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Property home to more than 500 plant species

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Contracting Ltd., described to the court the clearing process his company was hired to do from April 2 to 11, 2003.

Excavators and bulldozers were used, he explained, to knock the trees over — which included hardwood and softwood trees like poplar, oak and maple — and

gather them in piles.

He said the clearings didn't look like they were for farming purposes.

"If I was cutting farm fields, they would have been rectangles or squares," Mr. Gray said, adding the instructions Graystone received changed when they showed up on the first day.

"We were initially told it was for farmland. But when we arrived to do it, the instructions were different."

The crew was worked 12-hour days for 10 days before being approached by bylaw enforcer Cory Harris.

"He said we weren't allowed to take out this bush. We stopped and removed our

equipment and that was the last work we did. Mr. Vastis wanted us to continue with our contract. I said no. If I'm doing something I shouldn't be doing, I stop," Mr. Gray said.

Later in cross examination, he told defence lawyer David Crocker that Mr. Harris asked him what he was doing, and he replied he was clearing for farming purposes. "That's funny, it looks like you're building a golf course," Mr. Gray said Mr. Harris replied.

Davor Drobac, an engineering and construction surveyor, testified he was hired by Graystone to measure the area of nine existing clearings and three that were marked but not yet cleared.

The existing and potential clearings totalled almost 11 hectares.

"No one told me what it was, but looking at the plan with its long stretches, it looked like maybe a future golf course," Mr. Drobac told the court, adding, "I'm speculating. I have no proof that's what it is."

Brenda Axon, manager of watershed planning services for Conservation Halton, later testified Mr. Vastis' property was home to more than 500 plant species, a high number compared with other woodlots.

She added the woodlot was one of the largest below the Niagara Escarpment, allowing interior forest species to make the area their home. It also contained a number of rare vegetational community types.

"I would say this is the worst I've ever seen in terms of destruction of habitat," court heard.

The proceedings continue December 2 in Milton.

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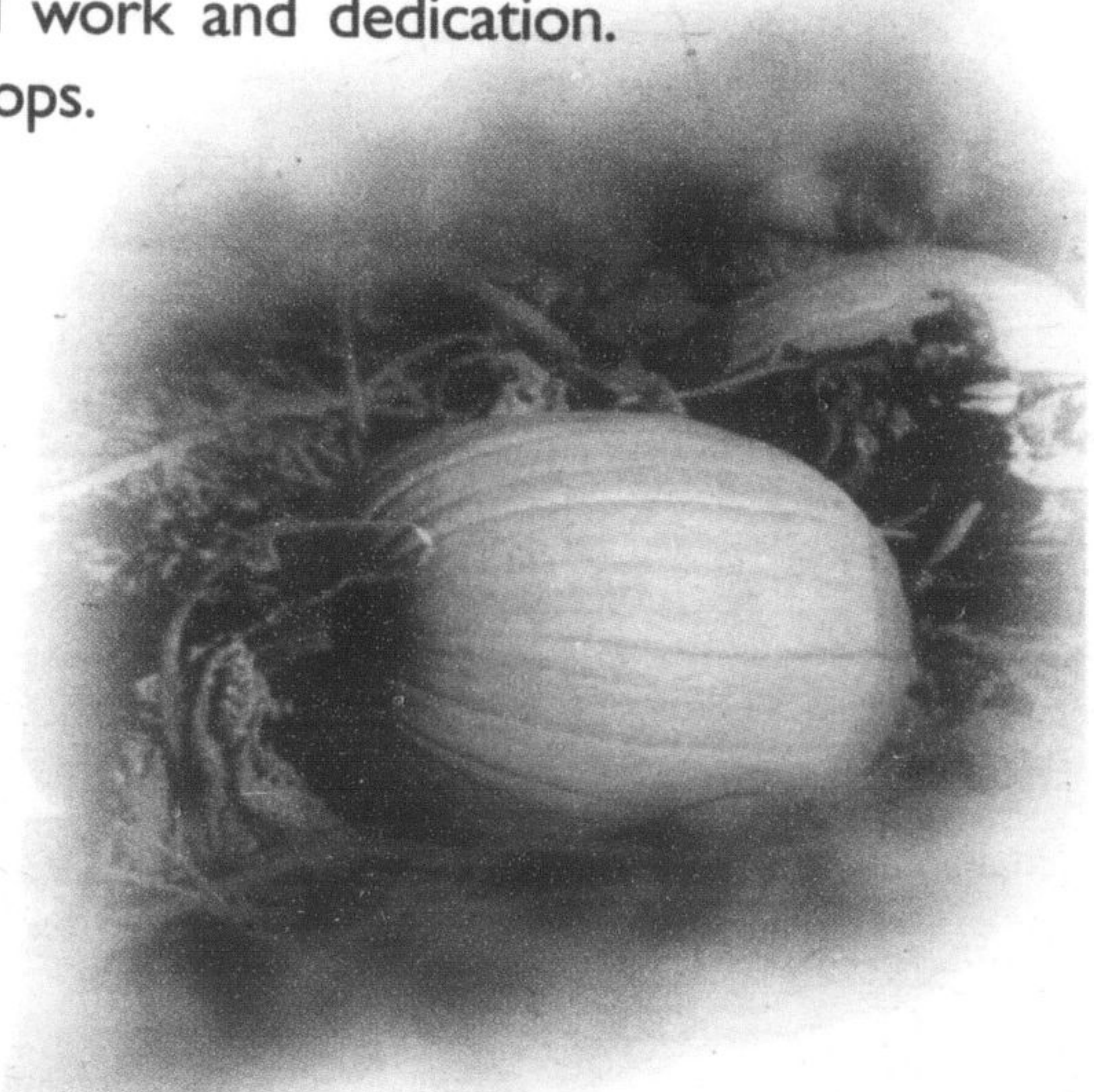
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