

Asbestos cleanup puts 'Zach's Stadium' in jeopardy

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HUDSON, N.H. -- While the town is applying for a \$200,000 federal grant to clean up asbestos at 9 Industrial Drive, the future home of "Zach's Stadium," two selectmen said they'll refuse to follow legal advice to subdivide the site in order to qualify for up to \$400,000 more -- even if it ends the dream project.

Selectmen voted in April to donate the wooded, town-owned 10-acre parcel to the Hudson-Litchfield Bears Youth Football & Cheer organization to aid a community effort to build a youth sports facility in honor of 11-year-old Zachary **Tompkins** of Hudson, who died in his sleep of unknown causes on March 8.

Zach, an enthusiastic and popular baseball and football player and honors student, envisioned owning his own stadium one day.

With the blessing of Zach's parents, fundraising efforts for the new stadium began. Volunteers invested time and labor to cut trees and brush, clearing space for a planned parking lot, football field, stadium seating, press box/concession stand/ restrooms building, additional bleachers and a practice field.

Before construction can begin, however, selectmen determined that asbestos contamination on the property must be addressed.

In a meeting May 20 with representatives of the federal Environmental Protection Agency to discuss applying for federal funding to pay for asbestos cleanup, Assistant Town Administrator Mark Pearson was advised by an EPA official that the town should subdivide the parcel into two or three lots to maximize the number of Brownfield Grants the town could qualify for.

Subdividing a hazardous-waste site is a legal way to multiply the number of Brownfield Grants a town is eligible for -- at \$200,000 per lot -- and is a common practice, Pearson was told.

"I asked them, is this underhanded? They said no," Pearson said. "They said this is how you address a large parcel like this that has a lot of asbestos on it for which \$200,000 is not adequate. They're the ones that give the grants out, and they're the ones who were at the table proposing that we do this."

Despite the EPA's advice, Chairman Ken Massey and Selectman Shawn Jasper said they will vote against taking advantage of such a loophole to obtain added federal funding.

"I'm not very thrilled about participating in such a scheme, even though it is for a good cause," Jasper said. "Let's face it, that's what it is -- a scheme."

As a fiscal conservative, Jasper said he could not in good conscience add to the federal government's growing \$1.4 trillion debt.

"When this project came before us, the plan was that we would get the grant money to cap this without the taxpayers having to pay anything," Jasper added. "Let's not kid ourselves -- we're all federal taxpayers."

Massey said he entered the meeting fearing he'd be the only selectman opposed to subdividing the Industrial Drive site on principle.

"I'm troubled by playing games with the system to get ahead," Massey said. "I refuse to do it."

Massey said he was also concerned that selectmen have yet to receive an exact asbestos-cleanup cost estimate from Credere Associates, the environmental engineering firm the town hired to work on the Zach's Stadium project.

Representing Credere Associates, co-owner and environmental engineer Rip Patten promised the board he will present a detailed cleanup plan and cost estimate within six weeks.

Selectman Roger Coutu's motion to hold off on paying an \$8,000 surveyor's fee to subdivide the site until after Patten reports back with an asbestos-cleanup cost estimate passed 5-0.

Coutu expressed hope that \$200,000 will be sufficient to remove all asbestos from the property. If it costs more, Coutu said he'd be willing to subdivide the property to bring in added funding rather than scrap the project.

"It is conceivable that asbestos covers most of the site," Patten forewarned the selectmen. "Knowing the town is not likely to vote to spend \$200,000 of its own money to let the cleanup go forward, that is why the EPA allows (subdividing) on their Brownfield Grant application. It's commonly done."

"Likely, the site is going to need to be subdivided," Patten added.

Selectmen Ben Nadeau and Rick Maddox did not say last week if they'd support subdividing the land to qualify for multiple grants.

According to federal accounting figures, the EPA awards about 300 Brownfield Grants annually worth \$80 million.