Denied Landfill is permitted to proceed after appeal, the Members and NCABC would be the first to feel the ill effects associated with the landfill.

51. NCABC, and its Members by extension, has been actively involved in the administrative proceedings for GSL's application since its inception, including municipal, state, and federal application proceedings, legislative proceedings, and executive agency proceedings, and more.

52. NCABC has submitted numerous letters to permitting agencies, participated in meetings with the Department, and hired counsel and several experts to provide advocacy and guidance for years (much of which was shared with the Department).

53. This appeal is simply a continuation of NCABC's consistent involvement in these proceedings.

54. As a threshold matter, for going on a decade, NCABC and its Members have spent countless hours, miles, and dollars investing in the activities associated with what they believe is necessary to protect the North Country's clean air and water from a new landfill.

55. That investment alone represents a harm NCABC and its Members have already experienced as a result of the Denied Landfill.

56. Beyond that, as noted above, the New Hampshire Supreme Court has explained that future harm alone is sufficient to provide a basis for standing. *Appeal of N.H. Dep't of Environmental Services*, 176 N.H. at 388, *see also Appeal of New Hampshire Right to Life*, 166 N.H. at 314 (“NHRTL [nonprofit organization] must show that it has suffered or *will suffer* an injury in fact.” [cleaned up] [emphasis added]).

57. The future harms that NCABC and its Members will experience (as described in the Members’ affidavits)—odors, vectors (e.g., scavenger birds), noise, traffic, water contamination (including drinking water), air pollution, windblown litter, decreased property values, and more—are not speculative; they are inherent in landfills and are clear on the face of the application for the Denied Landfill specifically.

58. These harms associated with the construction of the Denied Landfill are not far removed from the Department’s decision to deny at issue in this appeal.

59. If the Department’s decision is overturned and the application is deemed complete, the application will have cleared its first major hurdle and taken a significant step towards breaking ground.

60. The possibility that the Department’s decision could be challenged and overturned is not theoretical—GSL is currently seeking to overturn the decision on multiple fronts, with a challenge before this Council (Docket No. 25-07) and the Merrimack County Superior Court (Docket No. 217-2025-CV-00316).

61. Aside from the current and future harms associated with the construction of the Denied Landfill, NCABC and its Members are harmed by the issuance of an incomplete decision.

62. If the decision is eventually overturned through one of GSL's challenges, the application—in an incomplete state—will proceed to a review on the merits, which harms NCABC and its Members.

63. When the Department decides an application is incomplete, it is supposed to provide all the application's deficiencies. Env-Sw 304.05(a)(2) (“[I]f an application is determined to be incomplete, the department shall provide written notice to the applicant wherein [t]he application deficiencies and the additional information needed shall be identified”).

64. Similarly, when the Department decides to deny an application, it must state the specific reasons for its decision to deny in its written decision. Env-Sw 305.03(a)(2).

65. Consequently, if a component of the application is not included in the Department's written decision to deny, the implication is that the Department has decided that component to be complete (because, if it were not complete, the Department would have been required to include it in the written decision).

66. As set forth in NCABC's Notice of Appeal, the application is incomplete for many additional reasons *not* included in the Department's decision.

67. By not including those reasons in its written decision to deny, the Department has decided that those parts of the application are complete (which NCABC avers is not the case).

68. If the Department's decision to deny is overturned, the incomplete aspects of the application identified by NCABC will be completely overlooked, and the application will be able to proceed to a review on the merits despite its incompleteness.

69. Given how much is at stake for NCABC and its Members (as described in detail above and in the attached Affidavits), it is imperative that the Department have *all* the

information necessary and legally required to conduct a thorough, informed review of the proposed project, and this cannot happen if the Department reviews an incomplete application.

70. NCABC and its Members, given their proximity to the site of the Denied Landfill, would be the parties *first* impacted by the landfill and the parties *most* impacted by the landfill.

71. Therefore, they have a significant interest in ensuring that the Department's review of the application is accurate, complete, exhaustive, and free of any deficiencies or oversights.

72. According to its own rules, the Department has a responsibility to include all bases on which GSL's application is incomplete, so this is about ensuring the Department follows the proper legal procedure in processing the application where that process being entirely correct is the only thing standing between NCABC and its Members having a landfill in their backyards. *See Appeal of Collins*, 171 N.H. 61, 63 (2018) ("In exercising its discretion, an administrative agency must follow its own rules and regulations").

73. The Department's failure to include *all* incomplete aspects of the application in its decision to deny constitutes a present harm for the reasons set forth above.

74. In summary, NCABC's and its Members' injury is two tiered.

75. First, NCABC and its Members are presently harmed by the investment they have made and the Department's wrongful decision because many areas of incompleteness that the Department failed to include and, further, that those issues will not be addressed if the Department's decision is overturned and the (incomplete) application proceeds to the merits.

76. Second, NCABC and its Members will be harmed by the construction of the Denied Landfill, especially if said construction is based on an incomplete application.

77. The Council can redress this harm by remanding the decision back to the Department with instructions to update the decision to include all incomplete aspects of the application,

consistent with the Department's obligations under Env-Sw 304.05(a)(2) and Env-Sw 305.03(a)(2). *See* Ec-Wst 203.17(b)(2) ("The final decision issued in any appeal shall [e]ither affirm or remand the department decision being appealed").

78. This is reinforced by the applicable law, which permits an appeal by a person aggrieved "in any way affected" by a decision. *See Weeks*, 119 N.H. at 543.

II. JUSTICIABILITY

89. Contrary to the State's assertion, NCABC *is* aggrieved by the Department's decision to deny GSL's application because GSL did not complete the application on time because GSL did not provide the two (2) items the Department noted in its decision.

90. The Department's decision is wrong (unlawful and unreasonable) because the Department did not list the additional twelve (12) items GSL also did not provide on time.

91. The State's attempt to cleave apart denial by dormancy and incompleteness falls flat.

92. Denial by dormancy and incompleteness are one in the same; an agency cannot decide one without the other because they are inextricably linked.

93. In other words, an incompleteness determination is a necessary prerequisite to a denial by dormancy; by the plain text of the rule, the Department cannot deny an application based upon dormancy without first determining that the application is incomplete. Env-Sw 304.06(d) ("An *incomplete* application that becomes a *dormant* application as defined in Env-Sw 102 shall be deemed denied without further action by the department." [emphasis added]).¹

94. Bizarrely, the Department asserts that "[t]he Department did not deny the Application because it was incomplete," yet in the same breath explains that "[t]he Department denied the Application by virtue of the Dormancy Rules *because information required to complete the*

¹ Not to mention the section in which the rule appears, Env-Sw 304.06, is entitled "Completing an Incomplete Application." There is no denying the link between dormancy and incompleteness.

application within one year of the first incompleteness determination *had not been received* as the final paragraph of the Denial makes clear.” Mot. at 7 (emphasis added).

95. Saying that the Department denied the application “because information required to complete the application . . . had not been received” is just a very roundabout way of saying that the Department denied the application because it was *incomplete*.

96. The Department very much *did* deny the application because it was incomplete, regardless of its attempt to skirt around the word “incomplete.”

97. Indeed, as set forth above, only an incomplete application can become dormant under the rules, so the Department had to determine the application was incomplete to invoke the dormancy rules.

98. The Department has an obligation to provide the specific reasons for its denial under Env-Sw 305.03(a)(2), which in this case translates to the specific reasons why the application was deemed to be incomplete because it is the application’s incompleteness that provides the foundation for the denial. The Department failed to do so for twelve (12) of the fourteen (14) bases on which the application was incomplete.

99. The Department is not free to simply issue a written decision that says merely denied because not completed on time; the Department must list all of what was not completed.

100. As such, now is the only juncture at which NCABC and its Members can point out these deficiencies in the Department’s decision to deny and seek to have them redressed; if GSL succeeds in any of its challenges and the application as it currently stands is decided to be complete, NCABC will have no further opportunity to challenge the Department’s decision to deny the application as incomplete because of missing only two (2) items (when there should be fourteen (14)).

101. As explained in detail above, NCABC and its Members have an interest in the Department meeting its legal obligations to include all aspects of the application's incompleteness in its decision to deny.

102. It is certainly not unheard of for a party to agree with the overall outcome of a decision while challenging certain aspects of the decision (e.g., a party agreeing with a court's decision to award damages but appealing the amount of damages awarded; a developer agreeing with a planning board's decision to grant site plan approval but appealing based on one of the conditions of approval).

103. While GSL's appeal in Docket No. 25-07 takes things a step further than NCABC's appeal by seeking the reversal of the overall result (i.e., the denial of the application), its challenge (in large part) is likewise based on the Department's completeness determination, with GSL asserting that its application was administratively complete and therefore not subject to denial by dormancy.

104. If GSL's appeal, with its arguments grounded in the Department's completeness determination, is considered a proper appeal of the Department's denial (as opposed to an appeal of the completeness determination), so too should NCABC's appeal, with its corresponding arguments grounded in the Department's completeness determination, be considered a proper appeal of the Department's denial.²

² The Department acknowledges that "in order for a party to challenge the present Denial, a party may need to argue that it has indeed submitted all information required to complete the application within the calendar year and that the Dormancy Rules did not apply and thus it was unreasonable or unlawful for the Department to conclude otherwise." Mot. at 7–8. However, the Department again tries to separate its dormancy denial from the underlying incompleteness determination. As explained in detail above, this is a distinction without a difference.

105. Put differently, if NCABC's appeal is dismissed because it is considered a challenge of the Department's completeness determination, GSL's appeal should likewise be dismissed because it relies on the same type of completeness arguments.

CONCLUSION

106. For the reasons set forth above, NCABC is a "person aggrieved" for purposes of RSA 21-O:14, both in its own right and on behalf of its Members, and therefore has standing to appeal the Department's decision.

WHEREFORE, NCABC respectfully requests this honorable Council:

- A. Deny the Motion; and
- B. Grant such further relief as is necessary and proper.

Respectfully submitted,

**NORTH COUNTRY ALLIANCE FOR
BALANCED CHANGE**

By Its Attorneys,

BCM Environmental & Land Law, PLLC

Dated: July 28, 2025

/s/ Amy Manzelli, Esq.
Amy Manzelli, Esq. (NH Bar No. 17128)
3 Maple Street
Concord, NH 03301
(603) 225-2585
manzelli@nhlandlaw.com

CERTIFICATION

I certify that, pursuant to Ec-Wst 201.01(a), on this date the foregoing was submitted in PDF format to appeals@des.nh.gov and within five (5) business days, the original and one copy will be delivered by First Class Mail to:

Waste Management Council
Attn: Appeals Clerk
Department of Environmental Services
29 Hazen Drive

P.O. Box 95
Concord, NH 03302-0095

I also hereby certify that on this date I have sent by electronic mail copies of this Objection, including Exhibits, to all persons listed on the service contact list.

Dated: July 28, 2025

/s/ Amy Manzelli, Esq.

EXHIBIT A

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF NORTH COUNTRY ALLIANCE FOR BALANCED CHANGE

North Country Alliance for Balanced Change, through its President Wayne Anthony Morrison, does hereby depose and state under oath as follows:

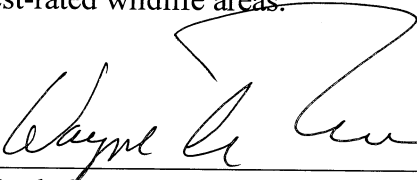
1. I am President of North Country Alliance for Balanced Change (“NCABC”) and have served in this role for four (4) years.
2. NCABC is a New Hampshire nonprofit corporation with 501(c)(4) status formed in 2008 and incorporated in 2019.
3. NCABC’s principal office address is 58 Newell Lane, Whitefield, NH, 03598, and has a mailing address of P.O. Box 553, Littleton, NH, 03561.
4. NCABC operates in Coos County, Carroll County, and northern Grafton County, with particular focus on Forest Lake, Burns Pond, the Ammonoosuc River, the Johns River, and the communities of Dalton, Whitefield, Littleton, and Bethlehem.
5. In particular, NCABC seeks to preserve the important ecosystem and natural habitat in the area where Dalton, Littleton, Bethlehem, and Whitefield converge.
6. NCABC works to advance initiatives and policies that balance the North Country’s natural attributes and economic interests, believing that a healthy economy in northern New Hampshire depends on a healthy environment.
7. NCABC has three main goals:
 - a. Advocating for clean water and air, climate protection, public health, and solid waste management reform;

EXHIBIT A

- b. Educating New Hampshire residents and visitors, local officials, and state regulators and legislators on best solid waste practices; and
- c. Preventing development from sullyng the Ammonoosuc River watershed, unspoiled Forest Lake and the accompanying state park, and wetlands listed among New Hampshire's highest-rated wildlife areas.

Dated:

July 24, 2025



North Country Alliance for Balanced Change

By: Wayne Anthony Morrison

Its: President

STATE OF NEW HAMPSHIRE

COUNTY OF Merrimack, SS

On this 24th day of July, 2025, Wayne Anthony Morrison personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of his knowledge and belief.

My commission expires: 8/18/2026


Notary Public

HEATHER H. BULLIMORE
Notary Public - New Hampshire
My Commission Expires August 18, 2026

EXHIBIT B

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF LAURIE BOSWELL

I, Laurie Boswell, do hereby depose and state under oath as follows:

1. I am a board member of North Country Alliance for Balanced Change (“NCABC”).
2. I have served in this role for 3 years.
3. I am a resident of Franconia, New Hampshire.
4. I have been a Franconia resident since 2011.
5. I own and spend considerable time at property located at 38 Newell Lane in Whitefield, NH.
6. My property consists of a 3-bedroom year-round home on 1/3 acre. This home was purchased by my parents in 1962 and continues to be the gathering place for our family. The home was winterized and added on to in 1972 and is used by family and friends throughout the year. Many interior renovations and extensive landscaping has occurred during the last 10 years. In particular, artesian well was dug in 2021 at a cost of nearly \$15,000.
7. My property is a lakefront residence on Forest Lake and is approximately one-half mile from the proposed Granite State Landfill (“Denied Landfill”).
8. I grew up on Forest Lake with my three siblings. We all learned to swim and water ski at Forest Lake. Our summers were spent outdoors—swimming, sailing, catching lightning bugs, catching (and releasing) sunfish, picking berries, gardening, and sitting on the dock to watch the most spectacular sunsets imaginable. Our friends and cousins visited often, enjoying the beauty of summer days, or the fun of boundless skating on a frozen lake in winter. We all remember the countless cookouts, handstand contests in the lake, the pride of swimming across the lake for the first time, listening to the live music from Newell’s Casino—a dance hall on the lake until

~~EXHIBIT B~~ ~~14.~~ Be family celebrations, particularly on July 4th. In the winter we snowmobiled, skated, snowshoed, and cooked hotdogs on a long stick over the fireplace. Childhood memories my siblings and I have were enriched by our experiences at Forest Lake, and we understand what a true blessing our parents gave us. We desire the same for our children, grandchildren, and future generations.

9. Our drinking source was from a lake spring until the well was dug in 2021. The well itself is drawing from the aquifer beneath Forest Lake. Certainly, we are concerned about the irreparable harm the Denied Landfill would have on Forest Lake.

10. I would not be able to enjoy the outdoor life that Forest Lake provides in all seasons if the Denied Landfill were to be built and operated. The quality of the air and water would both be impacted.

11. If the Denied Landfill were to be built and operated, then I would experience noxious odors from the Denied Landfill which would greatly affect my use and enjoyment of my property.

12. I believe the odors would prevent me from enjoying my property outside my home, including my access to Forest Lake, and from opening my windows.

13. An essential component of the use and enjoyment of my property is its proximity and access to Forest Lake and the surrounding outdoors.

14. Odors from the Denied Landfill would severely restrict this use and enjoyment, specifically, all outdoor summer activities on and off the lake. Similarly, there would be no winter walks, snowshoeing, or cross-country skiing.

15. I would also be concerned about the negative impacts on my health from the odors from the Denied Landfill, especially.

16. I would also experience noise from the Denied Landfill which would also affect my use and enjoyment of my property. I would experience noise from heavy equipment, trucks, and sometimes back-up beepers from the Denied Landfill inside and outside my home, year-round.

17. Not only would I hear the heavy equipment operating at the Denied Landfill, but I would be navigating the traffic of heavy equipment around my home and community, increasing the risk to my safety on public roadways.

18. Given the proximity of the Denied Landfill to Forest

~~EXHIBIT B~~ I am also concerned that the Denied Landfill would pollute my drinking water supply which I draw from a private well fed by the Forest Lake watershed.

19. Not only would oil and gas spills from heavy equipment seep into the land and make its way into the watershed, but I am concerned about the many deficiencies highlighted by the Department of Environmental Services ("DES") in the Denied Landfill's designs to control and treat contaminated stormwater and contain leachate.

20. Such contaminants would inevitably reach my drinking water supply and have serious negative impacts on the health of myself and my guests.

21. For one, leachate from landfills contains PFAS contaminants which have been shown in even minute levels to increase rates of adverse health effects including prostate, kidney, and testicular cancers; developmental delays in children; immune system dysfunction; and liver damage.

22. Furthermore, pollutants from the Denied Landfill which reach Forest Lake would compromise the safety of my activities in and around Forest Lake, including all the activities mentioned in Paragraph 8 above.

23. In addition to the negative impacts on my use and enjoyment of my property and on my health due to odors, noise, and polluted drinking water, the construction and operation of the Denied Landfill would adversely affect the value of my property because of its negative impacts, including air and water quality and safety.

24. Finally, I am concerned about the Denied Landfill's impacts on the environment, including the nearby Forest Lake, the Forest Lake State Park, the Ammonoosuc River, and threatened and endangered wildlife species in the area.

25. As a board member and significant donor of NCABC, I appreciate and support its work to address environmental and health challenges facing communities in New Hampshire's North Country, including its appeal of Granite State Landfill's denied permit application.

Dated: June 2, 2025
Laurie Boswell

Laurie Boswell

EXHIBIT B GRAFTON, SS

On this 2nd day of June, 2025, Laurie Boswell
personally appeared before me and made oath that the foregoing
Affidavit is true and correct to the best of her knowledge and
belief.

My commission expires: 7/24/2029
Daniel J Finn

Notary Public



EXHIBIT C

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF CLAIRE COOK LUPTON

I, Claire Cook Lupton, do hereby depose and state under oath as follows:

1. I was one of the original board members of the North Country Alliance for Balanced Change ("NCABC") and am a donor and an active participant in the organization.

2. I have been involved with NCABC since 2019, the year it was founded. I named the organization and for many years wrote its communications and fundraising appeals on a pro bono basis. I continue to contribute my professional skills to the organization. In a 45-year career as an advertising copywriter, I can say that some of my most impactful work has been what I've done pro bono for NCABC, in particular alerting the North Country to the many challenges to air, water, wildlife, environment and health posed by a dump in close proximity to a pristine natural area.

3. I have been a property owner in Whitefield, New Hampshire for more than 20 years.

My primary residence is in Charlestown, Massachusetts, although my husband and I spend half our time in Whitefield.

4. My husband and I own our property at 75 Newell Lane in Whitefield, NH.

5. The property consists of 78 acres of largely forested land with approximately 30 feet of frontage on Forest Lake and a four-season four-bedroom house with a view of the lake. We bought the property in 2003 as a vacation home and potential retirement destination. Our family visits regularly, and we often invite friends to stay with us. Over the years, we've made a number

EXHIBIT C

of improvements to the house: we've enclosed the porch, installed new flooring, solar panels and an EV charging station, replaced the furnace and together with our neighbors established trails through the woods behind the house. Future plans include installing a ductless ac/heating system and developing a wildflower meadow on the lawn between the house and the lake.

6. We've been taxpayers in the town of Whitefield for over 20 years. We're very concerned about the impact the proposed Granite State Landfill ("Denied Landfill") will have on the value of our property and whether it would even be marketable should the Denied Landfill be built.

7. Our property borders Forest Lake and is approximately a mile from the Denied Landfill.

8. Something that's become increasingly important to us in the years we've owned the property is how peaceful, quiet and pristine it is in every season. In winter we ski and snowshoe. We regularly search for animal tracks in the woods behind the house. We've found moose, bear, rabbit, fox, porcupine, turkey, beaver and -- when we're lucky -- bobcat and otter tracks. In summer we kayak and swim. My grandchildren learned to swim and kayak in Forest Lake. We camp on the lawn in summer and sit on the dock almost every evening to listen to the bullfrogs and watch the loons. In the fall we take local walks and hike in the White Mountains. I take my camera out in the kayak several times a week to photograph the autumn colors from the lake.

9. We rely on the natural resources of Forest Lake and its surroundings in practical ways as well: we draw our drinking water from a private well fed by the Forest Lake watershed.

10. We're concerned about the effects of the landfill on our health, particularly since my husband is a prostate cancer survivor.

EXHIBIT C

11. If the Denied Landfill were to be built and operated, I would experience noxious odors from the Denied Landfill which would greatly affect my use and enjoyment of my property.

12. I believe the odors would prevent us from opening our windows and enjoying our property outside the house, including our access to Forest Lake.

13. An essential component of the use and enjoyment of our property is its proximity and access to Forest Lake and the surrounding outdoors.

14. Odors from the Denied Landfill would severely restrict this use and enjoyment, specifically our experience of the outdoors described in Paragraph 8 above.

15. I would also be concerned about the negative impacts on my health from the odors from the Denied Landfill as my allergies are exacerbated by odors.

16. I would also experience noise from the Denied Landfill which would affect my use and enjoyment of my property. I would experience noise from heavy equipment, trucks and back-up beepers from the Denied Landfill inside and outside my home, year-round.

17. Not only would I hear the heavy equipment operating at the Denied Landfill, but I would be navigating the traffic of heavy equipment around my home and community, increasing the risk to my safety in walking and driving on public roads, particularly since my husband has mobility challenges.

18. Given the proximity of the Denied Landfill to Forest Lake, I am also concerned that the Denied Landfill would pollute our drinking water, which we draw from a private well fed by the Forest Lake watershed.

19. Not only would oil and gas spills from heavy equipment seep into the land and make its way into the watershed, but I am concerned about the many deficiencies highlighted by the

EXHIBIT C

Department of Environmental Services (“DES”) in the Denied Landfill’s designs to control and treat contaminated stormwater and contain leachate.

20. Such contaminants would inevitably reach my drinking water supply and have serious negative impacts on my health, my husband’s health, and the health of our family and guests who visit frequently.

21. For one, leachate from landfills contains PFAS contaminants which have been shown in even minute levels to increase rates of adverse health effects including prostate cancer.

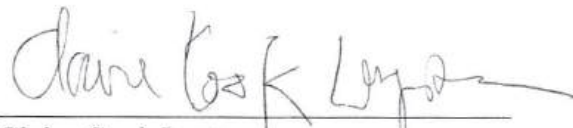
22. Furthermore, pollutants from the Denied Landfill which reach Forest Lake would compromise the safety of my activities in and around Forest Lake, including swimming and kayaking.

23. In addition to the negative impacts on my use and enjoyment of our property and on our health due to odors, noise, and polluted drinking water, the construction and operation of the Denied Landfill would adversely affect the value of my property because of its negative impacts, including air and water quality and safety.

24. Finally, I am seriously concerned about the Denied Landfill’s impacts on the environment, including the nearby Forest Lake and Ammonoosuc River and threatened and endangered wildlife species in the area.

25. As a donor and active participant in NCABC and its activities, I appreciate and support its work to address the environmental and health challenges facing communities in New Hampshire’s North Country, including its appeal of Granite State Landfill’s denied permit application.

Dated: May 29, 2025



Claire Cook Lupton

EXHIBIT C

STATE OF NEW HAMPSHIRE
COUNTY OF COOS, SS

On this 22 day of March, 2025, Claire Cook Lupton personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of her knowledge and belief.

My commission expires: 22, 2027

[Signature]
Notary Public



EXHIBIT D

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF MARY H. MENZIES

I, Mary H. Menzies, do hereby depose and state under oath as follows:

1. I am a board member of and long-time financial donor to the North Country Alliance for Balanced Change (“NCABC”).

2. I have served in this role for six years.

3. I am a resident of Littleton, New Hampshire.

4. I have been a Littleton resident since 2001.

5. I own and live at property located at 40 Hatch Brook Lane in Littleton.

6. My property consists of approximately ten acres. My husband and I purchased the property from family in 1979, and we moved here full-time in 2001. My Littleton roots go deep – my father was born and raised in Littleton where his father served as the Town Clerk for many years. I grew up in southern New Hampshire and have made many trips to Littleton throughout my life to visit family and enjoy the beautiful North Country. I leaped at the opportunity to buy property in Littleton as a seasonal home and eventually my permanent home.

7. My property is one lot away from and approximately 2,000 feet from land owned by JW Chipping in Littleton and a bit over a mile from the proposed Granite State Landfill (“Denied Landfill”).

8. My husband and I enjoy star-gazing and watching the multitude of birds and other wildlife on our secluded property. Our back yard is used for barbequing and gardening. We enjoy

EXHIBIT D

kayaking, hiking, biking, walking, and snowshoeing in the surrounding area. We benefit daily from the area's scenic beauty and the clean air and water for which we moved to this area.

9. If the Denied Landfill were to be built and operated, then I would experience noxious odors from the Denied Landfill which would greatly affect my use and enjoyment of my property.

10. I believe the odors would prevent me from enjoying my property outside my home and from opening my windows.

11. An essential component of the use and enjoyment of my property is its proximity and access to Forest Lake and the surrounding outdoors.

12. Odors from the Denied Landfill would severely restrict this use and enjoyment, specifically the afore-mentioned barbequing, gardening, kayaking, hiking, biking, walking, and snowshoeing.

13. I would also experience noise from the Denied Landfill which would also affect my use and enjoyment of my property. I would experience noise from heavy equipment, trucks, and sometimes back-up beepers from the Denied Landfill inside and outside my home, year-round.

14. Not only would I hear the heavy equipment operating at the Denied Landfill, but I would be navigating the traffic of heavy equipment around my home and community, increasing the risk to my safety on public roadways.

15. Not only would oil and gas spills from heavy equipment seep into the land and make its way into the watershed, but I am concerned about the many deficiencies highlighted by the Department of Environmental Services ("DES") in the Denied Landfill's designs to control and treat contaminated stormwater and contain leachate.

EXHIBIT D

16. Such contaminants would inevitably contaminate the aquifers and possibly reach my drinking water supply (from a very deep well) and have serious negative impacts on the health of myself and my guests.

17. For one, leachate from landfills contains PFAS contaminants which have been shown in even minute levels to increase rates of adverse health effects.

18. Furthermore, pollutants from the Denied Landfill which reach Forest Lake would compromise the safety of my activities in and around Forest Lake.

19. In addition to the negative impacts on my use and enjoyment of my property and on my health due to odors, noise, and polluted drinking water, the construction and operation of the Denied Landfill would adversely affect the value of my property because of its negative impacts, including air and water quality and safety.

20. Finally, I am concerned about the Denied Landfill's impacts on the environment, including the nearby Forest Lake and Ammonoosuc River and threatened and endangered wildlife species in the area.

21. As both a board member and financial supporter of NCABC, I appreciate and support its work to address environmental and health challenges facing communities in New Hampshire's North Country, including its appeal of Granite State Landfill's denied permit application.

Dated: 05/30/, 2025

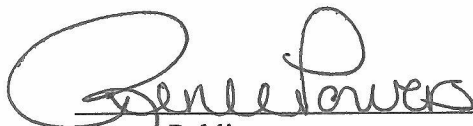
Mary H. Menzies
Mary H. Menzies

EXHIBIT D

STATE OF NEW HAMPSHIRE
COUNTY OF GRAFTON, SS

On this 30 day of May, 2025, Mary H. Menzies personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of her knowledge and belief.

My commission expires: 06/29/27


Notary Public

Renee E Powers
Notary Public, State of New Hampshire
My Commission Expires June 29, 2027

EXHIBIT E

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF FRED RICHARD ANDERSON

I, Fred Richard Anderson, do hereby depose and state under oath as follows:

1. I am a participant and regular donor of North Country Alliance for Balanced Change ("NCABC").

2. As former President of the Forest Lake Association, I have participated in NCABC's work for the last six years.

3. I am a resident of Whitefield, New Hampshire.

4. I have owned property on Forest Lake at 676 Westside Road, in Whitefield, NH since August 22, 1977.

5. My property consists of a lakeside plot of land, Lot 3, with 66.7' of lakefront, 145.5' long on the north boundary from Forest Lake to Westside Road, and 157.9' on the south boundary from Forest Lake to Westside Road, purchased in August of 1977 as a summer camp, said camp demolished in 2004 and replaced with a new 1.5 story log home with finished basement that became my wife and my primary residence after I retired as Senior Pastor of Madison Avenue Presbyterian Church, New York, NY, in May of 2015, 43 years of pastoral ministry. The property is free of any mortgage, loans, or other encumbrances, and my wife and I are the sole owners and residents.

6. My property borders Forest Lake and is approximately one-half mile, down-wind of the prevailing NNW winds from the proposed Granite State Landfill site ("Denied Landfill").

EXHIBIT E

7. I and my wife use this as our sole residence and over the last forty-seven years have enjoyed vacations and holidays hosting friends and family, grilling, fishing, boating, water skiing, kayaking, swimming, snow-shoeing, cross-country skiing, ice-skating, hiking, jogging, and later walking on Westside Road to NH Rt. 116, bicycling from our home to Wing Road and there into Bethlehem, gardening, and enjoying the wildlife, watching the loons care for their chicks, and in general lounging on a deck as well as a dock taking in the extraordinary beauty of the White Mountains and North Country. For our first 10 years here—in that initial camp—we used the lake water for drinking (it is that clean!), until installing an ultraviolet light, double filter system. Thereafter, we continued to use it as our primary water source until 2004, when upon tearing down the camp, and building a permanent log home for retirement, we drilled a well that utilizes the lake to help feed its aquifer. Throughout this time, our two daughters, now adults, have spent vacations and time with their families and friends visiting, swimming, sunbathing, resting, and enjoying vacations and holidays “at the lake.” Our eldest daughter has requested ownership of the property on our demise as it is the place she most considers her home, having spent more years here than in any other place in her fifty-seven years.

8. I depend upon the pristine nature of this lake, its wildlife, and forested areas for my emotional and physical health as well as my enjoyment, and in these later years especially evening cruises around the lake in our pontoon boat.

9. As an officer of the Forest Lake Association, we annually use the boat to do formal sampling of the lake’s water through the offices of the NH Department on Environmental Services, and are glad to report that the lake remains as pristine as ever, even samples taken off the Forest Lake State Park swimming beach, as well and two places where streams flow off the surface of the land into the lake.

EXHIBIT E

10. I am a cancer survivor with a chronic seasonal upper-respiratory condition, as well as high blood pressure, monitoring my health closely, and believe that a landfill as close to my home as this would be would quickly become a serious health-hazard for me.

11. If the Denied Landfill were to be built and operated, then I would experience noxious odors from the Denied Landfill which would greatly affect not only my use and enjoyment of my property, but also my physical and emotional health.

12. I believe the odors would prevent me from enjoying my property outside my home, including my access to Forest Lake, and from opening my windows and large sliding doors that overlook the lake and the view toward Mount Washington.

13. I believe the Denied Landfill, if allowed to operate, would draw scavenger birds in large numbers to the lake, whose feces would not only foul the pristine waters, but also change its delicate balance, increasing the possibility of cyanobacteria blooms, and endangering pets and all who swim in the lake.

14. An essential component of the use and enjoyment of my property is it being located on Forest Lake, with access to its water for swimming, its state park, and the surrounding outdoors of the White Mountains.

15. Odors from the Denied Landfill would severely restrict this use and enjoyment, specifically, our summer and fall evening cruises on our pontoon boat, leisurely afternoon sunning on the dock, walking the road and regular swimming in the lake which is a part of my routine health maintenance program.

16. I would also be concerned about the negative impacts on my health from the odors from the Denied Landfill, especially my chronic upper respiratory issues, which though now are seasonal, would surely become a year-long problem were the Denied Landfill to be permitted.

EXHIBIT E

Again, I reiterate—this is our only residence, and we occupy it through all of the seasons, escaping only a few weeks for “mud season” when the dirt road becomes a significant navigation challenge.

17. I would also experience noise from the Denied Landfill which would also affect my use and enjoyment of my property. I would experience noise from heavy equipment, trucks, and sometimes back-up beepers from the Denied Landfill inside and outside my home, year-round.

18. Not only would I hear the heavy equipment operating at the Denied Landfill, but I would be navigating the constant traffic of heavy equipment around my home and community, increasing the risk to my safety on NH Route 116—the Denied Landfill’s only route of access for its waste-hauling truck—as Route 116 is my only access to either Whitefield or Littleton and its entry point from West Forest Lake Road on a dangerous curve. Almost daily, I must pass the proposed entrance to the Denied Landfill to make my way into Littleton where we worship, do all of our shopping, and other personal business.

19. Given the proximity of the Denied Landfill to Forest Lake, I am also concerned that the Denied Landfill would pollute my drinking water supply which I draw from our private drilled well, approximately twenty feet from our shoreline on Forest Lake, which is fed by the lake’s watershed as well as its aquifer.

20. Not only would oil and gas spills from heavy equipment seep into the land and make its way into the watershed, but I am concerned about the many deficiencies highlighted by the Department of Environmental Services (“DES”) in the Denied Landfill’s designs to control and treat contaminated stormwater and contain leachate.

EXHIBIT E

21. Such contaminants would inevitably reach my drinking water supply and have serious negative impacts on the health of myself and my guests as well as my daughter who will one day own the property.

22. Leachate from landfills contains PFAS contaminants which have been shown, even at minute levels, to increase rates of adverse health effects including my continuing need to monitor my PSA levels to keep my prostate cancer under control, not to mention threats to my wife, children, and guest's safety.

23. Furthermore, pollutants from the Denied Landfill which reach Forest Lake would compromise the safety of my activities in and around Forest Lake, including swimming, boating, sunning, picnicking, as well as have a detrimental impact on the loons, other waterfowl, marine life (otters and beavers), and the eagle that regularly fishes in the lake.

24. In addition to the negative impacts on my use and enjoyment of my property and on my health due to odors, noise, and polluted drinking water, the construction and operation of the Denied Landfill would adversely affect the value of my property because of its negative impacts, including noise, air and water quality and safety.

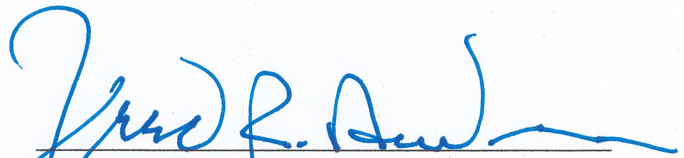
25. Finally, I am concerned about the Denied Landfill's impacts on the greater environment, including the nearby Forest Lake and Ammonoosuc River and threatened and endangered wildlife species in the area, as well as the communities down-river from the Denied Landfill, which depend upon the Ammonoosuc to replenish their aquifers.

26. As a participate of and donor to NCABC, I appreciate and fully support its work to address environmental and health challenges facing communities in New Hampshire's North Country. As former President of the Forest Lake Association (FLA), I have been, for the last six years, most active in partnership with NCABC and its members in seeking legislation,

EXHIBIT E

intervention, and NHDES denial of permits for the Denied Landfill. That activity resulted in FLA's "officers" being sued by Casella in an attempt to block our efforts and silence our voices. It was not until Casella's counsel learned that we were not incorporated that it "non-suited" the "John Doe officers" of the Forest Lake Association (he did not even know our names!) but refused us relief in the better than \$50,000 we had to raise and spend on attorney's fees defending ourselves in what is commonly known as a SLAP suit. Now as Past-President, I continue to be an active participant in NCABC's work and a monthly financial supporter of its work.

Dated: May 29, 2025


Fred Richard Anderson

STATE OF NEW HAMPSHIRE
COUNTY OF COOS, SS

On this 29th day of May, 2025, Fred Richard Anderson personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of his knowledge and belief.

My commission expires: _____


Notary Public

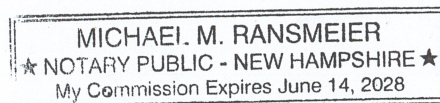


EXHIBIT F

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF DAVID MAYNARD SUNDMAN

I, David Maynard Sundman, do hereby depose and state under oath as follows:

1. I am a donor of North Country Alliance for Balanced Change (“NCABC”).
2. I have served in this role for eighteen years.
3. I am a resident of Dalton, New Hampshire.
4. I have been a Dalton resident since October 2013, approximately thirteen years.
5. I live on a property located at 315 Forest Lake Road in Dalton, owned by the Christine L. Sundman Revocable Trust.
6. The property consists of two acres. It was built for us in 2002 and my wife Christine and I use the home. In the summer months, as well as other vacation times, we are joined by our three daughters, their husbands and six children.
7. The property is located directly on the northwestern side of Forest Lake and is approximately 1.1 miles from the proposed Granite State Landfill (“Denied Landfill”).
8. Since 1986 my wife and I have enjoyed 39 years of lakeside activities with our friends, and family: swimming, canoeing, boating and water skiing and tubing with the grandchildren, sitting with the family, friends and grandchildren around a camp fire, lounging in a hammock, relaxing or just entertaining friends and family on the porch, star-gazing, enjoying photography, barbequing, ice skating with the kids, snowshoeing, and fishing, especially with our grandchildren. It has been a wonderful base for all the Great North Woods of New Hampshire offers, ice skating, snowshoeing, fishing, waterboarding, hiking, walking and more. I

EXHIBIT F

have been fortunate to have enjoyed New Hampshire for seventy-seven years, growing up in Littleton, but also enjoying life on Forest Lake since 1986 when my wife and I bought our first lake house at 539 Forest Lake Road, Dalton, NH just around the lake from our present home. I was a Cub Scout, and later a Boy Scout in Troop 209 in Littleton and this experience instilled in me a love of the outdoors, and hiking and camping in the White Mountains. Through the (Littleton) Lakeway school ski program, I learned to ski on Mount Eustis and Remich Park in Littleton and soon graduated to Cannon Mountain in Franconia, when a Junior Season ticket in 1959 sold for all of \$40. I first learned to swim at Forest Lake State Park, one of the first New Hampshire State Parks. Our three daughters grew up in New Hampshire and have enjoyed Forest Lake, and now especially with their own families coming from their homes in Kentucky, New Jersey and Vermont. One of the few side benefits of the Covid-19 experience was that our extended family was able to spend so much time together at Forest Lake, a quiet safe harbor during the recent pandemic.

9. Our home at 315 Forest Lake is served by an artesian well about 60 feet from Forest Lake.

10. If the Denied Landfill were to be built and operated, then I would experience noxious odors from the Denied Landfill which would greatly affect my use and enjoyment of my property. In addition, the fumes would likely affect my asthma.

11. I believe the odors would prevent me from enjoying my property outside my home, including our access to Forest Lake, and from opening my windows, as the prevailing wind blows from the north west.

12. An essential component of the use and enjoyment of my property is its proximity and access to Forest Lake and the surrounding outdoors.

EXHIBIT F

13. Odors from the Denied Landfill would severely restrict this use and enjoyment, specifically, all the water-related activities our family currently enjoys on the lake.

14. I would also be concerned about the negative impacts on my health from the odors from the Denied Landfill, especially my asthmatic condition.

15. I would also experience noise from the Denied Landfill which would also affect my use and enjoyment of my property. I would experience noise from heavy equipment, trucks, and sometimes back-up beepers from the Denied Landfill inside and outside my home, year-round.

16. Not only would I hear the heavy equipment operating at the Denied Landfill, but I would be navigating the heavy equipment traffic around my home and community, increasing the risk to my safety on public roadways.

17. Given the proximity of the Denied Landfill to Forest Lake, I am also concerned that the Denied Landfill would pollute my drinking water supply which is a private well fed by the Forest Lake watershed.

18. Not only would oil and gas spills from heavy equipment seep into the land and make its way into the watershed, but I am concerned about the many deficiencies highlighted by the Department of Environmental Services (“DES”) in the Denied Landfill’s designs to control and treat contaminated stormwater and contain leachate.

19. Such contaminants would inevitably reach my drinking water supply and have serious negative impacts on the health of myself and my guests.

20. For one, leachate from landfills contains PFAS contaminants which have been shown in even minute levels to increase rates of adverse health effects including immune system dysfunction.

EXHIBIT F

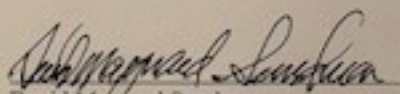
21. Furthermore, pollutants from the Denied Landfill which reach Forest Lake would compromise the safety of my activities in and around Forest Lake, including swimming, canoeing, boating, water skiing, and tubing.

22. In addition to the negative impacts on my use and enjoyment of my property and on my health due to odors, noise, and polluted drinking water, the construction and operation of the Denied Landfill would adversely affect the value of my property because of its negative impacts, including air and water quality and safety.

23. Finally, I am concerned about the Denied Landfill's impacts on the environment, including the nearby Forest Lake and Ammonoosuc River and threatened and endangered wildlife species in the area. The affected area is one of New Hampshire's major remaining wildlife corridors.

24. As a donor and founding supporter of NCABC since 2008, I appreciate and support its work to address environmental and health challenges facing communities in New Hampshire's North Country, including its appeal of Granite State Landfill's denied permit application.

Dated: May 20, 2025



David Maynard Sundman

EXHIBIT F

State of Pennsylvania

County of Philadelphia, ss.

On this 2nd day of JUNE, 2025, **David Maynard Sundman** personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of his knowledge and belief.

My commission expires: 10/27/2025

Mysa Y. Sparkman
Notary Public

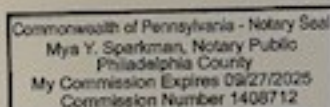


EXHIBIT G

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF SARAH CARBONNEAU DOUCETTE

I, Sarah Carbonneau Doucette, do hereby depose and state under oath as follows:

1. I was a volunteer and founding member of the steering committee in 2008, a founding board member in 2019, and I am an active participant and donor ongoing of North Country Alliance for Balanced Change ("NCABC").

2. I have served in this role for 16.5 years.

3. I am a resident of Whitefield, New Hampshire.

4. I have been a Whitefield resident since 1964 in the summertime (except for three years away) and since 1976, year-round.

5. I own and live at property located at 58 Newell Lane in Whitefield.

6. My property consists of a home with a small greenhouse, a shed, sugarhouse, a woodworking shop, gardens, and a waterfront dock on about ¼ acre of waterfront property. It was purchased in 1976 with my husband, Roger Dennis Doucette. This has been our sole residence since that time and our three children grew up here.

7. My property is on the eastern shore of Forest Lake and is less than one mile from the proposed Granite State Landfill ("Denied Landfill"), sited directly across the lake from us.

I cannot begin to list all the activities and people—immediate family, extended family and friends—who are part of our life on the lake and in the neighboring towns. Our children and grandchildren are here for months in the summer and often during the winter. Athletic and recreational activity is constant through the seasons including all the typical summer lakeside

EXHIBIT G

recreational activity is constant through the seasons including all the typical summer lakeside pleasures in and on the water, swimming, boating, paddleboarding, fishing, and biking, and creating extensive gardens. We are also hikers and rock climbers. Fall means harvest time, preparing vegetable and flower beds for winter, long walks to Forest Lake State Park's beach and on several miles of trails our family has created on neighborhood-owned property adjacent to our home. Winter brings cross-country skiing and snowshoeing on the lake and nearby woodland trails, skating parties and hockey games, outdoor cookouts and eventually our sugaring operation that yields 12+ gallons of syrup from the neighborhood's Red Maples. Then it's "ice-out," we stop filling the feeders maintained for winter birds; migratory ducks, geese and loons return. The generations compete to see who will jump into the icy lake first. The overwhelming sound of peeping and clacking frogs fills the air from our wetlands, and spring birds are chirping and courting in the woods and gardens, on porches and decks. This is a stunningly rich environment for wildlife; we watch the maturation of loon chicks in peril from eagle predation—and endure swarms of pesky black flies and mosquitos! A great variety of beautiful wild and cultivated flowers appear in succession in the early spring and seasonal residents return, stopping by our "Little Library" and its garden. Then comes the next cycle of planting and looking forward to the gifts of summer. I will not go into depth about my relationship with the area towns, but it is profound. I was born in Littleton. My great grandparents and every successive generation lived in Whitefield and Littleton. My five grandchildren represent at least our seventh generation appreciating this locale. We continue to cherish the nurturing lifestyle and livelihoods we have created in northern NH. From extensive research, we believe the Denied Landfill will destroy our life on the lake and the livability and the value of our property and our communities.

EXHIBIT G

9. I am dependent on a deep artesian well shared with my neighbor's home. The well has been tested and shown to be free of any contaminants. The lake's water is also tested—comprehensively and annually—to assure its purity. My neighbors, whose homes my family sometimes rents, draw water directly from the lake for household use. Degradation of lake water makes those homes unusable, as we have seen with occasional cyanobacteria overgrowth, “blooms,” that can be caused by contaminants such as nitrogen and phosphorous. The waterbody damage from seagulls, attracted in great numbers to landfill sites and nearby lakes, has been studied; results show these large gull populations can damage nearby waterbodies because their feces deposit high amounts of nutrients, primarily nitrogen and phosphorous, both very harmful to aquatic ecosystems.

10. I have been limited by a lung condition, bronchiectasis, since 2007. My oxygen intake is compromised. I was hospitalized in 2025 for lung-related illness. That condition makes me particularly vulnerable to particulate matter and other pollutants in the air. I live directly downwind from the Denied Landfill site, facing the strong prevailing winds that would carry methane, particulate matter and toxic chemicals including PFAS to my home. The term for this migration of toxics is “atmospheric deposition” and it would contaminate Forest Lake's waters as well as our land and garden soil, and our bodies.

11. One of my sons and his wife have livelihoods relying on the outdoor recreation economy of Northern New Hampshire. They are certified, year-round mountaineering guides. My son has government contracts training military personnel in mountain rescue skills. My brother continues to work at nearby Cannon Mt. in the downhill ski industry.

12. If the Denied Landfill were to be built and operated, then I would experience noxious odors from the Denied Landfill which would greatly affect my use and enjoyment of my

EXHIBIT G

property. My research shows landfill facilities' odors and toxic air have ruined the livability of their neighbor's homes, affecting people even several miles away, making the enjoyment of outdoor time and open windows impossible.

13. I believe the odors would prevent me from enjoying my property outside my home, including my access to Forest Lake, and from opening my windows.

14. An essential component of the use and enjoyment of my property is its proximity and access to Forest Lake and the surrounding outdoors.

15. Odors from the Denied Landfill would severely restrict my outdoor use and enjoyment in the many activities I have described above. In addition, my family and I often move outside for breakfast, lunch, snacks and dinner and for socializing anytime the weather allows. And I enjoy many hours of outdoor office time weekly, doing meetings and writing assignments while sitting on our porches or in the gardens, treasuring that airy and delightful option to indoor workspaces.

16. I would also be concerned about the negative impacts on my health from the odors and air toxicity from the Denied Landfill, especially given my chronic lung damage and vulnerability to inhaled toxins and particles in the air. One of my grandchildren, who visits on most weekends, has asthma, a condition also exacerbated by the diminished air quality that landfills bring.

17. I would also experience noise from the Denied Landfill which would also affect my use and enjoyment of my property. I would experience noise from heavy equipment, trucks, and sometimes back-up beepers from the Denied Landfill inside and outside my home, year-round.

18. Not only would I hear the heavy equipment operating at the Denied Landfill, but I would be navigating the traffic of heavy equipment around my home and through the several,

EXHIBIT G

local, two-lane village Main Streets that would bear heavy truck traffic, thus increasing the risk to my safety on public roadways. It is notable that our region in northern New Hampshire is a primary driver of the state's outdoor recreation and tourism industries which would be severely compromised if the Denied Landfill were permitted. I believe that development would mark the end of the north country's reputation as an iconic vacation destination—and the area's burgeoning economic vitality. It would diminish our communities in many ways that would affect me, along with all residents and visitors.

19. Given the proximity of the Denied Landfill to Forest Lake, I am also concerned that the Denied Landfill would pollute my drinking water supply, which is now pristine and which, like Forest Lake itself, is hydrogeologically connected to the Denied Landfill site.

20. Not only would oil and gas spills from heavy equipment seep into the land and make its way into the watershed, but I am concerned about the many deficiencies highlighted by the Department of Environmental Services ("DES") in the Denied Landfill's designs to control and treat contaminated stormwater and contain leachate. Accidents related to the on-site transfer and then transportation of toxic leachate from the Denied Landfill are another aspect of the operation that I feel threatens our soil and waters. I am also very concerned about the well-documented violations, exceedances, and failures to report problems that indicate grave irresponsibility by the developer at their operations in other communities. This is very apparent in NH Department of Environmental Services reports on the developer's NCES site in Bethlehem, a few miles from my home.

21. Such contaminants would inevitably reach my drinking water supply and have serious negative impacts on the health of myself and my guests.

EXHIBIT G

22. For one, leachate from landfills contains PFAS contaminants which have been shown in even minute levels to increase rates of adverse health effects including cancers, three types of which have afflicted my family members in the past.

23. Furthermore, pollutants from the Denied Landfill which reach Forest Lake would compromise the safety of my activities in and around Forest Lake and severely limit them.

24. In addition to the negative impacts on my use and enjoyment of my property and on my health due to odors, noise, and polluted drinking water, the construction and operation of the Denied Landfill would adversely affect the value of my property because of its negative impacts related to air and water quality, safety, noise, nuisance animals, and overall community harms.

25. Moreover, the diminution of my property value is not the only financial harm I would suffer. Because of the Denied Landfill's negative impacts on air, water, and general environmental quality, some of my family members' livelihoods, which rely on the outdoor recreation economy of Northern New Hampshire, would be diminished.

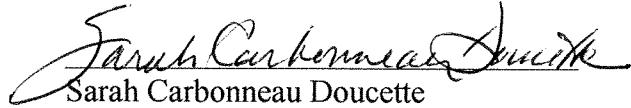
26. Finally, I am concerned about the Denied Landfill's impacts on the environment, including the nearby Forest Lake and Ammonoosuc River and threatened and endangered wildlife species in the area and also anticipated generational damage to our public health and the vigor of our towns and our region. Given an overarching concern for the welfare of the people of the state broadly, I'd like to note that leachate from the Denied Landfill is expected to be partially processed at facilities in Franklin and Concord, NH. The effluent, still carrying its toxic load of PFAS chemicals, unmitigated, would be released into the Merrimack River, a public drinking water source for approximately 600,000 people in several communities in NH and MA.

27. As a board member of NCABC, I have worked tirelessly for many years for effective civic engagement to address environmental and health challenges facing communities in New

EXHIBIT G

Hampshire's North Country, including its appeal of Granite State Landfill's denied permit application. It seems imperative to me, in our democracy, that citizens have standing and the opportunity to determine outcomes in developments such as the Denied Landfill that can jeopardize personal, environmental and community thriving.

Dated: May 28, 2025


Sarah Carbonneau Doucette

STATE OF NEW HAMPSHIRE
COUNTY OF COOS, SS

On this 28th day of May, 2025, **Sarah Carbonneau Doucette** personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of her knowledge and belief.

My commission expires: _____


Notary Public

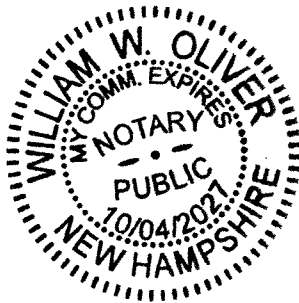


EXHIBIT H

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF WAYNE ANTHONY MORRISON

I, Wayne Anthony Morrison, do hereby depose and state under oath as follows:

1. I am President of North Country Alliance for Balanced Change (“NCABC”) and have made on-going financial donations to support its mission.

2. I have served in this role for 4 years.

3. I am a property owner in Whitefield, New Hampshire. My primary residence is in Mont Vernon, New Hampshire. We spend about 50% of our time at the lake property.

4. I have been a Whitefield resident since 2017.

5. My wife and I own the property located at 48 Newell Lane in Whitefield, New Hampshire. It has been in our family since the 1960’s. We fully renovated the property after retiring in 2017. It consists of a two bedroom structure with a detached garage situated on 1/3rd of an acre.

6. Our property sits on the East side of Forest Lake looking directly at, and downwind of, the proposed Granite State Landfill (“Denied Landfill”). We are less than a mile from the proposed site.

7. We use our property at Forest Lake year-round for family gatherings, holidays, swimming, kayaking, gardening, walking, cookouts, ice-skating, family hockey games, cross-country skiing, snowshoeing, and observing and enjoying the abundant wildlife. My wife learned to swim at Forest Lake and is a former lifeguard at Forest Lake State Park.

EXHIBIT H

8. Forest Lake, Forest Lake State Park and the local communities have been an integral part of our life for more than half a century. Prior to owning the property ourselves, we vacationed there, enjoyed family gatherings and benefited greatly from the clean air, clean water and pristine outdoor environment. Having travelled extensively for work, I recognize the unique beauty and irreplaceable value of the environment at this location.

9. We rely on drinking water from an artisan well drawing from the aquifer beneath Forest Lake. Contamination of this aquifer from the Denied Landfill would cause irreparable harm to our health and our ability to enjoy our property. Our well has been recently tested and has shown no detection of PFAS chemicals.

10. My wife is a breast cancer survivor, and we are both diligent about diet, exercise, and avoiding unnecessary environmental health risks. We chose to live in New Hampshire, and the North Country in particular, because of the quality of life and the abundance of clean air, clean water and open space. The Denied Landfill would greatly diminish or destroy our ability to utilize and enjoy our property.

11. If the Denied Landfill were to be built and operated, then I would experience noxious odors from the Denied Landfill which would greatly affect my use and enjoyment of my property. I have experienced first-hand the noxious odors from the Casella operated NCES landfill in Bethlehem, New Hampshire.

12. I believe the noxious odors would prevent me from enjoying my property outside my home, including my access to Forest Lake, and all the activities that make lake life so desirable.

13. I would also be concerned about the negative impacts on my health from the odors from the Denied Landfill, especially the impacts of PFAS chemicals and methane emissions.

EXHIBIT H

14. I would also experience significant and continuous noise from the Denied Landfill which would also affect my use and enjoyment of my property. I would experience noise from heavy equipment, trucks, and sometimes back-up beepers from the Denied Landfill inside and outside my home, year-round.

15. Not only would I hear the heavy equipment operating at the Denied Landfill, but I would be navigating the heavy traffic around my home and community, increasing the risk to my safety on rural public roadways not designed for such volume and large vehicles.

16. Given the proximity of the Denied Landfill to Forest Lake, I am also concerned that the Denied Landfill would pollute my drinking water supply which I draw from a private well fed by the Forest Lake watershed.

17. Not only would oil and gas spills from heavy equipment seep into the land and make its way into the watershed, but I am concerned about the many deficiencies highlighted by the Department of Environmental Services (“DES”) in the Denied Landfill’s designs to control and treat contaminated stormwater and contain leachate.

18. Such contaminants would inevitably reach my drinking water supply and have serious negative impacts on the health of myself, my family and my guests.

19. For one, leachate from landfills contains PFAS contaminants which have been shown in even minute levels to increase rates of adverse health effects including prostate, kidney, and testicular cancers, immune system dysfunction, and liver damage.

20. Furthermore, pollutants from the Denied Landfill which reach Forest Lake would compromise the safety of all my activities in and around Forest Lake (see Paragraph 7 above).

21. In addition to the negative impacts on my use and enjoyment of my property and on my health due to odors, noise, and polluted drinking water, the construction and operation of the

EXHIBIT H

Denied Landfill would adversely affect the value of my property because of its negative impacts, including air and water quality and safety.

22. I am also concerned about the impact of the Denied Landfill from blowing trash and scavenger birds increasing the risk of algae blooms and cyanobacteria at Forest Lake.

23. Finally, I am concerned about the Denied Landfill's impacts on the environment, including the nearby Forest Lake, Forest Lake State Park, and the Ammonoosuc River and threatened and endangered wildlife species in the area.

24. As President and a significant donor of NCABC, I appreciate and support its work to address environmental and health challenges facing communities in New Hampshire's North Country, including its intervention in Granite State Landfill's denied permit application.

Dated:

May 29, 2025

Wayne A. Morrison
Wayne Anthony Morrison

STATE OF NEW HAMPSHIRE
COUNTY OF Durham, SS

On this 29th day of May, 2025, Wayne Anthony Morrison personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of his knowledge and belief.

My commission expires: Feb 21, 2029

Aurora Fernandez Jones
Notary Public

Aurora Fernandez Jones
Notary Public, State of New Hampshire
My commission expires Feb. 21, 2029

THE STATE OF NEW HAMPSHIRE
WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF THOMAS JOSEPH TOWER

I, Thomas Joseph Tower, do hereby depose and state under oath as follows:

1. I currently hold the position of Vice President of the North Country Alliance for Balanced Change ("NCABC"), an organization committed to environmental protection and public health in northern New Hampshire.

2. I have been actively involved with NCABC since 2020, either as a board member or financial supporter.

3. My permanent residence is in Whitefield, New Hampshire, where I have lived since 2015.

4. I reside at 24 Memory Lane, Whitefield, NH, where I own a home and an outbuilding on a parcel of land measuring approximately one-fourth of an acre.

5. My property directly abuts Forest Lake and is located roughly one mile from the proposed Granite State Landfill (hereinafter "Denied Landfill").

6. Forest Lake has personal significance for my family—my wife learned to swim there and her family has maintained property nearby since 1975. My children and I regularly use Forest Lake State Park for year-round outdoor recreation such as swimming, hiking, cycling, fishing, picnicking, snowshoeing and boating. Visiting friends and extended family also enjoy these amenities annually.

7. The home I live in was constructed in 2009 and is served by an artesian well. This well provides the sole source of potable water for my household.

8. I have no intention to alter this water source, unless compelled to do so due to contamination. I am especially concerned about potential pollution from scavenger birds, known to frequent landfills and pose significant risks to nearby water bodies. Based on the Denied Landfill's proximity to Forest Lake, I believe full mitigation of these impacts is improbable.

9. Given that Forest Lake serves as a critical source of water for area residents, such contamination would pose substantial risks to health, property enjoyment, and property values.

10. My home is situated east of the Denied Landfill. The prevailing winds in the region are westerly, meaning odors emitted from the Denied Landfill's operations would likely travel directly toward my property. These odors would interfere significantly with my ability to enjoy my home and land and would likely reduce the market value of my residence.

11. These smells would deter me from opening my windows or spending time outdoors and at Forest Lake.

12. The proximity to the natural environment, including Forest Lake, is central to the quality of life and use of my property.

13. If the Denied Landfill is approved, this proximity would become a detriment rather than an asset, due to exposure to foul odors and environmental degradation.

14. My wife suffers from respiratory allergies, and exposure to landfill emissions may trigger adverse health effects requiring medical treatment or medication.

15. I anticipate that operational noise from the Denied Landfill—including heavy equipment, diesel trucks, and backup alarms—would be audible from my property throughout the year. This would represent a major disruption compared to the minimal noise currently produced by the nearby sand and gravel pit.

EXHIBIT I

16. Additionally, I am concerned about increased truck traffic near my home. I frequently drive through Whitefield, and the planned routing of landfill-related truck and tanker traffic through the town center increases safety risks.

17. I am also alarmed about the risks posed by oil, fuel, and leachate leaks from landfill vehicles and infrastructure. Of particular concern are design deficiencies noted by the Department of Environmental Services (DES), which call into question the Denied Landfill's ability to effectively manage stormwater and contain leachate.

18. The Denied Landfill's owner/operator was previously responsible for a leachate spill at the NCES landfill in Bethlehem, and there is a documented lack of transparency regarding that incident.

19. The Denied Landfill site lies atop a porous sand and gravel area, which would accelerate groundwater contamination in the event of a leak—posing significant health threats to myself, my family, and guests.

20. Leachate from landfills typically contains PFAS chemicals, which can cause adverse health effects even in trace concentrations.

21. If such pollutants enter Forest Lake, it would directly compromise the safety and accessibility of the lake for my regular recreational use and that of my family and guests.

22. Beyond the damage to my personal well-being, I expect a major devaluation of my property. Studies suggest landfill proximity can lower property values by as much as 50%.

23. My environmental concerns extend to the broader ecosystem, including Forest Lake, the Ammonoosuc River, and surrounding habitats that support vulnerable wildlife species. The unique and pristine natural character of this region is one of the primary reasons I chose to live here.

EXHIBIT I

24. As board member and officer of NCABC, I support the organization's environmental advocacy, including its appeal of Granite State Landfill's denied permit application.

Dated: May 30, 2025

Thomas Joseph Tower
Thomas Joseph Tower

STATE OF NEW HAMPSHIRE
COUNTY OF Rockingham, SS

On this 30 day of May, 2025, **Thomas Joseph Tower** personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of his knowledge and belief.

My commission expires: 12/18/2029

Jennifer A. Dawley
Notary Public

JENNIFER A. DAWLEY
NOTARY PUBLIC
State of New Hampshire
My Commission Expires
December 18, 2029

EXHIBIT J

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

AFFIDAVIT OF DAVID KOERNER

I, David Koerner, do hereby depose and state under oath as follows:

1. My wife and I have vacationed at Forest Lake since childhood, continuing the tradition with our own children and grandson.
2. For years, we hoped to someday build a home on Forest Lake, but multi-generational ownership made it difficult to find available property.
3. When a piece of land became available in 1987, we immediately purchased it and built our vacation home in 1988.
4. In February 2014, our home was completely remodeled due to a broken hot water pipe that destroyed the entire interior and all our furnishings.
5. We decided to make our home permanent on Forest Lake, and my wife and I now live there year-round. It is our primary residence, located right next door to the State Park.
6. Since making it our permanent residence, gatherings with family and friends are more frequent, and we continue to enjoy the year-round activities Forest Lake has to offer, such as swimming, boating, paddleboarding, waterskiing, hiking, cookouts, evening fires by the lake, snowmobiling, enjoying wildlife, and so much more.
7. Forest Lake holds deep personal and family significance, as it has been a cherished destination across generations.
8. We chose Forest Lake not only because of the beautiful family memories we created at the lake but because of the picturesque views of the White Mountains, the peaceful quality of life, and the clean environment, free from toxins.
9. If the proposed Granite State Landfill ("Denied Landfill") were to be built and operated close to the State Park, my family—as well as all families that enjoy Forest Lake—would be denied the quality of life we've all enjoyed for many generations, diminishing our clean air and clean water quality, putting us in danger of health risks.

EXHIBIT J

10. Obnoxious odors, scavenger birds flying overhead, defecating in the lake and on the beach, and constant noise from tractor-trailer trucks hauling trash in and out of the site all day long would make outdoor activities impossible, increasing the risk of cyanobacteria in the water at Forest Lake.

11. Not only would noise, obnoxious odors, and contaminated drinking water affect my health and the health of my family and guests, but the negative impact from daily operations of the Denied Landfill would adversely affect the value of my property, including air and water quality and safety.

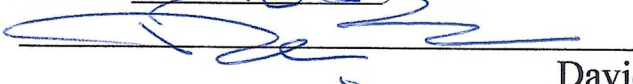
12. We had our well tested, and there was no detection of PFAS chemicals found in our water; however, there is no guarantee that PFAS will not find its way into my well and into Forest Lake should we end up with the Denied Landfill.

13. PFAS contaminants from leachate have been shown to have increased levels of adverse health effects, including liver damage, immune system dysfunction, and various cancers, even at a minute level.

14. PFAS is a "forever chemical" that cannot be removed once it contaminates drinking water, and there is no turning back from its impact.

15. As a homeowner on Forest Lake and frequent donor to NCABC, I appreciate the years of hard work they've put into our cause and the extensive hours of research they've done to learn about the extensive and adverse side effects we are subjected to from PFAS chemicals, and support its appeal of the Granite State Landfill's denied permit application.

Dated: June 2, 2025



David Koerner

STATE OF NEW HAMPSHIRE
COUNTY OF Hillsborough, SS

On this 2nd day of June 2025, David Koerner personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of his knowledge and belief.

My commission expires: October 30th 2029

Tyler Dupuis

Notary Public



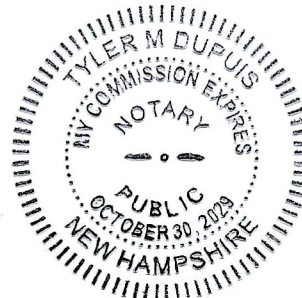


EXHIBIT K

THE STATE OF NEW HAMPSHIRE WASTE MANAGEMENT COUNCIL

Docket No. 25-08 WMC

Appeal of North Country Alliance for Balanced Change

Affidavit of Eliot Jonathan Wessler

I, Eliot Jonathan Wessler, do hereby depose and state under oath as follows:

1. I am a former board member and officer, and current donor of North Country Alliance for Balanced Change (“NCABC”).

2. I have either served on the board or participated as a donor to the board since the inception of NCABC.

3. I am a resident of Whitefield, New Hampshire.

4. I have been a Whitefield resident since 2006.

5. I own and live at property located at 66 Newell Lane in Whitefield.

6. My property consists of a home, an ancillary building, and approximately 1/3 of an acre.

7. My property borders on Forest Lake and is approximately 1 mile from the proposed Granite State Landfill (“Denied Landfill”).

8. I learned to swim in Forest Lake at the approximate age of five. My parents and siblings all enjoyed Forest Lake State Park, as do my adult children. I participate in the following outdoor activities, mostly during the summer and fall, made possible by the proximity of my home to Forest Lake State Park: swimming, boating, fishing, hiking, bicycling, walking, picnicking. My family and I regularly participate in these activities, sometimes daily, depending on weather, from May through October. In addition, I often have family and friends visiting from out-of-town who also participate in these activities. These out-of-town guests come year after

EXHIBIT K

year because it is one of the few chances they get to enjoy a variety of outdoor activities in a pristine environment.

9. I live in a house built in the 1940s that, when built, relied on Forest Lake as its sole source of water supply. The first owners of the house raised a family, including four children, in the house I own. I also rely on Forest Lake for my sole source of water supply. The intake valve is located in the lake approximately 100 feet from the shoreline, at a depth of approximately six feet. The water from the lake is pumped into my house, where it is filtered twice and treated with a UV light. I have tested my water supply, as recently as two years ago, and it is free from all tested contaminants, including E. coli.

10. I have no plan to change my water supply unless forced to by contamination of Forest Lake from landfill runoff, leachate migration, or some other similar contamination. One contamination that is almost certainly not preventable if the Denied Landfill is built is from scavenger birds. Research has shown that scavenger birds that populate landfills can wreak havoc on the quality of nearby waterbodies. I fully expect that given the proximity of the Denied Landfill to Forest Lake that scavenger birds will not be fully controlled at the site of the Denied Landfill and will contaminate Forest Lake to as yet unknown extent. Given that I and other homeowners rely on Forest Lake for water supply, this poses an unknown but potentially significant risk to health, as well as to enjoyment and property values.

11. If the Denied Landfill were to be built and operated, because my property is almost directly due east of the Denied Landfill and the prevailing winds are westerly, I would experience noxious odors from the Denied Landfill which would greatly affect my use and enjoyment of my property, and presumably would decrease significantly the market value of my property.

EXHIBIT K

12. I believe the odors would prevent me from enjoying my property outside my home, including my access to Forest Lake, and from opening my windows.

13. An essential component of the use and enjoyment of my property is its proximity and access to Forest Lake and the surrounding outdoors.

14. Odors from the Denied Landfill would severely restrict this use and enjoyment, specifically, all of the outdoor activities mentioned above.

15. I would also be concerned about the negative impacts on my health from the odors from the Denied Landfill, especially given the fact that I experience severe respiratory allergies for which I am sometimes required to use prescription medication or seek medical attention.

16. I would also experience noise from the Denied Landfill which would also affect my use and enjoyment of my property. I would experience noise from heavy equipment, trucks, and sometimes back-up beepers from the Denied Landfill inside and outside my home, year-round.

17. Not only would I hear the heavy equipment operating at the Denied Landfill, but I would be navigating the traffic of heavy equipment around my home and community, increasing the risk to my safety on public roadways.

18. Given the proximity of the Denied Landfill to Forest Lake, I am also concerned that the Denied Landfill would pollute my drinking water which relies on Forest Lake as the sole source of water supply.

19. Not only would oil and gas spills from heavy equipment seep into the land and make its way into the watershed, but I am concerned about the many deficiencies highlighted by the Department of Environmental Services (“DES”) in the Denied Landfill’s designs to control and treat contaminated stormwater and contain leachate.

EXHIBIT K

20. Such contaminants would inevitably reach my drinking water supply and have serious negative impacts on the health of myself and my guests. For one, leachate from landfills contains PFAS contaminants which have been shown in even minute levels to increase rates of adverse health effects including prostate, kidney, and testicular cancers; decreased fertility; developmental delays in children; immune system dysfunction; and liver damage.

21. Furthermore, pollutants from the Denied Landfill which reach Forest Lake would compromise the safety of my activities in and around Forest Lake, including all of the outdoor activities previously mentioned.

22. In addition to the negative impacts on my use and enjoyment of my property and on my health due to odors, noise, and polluted drinking water, the construction and operation of the Denied Landfill would adversely affect the value of my property because of its negative impacts on air and water quality and safety.

23. Finally, I am concerned about the Denied Landfill's impacts on the environment, including the nearby Forest Lake and Ammonoosuc River and threatened and endangered wildlife species in the area.

24. As a former board member and officer, and current donor of NCABC, I appreciate and support its work to address environmental and health challenges facing communities in New Hampshire's North Country, including its appeal of Granite State Landfill's denied permit application.

Dated: May 30, 2025

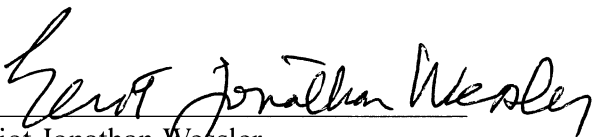

Eliot Jonathan Wessler

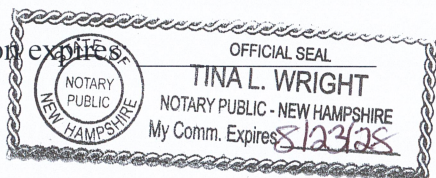
EXHIBIT K

State of New Hampshire

County of Coos, ss.

On this 30th day of May, 2025, **Eliot Jonathan Wessler** personally appeared before me and made oath that the foregoing Affidavit is true and correct to the best of his knowledge and belief.

My commission expires



Tina L. Wright
Notary Public