

# TOWN OF THORNTON

## Board of Selectmen

Approved on: 4 07 13  
BOS Initial: ABR  
Rec'd by Town Clerk on: 18 APR 13  
Town Clerk Initials: ZJ

### Board of Selectmen Meeting Minutes Public Hearing on Special Event Applications March 27, 2013

B. Benton called the meeting to order at 6:07PM and led the Pledge of Allegiance.

#### Roll Call:

The following Board members were present:

B. Benton, Chairman    R. Sabourn, Vice-Chairman    S. Morton    M. Peabody    J. Paul-Hilliard

#### Staff Present:

T. Beaulieu, Town Administrator    Police Chief A. Moller    Fire Chief D. Tobine  
T. Powers, EMD    N. Decoteau, Secretary

#### Members of the Public Present:

J. Demeritt    B. Burbank    M. Boyd    K. Coburn    H. Steele    J. Downing  
B. Dunlop    S. Marsden    S. Abdei    P. Steele    M. Benton    B. Benton    D. Downing

R. Sabourn and B. Benton recused themselves from the Public Hearings due to ongoing litigation.  
S. Morton was selected to serve as Chairman during the Public Hearings.

#### PUBLIC HEARING: Pemi-Valley Bluegrass Festival

S. Morton opened the Public Hearing at 6:09pm and read the Notice of Public Hearing that was in the March 14, 2013 issue of the Record Enterprise and posted in at least two public places.

S. Morton reviewed the Special Event Checklist and noted that questions 1, 2 and 3 were answered in the affirmative thus requiring that a Special Event Application be submitted for the event.

S. Morton noted the Pemi-Valley Bluegrass Festival took place last year and asked if there were major changes to the application this year.

S. Marsden responded that there are no major changes in the application this year.

S. Morton reviewed the Special Event Application for the Pemi-Valley Bluegrass Festival.

S. Morton confirmed the dates of the event are 08/01/2013 through 08/05/2013.

S. Morton confirmed after discussion with the applicant and Board members that the check-in time will begin at 9:00am on 08/01/2013 and check-out time will be 9:00am on 08/05/2013 thus determining that the Pemi-Valley Bluegrass Festival is a 4-day Special Event.

S. Morton clarified that the property has not yet met the conditions of approval for the Site Plan application to have a campground and that the Special Event Applications will be processed with the assumption that no overnight camping will take place on the property outside of the check-in and check-out times.

S. Morton confirmed after discussion with the applicant and Board members that the set-up time will be from 8:00am to 10:00pm on 07/29/2013 through 08/02/2013 with no overnight camping unless the final Site Plan Approval for the campground has been granted.

S. Morton added that if the property does have the final Site Plan Approval prior to July 29, 2013 any overnight camping is to take place only at the campsites.

S. Morton confirmed after discussion with the applicant and Board members that the clean-up will be completed between 7:00am and 9:00pm on 08/05/2013.

S. Morton noted that alcohol will not be allowed in the concert area but only on individual campsites.

S. Morton noted a NH DOT driveway permit for the Special Event is on file for the property.

S. Morton noted there is not a fireworks demonstration scheduled for the event.

M. Peabody, Health Inspector, stated that an on-site inspection is scheduled for July 31, 2013 at 6:00pm to verify that all vendors have the necessary permits and provided the applicant a copy of the pre-inspection checklist.

At 6:30pm S. Morton noted that the Public Hearing to consider the White Mountain Boogie n' Blues Festival Special Event Application scheduled for 6:30pm, will begin immediately following the close of the Public Hearing to consider the Pemi-Valley Bluegrass Festival Special Event Application.

Chief Tobine indicated that he did not have any major problems at the Pemi-Valley Bluegrass Festival last year.

S. Morton noted the requirements for the Pemi-Valley Bluegrass Festival listed in Chief Tobine's letter dated March 8, 2013 as follows:

1. Two CTFE EMT's for open hours of event
2. First Aid Tent
3. All tents must have certificate of flame proofing
4. Map to show layout and evacuation plan – all roads need to be signed.
5. Parking and emergency lanes identified in advance of event and inspected by Fire Department.  
They should be marked with paint and signs.
6. Fire Department walk through prior to the event.
7. Other requirements may be needed for unforeseen circumstance at time of inspection.
8. Campfire permit and landowner permission letter required.

Chief Moller stated that last year's event required only one response to a noise complaint and that the plan for this year is to handle any complaint in the same manner as they normally would in compliance with what the RSA states regarding noise complaints.

S. Morton received and entered into the record a site plan for the event.

S. Morton provided opportunity for abutters to speak.

K. Coburn asked how many patrons were expected to attend the event.

S. Morton responded the application indicates between 500 and 1,000 people are expected to attend.

K. Coburn asked for an explanation of "experienced volunteers for security".

Chief Moller stated that the applicants will be paying for a police detail at the event in addition to their volunteers and that the detail will include the same number of police personnel as last year.

S. Morton noted the requirements for the Pemi-Valley Bluegrass Festival listed in Chief Moller's letter dated March 19, 2013 as follows:

1. Driveway Permit – per application instructions
2. Parking lot lighting from dusk until majority of cars have left.
3. Number of detail offers and times of details will be at the discretion of the Chief of Police per RSA 105:9, as well as an agreement that if an emergency situation requires the police department to call in additional Thornton officers other than the officer how is on duty in town, the festival will cover the cost of the additional officers at their detail rate.
4. Meet with department heads to review All Hazards Plan

J. Paul-Hilliard, after confirming with the applicant that she did not have a specific list of vendors participating in the event, asked Chief Tobine if he was comfortable with that.

Chief Tobine responded that he confirms all vendors have appropriate certificates/permits when he performs the pre-event walk through.

Emergency Management Director, T. Powers, indicated he had no concerns.

S. Morton reviewed the checklist under item #2 of the License Standards of the Special Event Regulations.

A. The site is appropriate for the proposed use or structure.

M. Peabody responded yes.

J. Paul-Hilliard responded yes.

S. Morton responded yes.

B. The proposal is not detrimental, injurious, or offensive to the neighborhood.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed.

C. There will not be undue nuisance or serious hazard to pedestrian or vehicular traffic.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed.

D. Adequate and appropriate facilities and utilities will be provided to insure the proper operation of the proposed use or structure.

M. Peabody agreed, and confirmed with the applicant that whisper generators will be used.

J. Paul-Hilliard agreed.

S. Morton agreed.

E. The site provides sufficient parking.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed.

F. Adequate sanitation/toilet facilities and waste removal will be provided.

M. Peabody agreed.

J. Paul-Hilliard agreed, after confirming with the applicant that an expected clean out time is part of the agreement with the portable toilet facility provider.

S. Morton agreed.

G. All other required licenses (such as alcohol and food service licenses) have been obtained.

M. Peabody agreed and stated she confirms this at the time of her inspection.

J. Paul-Hilliard agreed.

S. Morton agreed.

H. Neither the property owner nor the organization has failed in the past to pay any special detail fees associated with past special events.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed.

**MOTION: " To approve a Special Event License for the 2013 Pemi-Valley Bluegrass Festival to Pemi-Valley Productions with the following conditions:**

1. All necessary State Licensing and Permitting will be obtained.
2. All requirements established by Fire Chief Tobine and Police Chief Moller will be in place at the time of the event.
3. The Pemi-Valley Bluegrass Festival is a 4-day Special Event.
4. Check-in time will begin at 9:00am on 08/01/2013 and check-out time will be 9:00am on 08/05/2013.
5. Set-up time will be from 8:00am to 10:00pm on 07/29/2013 through 08/02/2013 with no overnight camping unless the final Site Plan Approval for the campground has been granted.

Motion: M. Peabody

Seconded: J. Paul-Hilliard

Discussion:

Chief Tobine suggested that if town officials could receive a report regarding the actual number of people attending the Special Events this year it will be helpful in the planning of future events.

Motion Passes: 3 – Yes, 0 - No

At 6:55pm S. Morton closed the Public Hearing for the Pemi-Valley Bluegrass Festival Special Event Application and opened the Public Hearing for the White Mountain Boogie n' Blues Festival Special Event Application.

**PUBLIC HEARING: White Mountain Boogie n' Blues Festival**

S. Morton began the Public Hearing by reading the Notice of Public Hearing that was in the March 14, 2013 issue of the Record Enterprise and posted in at least two public places.

S. Morton reviewed the Special Event Checklist and noted that questions # 2 and #3 were answered in the affirmative thus requiring that a Special Event Application be submitted for the event.

S. Morton noted that this is the 3<sup>rd</sup> year the White Mountain Boogie n' Blues Festival has applied for a Special Event Permit and asked if there were major changes to the application this year.

B. Benton responded that there are no major changes in the application this year.

S. Morton reviewed the Special Event Application submitted for the White Mountain Boogie n' Blues Festival.

S. Morton confirmed the dates of the event are 08/15/2013 through 08/19/2013.

S. Morton asked Chief Moller to comment on the after action report from last year's event.

Chief Moller stated there was a traffic concern during the times attendees were allowed to check in but feels that the application submitted this year structures the time attendees can start checking in to the event in such a way that will the traffic concern will not recur.

S. Morton confirmed with Chief Tobine that his after action report from last year's event did not list any major concerns.

S. Morton confirmed after discussion with the applicant and Board members that the check-in time will begin at 4:00pm on 08/15/2013 and check-out time will be 4:00pm on 08/19/2013 thus determining that the White Mountain Boogie n' Blues Festival is a 4-day Special Event.

S. Morton confirmed after discussion with the applicant and Board members that the set-up time will be from 7:00am to 10:00pm on 08/12/2013 through 08/15/2013 with no overnight camping unless the final Site Plan Approval for the campground has been granted.

S. Morton confirmed after discussion with the applicant and Board members that the clean-up will be completed between 8:00am and 5:00pm 08/19/2013 through 08/22/2013 weather permitting.

S. Morton confirmed after discussion with the applicant and Board members that quiet hours would be 11:00pm to 7:00am on 08/16/2013 and 08/17/2013 and return to 10:00pm to 7:00am on 08/18/2013.

S. Morton reviewed Chief Moller's requirements for the White Mountain Boogie n' Blues Festival in her letter dated March 19, 2013 as follows:

1. Driveway Permit – per application instructions
2. Parking lot lighting from dusk until majority of cars have left.
3. Number of detail offers and times of details will be at the discretion of the Chief of Police per RSA 105:9, as well as an agreement that if an emergency situation requires the police department to call in additional Thornton officers other than the officer how is on duty in town, the festival will cover the cost of the additional officers at their detail rate.
4. Meet with department heads to review All Hazards Plan

J. Paul-Hilliard asked if Chief Moller was satisfied with the professional security provided by the applicant. Chief Moller responded the security personnel provided by the applicant last year worked well with the Police Department.

S. Morton reviewed Chief Tobine's requirements for the White Mountain Boogie n' Blues Festival in his letter dated March 8, 2013 as follows:

1. Fire truck and 2 firefighters need during fireworks display.
2. Area animal owner must be notified about fireworks.
3. A minimum of two CTFE EMT's for open hours of event
4. First Aid Tent
5. All tents must have certificate of flame proofing
6. Map to show layout and evacuation plan – all roads need to be signed.
7. Parking and emergency lanes identified in advance of event and inspected by Fire Department.  
They should be marked with paint and signs.
8. Fire Department walk through prior to the event.
9. Other requirements may be needed for unforeseen circumstance at time of inspection.
10. Campfire permit and landowner permission letter required.

M. Peabody, Health Inspector, stated that an on-site inspection is scheduled for August 14, 2013 at 6:00pm to verify that all vendors have the necessary permits and provided the applicant a copy of the pre-inspection checklist.

Emergency Management Director, T. Powers, indicated he had no concerns.

S. Morton provided opportunity for neighbors to speak.

M. Boyle stated he supports the Boogie n' Blues Festival and offered some suggested the Town set acceptable decibel levels and monitor sound levels during the event to relieve neighbors from always having to call/complain when noise levels are excessive.

After a brief discussion the applicant agreed that they could work with the neighbors to better monitor sound levels.

K. Coburn stated her concern that the noise level was excessively loud at last year's event.

K. Coburn stated she supports the Boogie n' Blues Festival but hopes to see more respect given to the concerns of neighbors.

S. Morton reviewed the checklist under item #2 of the License Standards of the Special Event Regulations.

A. The site is appropriate for the proposed use or structure.

M. Peabody responded yes.

J. Paul-Hilliard responded yes.

S. Morton responded yes.

B. The proposal is not detrimental, injurious, or offensive to the neighborhood.

M. Peabody agreed after stating her support of the suggestion to set acceptable sound levels.

J. Paul-Hilliard agreed after commenting that the concerns of M. Boyle are well stated, well documented and well received and that listing specific acceptable noise levels can be part of a the application process in future years.

S. Morton agreed.

C. There will not be undue nuisance or serious hazard to pedestrian or vehicular traffic.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed.

D. Adequate and appropriate facilities and utilities will be provided to insure the proper operation of the proposed use or structure.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed.

E. The site provides sufficient parking.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed.

F. Adequate sanitation /toilet facilities and waste removal will be provided.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed and stated this is another good reason to track the number of attendees.

G. All other required licenses (such as alcohol and food service licenses) have been obtained.

M. Peabody agreed and stated she confirms this at the time of her inspection.

J. Paul-Hilliard agreed.

S. Morton agreed.

H. Neither the property owner nor the organization has failed in the past to pay any special detail fees associated with past special events.

M. Peabody agreed.

J. Paul-Hilliard agreed.

S. Morton agreed.

At 7:40pm the following motion was made:

**MOTION: "To approve a Special Event License for the 2013 Boogie n' Blues Festival to the Benton Sugar Shack with the following conditions:**

1. All necessary State Licensing and Permitting will be obtained.
2. All requirements established by Fire Chief Tobine and Police Chief Moller will be in place at the time of the event.
3. The White Mountain Boogie n' Blues Festival is a 4-day Special Event.
4. Check-in time will begin at 4:00pm on 08/15/2013 and check-out time will be 4:00pm on 08/19/2013.
5. Set-up time will be from 8:00am to 10:00pm on 08/12/2013 through 08/15/2013 with no overnight camping unless the final Site Plan Approval for the campground has been granted.
6. Clean-up will be completed between 8:00am and 5:00pm 08/19/2013 through 08/22/2013 weather permitting.
7. Quiet hours will begin at 11:00pm on 08/16/2013 and 08/17/2013, and quiet hours will begin at 10:00pm on 08/18/2013.
8. All music will stop by 10:00pm.

Motion: M. Peabody

Seconded: J. Paul-Hilliard

Discussion:

A brief discussion followed regarding how the fireworks display fit into the quiet hours listed. It was agreed that the on 08/17/2013 the music stops at 10:00pm and the approximately 45 minute firework display takes place immediately afterward which falls in line with the 11:00pm quiet hours for 08/17/2013.

Motion Passes: 3 – Yes, 0 - No

At 7:44pm S. Morton closed the Public Hearing for the White Mountain Boogie n' Blues Festival Special Event Application.

R. Sabourn and B. Benton returned to the Board.

T. Beaulieu presented a ZBA Alternate Member appointment form for the Board's consideration.

S. Morton noted the correspondence from A. Burbank stating he would not accept an appointment to serve as an alternate member of the Zoning Board of Adjustment.

**MOTION: "To appoint Christopher C. Hodges as alternate member of the Zoning Board of Adjustment for a term of three years."**

Motion: M. Peabody

Seconded: R. Sabourn

Discussion:

A. Burbank stated that C. Hodges is a Thornton resident who works as the Public Safety Director in Waterville Valley and agreed that C. Hodges is a good candidate for the position.

Motion Passes: 5 – Yes, 0 – No

T. Beaulieu presented a Deed with No Covenants conveying the parcel of land identified as Tax Map 6 Lot 9 Sub-lot 26, located at 2405 NH Rt. 175, from the Town of Thornton to Floyd & Blanche Boyce for the Board's consideration.

**MOTION: "To sign the Deed with No Covenants conveying the parcel of land identified as Tax Map 6 Lot 9 Sub-lot 26, located at 2405 NH Rt. 175, from the Town of Thornton to Floyd & Blanche Boyce."**

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None

Motion Passes: 5 – Yes, 0 – No

**ADJOURNMENT:**

At 7:50pm the following motion was made:

**MOTION: "To adjourn."**

Motion: M. Peabody

Seconded: J. Paul-Hilliard

Discussion: None

Motion Passes: 5 – Yes, 0 - No

Respectfully Submitted,

Nancy Decoteau