

COÖS COUNTY PLANNING BOARD  
Colebrook Schools Gymnasium  
May 27, 2015

**Present from the Board:** John Scarinza – Chair; Fred King – Vice Chair; Jennifer Fish – Clerk; Commissioner Tom Brady, Ed Mellett, Scott Rineer, Mike Waddell, Rick Tillotson; alternate Mark Frank; and Board Secretary Suzanne Collins.

**Also in Attendance:** Les Otten, Dave Despres, Ed Brisson, Dave Norden, Burt Mills, Scott Tranchemontagne – Balsams Development Team; Dan and Lisa Gravel-Hebert, Balsams Owners; Ron Anstey, NH Fire Marshal’s Office; Tara Bamford, North Country Council; Chuck Henderson, Senator Jeanne Shaheen’s Office; County Commissioner Rick Samson; David Brooks, Sandra Riendeau, Dana Bartlett – Colebrook Planning Board; Colebrook Selectman Ray Gorman; Colebrook Town Manager Becky Merrow; DRED Representative Beno Lamontagne; State Representative Larry Rappoport; members of the press and public.

John Scarinza, Chair, called the meeting to order at 6:05 PM. He introduced the members of the Planning Board and noted that for Coös County’s Unincorporated Places, the County Commissioners serve as Selectmen and the County Legislative Delegation serves as town meeting.

**HEARING OF THE PUBLIC:**

Chairman Scarinza explained that Dixville Capital, LLC and the Balsams Development Team would describe the scope of their proposed project and take questions from the public after the presentation. He indicated that this is an informal non-binding discussion with no Planning Board votes or approvals on the project at this stage.

Les Otten introduced team members including Dave Norden, Architectural and Planning; Ed Brisson, State and Federal Permitting; Burt Mills, Mountain Planning and Development; Dave Despres, Chief Financial Officer; Jeff Stevens, Construction Manager; and Scott Tranchemontagne, Media Relations.

Mr. Otten invited anyone looking for work on the Balsams Project to fill out an application. He spoke of the beginning of The Balsams in 1866 and its renaissance under the ownership of the late Neil Tillotson. Mr. Otten added that Mr. Tillotson’s will stated that The Balsams should be used to the maximum economic benefit of the community and that he and his team want to be part of that. Mr. Otten acknowledged the current owners Dan Hebert and Dan Dagesse and spoke of his vision for the largest ski area in the Eastern U.S. when he reviewed USGS topo maps of Dixville Notch.

Although he envisioned the grandeur, he also noted several problems.

1. The need to make snow for the early holiday season. The largest water source located was the Androscoggin River.
2. Some of the land needed for the large ski area was owned by Bayroot, LLC and managed by Wagner Woodlands.
3. The new resort would require all kinds of permits and help from agencies such as the Department of Environmental Services, Department of Transportation, Department of Resources and Economic Development, Business Finance Authority, etc.

Mr. Otten stated that the first step in the development process occurred over a year ago and he has experienced a tremendous amount of cooperation. He noted that the Milan Airport is a great asset. During the planning process, it was noted that in 1992 the former James River Corporation had proposed a tax financing district that had gone unused. He learned that Dixville could not be included in that one. Since Dixville was an unincorporated place, it was not possible under NH state law to create one there. With that, Senate Bill 30 that would allow tax financing districts in an unincorporated place was introduced and recently signed by Governor Hassan. He noted that the process took time and does not guarantee that the Business Finance Authority (BFA) will approve a loan guarantee for The Balsams Project.

Mr. Otten stated that they have not received all their permits yet but has seen nothing that is a show stopper based on comments submitted during the permit application review process.

He indicated that this presentation serves to give the public as much information as the team has. The first order of business with the Coös County Planning Board is to obtain approval on the proper zoning for the project to be located on 11,000 acres.

The resort as envisioned will have 23 ski lifts that will take decades to build out. An economic study commissioned by Mr. Otten shows that for every job created at The Balsams, two co-existing jobs will be created in the State of NH. He stated that one of the lessons he learned at Sunday River is that you need the local community behind you – a community that understands your goals.

Mr. Otten stated that within 50 minutes of The Balsams, there is a giant housing stock of 350 homes for sale. Another important consideration is bringing youth back to the community.

David Norden discussed the general plan for the 11,000 acres that includes several development areas – Lake Gloriette area, Golf Course area, Wilderness Ski Area and a future East Village on the northeast side of the mountain. The team has studied national trends for resort recreational experience and found connectivity and the ability to park the car at arrival and the resort guest's ability to access all of the resort's acreage through trails and lifts is very much in demand. The current plan for The Balsams includes

- A gondola from the hotels to the NE facing slopes and a return ski trail and bridge over Route 26;
- Trails for snowmobiles and Ride the Wilds ATV enthusiasts;
- American design concepts for a resort campus versus the European design concepts at other large ski areas;
- The new Lake Gloriette House (this new building has been renamed several times);
- Gardens to support the “farm to table” movement;
- Hale House Culinary School;
- The Marketplace with a general store that can also be used as an indoor space for children’s activities;
- Nordic Spa that straddles the existing waterfall which is a great health and rejuvenation facility for the shoulder seasons; and
- The Great Lawn where guests will begin their daily adventures. The great lawn will provide access to all resort components.

Mr. Norden explained that Phase I would include 6 new ski lifts and the gondola. Mr. Otten added that this expansion would make it as big as the current Loon Mountain Ski Area. He stated that Phase I needs to be big enough to be a competitive destination. He stated that The Balsams needs to be known for the best skiing, the best spa, the best golf, and the best marketplace. He believed that this can be achieved by learning from the mistakes made by other winter ski areas where you park your car and walk to the lifts.

Mr. Norden noted that the Hampshire House is salvageable, the Dix House has great architecture and the connector between the two will be new construction. The main entrance will be on the second floor of the new connector. The Dix House will include a Ballot Room Restaurant and a membership lounge. There will be an indoor pool designed with access to the outdoors. The theatre will be refurbished.

Ed Brisson explained that the hotel is an historic property listed on The National Register of Historic Places. He indicated that the Dix House and Hampshire House will be preserved as will the Hale House and the Captain’s Cottage. He stated that the review process involves working closely with the Army Corp of Engineers in order to be in compliance with the provisions of Section 106 of the Historic Preservation Act. He urged any member of the public who supports the project to submit comments to the Regulatory Division, Dave Keddell, 696 Virginia Road, Concord, MA 01742. Mr. Brisson added that all the art and historic photos from the hotel have been preserved.

The floor was then opened up for questions from the public:

1. Beno Lamontagne, DRED, asked how many jobs will be created. Mr. Otten replied 500 when breaking ground and approximately 1,500 through expansion 6 or 7 years out. He stated that he will submit the economic study completed by PoleEcon of Concord to the Planning Board. Dave Norden urged members of the public looking for work to visit the website, thebalsamsresort.com, to apply. They will need a lot of help.

2. David Brooks, Colebrook Planning Board, asked if any workforce housing will be built. Les Otten replied no in the early phases. He stated there used to be 250 people living on the property and restated that there are 350 housing units available for sale locally. Other current home owners might also be interested in selling their homes. He indicated that long-term they may build housing for employees adding that at Sunday River, lots were sold to employees at 25% of market value for home construction.

Mr. Otten continued that an RV Park will be provided on the property for construction crews and he envisioned that some workers would rent locally. The goal for the resort is to make employment year-round by training employees in multiple tasks depending on the season.

3. Someone asked when construction will begin. Mr. Otten indicated that they now have to go through the zoning process with the Planning Board and he wants to see construction begin in 2015.
4. Another questioner asked about additional local needs for first responders and hospital services. Mr. Otten stated that they will work with the community on these needs. In the beginning stages, he does not foresee any dramatic impact and reminded the public that current local services supported a population of 600 workers at Ethan Allen, and hundreds of workers at the Tillotson factory and hotel.
5. Kevin McKinnon, Colebrook Public Works Director, inquired about water and wastewater treatment. The response was that both these resources are already a tremendous asset located on the property including Balsams Spring Water and a wastewater treatment facility with a permitted capacity three times what the development needs.
6. Edith Tucker, *Coös County Democrat*, asked about bringing the electricity required in from Errol. Mr. Otten replied that Eversource (formerly PSNH) is working with NH Electric Coop to upgrade ordinary 3 phase distribution lines. He made it clear that he is talking about distribution lines and not transmission lines.

There were no further questions. Chairman Scarinza called for a 10 minute recess.

Chairman Scarinza reconvened the meeting.

#### **PRE-APPLICATION CONFERENCE FOR BALSAMS CONCEPT PLAN:**

Chairman Scarinza explained the zoning districts and that the County's Zoning Ordinance allows for Planned Development Districts in accordance with RSA 674:21. He read from Zoning Ordinance 4.07:

"The Board's intent is to consider development proposals that may be separated from existing developed areas, provided that they can be shown to be high quality and not

detrimental to other values established in the Master Plan, and provided they depend on a particular natural feature or location which is available at the proposed site. A zone change will be recommended to the Board of County Commissioners when the Planning Board is persuaded by a preponderance of all the evidence that the location of the site is the best reasonably available for the proposed use and that the goals and policies of the Master Plan are served.”

John added that under the current ordinance, once the zone change is approved by the County Commissioners, the Delegation will have to vote to approve the change to the zoning map. He indicated that currently the Board is at the pre-application phase and that the concept plan submission will require a project description, ownership, permitted uses and burden of proof.

Fred King stated that a project of this scope and size is a new issue for this Planning Board and the Board may need legal assistance.

Burt Mills asked if the Board thinks this process is required. John Scarinza replied, “Yes, if the development is envisioned to go beyond the current development districts indicated on the zoning maps.”

Fred reminded Board members that a couple years ago a lawsuit was brought relative to The Balsams and the County was named as a party and it is important for the Board to be sure all of its actions are in compliance with its regulations and state law. John Scarinza agreed that legal counsel may be required at some point in time. At this point, he has asked North Country Council to advise the Board and to help review any proposals. John indicated that he will attend the next Commissioners’ meeting about engaging the services of North Country Council. He added that when any legal considerations need to be reviewed, the Planning Board may need representation and the costs will be borne by the developer.

Burt Mills asked if any members of the Board had questions based upon the presentation.

Mark Frank inquired about the RV Park and housing and if permit applications for that will follow later. Mr. Mills replied that Dixville Capital has submitted no plans yet and when they do, those will be incorporated.

Mark Frank asked for clarification that this is a permanent change to the zoning map that will need to go to the Commissioners. John referred Mark to the zoning ordinance that states “within a maximum of 18 months following a Board’s decision to designate an area as a DD-P, the applicant shall file a Final Development Plan containing in detailed form the information required in the Board’s site plan review regulations.” He added that if the process does not keep moving forward, the zoning district could eventually revert back to the current maps.

Rick Tillotson asked when the Board would expect to see plans for the Lake Gloriette Lodge. Mr. Mills replied that they are still in an early level of architectural design. He continued that the financial plans need to be worked out first.

Rick asked if any members of the team had seen any of the full plans developed in 1916 by Hampshire House architect Chase Roy Witcher. He had a larger plan than just the Hampshire House. Ed Brisson replied that he would like to see it and Rick indicated that his son would send an electronic copy to Mr. Brisson.

Mark Frank asked if all the property is owned or under contract. Ed Brisson replied that all areas are covered. Mark followed up asking if all the property is located in Dixville. Ed Brisson replied that there is some property in Colebrook and Columbia. During this process The Balsams will also need to work with the Colebrook Planning Board. Mark then continued that it appears to him that this project has regional impact. John Scarinza replied that it does and the Board will comply with the regional impact provision of state law, RSA 36:54. Rick Tillotson added that the northern tip of the property is located in Stewartstown.

Mike Waddell asked if Zoning Ordinance Section 4.07 presents any problems to the developers. Burt Mills replied that the ordinance does allow the Board to approve stuff outside the process and they recognize that they need to apply for a zoning change. He recognized that what is currently there could not be built today without a zoning change. They will need neighborhood roadway considerations. He stated that they will bring to the Board specific elements that they will need allowances for. The current ordinance is not clear enough nor does it go far enough for a project of this size.

Mike Waddell asked when the Board and developers would be looking at addressing these issues. Burt Mills indicated that he would like to continue to have working sessions with the Board.

John Scarinza summarized the work before the board in 2 sections:

1. Developer submitting an application for a zoning map change for a Planned Development District that encompasses a commercial development that is larger than the current development districts in Dixville on the County's zoning maps. That will be outlined in a concept plan.
2. A final development plan that goes into site plan review – dealing with roads, etc., etc.

John Scarinza stated that we have minimum road standards and we may need to talk about those based on what the developer envisions. Building height is another consideration and only the Fire Marshal can grant waivers. Although the Board cannot waive the building code, the developer can appeal a ruling to the State Fire Marshal.

Ron Anstey from the NH State Fire Marshal's office stated that as far as the building code goes, the Planning Board can be used to be sure that zoning is being applied

correctly. Appeals of building code are to the Superior Court. He added that the Fire Code and Building Code have chapters for existing structures and performance based design standards can be used to work within the system.

John Scarinza stated that another consideration for the Board is who will be the building inspector. The County does not employ one and RSA 155-A:7 allows for the Fire Marshal's office to fulfill the fire and building code enforcement role when the municipality requests that service in writing. John stated that he will ask the Board of Commissioners to approve submitting this request to the Fire Marshal's Office.

Burt Mills stated that there are places in the ordinance that defer to state agency permits as appropriate for complying with certain requirements such as the 401 permit for surface water. John Scarinza added that wastewater and drinking water are already under the purview of a state agency.

Ed Brisson stated that the developers are aware that septic systems for individual homes will need state approval.

Fred King stated that this Board has never seen a project of this magnitude. The developer will bring in sets of plans prepared by licensed architects and engineers and the Board will need to hire a professional to review them.

Burt Mills stated that he will bring to the Board a suggested ordinance which would be a subsection of the current ordinance to be codified for the resort property's applicable rules and regulations. He surmised that this ordinance would bring clarity.

John Scarinza requested that the developers give the Board a list in advance of issues that need clarification. He acknowledged that it is the Board's job to say the use of the land is okay but in making decisions on building height, etc. the Fire Marshal's Office will play a role.

Ron Anstey stated that the Fire Marshal's office would start with a site plan and a couple meetings have already been held. He noted the importance of the ability of the local fire department to have access to all structures. Many items can be built in to the site plan such as fire hydrants that cannot be seen with locations known to the fire department. There will be reviews for major building renovations and reviews of new structures. The Fire Marshal will recommend a third party inspector who must be available on request for insulation, etc. He stated that he expects there will be simultaneous building. It is what his office is trained to do and not a new process for the Fire Marshal. Pre-construction conferences are held and are critical for answering any code questions. Mike Waddell stated that the State of NH is really willing to step up to the plate on this project.

Mike Waddell made a motion that Chairman Scarinza recommend to the Board of Commissioners that they submit a written request to the NH Fire Marshal to represent Coös County as code enforcement officers and inspectors for The Balsams Project as

prescribed in RSA 155-A:7. Additionally, the developer will pay for any third party inspections required by the Fire Marshal's Office. Rick Tillotson seconded the motion.

The Chair asked for discussion on the motion. Ed Brisson assured the Board that as the developers and the owners of this project, they want inspections to protect themselves too. It is most efficient for the developer's inspectors to be there day to day. Ron Anstey stated that under the building code third party inspectors are paid by the developer but they must be approved by the State Fire Marshal.

The Chair asked for a vote on Mr. Waddell's motion. All voted in favor. John stated that he will make that recommendation to the Board of Commissioners when he meets with them on June 10<sup>th</sup>.

Rick Tillotson asked that the developers speak about parking. He asked if they were comfortable with the County's current regulations and if they are applicable. Burt Mills stated that it would be onerous to apply the County's parking regulations to the first day of operation. He would hope that phased in parking capacity would be allowed. He expects it will be an incremental process with provisions for overflow parking. They will also need to figure out a parking profile for special events and conferences. Rick asked if they have considered a parking garage. Mr. Mills replied that they have considered both – inside and outside parking. He noted that underground parking is very expensive.

Mark Frank encouraged the developers to prepare an incremental parking plan with phases. Ed Brisson stated that the resort will be developed in phases and it is difficult to project 20 years out. There is a lot of land on the property and the developers want to make wise use of the land for parking. There are no neighbors to complain about where people are parked. He stated that they will come with a parking plan to address phased development in each area. Fred King noted that the old 9-hole executive golf course that is targeted for parking is a very large area. Burt Mills added that the Errol side of the property lends itself to a certain amount of parking too. It is not all concentrated in the Lake Gloriette area.

John Scarinza stated that in anticipation of a concept plan, Board members are encouraged to be familiar with Section 4.07 and to bring up any issues during this period of informal discussions.

Mike Waddell inquired about the anticipated maximum occupancy for Phase I. Ed Brisson stated that they have not really defined Phase I yet. Burt Mills stated that when they come to the Board for Site Plan Review either for the new Lake Gloriette Lodge or with their application for Hampshire House/Dix House renovations, they will have specifics on occupancy. The phase process will be driven by demand. He cautioned the Board that they will not be bringing in an 11,000 acre project all developed. Development is market based and they plan to be responsive to what is selling. They know what that market is today but not 5 years from now.



John Scarinza stated that when they come to the Board for approval of a planned development district, the Board will want answers to questions such as:

1. Will there be residential areas or will there be condo areas?
2. Will there be preservation areas?
3. What lands will be used for recreation?

He noted that the developers may propose tight clustering for residential units that do not meet a 2 acre minimum lot size. In exchange, areas will be set aside. The Board will want to know why the developers want a zone change and why it is a good idea.

Mike Waddell stated that he would want to know the potable water capacity and the maximum number of users that the waste water treatment plant will accommodate.

Burt Mills stated that they continue to work their way through the regulatory process and their intention is to bring to the Board what details they have when they have it. They want to bring a work product to the Board that makes sense. John Scarinza stated that the Board can hold more work sessions as the developers prepare the concept plan. Ed Brisson agreed that before a formal submission is made on this huge property, it would be helpful to get together to look at the planned phases and look at where future development is envisioned with development concentrated in a few areas and not spread out.

Fred King made a motion to poll Board members to see if they think it is a worthwhile project. Mike Waddell stated that he thinks it is too early to do that although has personally has nothing negative to say about it. There was no second to the motion and discussion moved on.

Ed Brisson emphasized that this planned development district will need to have rules and regulations established – the draft ordinance that Burt Mills spoke of is essential to them and as individual projects come up, they will be proposed under the adopted rules. The Hampshire and Dix House renovation will be in the first phase with the Lake Gloriette Lodge next, then the Nordic Spa. They will not come in together on the first submittal.

Mike Waddell said, “Let’s get the zoning map designation out of the way”. John Scarinza stated that he thinks we need to get the conceptual plan first in order for the Board to talk about a planned district that may need narrower roads – will fire and ambulance be able to get in. He added that simultaneously the Board can consider site plan review for the Dix/Hampshire House renovations with connector.

John Scarinza asked Mr. Mills and Mr. Brisson if they wanted another work session or did they want a date to present the concept plan or did they want to think about it. Ed Brisson said they would think about it and get back in touch with the Board shortly. John Scarinza stated that it is his understanding that the Planning Board can have a designee to speak with the developer but it needs to be approved at a publicly noticed meeting.

Mike Waddell made a motion that the Coös County Planning Board designates Chairman John Scarinza as the Board's contact person for the Balsams Project. Commissioner Tom Brady seconded the motion.

Tara Bamford, North Country Council, stated that if the County has a professional planner, it would be that person but without an employee serving in that capacity, the Chair of the Board is the logical person.

Chairman Scarinza called for a vote and all Board members voted in the affirmative.

Burt Mills stated that he was thankful to have this meeting and appreciative of the motion relative to the Fire Marshal.

John Scarinza asked if anyone attending the meeting from the Colebrook Planning Board had any questions. Colebrook Chair David Brooks stated that Colebrook has no zoning and asked if the County could create a recreational zone.

Burt Mills stated that the boundary for the planned development district would be described by the metes and bounds of the property under their ownership in Dixville.

David Brooks inquired about the plans for Golf Links Road. Will the State bring it up to code? Will the State give it to the towns who will then give it over to the developers? Ed Brisson replied that there have been discussions with the State about Cold Spring Road up to Golf Links Road. Mr. Brooks stated that right now the back side of Golf Links Road is gated. Ed Brisson stated that the developers are viewing it as a secondary entrance and they will work directly with Colebrook on that.

**APPROVAL OF MINUTES OF MAY 13, 2015:**

Rick Tillotson made a motion to approve the minutes of May 13, 2015 as distributed. Ed Mellett seconded the motion. There was no discussion. A majority voted in favor of approval with one abstention.

**ADJOURNMENT:**

Rick Tillotson made a motion to adjourn. Ed Mellett seconded the motion and all voted yes.

Respectfully submitted,

Suzanne L. Collins  
Secretary to the Planning Board