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CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

Planning Board

May 18, 2022

Project Summary – Conditional Use Permit

Project: Russell Martin Athletic Fields – Batting Cages (2022-26)
Owner: City of Concord
Address: Iron Works Road
Map/Block/Lot: 10/1/3

Determination of Completeness:

Determine this application complete and open the public hearing. As part of the motion, indicate that the project does not meet the criteria for a Development of Regional Impact (DRI), per RSA 36:55.

Project Description:

The applicant is requesting a Conditional Use Permit (CUP) in accordance with Article 28-4-3(d) of the Zoning Ordinance (ZO) to allow disturbance of 1,099 sf of the 50-foot Wetland Buffer for the construction of a 30'x60' batting cage adjacent to existing athletic fields on Iron Works Road in the Single Family Residential (RS) District.

1. General Comments

- 1.1 This work performed under this CUP involves earthwork and grading to allow for a 1-foot raised grass pad area and batting cage fencing. All areas within the limit of work are previously disturbed and maintained as mown grass.
- 1.2 The narrative provided by the applicant (see attached under Supplemental) describe how the criteria of all applicable sections of the ordinance are met, including Section 28-9-4(b)(4) (ZO), which states the criteria for the Planning Board decision.
- 1.3 The applicant went before the Conservation Commission at their meeting on May 11, 2022. The Commission indicated that the impacts were *de minimis* and voted to support the CUP.
- 1.4 Engineering review comments are included in this report.

2. Staff Review Comments

- 2.1 Revise the plans to show location and type of the proposed erosion and sediment controls.
- 2.2 Revise plans to clarify that the majority of the features are now existing. It should be apparent

when looking at the plan that this is specifically for the batting cages.

2.3 The area is prone to flooding, please provide detail for foundation supports for batting cages.

2.4 Staff suggests, but does not require, the Applicant incorporates the following wildlife-friendly erosion control practices:

- a. Use temporary erosion and sediment control products that either do not contain netting, or that contain netting manufactured from 100% biodegradable non-plastic materials such as jute, sisal, or coir fiber. Degradable, photodegradable, UV-degradable, oxo-degradable, or oxo-biodegradable plastic netting (including polypropylene, nylon, polyethylene, and polyester) are not equivalent alternatives. Netting used in these products should have a loose-weave wildlife-safe design with movable joints between the horizontal and vertical twines, allowing the twines to move independently and thus reducing the potential for wildlife entanglement.
- b. Avoid the use of silt fences reinforced with metal or plastic mesh or if possible recommend the use of erosion control berms.
- c. When no longer required, temporary erosion and sediment control products should be removed promptly from the project site.
- d. Use nonwoven coir fabric when a surface fabric treatment is required for erosion control and stabilization, such as 100% biodegradable coconut fiber mat or equal as reviewed and approved by the project designer.
- e. Use woven coir fabric when site conditions warrant. The outer layer of woven coir fabric should be a high strength, continuously woven mat (i.e., without seams) and made of 100% coconut fiber.

3. Recommendations

3.1 **Grant Conditional Use Permit approval** to allow for the disturbance of the wetland buffer for the construction of a batting cage at the Russell Martin Athletic Fields, subject to the following precedent and subsequent conditions noted below:

- (a) Precedent Conditions – to be fulfilled within one (1) year and prior to sign off by the Clerk and Chair of the Planning Board and the commencement of site construction, unless otherwise specified:
 - (1) Address Staff review comments to the satisfaction of the Planning and Engineering Division.
 - (2) Submit two (2) copies of fully revised plans for sign off by the Clerk and Chair of the Planning Board.
- (b) Subsequent Conditions – to be fulfilled as specified:
 - (1) Prior to final construction sign-off, staff shall be contacted to inspect the buffer area.

Prepared by: BAF

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