



# CITY OF CONCORD

*New Hampshire's Main Street™*

## REPORT TO THE MAYOR AND CITY COUNCIL

**FROM:** Beth Fenstermacher, Assistant City Planner

**DATE:** October 25, 2022

**SUBJECT:** Resolution authorizing the appropriation of \$35,000 for the purpose of cleaning up an abandoned homeless camp on City-owned conservation land at 58 Locke Road, as recommended by the Conservation Commission

### Recommendation

Approve the attached resolution for funding to clean up an abandoned homeless camp on City-owned conservation land at 58 Locke Road.

### Background

The City-owned parcel identified as Map 29Z Lot 24, at 58 Locke Road, is managed as conservation land with a Conservation Easement Deed held by the NH Society for the Protection of NH Forests (SPNHF). SPNHF monitors the property annually to identify any concerns with the use or management of the property and to insure compliance with the requirements of the easement. Based on observations from their 2021 and 2022 annual monitoring visits, SPNHF issued a notice of violation regarding a large homeless encampment. The violations specifically pertain to the following sections of the Easement:

#### *Use Limitations*

*2A. The Property shall be maintained in perpetuity as open space without there being conducted thereon any residential, industrial or commercial activities except agriculture and forestry...*

*2C. ... there shall not be constructed, placed or introduced onto the Property any of the following structures or improvements: residence, dwelling, mobile home, residential driveway, any portion of a septic system, tennis court, swimming pool, athletic field, golf course...*

*2D. No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or sub-surface water systems, wetlands, or natural habitat shall be allowed unless activities*

*i. are commonly necessary in conducting the permitted agricultural, forestry, conservation, habitat management, or non-commercial outdoor recreational uses on the Property...*

*2G. There shall be no dumping, storage, injection, burning or burial of man-made materials, building demolition materials, construction debris, trash, tires, vehicle bodies or parts or similar materials, or materials known to be hazardous to human health or the environment...*

The City has a responsibility to remove the contents of the camp and restore the area to its prior condition in order to resolve this violation.

This is not be the first violation on this property due to homeless camps. In 2016, the Conservation Commission utilized funds in collaboration with the General Services Department for clean-up. On other Conservation lands, volunteers, the City's Consultant Forester, and the new Open Space and Trails Ranger have cleaned up several smaller abandoned camps. In 2020, the Commission paid approximately \$5,500 for the clean-up of several abandoned camps along the Merrimack River adjacent to the Gully Hill Road agricultural fields. The total cost for that clean up was \$11,000; the cost was shared with the Parks & Recreation Department. In summer 2022, the Trails Ranger spent 3 days, including 1 day with a team of volunteers, to clean up more abandoned camps in the same location.

### **Discussion**

On October 5, 2022, Concord Police Department cleared out the camp inhabitants. On October 11, 2022, City staff visited the site with a representative from Clean Harbors to survey the contents of camp. Photos of the camp on the day of the site visit are attached. Clean Harbors provided a cost estimate to complete the clean-up and restoration work. The Conservation Commission's FY2023 operating budget is not sufficient to cover the clean-up cost. At their meeting on October 12, 2022, the Commission voted to request that City Council appropriate funds to cover the costs in order to comply with the notice of violation.

BAF