



CITY OF CONCORD

New Hampshire's Main Street™

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Carlos P. Baía, Deputy City Manager-Development

DATE: March 20, 2019

SUBJECT: NHDES Maintenance Easement on Fire Training Site

Recommendation

Accept this report authorizing the City Manager to execute a deed conveying a maintenance easement to the New Hampshire Department of Environmental Services (NHDES) on the City's Fire Training property as a condition of approval for a NHDES regulatory waiver.

Background

As the Council is aware, the City's Fire Training Center will be housed on a lot that was subdivided last fall from the City's closed landfill property on Old Turnpike Road. In light of the subdivision, NHDES required that the City formally amend its permit to reflect the new boundary of the closed landfill.

Discussion

NHDES regulations require a 100' buffer strip between the footprint of the landfill and the property line. With the subdivision, the City was only able to provide approximately 50'. As such, the City sought a waiver to this regulation noting that it would control both properties on either side of the boundary. NHDES granted the waiver with the condition that the 30' zoning rear setback on the Fire Training lot be preserved as an easement that would allow access to the closed landfill for maintenance or other needed activities. Permanent structures would not be allowed within the easement.

The Fire Department has reviewed the NHDES requirement and feels that their operations would not be hindered by the granting of this easement.

w/att: NHDES Waiver Approval
Maintenance Easement Deed
Fire Training Site Plan with Easement Noted