



CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Carlos P. Baía, Deputy City Manager for Development
DATE: April 1, 2019
SUBJECT: Requested access via City property for Tree Clearing on Private Lot

Recommendation

Accept this report authorizing the City Manager to enter into a license to allow temporary access through City property (MBL 614/Z 51), located at the intersection of Denis Drive and Guay Street, for a private landowner's purpose of harvesting trees from their adjacent private parcel.

Background

On Friday, March 29, 2019 Ms. Helen Prescott submitted a "Notice of Intent to Cut Wood or Timber" on her property located behind the homes on the east side of Guay Street (MBL 621/Z/14). A portion of Ms. Prescott's land in this area has no road frontage and surrounded by private property to the north (McKenna's Purchase) and south (another party's private home) and City property to the east and west. Ms. Prescott's son, Dan Prescott, explained that they have an opportunity to secure the services of logger at no cost to harvest the lot in exchange for the lumber. Mr. Prescott indicated to the City that he has also reached out to several neighbors to advise them of his intention and has stated that a number of them have been supportive as it is a means to address a potential safety concern with several tall trees along their property line.

Mr. Prescott claims that he was unaware that City authorization was needed to use the City's lot at the end of Denis Drive. Once this was brought to his attention, he issued a written request seeking approval and expressed urgency to avoid losing his logger to other commitments (see attached letter). Mr. Prescott's original plan was for the logger's work to start the week of April 1st.

Discussion

If Council accepts this report, staff will ensure that a proper license is issued for this use of the City's property along with required insurance and indemnification language. Due to the

unorthodox timing of the request, this documentation was not yet received by staff at the date of this report but was expected prior to any license issuance.

A couple of neighbors who have reached out to the City with questions will be contacted by staff advising them of this pending report and to contact Councilor Matson with any concerns prior to the April 8th meeting.

w/att: Letter from Mr. Daniel Prescott
GIS map of City lot and pertinent private lot