

Regional waste hauler sues for right to expand

Dump fight has lasted at least 15 years

By **BOB HOOKWAY**
The Valley News

BETHLEHEM - Does a small New Hampshire town of fewer than 2,000 residents have the right to tell a multimillion-dollar waste hauling giant that it's had enough and doesn't want to continue hosting a dump for much of the region's solid waste?

That's been a big question in Bethlehem for at least 15 years. In fact, beginning in 1987, town voters have tried no fewer than 13 times to stop Rutland, Vt.-based Casella Waste Systems Inc. from expanding the landfill it operates in the heart of the White Mountains. So far, their votes have made little difference.

Last week, the latest round of court action between Casella and town officials opened in Grafton County Superior Court. The company, which does business in Bethlehem as North Country Environmental Services Inc., is suing the town for acting in bad faith and attempting to deny North Country Services its property rights by trying to block further landfill expansion. Casella unloads solid waste at a rate of some 350 tons per day in Bethlehem from about 100 communities in and out of state.

Casella has battled the town successfully in court over the past two decades, and the company is now awaiting a state permit to launch its fourth stage of landfill expansion, which could keep the site running for another 11 years while it accepts an additional 2 million cubic yards of refuse.

The town is trying to stop the expansion.

Company officials want Judge Jean Burling to let them keep taking trash to Bethlehem, free from what they say is local interference.

Scott Shillaber, a Concord-based engineer, told the court last week he had engineered much of the Bethlehem site on Casella's behalf. He gave the stage four details under questioning from attorney Edward Boutin of Derry, who rep-

resents the town and its selectmen, planning board and zoning board of adjustment, all named as defendants.

Casella attorney Bryan Gould of Concord also questioned Shillaber. He described the particulars of the landfill, including the polyethylene liner under the trash, which is designed to prevent leachate - the liquid runoff from the landfill - from escaping into the soil and water table beneath the site.

Shillaber and Boutin sparred over how high the trash piles are in the landfill, which is located exactly one-tenth of a mile from the entrance to the White Mountains National Forest, and how much higher than that the stage four peak would be.

The heights are approximately 1,465 feet above sea level, or 95 feet in the air from ground surface, Shillaber said.

Several town officials and members of two community groups opposed to landfill expansion were in attendance yesterday, as were Casella officials. The amount of property devoted to landfill now is 51 acres. A Casella vice president said in 2000 that about 80 acres of the 120-acre site could be used to dump trash, and that's the company's goal.

Bethlehem residents have seen their community change as it gained the dubious distinction of "dump town."

From the time of the Civil War through most of the 20th century, it was a place of such beauty and scenic splendor that it attracted summer residents - including many of the rich and famous - from all parts of the country who gathered for summer recreation at the 30 grand hotels that once marked the landscape.

Presidents Grant, Hayes, Taft and Harding all visited, as did many of America's luminaries, such as showman P.T. Barnum.

Now, all the old hotels, including the Sinclair, the Uplands Terrace, the Agassiz House, the Centennial and the Lyndhurst, are gone.

North Country Environmental Services Inc. already unloads solid waste at a rate of 350 tons per day.

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