

TOWN OF CHARLEMONT
PLANNING BOARD MINUTES

Town Hall, May 7, 2009

Members in attendance: Gisela Walker, Dan Miller, Jerry Pratt, Kathy Eichholz, Trevor Mackie

Members absent: Bill Stephens

Also present: Bob Handsaker, Neal Lear and Earl Bowen, for a short while.

Meeting called to order at 7:08 PM.

Minutes from previous meeting initialed by all in attendance.

7:15 PM: Earl Bowen was in attendance, with some questions about a previous case. He had not received a cover letter. The Board agreed to give him a copy.

7:25 PM: Gisela has requested from the Selectmen for the PB an additional key to the Town Hall – the Selectmen haven't voted on this yet, but are working on it. She also asked to be able to use the Town computer – the Selectmen have said they are also in the process of sorting this out.

7:28 PM: Canopy height assessment proposal – Bill had sent a request for an estimate to 4 foresters. John Edwards was the only one that responded – his estimate was \$1000 for field assessment, data collection within 1000' ft radius and field report, using a sunto clemometer. Bob Handsaker asked that future growth not be considered. As to payment to the forester, the financing process needs to be worked out with the cell tower attorneys. Payment will be held until his report is submitted. Gisela and Dan will notify the abutters that attended a previous Hearing whether they want to be notified of the forester's presence; B. Handsaker requested that he be. At 7:50 PM, Gisela made a motion to approve the contract with stipulations re time of payment. Passed unanimously.

7:52 PM : Dan received a call from Phil Banks, in complaint about laden trucks going up to Zoar Stone and Gravel – Earl Bowen explained that the contents of the trucks are millings (cement and blacktop) from the bridge repairs. The PB is not certain if this situation is a violation of his permit. The ConComm members suggested that the DEP should be apprised of the situation, as it is hazardous materials. Dan will inform the Selectmen , Trevor will call the DEP and Gisela will call the Building Inspector.

8:23 PM: Gisela and Dan will re-organize the files, to update the record keeping.

8:25 PM: When the article for change to the special permit process appears at town meeting, it was decided that the Board will have Bill give a small presentation, with the rest of the PB in the audience in attendance.

8:30 PM: The PB received the Berkshire East wind turbine pre-meeting packet. Jerry asked if people speaking at the public hearing could be limited to Charlemont residents – the Board will investigate the legalities of this.

8:45 PM: Berkshire East Zip Line Hearing

The Board opened the hearing at 8:45 to consider a special permit by Berkshire East for the construction of a zip line on the mountain. The zip network will consist of 3-6 zip lines, on existing terrain and will be a year round operation. Steve Gustafson, the designer/ builder of the system, made a presentation detailing the location of the 3 towers near the lodge. Roy Schaefer, owner of Berkshire East, said this installation will be a beginner's zip line (only 15 mph top speed). The stopping design uses a gravity brake, avoiding hand injuries usual with other brakes. The staff will be trained for walk-ins or

groups – a member of the staff will be at each tower (only one passenger on a cable at a time). Each passenger will be hooked on with safety lanyards. The weight limit of allowed passengers is 70 to 270lbs. Staff will have CPR and all safety training. Summer hours will be daylight hours (the winter hours will be when the mountain is open), 7 days a week, with no use of additional lighting. The parking area that will be used is the upper lot, which is existing parking. There will be no removal of any trees. Also, there are no erosion issues, as the company is only placing poles.

Carol Kane, an abutter, expressed concern about traffic and felt the need for a sign to slow car traffic down on the town road, perhaps indicating that the pavement ends. She requested that the town highway department install a sign.

The PB has scheduled a site visit at 6:30PM on Monday, May 11, 2009.

Trevor expressed a question of process – although Berkshire East was refused a building permit by the building inspector, they disregarded it and continued to build. Kate Benedetti replied that she thought she only needed the state tram permit and didn't think she was applying to build something, but to change use – she admits to an error on her part, as she didn't realize they needed a special permit.

Jerry is concerned about the amount of traffic with the Hawley installation in use, as the top lines (which are placed in Hawley) can take 40-50 people an hour, but will use the Charlemont parking lot. Roy explained that they will try to do traffic control with using “pods” of people. The lodge will not be in use for food preparation, except for pizza parties using pizza purchased from town. The PB scheduled a second session for this application on the 14th of May at 7:00PM.

9:50 Trevor moved to continue hearing to the 14th of May, Gisela seconded – passed unanimously.

9:52 Meeting adjourned.