CITY OF DURHAM | DURHAM DPR Parks & Recreation

Memo

Date: October 16, 2026

To: W. Bowman Ferguson, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Joy Guy, Acting Director, Durham Parks & Recreation
Subject: Replacement Fencing at Pre-Regulatory Landfill Parks

Purpose

The purpose of this memo is to provide an update on plans to replace temporary construction fencing at East Durham, Northgate, Lyon, and Walltown Parks with a fortified, long-term fencing solution that reflects updated waste boundaries, reduces unnecessary park closures, and protects public health and safety.

Background

DPR is working to replace temporary construction fencing at four parks participating in North Carolina Department of Environmental Quality's (NCDEQ) Pre-Regulatory Landfill Program. Updated environmental investigation data has allowed the City to more precisely identify the boundaries of buried waste.

Continued access restrictions are necessary to protect park users from known environmental hazards. NCDEQ recommends that property owners restrict access to waste boundaries but allows the City to determine the appropriate method, such as fencing, barriers, caution tape, or signage. We have been advised by the Risk Management Department that the City has a duty of care to protect park users from known hazards that could pose health and safety risks. Removing barriers without appropriate alternative protections could be viewed as a disregard for public safety and could result in health consequences and tort litigation. The City Attorney's Office similarly advised that removing fencing without addressing the underlying risk would create significant issues in potential litigation.

DPR's approach was vetted through NCDEQ and their subcontractor S&ME. The goal is to reduce the fenced footprint where possible while maintaining appropriate restrictions around known waste boundaries as identified by NCDEQ. This work supports the longer-term goal of restoring public access to these parks as environmental investigation and remediation efforts continue.

Fencing Approach

DPR is pursuing a fortified, long-term fencing solution designed to remain in place for approximately four to five years, based on the current understanding of waste boundaries and the anticipated duration of the remediation process. Fencing posts will be driven into the ground;

no fence post footers will be excavated or soil waste generated. Forested areas that were not originally fenced, even where contamination has been identified, will not be enclosed by the new fencing. The intent is to focus access restrictions on the defined waste boundaries rather than unnecessarily expanding park closures. The updated waste delineation data will guide fencing placement. NCDEQ is supporting this effort by contracting with S&ME to conduct field work with DPR staff and mark fencing boundaries ahead of installation.

DPR is currently soliciting quotes from three fencing companies, with bids due October 14, 2026. The proposed fencing will generally consist of maintenance gates, six-foot chain-link fencing, and four-foot fencing used in select areas, including certain corridors and other locations where appropriate. A-frame signage will be used by contractors as needed during installation and related work to communicate work to the public. The general service fence contract will carry through December 31, 2031, and includes a Maintenance & Repair provision as needed by way of a contract Allowance.

Installation is targeted for completion by the end of 2026, pending contractor selection, scheduling, and other project requirements.

The following outlines major changes, considerations, and/or continued restrictions in each park following fence installation:

East Durham Park (see Attachment A)

- Most of the park will remain restricted.
- The basketball court and the surrounding previously closed area will be accessible.
- The park path connecting Harvard Avenue and East Main Street, which provides access to the basketball court, will remain accessible
- The playground will remain closed, as it is located within the defined waste boundary.
- A small area within the planned fenced boundary that is not contaminated will remain enclosed for operational convenience. The area is not large enough to provide meaningful recreational use, and keeping it enclosed will discourage unwanted use.

Northgate Park (see Attachment B)

- The revised fencing layout will increase unrestricted areas of the park.
- Areas of green space will reopen at the south end of the park near W. Club Blvd, near Ellerbee Creek, and on the north end of the park near W. Lavender St. and the former dog park (northeast of W. Lavendar Ave.).
- The three playgrounds will remain closed, as they are located within the defined waste boundary.

Lyon Park (see Attachment C)

- Four-foot fencing will be installed at restricted green areas around the Teen Center and along designated corridors.
- Fencing placement will follow the updated waste boundaries while maintaining appropriate access restrictions in affected areas.

- The playground will remain closed, as it is located within the defined waste boundary.

Walltown Park (see Attachment D)

- Most of the park will remain restricted.
- The large basketball court circuit will remain open while the small basketball court will be closed
- A small area within the planned fenced boundary that is not contaminated will remain enclosed for operational convenience. The area is not large enough to provide meaningful recreational use, and keeping it enclosed will discourage unwanted use.
- The playground will remain closed, as it is located within the defined waste boundary.

Next Steps

DPR will continue coordinating the replacement fencing plan, enter into a contract for fencing, coordinate signage to be posted at each park, and target fencing installation completion by the end of the year.

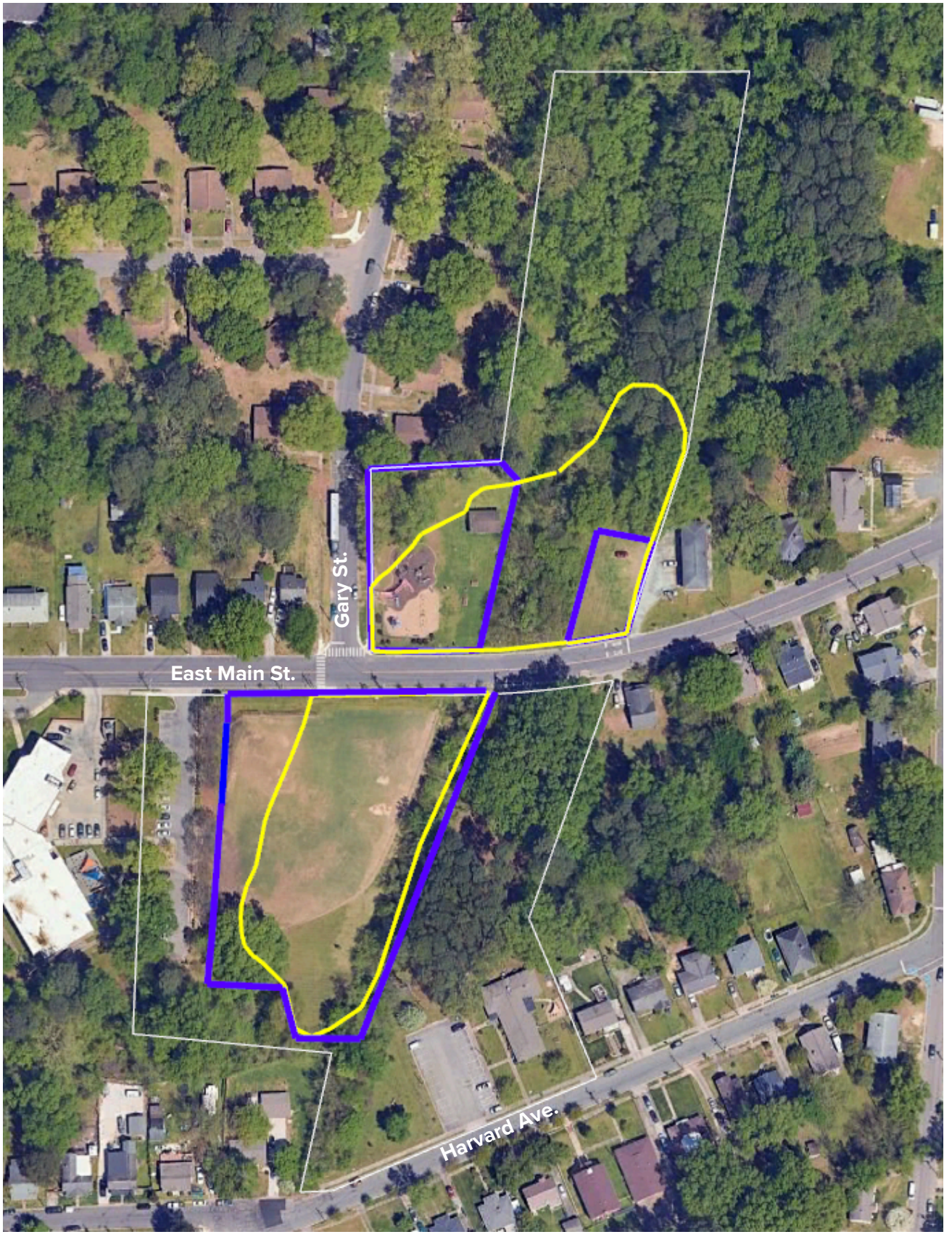
The City is also continuing discussions with Durham Public Schools (DPS) regarding potential alternative playground opportunities for families affected by playground closures. Community communication will be important as areas reopen and access restrictions change. Engagement efforts will explain why fencing remains necessary in certain locations, why it has been removed in other locations, clarify which areas will reopen, and provide information about alternative recreational opportunities where needed. Once contractor selection and scheduling are more certain, DPR will coordinate communications with affected neighborhoods and park users to share the anticipated installation timeline, revised access conditions, and available alternatives.

This approach restores public access to as much park space as possible while upholding our responsibility to protect residents from known environmental hazards. The replacement fencing will provide a more durable, targeted solution while supporting continued progress toward the long-term remediation and reopening of these parks.

Attachments:

Attachment A—East Durham Park fencing placement and waste boundary aerial
Attachment B—Northgate Park fencing placement and waste boundary aerial
Attachment C—Lyon Park fencing placement and waste boundary aerial
Attachment D—Walltown Park fencing placement and waste boundary aerial

East Durham Park
Fencing placement and waste boundary



Northgate Park
Fencing placement and waste boundary

Park boundary | Soil waste boundary | 2026 fencing



Northgate Park fencing placement



Full view of Northgate Park fencing placement and newly unrestricted areas

Lyon Park
Fencing placement and waste boundary

Park boundary
Soil waste boundary
2026 fencing
existing (permanent) fencing



Lyon Park - North end (baseball diamond and Teen Center)



Lyon Park - South end (playground)

Attachment D

Walltown Park
Fencing placement and waste boundary

Park boundary
Soil waste boundary
2026 fencing
existing (permanent) fencing

