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## New Hampshire: State Parks-Landfill Buffer Bill Dead For Rest of 2021h

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New Hampshire supporters of a House bill that sought a two-mile buffer between any new landfill and any state park had their hopes dashed again when a statehouse committee on Monday stripped the buffer language from a Senate bill.

On June 4, the House of Representatives added the buffer language from House Bill 177, which had been passed by the House several times before dying last month in the Senate, to Senate Bill 103, which seeks to waive certain business registration, licensing and taxation requirements for out-of-state businesses temporarily performing work in New Hampshire during a declared state of emergency.

SB 103, with the buffer language added, went to a committee of conference last week to give lawmakers an opportunity to negotiate and compromise on any disagreements.

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State Rep. Andrew Bouldin, D-Manchester, who served on the committee, offered a compromise of 5,000 feet, or about a one-mile buffer, and a five-year sunset on the buffer.

The committee, though, after Bouldin and state Sen. Kevin Cavanaugh, D-Manchester were removed from it, were encouraged by state Sens. Kevin Avard, R-Nashua, and James Gray, R-Rochester, to vote against including the buffer language in SB 103.

Proponents of the proposed Casella Waste Systems landfill beside Forest Lake State Park in Dalton, where the landfill as planned would be about 200 feet from the boundary of the state park, said they will continue to move forward and are looking to introduce another bill for the 2022 legislative session.

“177 unfortunately is dead for the year,” state Sen. Erin Hennessey, R-Littleton, a sponsor of HB 177, said Monday afternoon. “After speaking with several of the advocates on the House side and with some senators who did not support it on the Senate side, we will try to work something out in the next year to try to figure out something that is more science-based. The feedback I got from some of the senators who did not support was they agree that perhaps there shouldn’t be a landfill right next to a state park and especially near one near a lake, but it needs to be more science-based, what the barrier would be, and groundwater studies and runoff and how it flows and things of that nature, versus what they would term an arbitrary two-mile limit. We will work on something this summer and try to come back with something most everyone can agree on.”

Area residents also weighed in.

“We feel that Casella will not obtain permit approval for Forest Lake, thus the legislation will be revisited next year as the threat will persist, but possibly for a different park, thus the need to address the setback-buffer,” said Casella opponent, Jon Swan, of Dalton. “It was disappointing to see Senators Gray and Avard so opposed to a reasonable compromise of 5,000 feet, as I sensed it would have passed otherwise.”

Dalton resident, Adam Finkel said Avard argued for not interfering with local zoning rights, but Dalton is a community that just voted for the second time against a landfill.

“It’s not unexpected,” he said of the bill’s defeat. “I think it was a pleasant surprise that this thing had brief new life the last couple of weeks. A 5,000-foot barrier and a sunset were really two of the main concessions that were responsive to what the objections were, and it’s clear they weren’t good faith objections.”

Current rules allow a setback of 100 feet between a landfill and a state park.

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Robert Blechl