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DEP Ruling Favors Development

Opponents Lose Again On Hammonasset Site

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MADISON —

A sewage treatment system that would serve a proposed luxury housing project next to Hammonasset Beach State Park received tentative approval on Wednesday, over the objections of environmentalists and nearby residents.

Nearly eight months in coming, the decision now awaits final approval from Gina McCarthy, head of the state Department of Environmental Protection. Residents fighting to stop the project say they will challenge the hearing officer's findings, which will likely trigger another public hearing before the final determination.

A DEP official found that the sewage treatment system proposed by Leyland Alliance should work fine if properly installed and maintained.

As a condition of approval, the DEP will require regular monitoring and testing of the system, to make sure sewage and other pollutants stay out of the state-protected salt marsh nearby.

"This project is going to be a model for coastal development," said Howard Kaufman, an attorney and partner at Leyland.



The Madison Landing development, geared toward empty-nesters, has had a rocky ride since developers introduced plans to build on the former Griswold Airport, a grassy swath of land overlooking salt marsh and the Hammonasset River.

The grass-roots group, Stop Griswold Over Development, has put up a losing battle to stop the project over the last eight years.

Residents took the town to court to overturn a zone change that increased the density of the development but lost. They supported a search for Native American remains on the site that came up empty. They also exposed a land deal in which the DEP traded away its rights to state park land on Route 1 to the previous developer, in 2000, allowing the airport to be developed.

The deal, done without public notification or land appraisals, is under investigation by Attorney General Richard Blumenthal.

The decision on the sewage treatment system marks another setback, but residents vowed to continue the fight, even if it means suing the DEP. They claim that the "Zenon" advanced treatment system proposed by Leyland has a history of failure and that the DEP has been slow to catch problems and enforce its permits statewide. They also faulted the DEP for barring a key witness, a wastewater treatment expert critical of the system, from testifying during hearings last spring.

"Even when they are operated as proposed, DEP's own data show that the systems spew effluent which exceeds permitted levels," said Herb Gram, a retired engineer from Madison.

Both the DEP and Leyland say the problems are overblown. Last year, the state Senate tried to place a two-year moratorium on new approvals of the system but the bill failed to pass in the House. Sen. Ed Meyer, D-Guilford, said he hopes to resubmit the bill this year.

"Advanced systems are not perfected yet and the failure rate is unacceptable," he said.

Blumenthal agrees. "There's good grounds for questioning whether this system is effective in treating sewage and wastewater," he said.

Recently, discussions have resurfaced in Madison about buying the airport for preservation. But Leyland, which bought the airport this year for \$4.4 million, says the land isn't for sale, even as the company braces itself for a new wave of litigation.

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