

Project Narrative – Martin Field Softball Fields

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Conditional Use Permit associated with Wetland Buffer Impacts

Russell F. Martin Athletic Fields

Iron Works Road

Concord, New Hampshire

I. Property Description

The subject property is the Russell F. Martin Athletic Fields (Map 10 Block 1 Lot 3) located on Iron Works Road and owned by the City of Concord. Specifically, the subject area of the park for this project is located at the northwest corner of the park, in between the two existing softball fields.

II. Proposal Outline

Over the past couple of decades, the local youth baseball and softball leagues have worked with the City to plan, permit and construct two separate ball fields in the northwest corner of Martin Park. The construction of the fields has been implemented in several phases - with each phase approved by the Planning Board. The fields are located directly adjacent to a large wetland complex which also required some additional permitting associated with both wetland impacts and wetland buffer impacts. The two existing fields are in compliance with all local and state permits that have been issued.

At this time, the local softball league, which currently manages both fields, is planning to install two attached batting cages in between the two existing fields. This is a minor amendment to the approved Site Plan but it does require a conditional use permit due to the location of the batting cages being within the 50-foot wetland buffer. The batting cages will encompass a 30-foot wide by 60-long footprint and have been located to be in between the two existing fields, setback from the playing surfaces a safe distance. The area where the cages will be located is currently a mowed grass area that is part of the overall field complex and is utilized as a warmup area and a spectator area. No trees will need to be removed as part of the batting cage construction. Because the grass is susceptible to damp conditions in the Spring and Fall, the softball league is proposing to raise the grade within the cages by no more than 1-foot, in order to provide a suitable drainage base layer below the turf that will be reestablished within the cages. The project will disturb approximately 3,200-sf of existing grassed area, of which approximately 1,900-sf is located with the 50-foot wetland setback.

Because the improvements will involve disturbance within the 50-foot wetland buffer, the project will require the following Conditional Use Permit:

Section 28-4-3(d) Conditional Use Permit Required for Certain Disturbances of Wetland Buffers

III. Standards of Review for Condition Use Permit – Z.O. Article 28-9-4(b)(4)

In submitting the attached application for a Conditional Use Permit, the applicant recognizes the need to successfully demonstrate, to the satisfaction of the City of Concord Planning Board, that each of following standards have been or will be fulfilled upon completion of the subject work. Specifically:

a. The use is specifically authorized in this ordinance as a conditional use;

Impacts to wetland buffers are authorized by conditional use permit under Article 28-4-3(d) of the Zoning Ordinance.

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- b. If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this Article, and with the specific conditions or standards established in this ordinance for the particular use;*

The proposed development will be in compliance with all aspects of this Article. There are no other specific conditions or standards established in the ordinance for the particular use.

- c. The use will not materially endanger the public health or safety;*

There is no reason to believe that the health or safety of the general public will be adversely affected by the proposed disturbance to the wetland buffer.

- d. The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located;*

The proposed use, as it relates to the CUP, will have no impact on the neighborhood or adjoining uses in the area which are also residential in nature.

- e. The use will not have an adverse effect on highway or pedestrian safety;*

There is no reason to believe that the proposed use will have any adverse effect on highway or pedestrian safety.

- f. The use will not have an adverse effect on the natural, environmental, and historic resources of the City;*

The proposed use involves the construction of batting cages within an existing mowed area. The implementation of cages will help to prevent balls from being hit further into the wetland buffer or wetland area. There should not be any adverse impact to the natural or environmental resources of the city. The proposed use should not have any impacts at all on the historic resources of the city.

- g. The use will be adequately serviced by necessary public utilities and by community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide facilities and services with sufficient additional capacity.*

The proposed conditional use will not require any public utilities, facilities or services.

IV. Standards of Review for Conditional Use Permit – Z.O. Article 28-4-3(d)

In addition to the requirements of Article 28-9-4(b)(4) discussed above, the applicant recognizes the need to successfully demonstrate, to the satisfaction of the City of Concord Planning Board, that each of following additional standards have been or will be fulfilled upon completion of the subject work. Specifically:

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1. *The disturbance of the buffer is necessary to the establishment of an allowable principal or accessory use on the buildable land area of the lot;*

The proposed disturbance to the wetland buffer is needed to construct the proposed batting cages.

2. *The proposed disturbance to the buffer cannot practicably be located otherwise on the lot to eliminate or reduce the impact to the buffer and represents the minimum extent of disturbance necessary to achieve the reasonable use of those portions of the lot consisting of buildable land;*

There is no other safe or practicable location for the batting cages to be located.

3. *The proposed disturbance to the buffer minimizes the environmental impact to the abutting wetland, and to downstream property and hydrologically connected water and wetland resources;*

The buffer has already been disturbed and is being utilized as a mowed lawn area. The proposed cages will not have additional impact on the adjacent wetland or buffer. If anything, the cages will help to keep softballs away from the wetland.

4. *Where applicable, wetland permits have been received or are obtained from the NHDES and USACOE;*

No NHDES nor USACOE permits are required for completion of this project.

5. *Where applicable, permits for proof of compliance with all other state and/or federal regulations have been received or are obtained.*

There are no other state or federal regulations that apply to the proposed use, as it relates to the CUP.