

From: [Eliza Townsend](#)
To: [Kaczowski, Debra](#)
Subject: AMC comments re financial capacity, Big Moose
Date: Thursday, July 21, 2022 9:30:21 AM
Attachments: [image001.png](#)
[AMC comments reopened hearing Big Moose 7.21.22.pdf](#)
[Piscataquis County Commissioner minutes March 8 2022.pdf](#)

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Good morning, Deb,

Please accept the attached comments regarding the reopened public hearing for the proposed Big Moose ski area redevelopment.

I hope you can stay cool,

Eliza Townsend
Maine Conservation Policy Director
(207) 699-9815
etownsend@outdoors.org





Ms. Debra Kaczowski
Permitting & Compliance Regional Supervisor
Land Use Planning Commission
PO Box 1107
Greenville, ME 04441
July 21, 2022

Re: BIG LAKE DEVELOPMENT COMPANY, LLC's APPLICATION FOR DEVELOPMENT PERMIT DP 3639-F

Dear Ms. Kaczowski,

I am pleased that the LUPC voted unanimously to reopen the hearing on the application by Big Lake Development LLC to redevelop the Big Moose Mountain Ski Resort.

Like many Greenville area residents and businesses, AMC is eager to see the ski area reopened. We believe strongly in the contribution of thoughtfully planned outdoor recreation to the local economy, and several of us have fond memories of skiing at the mountain.

However, the mountain has had a long history of management turnover. The redevelopment proposal and the Greenville area will be best served if the Commission takes the time to be thorough in its review. It's also important that the LUPC hold all applicants, no matter how popular or unpopular, to the same standards.

Clarity and transparency on the financing of the redevelopment are critical for adherence to LUPC rules and standards, to ensure the long-term success of the project, and to protect Maine's natural resources. As you know, the Commission's Land Use Standards specify that an applicant must have the financial capacity to meet the criteria of all state and federal laws and the Commission's own standards.

Currently the applicant's financial capacity is not at all clear, and there are several reasons to believe that financing for Phases 1 and 2 are intertwined, including the November 2021 letter from Barclays Capital, which refers to a "\$25 million taxable revenue bond issue to be secured by various revenues to be generated by the Big Lake real estate development as well as fee title in the individual properties within Big Lake" which "can also be sold in order to fund a nonprofit charitable contribution from Big Lake to Big Moose to help pay for construction costs of the Big Moose project." In March 2022, applicant Mr. Perry Williams told the Piscataquis County commissioners that the mountain "is too far away for day trips which caps the number of people going" again suggesting that the Phase 2 real estate development is essential to the financial viability of the resort. (Item #15, March 8 minutes, attached)

This confusing financial arrangement makes it even more important that the commission get complete answers regarding wildlife and wildlife habitat. On June 7 Mr. Dieterich stated that "we've worked with IF&W...taken their recommendations..." and the applicant has "gone above and beyond to be compliant in every step." In fact, several issues require further attention:



Northern Bog Lemming

In May 26, 2022 comments, the Maine Dept. of Inland Fisheries & Wildlife (IF&W) expressed frustration regarding the survey for Northern Bog Lemming, one of Maine's rarest animals, which did not follow protocol by testing scat found within the project area. If the lemming's presence could impact the configuration and viability of the marina, part of the real estate development in Phase 2 that may be needed to pay the bonds for Phase 1, it would be best to address it now.

Bicknell's Thrush

Does the April 2022 plan for avoiding disturbance of Bicknell's Thrush during breeding and nesting season meet the recommendations of the Maine IF&W, spelled out in their memo of June 8, 2021?

Vernal Pools and Wetlands

The Natural Resources Report prepared by Boyle Associates in February 2021 and provided to the LUPC on June 6, 2022 makes clear that further work is needed, including both formal vernal pool assessments conducted under appropriate spring conditions and a follow-up verification of wetlands completed during growing season. Have those assessments and verifications been conducted? If not, what is the plan for conducting them? I note that the season for vernal pools has passed for 2022.

Marina and Residential Housing Units

IF&W has expressed serious concerns about both the 200-boat marina on Moosehead Lake and the 450 units of residential housing, both proposed for Phase 2. If this is the real estate development referred to in the November 2021 letter from Barclays Capital as security for a \$25 million taxable revenue bond, what implications do these serious concerns have for the financial viability of the entire project?

The Land Use Planning Commission has been given a solemn responsibility including "to support and encourage Maine's natural resource based economy and strong environmental protections". In order to carry out this important charge, the Commission must have a complete understanding of the financing of Big Lake Development Co.'s proposed project, and its impact on Maine's environment and wildlife. We look forward to the additional hearing and will follow it with interest.

Thank you,

Eliza Townsend
Maine Conservation Policy Director

PISCATAQUIS COUNTY COMMISSIONERS MEETING

March 8, 2022

DOVER-FOXCROFT

Minutes

8:30 am PLEDGE OF ALLEGIANCE

Piscataquis County Commissioner Chairman James White called the meeting into session at 8:30 am in the Chambers. Commissioner Wayne Erkkinen and Commissioner Andrew Torbett were also in attendance.

- 1. Piscataquis County Commissioners reviewed and approved the minutes of the February 15, 2022 meeting. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0**
- 2. Piscataquis County Commissioners reviewed and approved the County expenditures in the amount of \$79,739.82. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0**
- 3. Piscataquis County Commissioners reviewed and approved the Jail expenditures in the amount of \$20,458.43. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0**
- 4. Piscataquis County Commissioners reviewed and approved the Unorganized Territory expenditures in the amount of \$121,097.64. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0**
- 5. Piscataquis County Commissioners approved the Payroll Warrant for February 17, 2022 in the amount of \$113,936.63. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0**
- 6. Piscataquis County Commissioners approved the Payroll Warrant for March 3, 2022 in the amount of \$120,641.26. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0**
- 7. Piscataquis County Commissioners approved the Employee Benefits Warrant in the amount of \$91,192.85. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0**
- 8. Piscataquis County Commissioners approved the County Manager request to transfer \$209.86 from account #010-01-04-030 (Admin Office Supplies) to account #060-01-04-030 (DA Office Supplies). M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0**
- 9. Piscataquis County Commissioners signed for the transfer of forfeited assets of \$268.00 and two guns on the grounds that the Piscataquis County Sheriff's Office did make a substantial contribution to the investigation of this or a related criminal case.**
- 10. Piscataquis County Commissioners signed for the transfer of forfeited assets of \$8,029.00 on the grounds that the Piscataquis County Sheriff's Office did make a substantial contribution to the investigation of this or a related criminal case.**
- 11. Piscataquis County Commissioners signed for the transfer of forfeited assets of \$1,134.00 on the grounds that the Piscataquis County Sheriff's Office did make a substantial contribution to the investigation of this or a related criminal case.**

12. Piscataquis County Commissioners discussed the bids opened on 02/15/2022 for the Taylor Road Project and the County Manager Michael Williams stated the Calderwood engineers said Dirigo Timberlands has done a good job on the last two projects and they are the low bidder at \$113,500. But they are familiar with all the bidders, and you would get quality work out of any of them. Commissioner Wayne Erkkinen made the motion to award the bid to Dirigo Timberlands, Commissioner Andrew Torbett seconded the motion and it was unanimous. County Manager Michael Williams will contact Calderwood Engineering to get the project setup. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0

13. Piscataquis County Commissioners heard the Radio Project Update: Discussion of Phase 2 and explanation of steps for moving forward from Normand Bouchard. EMA Director Jaeme Duggan introduced Normand Bouchard of Communications Design Consulting Group who came up from NH then she continued with I have been working diligently to identify tower sites and move forward to make things safer. I go to every fire and sit in the car with the repeater depending on where it is only 50-70% is heard and we run into this problem on every level. If you are in the house, command doesn't hear. We have infrastructure that is so old, out of life and out of service and this is a big project for a poor County. Norm started with we gave you the status report last time and went over the slides. The sites are based on what we know the infrastructure looks like. It is an estimated \$5 million new system but we would obtain the real number once it goes out to bid, and we are ready to go out to bid. But we are not sure we can go out to bid without having the funding all in place. Commissioner Chairman James White asked if we can do half or a part of the project? Norm feels it is best to go out with one bid for all of the components so you are working with one vendor which is helpful in terms of keeping everything under one roof for maintenance. You can break it down once you have the vendor on board. The first piece is to get the sites on the towers and some are commercial so you have to apply with the companies which can be a slow process. You give the details and get the quotes. We identified four towers that are not at sufficient height so this will be a change in infrastructure for us as well. Commissioner Chairman James White said this is a big ask for the County and no guarantee they will say yes. Norm said no, but companies have thousands of towers and do this all the time. Commissioner Andrew Torbett asked what is the probability of this? Norm said high but we will have some issues as a couple have to be replaced and strengthened but we will work with each issue as it comes. Commissioner Chairman James White asked if these companies know about this project other than from the newspaper. Norm said we haven't contacted them yet but they will work with you and we need to find out the requirement from them to work with us. Commissioner Chairman James White said we need to know the towers are viable before we start. Shawn Mitchell from Brownville needed to know what equipment was going there which Norm said we don't have all the details until we get a vendor. Commissioner Chairman James White said the first step is to get the commitment they will work with us and options are viable. We know what we need and want. Norm said there are no limits on building towers and most are at 200 feet or less so you don't have to light them. There are other restrictions if you are near an airport or a particular town which has restrictions. Shawn said with the CP tower, we had no choice and they probably are not going to give us any space that would interfere with theirs. Norm said we get the towers and then do the structurals. The engineer figures out and if it doesn't pass then they find out how to strengthen. Then the microwave path analysis is done. Need the microwave surveyor to see and have a line of sight. The radio system is the caboose. Commissioner Andrew Torbett asked if there will be any blackouts during the phases? Norm said as we transition from old to new, we will still be able to communicate. Fiber vs microwave, Norm said Jaeme has the information. It is viable but costs \$600-\$800 per month for the cable. You can lose the site if someone has an accident like hits a tree so fiber is used less in rural areas. With microwave, there is a signal beam for the radios. Once alignments are made, we will use large stiff arms on them with four foot being the biggest one. We have done the analysis but haven't done the path calculations which we will leave to the vendors. You can generally make the assumption that the surrounding counties and State also have microwave. Ben Fagan from Quality Tech Wireless said he has concerns with microwave. Because of our topography and inclement weather, I think considering a hard back bone instead of microwave would work better. EMA Director Jaeme Duggan said our infrastructure is beyond end of life and if it breaks down, we

are done. Our newest piece is three years beyond end of life. Commissioner Chairman James White said our initial approach is to make sure they are willing to work with us. Norm said they have been doing it for years. Commissioner Chairman James White is concerned with the ones that need to be extended. We have to figure out a way to keep everything going. Chuck Russell from Bowerbank Fire asked about the steel structure height. Norm said there are lots of moving pieces and we assume the tress will make the need for extending the tower heights. We'll adjust as we go along but will do the survey first so we may or may not need to extend a tower. I would like to keep this all with the vendor as there are only a handful in the country. Commissioner Chairman James White said it is hard to sign off on this much money with so many unknowns. Make sure they are willing to work with us and then we can lay out where we are going. Survey before infrastructure engineering is done. In the bid process, they need to understand we are doing this in segments. We need to be upfront in the bid process. EMA Director Jaeme Duggan said she is starting a Stake Holders group for questions, support, brainstorming and to please sign the clipboard in the lobby if interested. Norm said we will start having Zoom meetings to communicate what we are doing. Commissioner Chairman James White said that sounds good and thank you for coming all the way from NH.

14. Piscataquis County Commissioners discussed the Dispatch Relocation Project proposal. Sheriff Robert Young said we brought in an architect to meet codes and see where is the best place to start. Commissioner Chairman James White said it needs to go out to bid. Sheriff Robert Young said this is just a proposal and we certainly can go out to bid. The architect helps to give us an idea of what to ask for since this is such a complex factor with lots to consider. EMA Director Jaeme Duggan stated we need some outside guidance as far as where to start with the concept as none of us are qualified to come up with the concept of whether upstairs or downstairs is better, less costly, etc. then this is where the estimate comes in. Commissioner Chairman James White said I understand a guideline is needed but it still needs to go out to bid. We need to have a meeting so we are all on the same page and lay out a plan. Commissioner Wayne Erkkinen made the motion to table this discussion, Commissioner Andrew Torbett seconded the motion and it was unanimous. M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0
15. Piscataquis County Commissioners heard an update on the Moosehead Lake Ski Resort. Perry Williams from Big Lake Development was here to explain why it is taking so long but it is a very challenging and complex project. First, he wanted to thank the Commissioners for their support with the Resolution and TIFF as that has been very helpful. So, we didn't have the financing lined up before making a public statement. We have been working through multiple structures. The bond needs all the costs up front. The prices are an estimate with PC Construction and other vendors. We have a 600-page report and want to do this right. We have no interest in half doing it. We don't want to just put in a chairlift and everything is so far gone there. We need a snowmaking system because we can't depend on mother nature. We have worked through challenges and Barclays has stuck with us. The pricing is up by millions due to the times. The chairlift price is up \$1 million due to the increase in steel prices. We continue to restructure. Barclays has had a tour and love it and can see the potential. The senior/junior 75% of bonds was the easiest part to take to the market. The third position is the hard part with wealthy individuals as no one wants to write a check and foundations don't fit because they give money away, they don't buy bonds. We restructured because didn't work out or fit their structure. Barclays allowed our company to make a charitable donation (taxable piece). Barclays feel they can sell. It is taking a long time to figure it all out but we want it to be sustainable and not fail as we have too much at stake for the County, locals and State. What makes it long term and sustainable? It is not seasonable and will be year-round. It will be a new ski area with total redevelopment. Will encompass skiing, development of condos, marina, boat slips, and equipment. Industry planners have helped us know what we need and we hired experts help to know the number of beds needed, how much food is needed, etc. EMDC has helped us. We have done all the wildlife studies. We didn't find any may flies or salamanders or we would have had to move further away from the stream. All old buildings will be moved to take in the view. A lot of site work needs to be done and PC Construction will help with it. Matt Dieterich from Sewall talked about permitting. Now we have to have a public hearing. LUPC said we didn't need one now all of a sudden, we need one. We should had done one earlier cause now we have the war in Ukraine which isn't

helping. We are about to get the permit from LUPC which creates revenue streams to pay things off. Now we have supply chain issues for steel and haul ropes etc. The one good thing with the pandemic is it helped people want to get outside. We are all about four seasons, hiking, boating, fishing, snowmobiling, and skiing. It will be around for a long time. We want to come together and the Friends have had lots of events. Commissioner Chairman James White asked who schedules the public hearing? Perry said we are not sure. Andy Nelson of Treadwell Franklin Infrastructure said the acquisition takes time but it is a risk our group is willing to take. We feel confident. Comes with restrictions, DEP hearing, permits but Perry is ready to close with James Confalone now. We are at odds but close to a resolution. Acquire the place so we have the land that works along with the access road. Chris King said Moose Head Futures requested the hearing. LUPC will set the date for the hearing. It will be voted on unanimously after all the information is provided by the developer. The LUPC sets the date and the April meeting may be canceled so we are looking at May and then with the process you need another 30 days, 10 days, 7 days before fully processed so that puts us at July. County Manager Michael Williams had some emailed questions to ask. What is the size and scope of the workforce housing? Perry said there is nothing to rent. Provident Resources will be working when the time comes to put together a package and it will be a new bond issue. What impact has the States' lawsuit had on the project? Perry stated not much. He wants to sell the place. He loves land but with his age and health, he is ready. There is nothing there to support a chairlift no bathrooms, etc. and it is too far away for day trips which caps the number of people going. Will delays raise cost or pause interest? Perry said Yes, time kills deals. This will probably delay another ski season. It will take 18 months to build the lodge. Andy said the bond market requires fixed prices which is a big undertaking with inflation and what is happening globally. Commissioner Chairman James White asked why is the LUPC asking for a public hearing now? Matt said the request came in and they are bound to consider it by law. Why hold such a public hearing? Matt not sure or fully aware on why. Commissioner Chairman James White asked would you be sharing new information at the public hearing. No, it is the same information that is publicly available. Chris King said Moosehead Futures is requesting the public hearing and this is why. The Developer has reached no agreement with Moosehead Sanitary on rates or what expansion if necessary. The Public record from Barclays's letter of March 2021, making no commitment, would make statement to underwrite these bonds. Combine phase or not combine phase 1 & 2 proposals. Bonds are necessary for phase 1 paid back from the TIFF fund/Phase 1 & Phase 2 connected with Phase 1 optional and Phase 2 necessary. Intend to make an argument that phase 1&2 should be combined as one project. So, what is the status of the sewer line? Commissioner Andrew Torbett asked if these are the same questions for the LUPC, and Chris said yes. Commissioner Andrew Torbett also said to Chris, you just want to delay, delay, delay, and I am tired of this. Matt said he provided erroneous information. The cost will be borne by the development team not by Moosehead Sanitary. Discussions have occurred and we are paying. No permit yet as it will come out with the conditions. Perry said the TIFF money is not paying all the bonds back, just a part of it. People coming to ski, eat at the restaurant, buy beer, etc. will help. Perry said this is less than a quarter of what Plum Creek wanted to do. We have had tremendous support from senators, legislature, Commissioners, the Friends group, everyone but Chris's group, Moosehead Futures. Chris said Moosehead Futures wants it to happen and our questions are not the same as opposition. Andy Nelson said it will be the largest economic development in the State with stake holders and be owned at the end by the County. There will be a local board with majority. We will let the structure define who we are. Commissioner Wayne Erkkinen asked where the purchase and sale agreement is and Perry said the State has it. We have been under contract for 3.5 years. The lift world is crazy right now with only three companies' worldwide and only three to provide the maintenance. Margarita Contreni, President of Moosehead Lake Development, said there have been numerous meetings which include this being a full season resort. Thank you for the steadfast commitment and support moving forward. Thank you Commissioners for this meeting. Steve Levesque, I agree with Margarita. A four-season resort in Piscataquis County is important. I support the concept and we need a stable force in our region along with more year-round jobs. Lee Umphrey of EMDC, thanked the Commissioners, pieces are in place, long process, but appreciate the partnership. We are all in this together. Commissioner Wayne Erkkinen asked Margarita about the affordable housing for workers. She said we have an MOU with the hospital and are exploring adjoining properties. Steve has been instrumental in making

this happen. He said there is a need for it as the people in the community are priced out of homes. The hospital has acquired a 5-acre parcel and a larger 15-acre parcel for single families to support workers. Happy the process has moved forward. John Shea, PCEDC, echoed the support, impact, and benefits for all of Piscataquis County.

16. Department Heads:

County Manager, Michael Williams

- We have three plugged culverts in Frenchtown, Katahdin Iron Works and the main drag from Greenville to Kokadjo. I am meeting with DOT tomorrow so everyone can work together on the main drag issue. Talked to legal and right now he feels it is the State's responsibility. There is a private road that crosses and private owner pushed snow out over. For safety's sake, we do not want to have a problem in the road. Commissioner Chairman James White said Friday night a frozen culverts melt-off topped over the road which caused a delay in a medical response. The State was notified.

Jail Administrator Maria Landry

- Doing okay. We have had the bad hot water part and held off on it but with more inmates its only got worse with using more hot water so we'll have to get it fixed. I have it in my capital account. The Fed count is 13.

Sheriff, Robert Young

- Sheriff Young asked Dispatch Sargeant Eric Berce to attend and share 911 statistics.
2016-5,800 911 calls
2021-6,600 911 calls
2016-9,700 Fire and Medical calls
2021-13,300 Fire and Medical calls
2109-12,000 Emergency Medical calls
2021-16,000 Emergency Medical calls
Commissioner Chairman James White asked Eric if he can break down by heart attacks, etc. Sargeant Berce said I probably can and some is COVID questions but some of this is an aging population. Commissioner Chairman James White said probably a lot of overdose calls too.

EMA Director, Jaeme Ahern Duggan-did not attend.

- We made it through the Derby Ice Fishing season and it was nice for people to get out there.
- Starting the Flood/Ice Dam season with daily monitoring on situations.

Probate Register Donna Peterson-did not attend.

Deeds Register, Linda Smith-did not attend.

District Attorney, Marianne Lynch-did not attend.

- Office Manager Corina Rackliff said everything is good. We will be replacing a couple of laptops but we have the funds in the capital account set aside for it.

Head of Maintenance Joshua York

- We have a hot water issue at the jail with the coil inside not working. Cost is approximately \$15k but the Jail Administrator has it in her capital account. We also had a power issue in the Courthouse and the HVAC computer did not come back. IT has patched it but it is a temporary fix and will cost about \$10-\$15k to replace. We continue to deal with old broken equipment. County Manager Michael Williams stated if we go with Mechanical Services the court house will pay 50% of the bill but if we choose to go with a new vendor, we will have to pay the whole charge.

OTHER BUSINESS:

Recess: 10:38 am

EXECUTIVE SESSION:

Piscataquis County Commissioners entered executive session, per MRSA 1, section 405, paragraph 6 A., personnel matter.

Time in: 10:49 am M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0

Time out: 11:08 am

Action: No action taken. This was for informational purposes only.

Meeting adjourned at 11:09 am M: Wayne Erkkinen S: Andrew Torbett V: 3-0-0