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New BDA owner moves away from plan for residential reuse of property

By Ryan Blessing Sun staff writer
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1 of 16



Exterior images of the former Bradford Dyeing Association, Friday, March 10, 2023. The mill remained in operation for a century, but in 2011 closed its doors for good. Tim Martin, The Westerly Sun

Tim Martin

WESTERLY — The buyer of the former Bradford Dyeing Association site has shifted away from plans for residential development to favor more commercial or light industrial uses.

Attorney John Dorsey, the special master in the receivership case for the property, said residential use hasn't been ruled out entirely, but that soil tests showed a high water table that limits where a proposed sewer system could go, as well as its capacity.

“I think we’re a lot further along with the site than when we started,” Dorsey told the Town Council during a March 6 update.

Ownership of most of the 65-acre site save for a parcel containing the four chemically contaminated wastewater lagoons from mill operations has transferred to the current owner, Pawtucket-based Rockingham Estate LLC. Rockingham now owns the main mill site, a wooded parcel and a paved parking area.

The mastership has kept the lagoons parcel mainly to pursue grant cleanup funds in concert with the town, Dorsey said. At the end of the process, with grant funds or not, the mastership would deed the parcel to Rockingham Estate.

“You’ll have one owner at the end of the day,” he said.

In 2021, Dorsey reported that the property was not awarded grant funding for cleanup efforts through the last several rounds of grant awards.

Polyfluoroalkyl substances have been found in the lagoons that were used as part of textile processing that occurred at the plant for decades.

The substances, known as PFAS, are a group of man-made chemicals that have been used since the 1950s. PFAS contain carbon, fluorine and other elements. They have been used in water-repellent clothing, stain-resistant fabrics, and other industrial processes. According to the federal Centers for Disease Control’s website, there is evidence suggesting high levels of PFAS in the bloodstream can cause increased cholesterol levels, elevated liver enzymes, increased risk of testicular or kidney cancer, and other problems. PFAS can enter the bloodstream through contaminated drinking water, eating fish caught from contaminated water, and other ways.

In 2016, a Superior Court judge ordered the lagoons to be closed.

The town has a couple of options, Dorsey said, including allowing the mastership to convey the lagoons parcel to the buyer. Under certain protocols, the mastership could be reopened, he said, if grant opportunities came up in the future or if the court opted to address new regulatory issues related to the lagoons.

The town also could go back to the state Department of Environmental Management and have further talks about the proposed remediation plan, Dorsey said.

“My sense from our meetings with DEM is they want to be helpful,” he said. “But I think it’s a tough position to be in as a regulator where you have a semi-regulated contaminant, and you know there’s regulations that are going to be coming but they’re not here now.”

Dorsey said because regulations governing the contaminants are not in place, it's not up to the buyer at present to adopt a remediation plan until such rules for compliance are codified.

Rockingham Estate is owned by Garfield and Rebecca Spencer. The couple is involved with redevelopment of former mill sites in Pawtucket and in Connecticut.

In 2018, the town petitioned a Superior Court judge to place the property into receivership, a court proceeding that is similar to bankruptcy, after the former owner, BPF Realty LLC, struggled for years to pay local, state and federal taxes and other bills.

Town officials said they preferred receivership over foreclosure or a tax sale because of environmental concerns with the property.

A Superior Court judge authorized the sale of the property to Rockingham Estate in 2019.

According to Dorsey's update to the council, Rockingham has removed materials containing asbestos from the mill and also removed barrels filled with fuel oil and other substances used in the dyeing process that were left behind by the previous owner.

"When we started this process, the main goal was to figure out what are we dealing with at this site and try and improve the condition," Dorsey said. "I think that has been accomplished to some extent. Obviously we don't have a fully rehabbed property that's back in functional use."

Dorsey said a remediation proposal for the lagoons includes pumping and treating the water in them to removing the contaminants and placing permeable caps around each to stop rainwater from pushing the PFAS further into surrounding soil.

Contaminants already in the soil would, over time, either "settle down" or dissipate, Dorsey said, acknowledging it's not a perfect solution.

rblessing@thewesterlysun.com

rblessing@thewesterlysun.com

Ryan Blessing

Sun staff writer