

TOWN OF BENNINGTON

PLANNING BOARD

Minutes of the Meeting – May 26, 2009

Present: Jeffrey Rose, Chair
Peter Eppig
Melissa Stewart
Joseph Cuddemi, Ex-Officio

Guests: Joseph MacGregor, Conservation Commission
Peter K. Martel
Felix Kagi, General Manager, Crotched Mountain Ski & Ride Area
Anthony Laber
Susanna Laber
Randall Ferrara
Benjamin Watson, Frankestown Planning Board
Steve Campbell, Police Chief
Kristie French, Fire Inspector
Josh Bond, Monadnock Ledger-Transcript

Chairman Jeffrey Rose called the meeting to order at 7:30 p.m.

The Board reviewed the Minutes of their April 27, 2009 meeting and voted to approve them as amended. The Board reviewed and approved the Minutes of their May 11, 2009 meeting as presented.

Chairman Rose reported that he spoke with Jodie Tilton, operator of a day care on Bible Hill Road who has been posting advertisements for her business. Ms. Tilton will meet with the Planning Board at a later date to determine if Site Plan Review is necessary.

At 7:55 p.m. the Board opened a Public Hearing to conduct a one year review of the off-season use and overnight camping stays at the Crotched Mountain Ski and Ride Area, as mandated by the Planning Board on June 9, 2008. Chief Campbell presented the Board with a detailed list of Police Department activity at the Ski Area for the 2007/2008 and 2008/2009 season, indicated a slight increase in Police Department activity.

The Board reviewed the conditions of their June 9th approval and noted that the Fire Department was not always notified of an event in accordance with Procedures set forth. Per the June 9th decision, Crotched Mountain Ski and Ride Area was to notify the Police and Fire Departments of an over-night camping event at least 30 days in advance and provide a head count of guests 24 hours prior to the event; the Police Department reported receiving the information, while the Fire Department was not provided the information.

Felix Kagi, General Manager at Crotched Mountain Ski & Ride Area noted that he was under the impression that both the Police and Fire Departments had been notified via fax throughout the season. He also noted that the 30 day advance notice of over-night camping events is not always feasible and requested consideration of that requirement. After some discussion, it was mutually agreed between the Planning Board, Fire Department, Police Department, and Crotched Mountain Ski Area that the Ski Area will notify

the Police and Fire Departments via email at least five days in advance and they will call each agency at least 24 hours in advance with the number of attendees. In addition, Crotched Mountain will post the number of over-night guests on the front door to the building on nights when there are over-night activities. Motion was made, seconded, and unanimously voted to amend the Notice of Decision to document these critical changes.

Regarding the continued permission for off-season use of the facility and grounds, the Board requested that the Ski Area provide at least five days advanced notice via email to Town Officials.

Chairman Rose opened the Hearing to public input.

Francestown Abutter Randall Ferrara noted that, with his personal job, he has provided transportation for some of the group events at the Ski Area and has found the coordination of overnight events to be outstanding. When asked, Mr. Ferrara noted that he heard music and noise from the Ski Area more frequently this year than in prior years, but not to a level that he found offensive.

Francestown Abutters Anthony and Susanna Laber noted that they continue to have problems with music coming from the Ski Area, especially on the weekends. On occasion, the Police Departments from Bennington and Francestown were notified, with Francestown Police witnessing the loud noise. Planning Board member Melissa Stewart noted that she drove to the Laber's house one Saturday night and did not report hearing the music. However, Ms. Stewart noted that that does not mean the noise is not excessive at times.

The focus of the discussion surrounding noise encompassed speaker location and direction. Throughout the 2008/2009 season, speakers were located on the roof of the ATC building and the location varied from pointing up hill and toward the maintenance building. After much discussion, it was agreed that Crotched Mountain would reposition the speakers in the 2009/2010 season to direct music up the hill and towards the lodge, rather than towards the maintenance facility.

Benjamin Watson, Francestown Planning Board member, reported that the Town of Francestown has no concerns associated with the review of operations being conducted.

The Planning Board voted to continue the review of operations at Crotched Mountain Ski and Ride Area to Monday, February 8, 2010 at 7:45 p.m. The date was selected as a probable half-way point through the season and would allow the Board time to assess the notification process for over-night stays and to reevaluate the noise issue after the speakers are moved.

At the conclusion of the Public Hearing the Board began a completeness review of Cold Springs Land Trust's subdivision application for Map 18, Lot 3-2.

The Board voted to conduct a Site Walk with the Conservation Commission on Monday, June 1, 2009 at 6:30 p.m. for the proposed subdivisions – Map 18, Lot 3-2 and Map 17, Lot 35.

There being no other business before the Board, the meeting was adjourned at 10:07 p.m.

Respectfully Submitted,

Kristie French, Planning Board Recording Secretary