

**MONDAY**  
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24 PAGES  
50 CENTS



Billerica bounces Prep in state lacrosse semifinal Page 13

# The Salem News

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## Rail trail chief: Yards overlap town land

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### Chairman says opponents 'taking advantage' of public property

**TOPSFIELD** — The man leading efforts to build a rail trail says the backyards of several of the project's most vocal opponents are encroaching on the public land the path will traverse.

Rail Trail Committee Chairman Joe Geller wrote selectmen last month saying

Mike DeAmario's fence appears to overlap town property by about 6 feet, and that recent landscaping by Washington Street resident Bob Morgan "appears to be largely on town-owned property."

"This stuff really has to be worked out," Geller said. "It's kind of ironic that the

noisiest people are those that are taking advantage."

DeAmario, a Grove Street resident, said that if his backyard fence does overlap the land, it happened when the fence and house were built in 1975 by someone else. He questioned whether Geller should be

the person raising the issue.

"As you are well aware," DeAmario wrote to selectmen last week, "We have been skeptical of this project from the start. This type of accusation from Mr. Geller shows that we have every reason to be concerned and question his motives

for making this claim."

Indeed, Geller says encroachment by Morgan and DeAmario will not interfere with the rail trail itself, which only needs 12 feet of the 50-foot-wide swath of public land. He used an assessors' map to estimate the overlap, and is seeking town approval to hire a surveyor in the next few weeks.

Please see **RAIL TRAIL**, Page 24

Trees ..... Absent Mold ..... N.A. June 10 June 15 June 20 July 2

## RAIL TRAIL: Chairman says opponents 'taking advantage'

■ Continued from Page 1

"We think this is much ado about nothing because of town politics, and we have no interest in not doing what's right," Morgan said.

Morgan said in the absence of a survey, Geller has no facts about any land violations. He added that he has been up-front with selectmen regarding questions about the property lines.

Morgan is one of the leaders in the Coalition for Neighborhood Information, which has tried to stall or stop the trail. The issue has divided the town, resulting in a flurry of accusations, letters to the editor and fears for safety. Residents voted twice last month in

support of the trail, with about 40 percent of voters opposing it.

The properties Geller questioned in his letter May 22 are on the north end of the first planned phase of the trail, from Washington Street to Main Street, part of a planned run across Topsfield that would tie into a regional system.

The Salem News measured about 31 feet from DeAmario's fence to Morgan's mulch instead of the expected 50 feet of town property. Without a professional survey, it was unclear which neighbor's yard overlaps town land.

Geller said he knows of worse problems elsewhere on the trail, but declined to name the violators. One opponent had been piling

yard waste on the rail bed so long that the trail has a bulge in it, he said.

Selectman Martha Morrison said there's no way to know the facts about any encroachment until the survey is done.

"I don't think it's appropriate to say anything until we know what we're talking about," she said.

Selectman Nancy Luther said that section of the former rail line has been town property since 1953.

Some 61 percent of Town Meeting participants last month voted to keep the first phase of the trail on schedule, while a nonbinding referendum question days later showed 63 percent of residents supported the rail trail.

The trail is ultimately expected to run from Boxford to Wenham, tying into the "Border to Boston" system that would run from Salisbury to Danvers.

Geller also said Morgan needs written permission from selectmen and the Conservation Commission for his efforts to control an invasive species, Japanese knotweed.

Morgan said he has been completely open, talking with selectmen last year and the commission two years ago about his efforts to eliminate the tough-to-kill bamboo-like plant. Morgan said the plants are coming from the town land to attack his property now.

"If they don't fix it, the rail trail will be destroyed, too," he said.

### THE TOPSFIELD RAIL TRAIL

The trail, known as the "Topsfield Linear Common," has been in the planning stages for years. It will mostly follow an old rail bed from Wenham to Boxford, eventually tying into the "Border to Boston" system that would run from Salisbury to Danvers.

The plan is controversial. A group called Coalition for Neighborhood Information has tried to stall or stop it, vocally opposing it at public meetings and passing out flyers before Town Meeting this spring.

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