

From: secretary@mooseheadregionfutures.com
To: [Beyer, Stacie R](#)
Cc: jmwld@aol.com; jchasse10@gmail.com; joe@lakeparlinlodge.com; captbill1948@gmail.com;
bakajza.george@gmail.com; marcialeephillips@gmail.com; [Kay York Johnson](#); bigindianrwe@gmail.com;
[Kaczowski, Debra](#)
Subject: Development Permit DP-3639-F (Big Lake Development Co., LLC)
Date: Friday, June 17, 2022 1:53:47 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Ms. Beyer:

As a follow-up to our telephone conversation earlier this week, I am informing you that, especially in the light of the Second Procedural Order issued in this proceeding, Moosehead Region Futures Committee (MRFC) will **not** be filing any motions arising from the public hearing in Greenville on June 7, 2022, at this time.

Should MRFC's position on this question change, I will notify you promptly.

Thank you.

--Chris King, Secretary
Moosehead Region Futures Committee
207-695-4474

DP 3639-F

Karyn Ellwood

Misery Gore Township

Written Testimony June 17, 2022 (taken partially from Oral Testimony presented at the Public Hearing on June 7, 2022)

The Maine Land Use Planning Commission 12 MRS 685B - Development rule and approval does not specify that public opinion is one of the criteria on which the Commission approves or denies an application.

01-672 C.M.R. ch. 10, § 10.25 (C)(2) however, does specify the Technical and Financial Capacity standards criteria that must be met for all subdivisions and commercial, industrial and other non-residential development.

When comparing the Uses of Project Funding originally submitted by the developers on March 21, 2021 to the Cost Update submitted by the developers on April 1, 2022, the increases appear to be inconsistent and raise some possible questions.

The hotel cost appears to have increased by 41% while the village buildings, the tap house, and the maintenance garage, as well as several other areas of the project appear to show no projected cost increases.

The T-bar cost shows an increase of 62% yet the new chair lift shows an increase of only 4%. In addition, a public article detailing the quad chairlift purchased at Saddleback Mountain in 2020, indicates that that lift price was \$7.2m and that chair was approximately $\frac{3}{4}$ the length of the 6-person chairlift proposed to be part of this project with a projected (updated) cost of approximately \$7m. (Type in red has been updated from the public hearing.)

I am retracting my comment on the Bond Issuance cost increase. While the numbers that I quoted for Original and Amended projected costs were correct, the equation in my spreadsheet used to calculate the proposed increase was incorrectly copied and the increase was greater than the 14% I stated at the public hearing.

A business plan, by year, detailing projected revenues and costs surrounding this project should be provided in order that the long-term viability of this proposed project be determined. The public and the Commission should be aware of:

Projected Uphill Capacity (delineated by lift)

Skiable Acres

Projected Downhill Capacity (including skiers/acre)

Projected Hotel Revenues (paid to the Developers), detailed by season

Projected Restaurant Revenues (paid to the Developers), detailed by season

Lift Ticket Pricing (Tiers)

Projected skier days (total number of skiers in a season)

Other Projected Income (ex: zip line, ski rentals, etc)

Number of Parking spaces (broken down by vehicle type)

Projected Snowmaking Capacity (% of slopes with snowmaking)

Projected Ski Days per year

In order that project financing be approved, one would assume that a business plan that includes most, if not all of these details has been or will shortly be need to be presented to the proposed lenders and that this information should be easily obtainable.

No documentation nor details have been included in the application for a surety bond which might mitigate some of the concerns in regards to the financial capacity for project completion.

No financial expert was present at the public hearing to explain to the Commission nor the public the complicated financial structure of the proposed project.

Given that this application is not complete, as evidenced by

The developers continuing to submit documents surrounding the sewer portion of the project as late as 18 hours prior to the public hearing,

the missing information discussed with Debra Kaczowski in a meeting on June 15, 2022, some of which is documented in my email sent on June 16, 2022 requesting a second public hearing, and

that the 2nd Procedural Order, issued on June 16th, 2022, almost 9 days after the public hearing, allows that the, "Applicant may submit additional information until 5:00 P.M. on July 8, 2022",

it is highly questionable that the Commission or the public was able to have an informed discussion on this proposal on June 7, 2022 and as such another public hearing should be held in order that there be transparency on all pertinent information surrounding this proposed project.

William Baker
Hartford's Point, Maine 04442

Honorable Governor Janet Mills
janet.mills@maine.gov

Attorney General Office State of Maine
lauren.parker@maine.gov

Commissioner Department of Agriculture, Conservation, and Forestry
amanda.beal@maine.gov

LUPC Acting Executive Director
stacie.r.beyer@maine.gov

Regarding: LUPC and the Permit Application for the Big Moose
Redevelopment 3639-F

June 17, 2022

Dear Folks Listed above,

I have read the application and all of the corresponding letters, submissions, and reports on file with the LUPC website. I have been to the LUPC Greenville office and have met with staff on more than one occasion and I have been to the recent hearing as well and I testified at that hearing. In short, I have been deeply involved with that process.

The purpose of this letter is to raise concerns about the process.

First, without watch dog groups like the Moosehead Region Futures Committee, The Appalachian Mountain Club, and other individuals I believe that the permit would have been glossed over and permitted without proper review and vetting.

This is a huge development and it requires an enormous amount of study, research, verification, and field work. Way more than one person in a tiny field office could ever handle.

It has become very obvious that, on the day of the public hearing, June 7, 2022, that the application was far from complete. At the hearing many deficiencies were mentioned. Research by a number of people have made this clear. Letters were submitted by Eliza Townsend from AMC, Moosehead Region Futures, Sally Ferrand, former LURC commissioner, and Karyn Ellwood concerned citizen. There is testimony on the hearing tape recording from others suggesting incomplete information and other problematic issues with the application including the financing of the project. There is no adequate information on exactly how the financing works. To some of us lay people it looks like a scam.

Another concern is that the wetlands survey was done in the winter and further the survey did not include the summit area of the chairlift. There was a wetland up there that was never even mentioned. The report from over a year ago says that a study needed to be redone in the spring. It has not been redone.

Last week just before the public hearing new information was rushed in and submitted to the LUPC from the developer. This was before the public could get proper access to it.

Because of this, a second public hearing is needed so that there is complete transparency to the public. The public has a right to know everything about the permit application and the developer. There is much still in question.

Please also read Eliza Townsend's, Karyn Ellwood's, and Sally Ferrand's letters to the LUPC. Each is concerned about how LUPC has been handling the application.

The most appalling thing about the process is that at the hearing the Intervenor Mr. Chris King from Moosehead Region Futures Committee was denied the right to ask questions of the developer regarding the financing of the development because the developer had not spoken about the financing of the project. The presiding officer of the hearing and the

commission chairman Mr. Everett Worcester made the ruling, without first consulting his legal counsel sitting right next to him. You can listen to what he said on the tape of the hearing. After the hearing outside we asked the LUPC counsel Mr. Caleb Elwell about the legality of that action. He said that it was a legal action and that we could find the rules regarding that in Chapter 5 of the LUPC rules. We have researched that and could find no such rule. Further research in the state statutes lacks evidence of any rules or laws that this was a legal action. For this reason, *I would ask that Mr. Worcester recuse himself from all future involvement in this application process.*

In my eyes and I know other eyes LUPC has now damaged its standing and reputation in the eyes of the public. When Mr. Worcester cut Mr. King off from further questioning there was a gasp in the room by the 100 or more attendees. It was just appalling and inexcusable.

In summation I believe that the above-mentioned authorities need to take action on two accounts:

First, remove Mr. Worcester from future involvement from the application and second, grant a new public hearing so that all relevant information on the application can be presented and questioned in a transparent manner.

Both these actions are crucial to restore any semblance of credibility to LUPC.

Respectfully submitted,

Bill Baker