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Trees clear cut without notice

Residents irate as VIA Rail clear cuts near tracks, admits 'screw up'

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- [VIA station construction to begin next month](#)

Safety solution leaves...

Darlene Hale looks out onto the rail line from her back fence. She said, before VIA Rail clear cut the vegetation between her property and the line, she could barely see the gravel and steel that now fills her view.

A safety solution by VIA Rail has many residents in the Grenfell Glen community feeling like they were left out in the cold.

Without notice, residents of Pineglen Crescent looked out their window to see the vegetation that separates their properties from the railway being hacked at by Bobcats and logging machines.

"It is absolutely devastating," Nardine Gahharry, a resident of Pineglen, said. "There were mature trees there and wildlife, and now it's all gone."

Malcolm Andrews, senior manager for media and community relations with VIA Rail, said that sending the letters out so late in the process was a "screw up."

Work began to remove vegetation on the other side of the tracks along Grenfell Crescent on Aug. 26 — about an hour after residents received a letter in their mailbox.

"There was absolutely no warning," Darlene Hale, a resident of Grenfell Crescent, said.

Hale had been getting ready to plan for her mother-in-law's birthday party when she heard the commotion and went out to see a huge bobcat tearing down trees just over her back fence.

"We do apologize for that and are working towards making sure that doesn't recur as we are doing work on parts of the improvement projects," he said.

Andrews said the clear cutting was being done to make it possible for crews to get and put safety fencing in. As part of the capital project, there will be 30 kilometres of chain link fence on parts of the line between Ottawa and Brockville.

As for the noise, Andrew said modern alloy techniques mean the track is welded together to avoid the "clickety clack" associated with trains and there are no whistles at crossings.

"We have almost no freight trains on that line and only about 10 trains from Ottawa to Toronto per day," he said. "They only run from 6 a.m. to 10:30 p.m."

Andrews did add that with trains going in excess of 120 km per hour, there is a very real need to make sure no one is on the track.

Safety of the track aside, Hale said the day after workers came in her yard was still littered with four and five-inch wooden shards and the work continued.

"The workers told me they were careful about when people were in the backyards, but these pieces (of wood) could have really hurt someone," Hale said.

In a homemade video, you can hear the crunch as a machine with 50 blades takes down a mature maple tree in the back corner of Hale's property.

"It's just awful," Hale said, calling the machine "the terminator."

“Obviously, there’s nothing we can do about it, but we need some answers about what is going to be put in place,” Hale said.

Andrews said they heard about some of the wood chips making their way onto people’s property and VIA had asked contractors to deal with the problem.

“Apparently the machine needed to be pointed a certain way to have the refuse into a receptacle in the back of the machine,” he said. “We asked that they point the machine towards the track so that any escaping wood would be on the line and not on people’s properties. We will be sending work crews in to clean up the wood off people’s property in some cases.”

Andrews said some fencing was also damaged where it came close to the property line and some homeowners may be eligible to have VIA make the repairs. Andrew said it was a case-by-case basis.

“There were some fences that strayed over the property line over the years and we asked the parts to be moved in the letter, so in some cases there was damage as workers tried to do the clearing,” he said. Now that the clearing is done, Andrews said that workers will come in and put up the fencing with minimal disruption to residents.

Gahharry said that a chain link fence isn’t enough, residents need some barrier against noise. She said one of her neighbours measured the decibel level of the train noise now that the plants have been removed as a buffer.

“It’s 78 decibels,” she said.

With trains going by about eight times a day, Gahharry said 78 decibels is nearly unbearable.

“They said they are going to put a chain-link fence up for safety,” she said. “But what about noise?”

Knoxdale-Merivale Coun. Gord Hunter said he had no idea VIA Rail had planned the clear cutting until he started getting calls from residents. He said he thinks it has to do with Transport Canada safety regulations concerning railways.

“In urban areas the trains aren’t allowed to use whistles,” he said. “So if the trains go above 80 kilometres per hour there has to be a fence.”

According to Mélanie Quesnel media relations advisor for Transport Canada, there is no specific rule about speed, but right-of-ways along rail lines are routinely inspected.

“Where Transport Canada determines there is an immediate threat to public safety and railway operations (high levels of trespassing are identified for example), each case is assessed on its own merits. The department will either advise the railway to reduce the threat or order the railway to undertake measures such as whistling through the entire area in question and/or reducing train speeds,” she wrote in an email.

Hunter said the noise level could be troubling, but the city is powerless to do anything about it.

“We have a noise-level bylaw, but that really applies to festivals and concerts,” he said. “It is loud, but it’s only about eight times a day and about the same noise as a bus, so people living near transit stations would be having similar problems.”

Hunter said safety is an issue, as a couple of people have been killed walking along the line in the last 25 years.

“I think it’s hard to argue with improvements for safety,” he said.

Andrews said that VIA’s staff goes into schools and tries to warn of the dangers of trespassing on the rail line.

“We are concerned for safety and we feel the changes are necessary,” he said.

Hale said that a dog was killed on the tracks a couple of days ago.

“I know they are trying to prevent people and animals from going on the tracks, but I just don’t like the way they went about it,” she said.

Nepean This Week was able to get a copy of the letter sent to residents.

“...property adjacent to VIA’s railway corridor may be affected in some way by the safety improvements. Most notably, the installation of a safety fence on the VIA Rail right-of-way will be the most noticeable for residents,” the letter said.

The project manager, Benoit Filion — who residents are asked to contact with questions — is on vacation until Sept. 13, according to his voicemail.

The improvements to safety include:

- * new automatic warning devices and upgrades to existing devices at level crossings
- * grade crossing surface improvements
- * installation of right-of-way safety fencing at various locations

The improvements will be between Ottawa and Brockville, and are scheduled to be done before the end of 2010.

Many of the residents feel public consultation should have happened before the fact and are looking to VIA for an open discussion in the future about what is going to be put in place to mitigate noise and the appearance of the tracks.

Carol Ermanovics, whose house backs onto the field, said she never received any notice.

“It seems like a fait accompli,” she said.

Hale and Ermanovics both said they are holding out hope VIA will put in some fast-growing vegetation to cover the fence and the rail line, but Hale isn’t optimistic.

“I have heard talk about spraying to keep regrowth from happening,” she said.

Andrews said no spraying will be happening, but VIA would not be putting any vegetation in to cover the fence.

“We are going to allow it to regrow naturally,” he said.

Hale said she has lived in the area for 16 years and has never been able to see the railway from the back window in her kitchen. Now her view will include gravel and steel.