



# CITY OF CONCORD

*New Hampshire's Main Street™*  
Community Development Department

## REPORT TO MAYOR AND CITY COUNCIL

**From:** Beth Fenstermacher, Director of Special Projects & Strategic Initiatives

**Date:** March 27, 2026

**Subject:** Proposed Property Lease – Scenic RailRiders, Inc.

### Recommendation:

Accept this report and adopt the attached consent resolution authorizing the City Manager to enter into a Lease Agreement with Scenic RailRiders, Inc. for the temporary use of City-owned parcels identified as Tax Map 743Z, Lot 10-2 and Tax Map 13P, Lot 21 (the former Northern Railroad Property) to operate a railbike tour business.

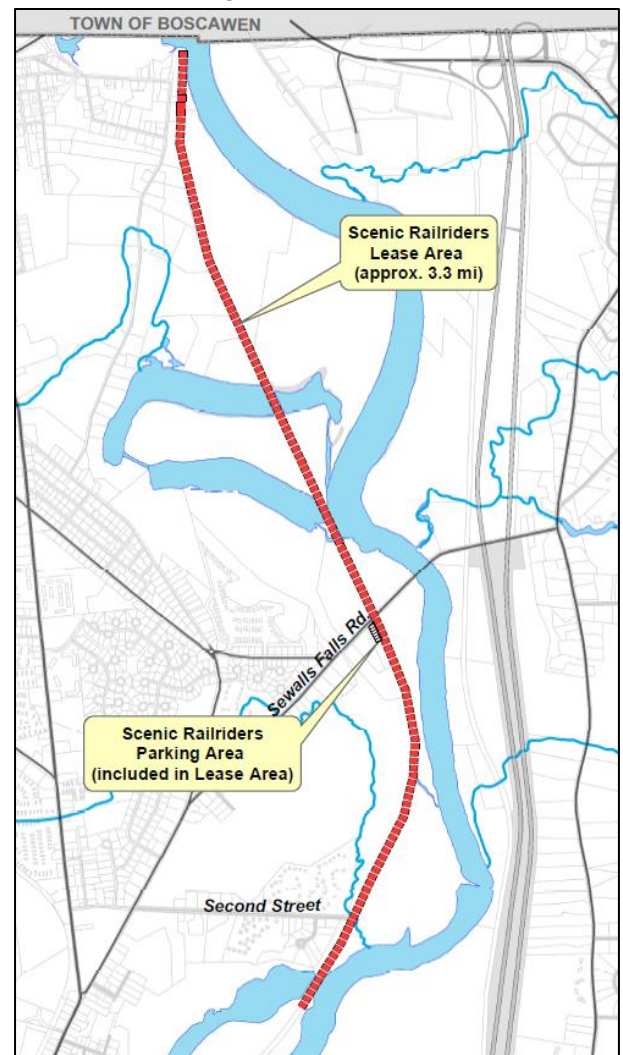
### Background:

On February 25, 2026, the City acquired a 5.7-mile long discontinued portion of the Northern Railroad rail corridor from the Boston and Maine Corporation (herein “BMC”) (a subsidiary of CSX) for the purpose of constructing the Merrimack River Greenway Trail (“MRGT”) (CIP #543). Specifically, the City acquired that portion between the Contocook River and Horseshoe Pond Lane.

The City has been awarded funding through the NH Department of Transportation (“NHDOT”) Transportation Alternatives Program for the design and construction of that portion of the MRGT between Sewalls Falls Road and Boscawen Townline. Design is anticipated to commence in Summer 2026, with and construction in 2028.

As part of the property acquisition, the City was assigned an existing lease with the Scenic RailRiders, Inc. to operate a railbike tour business. The original lease agreement, dated June 7, 2019, was for an initial term of 5 years which expired on June 7, 2024. As such, the Scenic RailRiders have been in a “month to month” a holdover status for nearly two-years. The lease area encompasses 3.3-miles of the rail corridor, including a parking area on Sewalls Falls Road (see Figure 1).

*Figure 1. Lease Area*



**Discussion:**

Per RSA 72:23, I(b), when a municipality leases its property to a private entity, the lease agreement must include a provision requiring the lessee pay all property taxes. In addition, per the purchase and sales agreement, BMC retains the right to salvage and remove the track within 12 months of the property transaction (i.e. by February 25, 2027). A new lease between the City and Scenic RailRiders, Inc. is necessary to codify these requirements.

The new lease includes the required provisions per RSA 72:23, I(b). In addition, it establishes a lease term for a period from April 1, 2026 continuing through December 31, 2026, allowing the operation to continue through their 2026 season, with a provision for either party to terminate with 30 days' notice. In addition, the lease includes language regarding immediate termination if BMC (CSX) exercises their right to remove and salvage the rails during the lease period. Staff has requested that BMC (CSX) delay the track removal until after December 31, 2026; however, it is unclear whether BMC (CSX) will honor this request.