

River association seeks to halt wastewater plant

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CHESTERTOWN – The Chester River Association wants to stop a private wastewater treatment plant on Bungay Creek, according to a July 15 e-mail from Executive Director Bob Parks on file in the county planning office.

In 2007, Pennsylvania residents Price and Elizabeth Wilson received an MDE permit, under federal regulations, for an industrial wastewater plant for a house on waterfront land that will not perc.

The CRA called this an end-run around the state's Critical Area laws, and led a successful move to pass the Private Wastewater Treatment Act of 2009, making such plants illegal after Oct. 1. Meanwhile the Wilsons have pushed ahead on their house.

Planning Director Gail Owings told the commissioners on Tuesday that the Wilsons' treatment plant was given a state construction permit July 9. A county building permit for the house was issued July 17, she said.

The CRA immediately appealed the building permit. Under the rules for administrative appeals, construction is halted until a decision by the local Board of Appeals.

Owings said the sides can't agree on a date. And only two appeals board members are available in August; the sides must agree to hold a hearing before just two panel members rather than the usual three.

In the meantime the Wilsons' attorney, Anthony Gorski, said trenches dug by the contractor are an "imminent

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perm. and work should continue. The house is being built several hundred feet off the end of a dead-end road southeast of Edesville with "no trespassing" signs posted, according to Owings.

In a July 31 letter to Tom Yeager, Kent County attorney, Gorski said, "this is just one more act by P&Z to delay the Wilsons.... The actions of P&Z have been directed at illegally delaying the construction of the Wilson's home. (They) have been subjected to different permitting processes than other applicants which have resulted in multiple opportunities for

baseless appeals (and) but for the illegal actions of various county employees, would have been able to construct their house in time to meet the legislative deadline."

Ordering construction stopped "is just the latest in a long list of examples where the P&Z office has ... taken steps outside the norm to obstruct construction ...," Gorski said.