

# Findings of Fact | Wetland Conditional Use Permit

## City of Portsmouth Planning Board

Date: July 18, 2024

Property Address: 50 Andrew Jarvis Dr.

Application #: LU-24-50

Decision:  Approve       Deny       Approve with Conditions

### Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

In order to grant Wetland Conditional Use permit approval the Planning Board shall find the application satisfies criteria set forth in the Section 10.1017.50 (Criteria for Approval) of the Zoning Ordinance.

	<b>Zoning Ordinance Sector 10.1017.50 Criteria for Approval</b>	<b>Finding</b> (Meets Criteria for Approval)	<b>Supporting Information</b>
<b>1</b>	<i>1. The land is reasonably suited to the use activity or alteration.</i>	<b>Meets</b> <b>Does Not Meet</b>	This area is already heavily used as a recreation area for high school students and other recreation leagues. The addition of baseball/softball equipment will allow for more teams to utilize the space.
<b>2</b>	<i>2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.</i>	<b>Meets</b> <b>Does Not Meet</b>	While there is an alternative location in this area that would create minimal disturbance and be outside the buffer, it would create a safety hazard due to its proximity to buildings and parking areas. The chosen location within the buffer is already used as a recreational field and it does not receive any harmful maintenance such as fertilizer or chemical use, only occasional mowing. The conversion to a baseball/softball field will not change how the buffer has been used historically.

	<b>Zoning Ordinance Sector 10.1017.50 Criteria for Approval</b>	<b>Finding</b> (Meets Criteria for Approval)	<b>Supporting Information</b>
3	3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.	Meets Does Not Meet	The infield mix proposed for the new field will be a permeable mix that should not have a noticeable impact on infiltration within this buffer area. The adjacent wetland is well forested and should not see an impact from this field conversion.
4	4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.	Meets Does Not Meet	The only vegetation proposed to be removed is a portion of existing grass lawn. This will be replaced with a permeable sand/silt/clay infield mix.
5	5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.	Meets Does Not Meet	The proposal minimizes impacts to the buffer by proposing a permeable infield mix and minimal permanent equipment. On-site alternatives would require greater disturbance to areas that are not already used as recreational fields.
6	6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.	Meets Does Not Meet	No work is proposed within the 25' vegetated buffer.
7	<b><u>Other Board Findings:</u></b>		



## Portsmouth School Department - SAU 52

City Hall, 1 Junkins Ave. Suite 402  
Portsmouth, NH 03801

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Date: April 9, 2024

To: Wetland Conservation Committee

From: Ken Linchey, Director of Building's and Ground's

Re: Tennis Courts Walkthrough Questions

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The Portsmouth High Schools Athletic Department is requesting permission to enhance the usage of one their practice fields. The softball and baseball teams are always juggling field usage between the high school fields, Granite Street softball field, Leary field, and Cough field. Making changes to this practice field will allow some relief to the scheduling and practice needs for all of Portsmouth School programs.

Project details:

- Remove 3" of sod & loam to create a skinned infield diamond.
- Replaced skinned area with a native infield softball/baseball infield mix. The mixture is made up a clay, silt, and sand.
- Installation of a backstop that would minimize softballs from being hit into the wetland.
- Backstop installation would consist of driving posts into the ground vs using concrete.

In summary, we evaluated how can we accommodate all of our programs within the original field structure year-round. We believe that this is just a slight adjustment with how we layout our field usage within the existing field structure.

Sincerely'

*Ken Linchey*

Ken Linchey  
Portsmouth School Department  
Director of Building's & Ground's

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Map navigation controls including zoom in (+), zoom out (-), person icon, and book icon.



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Remove 75' of soil and infill with infield mix.  
Base paths need to be 60'.  
Install backstop fence

221-2A

185 Feet

Batting Cage

Softball Field

75 Feet

75 Feet

65 Feet

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