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## Residents, Property Owner Weigh In After Landfill Application Denied

Casella Avoids Direct Questions As Project's Fate More Uncertain

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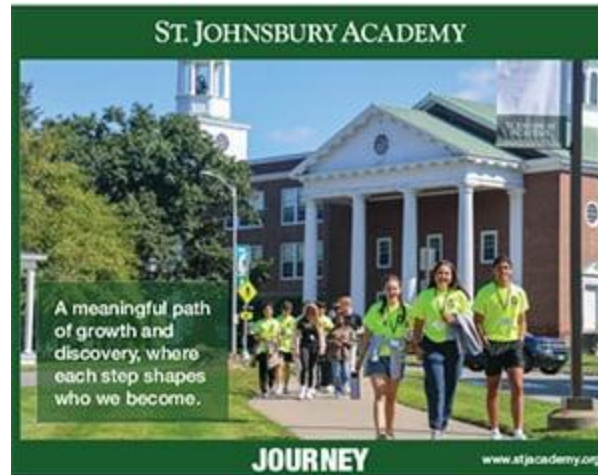


Debi Warner, of Littleton, addresses a rally of landfill opponents prior to a U.S. Army Corps of Engineers public meeting at Dalton Town Hall on Wednesday. (Photo by Robert Blechl)

Amid a 6-year fight, opponents of a commercial landfill in Dalton are cautiously optimistic after the company proposing it encountered a big setback and is not revealing specifics regarding its next steps.

On Thursday, after issuing four letters to Casella Waste Systems informing it that its standard solid waste permit application is incomplete, state permitting officials have again said that the company has still not provided the information and the application is now denied.

DES's rejection comes after Casella has spent years trying to gain support for siting its Granite State Landfill LLC beside Forest Lake State Park, a proposal that has mobilized opposition across the North Country, across the state, and both parties at the New Hampshire statehouse.



Because of the repeated incompleteness, Casella's permit application became effectively dormant on Feb. 28, the day that Casella submitted its latest application, which the New Hampshire Department of Environmental Services, in its Thursday denial letter, said still doesn't contain the legal papers, property agreements, and other required documents that it has been requesting.

"The information submitted does not include a site report that demonstrates that the location of the proposed facility complies with all applicable siting requirements and that the site is a suitable location for the proposed facility as required by [state siting rules]," wrote Michael Wimsatt, director of DES's Waste Management Division.

In addition, the maps, figures, and hydro-geological report initially submitted as part of the site report in October 2023 “were not updated to demonstrate compliance with the re-adopted Part Env-Sw 804, Siting Requirements, of the Rules, which became effective on December 21, 2024,” said Wimsatt.

“The information submitted also does not include copies of the documents that demonstrate that the applicant and their successors and assigns will have a legal right for the use of the properties as proposed in the application as required by [state rules],” he said.

In addition to missing information, Casella has continued to black out other information, despite DES’s February 2024 incompleteness determination letter telling the company that the redacted legal agreements as submitted are preventing DES review.

“Each of the subsequent incompleteness determination letters reiterated that copies of the legal agreements as required by Env-Sw 314.03 needed to be provided,” said Wimsatt. “The legal agreements submitted by the applicant failed to fulfill application requirements because they were heavily redacted and referenced other legal agreements, which were not provided.”

For instance, the access agreement and 2018 option to purchase real estate was heavily redacted and these redactions rendered DES unable to fulfill permit application requirements, said Wimsatt.

Similarly, Casella submitted a memorandum of understanding that was undated and unsigned. A signed version was later submitted, but does not fulfill application requirements because it was also heavily redacted and relies on the terms of the option agreement and 2019 amendments to the agreement, with the amendments referenced in the application, but not provided.

DES issued letters to Casella deeming the application incomplete on Feb. 28, 2024; June 24, 2024; Oct. 22, 2024; and Jan. 27, 2025. The letters also provided notice of the dormancy deadline.

Under state rules, the permit application was denied because Casella did not submit the information necessary to complete the application within the required year of DES’s initial determination of incompleteness.

Casella has 30 days to file an appeal.



Meanwhile, the company had a deadline of March 24 to file permit applications for its wetlands and alteration of terrain permits, both of which were also the subject of multiple letters of incompleteness by DES.

According to a check on Friday afternoon, neither revised application to meet the 2025 deadline had been posted to DES's landfill permitting page.

"Our Granite State Landfill website is up to date," said James Martin, spokesman for DES.

Lawmaker, Residents, Property Owner Weigh In

Among those buoyed by DES's denial was state Sen. David Rochefort, R-Littleton, who said his phone has been buzzing since DES handed down its decision.



"For a rainy, cloudy day, the sun is shining," he said Thursday. "This is great. This has been a longtime effort. A cast of characters from all walks of life have really worked hard on this. It really feels surreal, actually."

He said that opposition to the landfill has been a big issue for the North Country.

“As I was campaigning all over the district — a third of the state — it was not a NIMBY issue, despite what some people say,” said Rochefort. “This was an issue of the whole region, and the whole state. People value clean water, they value the character of the place where we live, and a lot of people fought long and hard, before I even came to the fight. It’s very satisfying and very encouraging to see this.”

Adam Finkel, an environmental scientist and Dalton resident, said he was struck by DES’s “sudden change after six years of letters that were so deferential and so permissive.”

“This was like, ‘What don’t you understand about enough is enough,’” he said. “And I feel that they’re finally taking the proper tone that an agency should take with an applicant.”

Finkel said he understands Casella’s dilemma about not wanting to buy property without a permit.

“But they should have realized at the outset that the law doesn’t let them do that,” he said. “They tried to do this catch-22 thing and get the deed and the permit simultaneously and it just doesn’t work like that.”

To deny an application based on easements and ownerships is great, but the flaws of the application went well beyond that because Casella chose a poor site beside a lake and on sand and gravel with fast-moving groundwater beneath, said Finkel.

“You owe it to the department and the people to actually figure out where the pollution’s going to go when it leaks, not if it leaks, and you refused to do that,” he said. “You should have been turned away months into this farce. [DES] should have said, ‘Come back after you’ve looked at the site. Don’t waste our time.’ All of this was avoidable.”

Dalton resident Jon Swan, who founded Save Forest Lake to oppose the landfill, was also cautiously optimistic after DES’s decision.

“We have had to do the work that DES should have been doing all along and we’re doing the work now relative to oversight,” he said.

“We want to commend DES for doing the right thing and denying this unneeded and unwanted project,” said Tom Tower, vice-president of the North Country Alliance for Balanced Change. “Although this news is encouraging, we are still laser focused on supporting some great legislation led by Gov. Ayotte and the New Hampshire House that will help make sure no community has to go through what the North Country has endured over the last four years.”

On Friday afternoon, Casella spokesman Jeff Weld said “We have received the notice from NHDES and we are currently considering our options.”

On Friday, property owner Douglas Ingerson Jr., of Dalton, was asked if he’s hopeful the landfill will go through and if he’ll be able to sell pieces of his property to Casella.

“I could give a f\*\*\* less,” said Ingerson, who owns Chick’s Sand and Gravel. “I’ve done well my whole life. I don’t need a landfill. I’m going to work on my drag strip. There’s no zoning in my town. The drag strip goes forward. I’ve already started the drag strip. We already have almost 200 feet down. This year, we’ll probably get almost 600 down.”

He said he could sell to Casella, but doesn’t have to if the landfill doesn’t move forward.

“I’ve got my concrete business, have an industrial park, I’ve got the drag strip, I sell lumber, I do jobs,” said Ingerson. “I’ve done it my whole life. It’s one more thing. No biggie if it don’t come. I don’t care too much about it.”

It’s up to Casella on whether it wants to submit another application, he said.

“I just sit back and watch the idiots argue over the trash they don’t know what to do with,” said Ingerson. “That’s my opinion of the whole thing. Everybody’s got their issue. I’m not upset about it.”