

**MINUTES OF MEETING  
REGULAR MEETING  
PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

**7:00 P.M.**

**CITY COUNCIL CHAMBERS                      NOVEMBER 18, 2004  
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**MEMBERS PRESENT:**                      Kenneth Smith, Chairman; Deputy City Manager Cindy Hayden; John Sullivan; Richard A. Hopley, Building Inspector; George Savramis, Raymond Will; Donald Coker, and Alternate, Jerry Hejtmanek;

**MEMBERS EXCUSED:**                      Thomas Ferrini, City Council Representative and John Ricci

**ALSO PRESENT:**                              David M. Holden, Planning Director  
Peter Britz, Environmental Planner

.....  
**I. PRESENTATION**

Stormwater Management Presentation by the Public Works Department

.....  
**II. APPROVAL OF MINUTES**

1) Minutes from September 23, 2004 Planning Board Meeting;

Mr. Will made a motion to approve. Deputy City Manager Hayden seconded. Motion passed unanimously.

2) Minutes from August 19, 2004 Planning Board Meeting;

Mr. Will made a motion to approve. Mr. Sullivan seconded. Motion passed unanimously>

.....  
**III. OLD BUSINESS**

A. The application of **Engel Family Trust, Owner, and API of New Hampshire, Applicant**, for property located at **50 Campus Drive**, wherein site plan approval is requested to construct a 108.4' x 111', 12,032 ± s.f. 1-story addition to an existing structure, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 267 as Lot 23 and lies within an Industrial district.

The Chair read the petition into the record.

Mr. Will made a motion to take the petition off of the table. Mr. Sullivan seconded. The motion passed unanimously.

Mr. Holden indicated that they were still working with the applicant and had not yet received the report that they are preparing in regards to possible wetland issues. The Department asked that they table this to a time indefinite so that abutters would be notified when this is next heard by the Board.

Mr. Will made a motion to able to a time indefinite. Mr. Sullivan seconded. The motion passed unanimously.

.....

**IV. PUBLIC HEARINGS**

1. The application of **Joli Ann Foucher, Owner**, for property located at **566 Greenland Road** where Final Subdivision approval is requested to subdivide one lot into two lots with the following: Lot 1 having a lot area of 1.6304± acres and 89.54± feet of continuous street frontage off Greenland Road and Lot 2 having a lot area of 1.5093 ± acres and 89.53± feet of continuous street frontage off Greenland Road, and lying in a zone where a minimum lot area of 15,000 s.f. and 100' of continuous street frontage is required. Said property is shown on Assessor Plan 258 as Lot 1 and lies within a Single Residence B district.

**SPEAKING TO THE APPLICATION:**

John Chagnon, of Ambit Engineering, addressed the Board on behalf of Joli Ann Foucher. He indicated they were subdividing one lot into two equal lots. In June they appeared before the Planning Board requesting preliminary subdivision approval. It was determined that they needed a variance for continuous street frontage as they decided to split the lot so that each new lot would have 90' per lot where 100' was required. That variance was granted by the Board of Adjustment on July 20, 2004 and they are back before the Board for Preliminary and Final Approval. The Department Memorandum identified four issues that the Board should consider in their deliberations and Mr. Chagnon addressed those issues.

Mr. Chagnon indicated that the first issue was that an easement be created to provide for access to the second lot. There is currently a curbcut on Greenland Road. In reviewing this matter with the owner and the City it appears that one curbcut could serve both lots and they would be agreeable to that condition and would prepare the necessary documents to make that a part of the subdivision approval. They have no problem working with the City's Transportation and Parking Director and Planning Director to determine the location of the shared driveway. Once those things are accomplished, they will come back for Final approval.

Mr. Hopley asked if that was an accurate representation of the wood fence outside of the property line?

Mr. Chagnon confirmed that was correct.

Mr. Holden indicated this was the first time they have seen the new plans. He asked if they received Council permission for the fence to be placed in the right-of way? He believes they did not receive permission so his question was what was the fence doing in the right-of-way?

Mr. Foucher indicated that the fence was on their property and was not outside their property line.

Mr. Holden indicated that the plan would have to be in error then.

Ms. Foucher indicated she was unaware that the fence was not on their property. She would have to discuss that with Mr. Chagnon.

Mr. Sullivan asked what effect the wetland area has on the subdivision?

Mr. Holden indicated there would be no effect on the subdivision. The Board previously made the decision that because of the oversized nature of the lot they would give it special consideration on the frontage and that was why it was allowed to go to the Board of Adjustment. The Board of Adjustment also tried to make it such that the frontage was equal between the two lots. The City has an interest in how this area develops as we have the improvements to Route 33 that may effect existing driveways. Therefore, the intent of the Planning Department's recommendation is to achieve a balance of where there is some limited development. The wetlands should not impact any future development that would be back before the Board. The frontage would be shared between one shared driveway. John Burke has not been able to review the plans or comment. Mr. Holden believes the issue of the fence is an oversight and can be addressed. Mr. Hopley has picked up on a crucial issue but he does recommend that the Board grant preliminary approval so that the applicant can come back and show the Board that all issues have been addressed.

Mr. Sullivan indicated that when the fence was originally put up it was put in incorrectly and on City property. There was some discussion regarding negotiations that took place. If the State of NH widens the road for the bridge going over the railroad tracks that fence could be in jeopardy. He just wanted the applicant to be aware of that and also to have it on the record.

Mr. Will asked if they could grant final subdivision approval with the fence issue being a stipulation?

Chairman Smith felt that it probably could be but there were other issues with the easement and driveway.

Chairman Smith indicated that if this went forward he would be asking for permanent boundary markers to be installed.

Mr. Holden indicated to Mr. Chagnon that if Preliminary approval went though, they could get together to discuss the remaining issues.

Mr. Chagnon agreed that would be a good idea.

The Chair asked if anyone was present from the public, wishing to speak to, for, or against the petition. Seeing no one rise, the public hearing was closed.

**DISCUSSION AND DECISION OF THE BOARD:**

Mr. Hopley made a motion to grant Preliminary Subdivision approval with stipulations. Mr. Will seconded. The stipulations were as follows:

1. That the Final Plat and deeds shall reflect a driveway easement to the benefit of the appropriate lot so as to cause for a shared driveway;
2. That driveway easement shall be approved as to content and form by the Legal Department and shall be caused to become a part of the chain of title for each lot as is appropriate;
3. That the location of the shared driveway shall be determined by the City's Transportation and Parking Director and Planning Director in consultation with the applicant;
4. That when all conditions are complete that application for Final Subdivision Approval shall be submitted to the Planning Department;
5. That the issue of the location of the fence be resolved prior to Final Subdivision approval; and
6. The placement of required monuments as per the requirements of the department of Public Works.

.....

2. The application of **Moray, LLC, Owner**, for property located at **235 Commerce Way**, wherein site plan approval is requested to construct a 170' x 150' (irregular) 26,422 ± s.f. 3-story office building, with related paving, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Plan 216 as Lot 1-8B and lies within the Office Research/Mariner's Village district.

**SPEAKING TO THE APPLICATION:**

Attorney Malcolm McNeill addressed the Board on behalf of Moray, LLC. Also present were Dennis Moulton, of Millette, Sprague & Colwell, the Project Engineer, Matthew LeBonte, the Architect and Michael Kane, the principal of the project. Attorney McNeill shared renderings of the proposed buildings, showing that they will be compatible with the other buildings and hotel in the area. There will be access from both Commerce Way and Portsmouth Boulevard. There will be 354 parking spaces, which will be more than adequate parking. This application was approved by TAC on November 9<sup>th</sup> with a number of conditions.

Attorney McNeill addressed some of the TAC conditions:

#8 That the applicant meet with the Legal Department and the Planning Department to complete a proposal for constructing the sidewalks along the length of Commerce Way in two phases, detailing how contributions or funds shall be set aside for this process.

Attorney McNeill indicated that they met with the City and other issues came up such as street ownership and undergrounding of utilities. They have not concluded those discussions but have made meaningful progress on the issues. He felt the negotiations could be finalized with City staff without the necessity of returning to the Planning Board.

#6 That the sidewalk detail be approved as to content and form by DPW and that will be refined further by the Agreement with the City.

Attorney McNeill indicated that would be part and parcel of the conclusion of the discussions with the Planning Department on the road and sidewalk issues.

#4. That the traffic issues be consolidated into a presentation that can be presented to John Burke so that he can make a report back to the Planning Board on a timely basis.

Attorney McNeill stated that they have supplied a writing to Mr. Burke. He reminded the Board that there is an agreement between the City and the developers that 244,000 s.f. of development off of Portsmouth Boulevard will be permitted without further traffic study.

Dennis Moulton, P.E., of Millette, Sprague & Colwell, spoke next. Mr. Moulton indicated that the current lot is 4 ½ acres, however there is a lot line relocation pending which will increase the size of the lot to 5.7 acres. That portion of the adjoining lot is being used for parking so they will lose 58 spaces but it will still leave them with an excess of required spaces. Mr. Moulton indicated that he had neglected to add a motorcycle parking pad which he will add to the plans. The loading zones meet the zoning requirements. The lot is conforming with respect to lot area, street frontage, depth, setbacks, building height, structural coverage, and open space pending the Lot Line Relocation. Landscaping will be in accordance with the Ordinance however they will continue to work with the Planning staff.

Utilities are provided to the site from existing locations. Water will come off of Commerce Way, the sewer connection will come from Portsmouth Boulevard, electrical will be underground and gas will be provided from an existing gas main on Osprey. The detention system is a closed system, designed to bring all of the water to the back of the site through an underground storage structure, by a system called Rainstore 3 and designed by Invisible Structures, Inc. (ISI). Brochures were distributed to the Board Members. Mr. Moulton described the system as a cubical underground system. They are proposing this system because this area has problems with grading levels as there is quite a bit of fill in the area. A stormwater detention area would have to be very deep so this system seems more logical. The system has been in use for 5-10 years however is new to this area. The system is very efficient in terms of useable volume per square foot of space as 94% of its volume is water. It is easily constructed and with proper maintenance it should last indefinitely. The structure has been sized for a 50 year storm in accordance with recommendations from NHDES. They have included maintenance ports per factory recommendations in case there was a condition that causes siltation in the system. This system would also require much less ledge removal from the site.

Mr. Moulton reviewed the remaining TAC conditions:

#1 That the landscaping area between the lots be shown in more detail and that a fence detail for this area be provided in the detail sheet.

Mr. Moulton indicated that they will work with the Planning Staff to accomplish this.

#2 That a Coast Bus shelter detail be added.

Mr. Moulton indicated that this has been added to the revised plans, based on information that they received from Coast.

#3 That the drainage report be reviewed by DPW and, if necessary, a recommendation be provided to the Planning Department prior to the Planning Board review;

Mr. Moulton indicated that a drainage report was provided to David Desfosses and they have not heard back from him with any comments.

#5 That water conservation details be added to the plans per the requirements of Tom Cravens, also to include an irrigation system.

Mr. Moulton indicated that they have added those notes to the plans.

#7 That a letter be provided documenting the status of the wetland buffer area and whether it is jurisdictional.

Mr. Moulton indicated that NH Soils is working on a determination of this and at this point, from the history of the site and topography, they are fairly sure that the wetland area is a result of drainage from adjacent properties. A letter to that effect will be forthcoming.

#10. That a maintenance schedule of the drainage structures be included with the Site Plan and approved by David Desfosses with a report back on a scheduled basis.

Mr. Moulton stated that maintenance notes have been added to the plans and they also provided a Stormwater Management Plan which includes a city inspection two times per year.

#11 That a report be presented to DPW that outlines the existing or proposed maintenance schedule of the Commerce Way stormwater system.

Mr. Moulton indicated that this came out of a concern from TAC about the existing maintenance of the Commerce Way stormwater system.

#12 That a hydrant be installed in accordance with City Water Department regulations.

Mr. Moulton indicated that this has been added to the plans.

#13. That the size and type of the water main be corrected on the Site Plans.

Mr. Moulton indicated that this has been done.

#14 That the proposed alignment of driveways shall be evaluated following one year of the second occupancy by both the proposed hotel lot and this subject lot.

Mr. Moulton indicated this will be revisited at the time of the second occupancy of the two locations and therefore not an issue at the present time.

#15 That a knox box and master fire alarm box be installed.

Mr. Moulton indicated that this will be done.

Mr. Moulton concluded his presentation and asked if there were any questions.

Deputy City Manager Hayden indicated that there were no curbcuts for the handicapped parking spaces on the NW corner.

Mr. Moulton indicated it was their intention to have curbcuts at all handicapped spaces and they will add that.

Deputy City Manager Hayden also asked for a detail on that. She asked about snow storage and removal on the site.

Mr. Moulton pointed out several places on the site where they could store snow and anything in excess would have to be trucked off site.

Deputy City Manager Hayden asked about the snow meltage and where did the run off go? Was the drainage system designed to take care of that as well?

Mr. Moulton indicated they generally don't account for snow meltage as it doesn't normally exceed a large event rainstorm. The system itself is designed for a 50 year storm. He felt the drainage system would handle it.

Deputy City Manager Hayden asked for notes on the plan regarding snow storage.

Mr. Will asked how far along the discussions were between the Legal Department and Planning Department? It appeared to him that those discussions were a fairly big part of this application. Another issue was the wetlands. He was concerned about how they should proceed procedurally as they did not know the status of the wetlands. Mr. Will also asked about the sidewalk issue.

Mr. Holden indicated that the City and the applicant have agreed in principal to the general form that they will take regarding sidewalks and they will continue to negotiate. He suggested that some of these issues could be conditions of the final subdivision request and they could act on the Site Review knowing that the final review would be at the subdivision hearing. He was confident that the final negotiations could be handled as part of the final subdivision approval.

Mr. Will felt that still left the wetland issue.

Mr. Coker followed up on the wetland question. On Plan 2, the wetlands were delineated but stopped at the property line, which was not reality. His question was how big was the wetland.

Mr. Moulton indicated that they were not able to gain permission to enter the adjacent property because it is owned by another company.

Mr. Coker asked if they had a Conditional Use permit?

Mr. Moulton stated that they did not. He stated that based on the information they had from NH Soils they believe it is a man created wetland and therefore non-jurisdictional.

Mr. Coker asked how other situations similar to this were resolved where they were not allowed on abutting property?

Mr. Holden indicated that it didn't involve the City as they were not a party to it, however, there was another application on the same agenda at 50 Campus Drive where they were tabled pending a report to determine whether there was a wetland or man made surface. On that determination hinges whether a conditional use was necessary. In this case, that information is still outstanding.

Mr. Coker was also concerned that the regulations say "man made structure" and he felt that was different from a man made wetland. It said structures including but not limited to detention ponds and drainage swales. He felt there was an unresolved issue with the wetlands and he was reluctant to go forward at this point.

Mr. Moulton stated that a swale often drains into a wetland and is considered a man created situation and therefore non-jurisdictional.

Mr. Coker indicated if that was the case then he would be more comfortable with getting an independent appraisal.

Mr. Britz stated that a man made drainage structure would be something that was created as a drainage swale for the intent of draining a wetland. In the case of the jurisdiction, if it was created for drainage and over time it turned into a wetland then the City probably would not regulate it. But, if it just

happened to occur because it had been there for 10-15 years because of the way that they landscaped the area and it wasn't intended as drainage it would not necessarily be exempt. He felt the important thing was the report from the wetland soil scientist to see what their finding was. Then an independent soil scientist would come in, based on that study.

Mr. Moulton indicated he would defer to Mr. Britz interpretation but further stated that one of the issues they had was that it was not a situation that they were able to control in that it was forced upon the property.

Mr. Will asked to confirm that there are two separate applications that are using that particular section to say they have a man made wetland as a means to argue whether or not the wetlands are an issue. He indicated this Board was again faced with someone looking at the regulations and finding a way to avoid them. They went through that when someone came forward with a 4.8 acres and personally he felt that was why they had soil scientists, to make sure those things are delineated. To argue that a wetland is spontaneously created by processes of abutting properties was exactly what was meant by the intent of the ordinance and there was a very sharp delineation between the two – action and passive creation. He felt it was within the purview to regulate and he was more comfortable if the Board would nip this in the bud.

Mr. Holden indicated the reason that condition was there was because TAC wanted to have that information. He suggested that they see if they are comfortable with the other aspects of this application, absent the wetland issue, so that they can give advice to the applicant and keep the application moving.

Mr. Coker indicated to Mr. Holden that his point was well taken about moving the application forward, however, if the wetland is not man made and if the wetland is jurisdictional, then that throws a very different light on the project. That would add a 100' buffer zone on the plan and that changes the plan dramatically.

Chairman Smith asked if they could put the wetland issue aside for the moment and continue with all of the other issues. He asked if there were any other questions or comments about the plans at this point.

Mr. Hopley asked why there was such an enormous amount of surface parking, almost 1.8 times the minimum requirement?

Mr. Moulton stated that it was their experience with these developments was that you really need 5 spaces per 1,000 s.f. to market them.

Mr. Hopley asked if anyone local has put in the Rainstore 3 system?

Mr. Moulton stated that the closest installation was in Massachusetts, for an office building slightly smaller than this one.

Mr. Hopley asked about the manufacturer's certification.

Mr. Moulton indicated that extensive instructions and details were provided by the manufacturer.



Mr. Hopley felt that a lot of the details of the installation hinge greatly on the future success of the system.

Mr. Moulton agreed that any warranty that they had on the system would also be contingent upon the proper installation of the system.

Mr. Hopley noticed that under "Design and Technical Support", the ISI staff is available for on site construction guidance.

Mr. Moulton confirmed that was what was being advertised.

Deputy City Manager Hayden asked, relative to Stipulation #3, whether they knew if DPW had reviewed the drainage report?

Mr. Holden indicated that they have the report but had not heard back.

Deputy City Manager Hayden asked, relative to Stipulation #14 from TAC, regarding the realignment of the driveway, would the City have a role in that evaluation?

Mr. Holden felt it would be very appropriate if the Board wanted to flush that out further. The intent was that after one year of operation with both facilities functioning, there would be an ability on the part of the Board to revisit this to determine whether there should be a reorientation of driveways.

Chairman Smith asked about the height of the lighting poles. He asked if they needed 25' poles on the site?

Mr. Moulton indicated that they could look at that and lower the poles and add more fixtures.

Chairman Smith asked if the dumpster area was large enough to store recyclables?

Mr. Moulton felt it was large enough.

Chairman Smith asked about the retaining walls and the small guard rail along the north side of the property. He asked if that was a steep drop-off?

Mr. Moulton indicated it was about a 3' – 4' drop-off.

Chairman Smith asked if he felt that the guardrail was enough or should they bring in the whole square?

Mr. Moulton indicated that the grade changes fairly significantly and it should be sufficient.

Chairman Smith asked about the roofing material of the building.

Matthew LaBonte, Project Architect, indicated that they are currently planning to use a fully adhered system.

Chairman Smith indicated that one of the issues that the Board had been looking at was encouraging builders to use lighter materials on the roof for radiant heat. He asked if they could look into that?

Mr. LeBonte indicated they had looked into that for other projects.

Chairman Smith asked if the lighter materials had a lighter life span?

Mr. LeBonte indicated it was his understanding that they have improved the lighter colored roofs so that they have the same durability as the darker colors.

Deputy City Manager Hayden asked if the lights were a boxed light, directed down?

Mr. Moulton confirmed that they were.

The Chair asked if there was anyone from the public who wished to speak to, for or against the application. Seeing no one rise, the Chair declared the Public Hearing closed.

**DISCUSSION AND DECISION OF THE BOARD:**

Mr. Holden indicated that he was in total agreement with Mr. Coker and he asked that they make the issues very clear if they intend to table the application. That way a lot of issues can be addressed.

Mr. Hopley expressed his concern about the successful installation of the ISI system. He asked that a stipulation be made that the installation of the Rainstore 3 system be supervised by a representative of Invisible Structures, Inc. (ISI) and a summary report of its installation be provided to DPW.

Mr. Holden suggested that they make a motion to approve and list out all of their stipulations and then table it for the information that they need, which would give the applicant the guidance they need.

Chairman Smith granted Attorney McNeill permission to speak.

Attorney McNeill recognized that there were incomplete issues but the process of narrowing the issues is highly desirable. They have written down all of the issues that have been raised and when this matter is taken off of the table the resolution of those matters will be finalized as quickly as possible.

Chairman Smith agreed with Attorney McNeill. He indicated that he would like to see the applicant look into a lighter color for the roof but he would not make that a stipulation.

Mr. Coker wanted to clarify that if they agree to move this forward pending three issues, they will not be limited to discussion of those three issues.

Chairman Smith confirmed that he would not be limiting any discussion next month.

Mr. Will made a motion to approve with stipulations. Mr. Hopley seconded. The stipulations are as follows:

**Stipulations from the November 9, 2004 TAC Meeting:**

- 1) That the landscaping area between the lots be shown in more detail and that a fence detail for this area be provided in the detail sheet;
- 2) That a Coast Bus Shelter detail be added;
- 3) That the drainage report be reviewed by DPW and a report on it be provided to the Planning Department and the Planning Board for review;
- 4) That the traffic issues be presented to John Burke so that he can make a report back to the Planning Board;
- 5) That water conservation details be added to the plans per the requirements of Tom Cravens, also to include an irrigation system;
- 6) That the sidewalk detail be approved as to content and form by DPW and that will be refined further by the Agreement with the City;
- 7) That a letter be provided documenting the status of the wetland buffer area as whether it is jurisdictional;
- 8) That the applicant meet with the Legal Department and the Planning Department to complete a proposal for constructing the sidewalks along the length of Commerce Way in two phases, detailing how contributions or funds shall be set aside for this process;
- 9) That the meeting with the City also include any outstanding issues that may be brought to the City's attention, such as street ownership and the undergrounding of utilities;
- 10) That a maintenance schedule of the drainage structures be included with the Site Plan and approved by David Desfosses with a report back on a scheduled basis;
- 11) That a report be presented to DPW that outlines the existing or proposed maintenance schedule of the Commerce Way stormwater system;
- 12) That a hydrant be installed in accordance with City Water Department regulations;
- 13) That the size and type of the water main be corrected on the Site Plans;
- 14) That the proposed alignment of driveways shall be evaluated following one year of the second occupancy by both the proposed hotel lot and this subject lot;
- 15) That a knox box and master fire alarm box be installed.

**Stipulations from the November 18, 2004 Planning Board Meeting:**

- 16) That the installation of the Rainstore 3 system be supervised by a representative of Invisible Structures, Inc. (ISI) and a summary report of its installation be provided to DPW;
- 17) That the height of the light poles be reduced;
- 18) That a legal opinion be rendered regarding the issue of man-made wetlands vs. naturally made wetlands and presented to the Planning Department based on the report to be provided;
- 19) That finished grades be delineated;
- 20) A determination be presented to the Board of whether the wetlands are jurisdictional under Article VI of the Zoning Ordinance;
- 21) That the drainage from snow melting be addressed;
- 22) That a drainage report be provided.

Mr. Will then made a motion to table this matter to resolve the wetland issue, topography issue and any outstanding legal issues with the City, until the next regularly scheduled meeting. Mr. Hejtmanek seconded the motion. The motion to table passed unanimously.

.....  
**V. CITY COUNCIL REFERRALS/REQUESTS**

1) City Council Referral: Request to accept Moffat Street as a City Street;

Mr. Holden recommended that the Board accept Moffat Street as a City street with the three conditions recommended by the Department:

- 1) Written notification from the Department of Public Works of their recommendation to accept this street;
- 2) The submission of adequate As-Built Site Plans to the Department of Public Works; and,
- 3) Confirmation from the Department of Public Works that payments for all inspection services, which have been conducted on-behalf of the City, have been completed.

Mr. Sullivan made a motion to recommend to the City Council that Moffat Street be accepted as a City Street with the three conditions. Deputy City Manager Hayden seconded. The motion passed unanimously.

.....

2) City Council Referral: Request to place a sign on the back of the scoreboard at the Plains Field advertising a local radio station;

Mr. Holden reminded the Board that they do put signs up during the Little League season, from approximately May – August. This is to add one more that would be on the back of the score board. This is a little unusual because it will be facing away from the ball field and will be directed at traffic. The Department indicates that it would be of limited size and nature and they recommended some conditions that would be imposed.

Deputy City Manager Hayden indicated that she would like to see this done as a one year pilot, from May 1, 2005 – September 1, 2005.

Mr. Sullivan asked where the money from the sign goes? He sees the City crews maintaining the fields all of the time. There are people who give the uniforms and the City takes care of the field so he would like to know exactly where the money goes.

Mr. Holden indicated that it was his understanding that the money goes to the League and goes to support the League services.

Mr. Sullivan added that he has seen the park go from no signs to signs all along the entire length of the fence. He felt it was beginning to look like Fenway Park. He felt the back of the scoreboard was sacred ground. The monuments that are out there all have plaques on them for servicemen killed in defending this country. He did not want to see the area become too commercial. There comes a time when the City has to say enough.

Amy Trefferen, spoke on behalf of the Little League. The banners that they hang up are a main fund raising for the league. The money that they raise goes to the children and the sport. They have improved the field and have made it safer. They are working on the other parks as well to make them more presentable.

Mr. Sullivan asked who pays for the uniforms?

Ms. Trefferan indicated that the Little League does.

Mr. Sullivan asked about the sponsors?

Ms. Trefferan indicated that went into the Little League fund. All funds that come in goes to uniforms and the concession stand.

Mr. Sullivan understood that he was fighting against “motherhood and apple pie” but he felt that they had gone far enough with that particular ball park. Maybe they should be looking for another ball park.

Deputy City Manager Hayden indicated that they should be thinking of the sign aspect only for their report back to the City Council.

Mr. Hopley indicated that he would not be in favor of this recommendation either. He felt this was just another way to get signs on the outside of the fence.

Mr. Will made a motion to make a recommendation to the City Council that a sign be allowed on the back of the scoreboard at the Plains field, for a trial period of May 1, 2005 – September 1, 2005.

Mr. Coker wanted to make sure that the Council understood their concerns. He understands that every non-profit struggles for money but he felt the Council should understand that they don’t necessarily want to see a lot more of these.

The motion passed with Mr. Savramis, Mr. Hopley and Mr. Sullivan voting in the negative.

.....

**VI. NEW BUSINESS**

A.) Election of CIP Sub-Committee;

Mr. Sullivan, Mr. Hejtmanek and Chairman Smith will serve on the CIP Sub-Committee.

.....

**VII. AMENDED SITE PLAN REVIEW**

1) 126 State Street

Mr. Holden indicated that they were requesting a very minor revision and the Department was asking that they support it.

John Chagnon, of Ambit Engineering, indicated that essentially the project was approved in May of 2004 for a 3-story addition on the Court Street side. They are proposing a couple of minor changes. The first is on the 3-story addition on the back where they have added a benchmark on the plans. They have relocated the roof drain connection. They have discovered that there was a drain on that side and it would make more sense to hook into it. They have also changed the floor elevation on the addition. They took out the steps on the Court Street side.

Deputy City Manager Hayden asked if Public Works had reviewed and approved the drainage change?

Mr. Chagnon indicated that they had.

.....

**VIII. ADJOURNMENT**

A motion to adjourn at 9:00 pm was made and seconded and passed unanimously.

.....

Respectfully submitted,

Jane M. Shouse  
Acting Secretary for the Planning Board

These minutes were approved by the Planning Board on January 20, 2005.