DIXVILLE CAPITAL, LLC.
Application for Planned Development Subdistrict and Concept Plan Approval Unincorporated Places of Coos County, New Hampshire

August 3, 2015

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DD-BALSAMS
Application for Planned Development Subdistrict and Concept Plan Approval
Unincorporated Places of Coös County, New Hampshire

August 3, 2015

PART I: APPLICATION FOR CONCEPT PLAN APPROVAL AND FORMATION OF A PLANNED DEVELOPMENT SUBDISTRICT

I. INTRODUCTION AND OVERVIEW

Pursuant to Section 4.07(g) of the Coos County Zoning Ordinance for Unincorporated Places, a Dixville Capital, LLC hereby submits this Application along with a Concept Plan, herein described as the Balsams Resort Concept Plan, for review and approval concurrent with the formation of a new subdistrict, the DD-Balsams Subdistrict. The Application is divided in three parts: Part I: Application for Concept Plan Approval and Formation of a Planned Development Subdistrict; Part II: Land Use and Dimensional Standards; and Part III: Site Plan Review. An overview of the Balsams project in narrative follows in the paragraphs below, ahead of the formal description of the Balsams Resort Concept plan as outlined in the Ordinance.

The overall resort master plan includes 11,000 acres. The DD-Balsams Subdistrict covers approximately 8,175 acres. The Panorama Golf Course and its surrounding lands, a major aspect of the resort master plan, reside in Colebrook and are not included in the DD-Balsams Subdistrict.

Since its founding in the late 1800's, The Balsams has been a world-class resort, providing food, lodging, entertainment, and a wide range of recreation opportunities for its guests. With its spectacular setting, vast landholdings, and direct access to adjacent forestlands and trail systems, a strong component of resort offerings was outdoor recreation, which evolved and expanded over time to meet current market demands. Throughout its history, The Balsams also established forestry, agricultural, spring water supply, cogeneration, educational and other synergistic businesses to bolster its economic viability.

In 2016, one hundred fifty years after its establishment in Dixville Notch, New Hampshire, the historic 7,000 acre Balsams Resort will reopen its doors to the public with a renewed and deeply thoughtful, market-driven vision for the future. Today, a forward-thinking and economically viable plan is being created to stage a rebirth of this spectacular property blending its legendary history, storied past and natural beauty with extensive wilderness recreation, and world-class service and cuisine.

As part of the renaissance of this property, The Balsams is adding 4,000 new acres and seven new peaks of alpine ski terrain. At completion, The Balsams will include the largest alpine ski area in the East. This amazing terrain is contiguous to the original Balsams resort and will bring the total acreage of the resort to 11,000 acres.

Founded in 1866 as a summer inn, the property expansion followed the original Dix House building with the Hale House (1895), a Donald J. Ross design golf course (1914), and the construction of the Hampshire House (the "new wing", 1918). Each of these buildings has been placed on the U.S. National Register of Historic Places. The history lengthened with The Balsams Ballot Room serving as venue for first-vote casting and reporting for the United States presidential primaries and the resort property serving host to Ringling Bros. circus, other nationally ranked acts and many historic international summits and symposiums. In the early 1960's, taking note of the consistent and bountiful snowfalls, the development of The Balsams Wilderness Ski Area was prompted.

Derived from the grand history for the property and taking advantage of the awe-inspiring beauty of this northern White Mountains wilderness setting the property vision includes an impressive foundation for recreation, community creation, wellbeing, activity, and valued family time including:

- 11,000 acres of accessible and beautiful wilderness land
- 150 years of history
- New era thinking and planning
- Four seasons of mountain recreation and living
- 100 kilometers of bike, run, walk, and cross country trails
- 2,000+ acres of skiable terrain
- World-class golf, on a classic Donald J. Ross course
- Breathtaking and accessible wilderness
- Farming alliance
- First-ever resort campus design
- Mountain lakes on property

II. BALSAMS RESORT CONCEPT PLAN

Pursuant to Section 4.07(g) of the Coos County Zoning Ordinance for Unincorporated Places, a Concept Plan has been prepared as the foundational element of the creation of the DD-Balsams Subdistrict. The DD-P involves a staged development and the Applicant cannot make available detailed maps required in paragraph K of this section so maps covering only the initial development stage, together with a sketch plan covering the entire development concept are included. The Balsams Resort Concept Plan is based on the following key components:

1- Renovation of the historic hotel to include the Dix House and Hampshire House.
2- Renovation, reconstruction, and addition of resort amenities and landscaping.
3- A major expansion of the existing ski area with direct gondola and/or lift access to and from the historic hotel area, including a ski-back bridge over Route 26.

4- Development of a variety of new lodging including hotel, condominium, townhomes, single family, and other dwelling and ownership types.
5- Development of attractions, services, commercial offerings, and facilities to encourage year-round visitation.
6- Renovation and re-opening of the historic Panorama Golf Course and Clubhouse, located in Colebrook.

The Balsams Resort Concept Plan is attached as Exhibit K-1. As indicated on the map, the plan proposes a clustering of building development in four primary areas and a major expansion of the existing Wilderness Ski Area to the south and east. The four primary development areas within the proposed DD-Balsams Subdistrict are Balsams Lake Village, Wilderness Base, Cascade Basin, and South Village, all located within Dixville. A fifth development area is located in Colebrook, outside of the DD-Balsams Subdistrict at the Panorama Golf Course, and is not subject to this application. The Ski Area development depicted on the Balsams Resort Concept Plan lies within the DD-Balsams Subdistrict.

The DD-Balsams Subdistrict is approximately 8,175 acres with a maximum planned density of 4,600 Dwelling Units that are to be constructed in four primary development areas as identified in the area descriptions below. The maximum Dwelling Units is the total for the entire Subdistrict and may be constructed within any allowable development area provided the aggregate density does not exceed the district total. Development allocations are conceptual and total unit numbers per development area may vary.

The clustering of building development will allow a significant portion of the DD-Balsams Subdistrict to be preserved for recreation, conservation, forestry, agriculture, and other uses permitted by the terms of conservation easements and Balsams Resort Concept Plan. Existing conservation areas comprise 3,527 acres are shown on the Balsams Resort Concept Plan (**See Map K-1**) and additional conservation areas are expected to be established.

A description of each of the development areas follows below:

***A - Balsams Lake Village Area**:*

Balsams Lake Village is planned to be the center of resort activity and provide primary public access to resort amenities for guests and owners. A more detailed enlargement of the Balsams Lake Village Concept Initial Phases is attached as **Map K-2**. The historic Dix and Hampshire Houses, which anchor the area, will be largely preserved to the extent practical and will be renovated and updated. Early additions to the Dix House, including the west wing, kitchen area, will be demolished and new facades will be constructed approximately where the original Dix House exterior walls were located. The Dix-Hampshire connector building will be demolished and reconstructed to correct structural issues and to relocate the hotel lobby to the existing dining room level. Exterior renovations will be done in a manner

complimentary to the historic style. A new hotel and conference center is planned along a relocated Spur Road. A new marketplace/fitness building and a Nordic Bath facility are also planned for the initial stage of development. An Adventure Center Building and additional residential or mixed-use buildings are anticipated in future phases.

As the center of resort activity, numerous commercial and guest services, including multiple food and beverage facilities, ski, bike, and boat rentals, ticketing services, guest attractions, retail markets, etc. will be located in this area. These uses will be located in both mixed-use buildings and in stand-alone commercial structures.

The existing landscaping will be reconstructed to form a “great lawn”, lakeside walkways, dock access, and stage areas. Landscape and facilities will be designed to accommodate festivals, concerts, and other outdoor public events as well as provide amenities for hotel guests and owners.

A circulation system consisting of trails, walkways, lifts, and shuttles will allow visitors to minimize use of their vehicles while at the resort. Ski lifts or gondolas will provide direct access between Lake Village and the ski area. A bridge crossing Route 26 will provide ski-back access to returning skiers, and will also serve hikers and bikers during other seasons. The resort’s extensive trail network serving hikers, bikers, and Nordic skiers will be expanded and linked to the lake village area and a shuttle system will link the development areas and amenities.

Primary parking for the village will initially be provided by a surface parking lot constructed at the former Coashaukee Golf Courses. This lot will provide parking for resort guests, owners, day skiers, and other visitors. A “cabriolet” or similar lift may transport guests from the parking lot to the gondola plaza area. As parking needs increase in future phases, a parking garage may be constructed to replace or supplement the surface lots. Additional parking may also be provided under select buildings. Short-term parking within the Lake Village area will be provided by smaller lots strategically placed to serve specific needs.

Development of a limited number of townhomes along Lake Gloriette is also planned. These townhomes will be located along Cold Springs Road east and west of the Hale House. Future phases of development are expected at the upper Coashaukee Golf Course site and in non-conservation areas north of Cold Springs Road. Approximately 2300 Dwelling Units are anticipated in this Area.

B - Wilderness Base:

Skiing will continue at the existing Wilderness Ski Area base area and the trail network will be connected with the new Cascade Basin and Hodge Valley expansion areas. Future phases anticipate a new mountain-top lodge providing skier services and dining with a direct lift connection to Balsams Lake Village. The existing base lodge may continue to provide skier services and other guest services and a lift connecting the lodge to Balsams Lake Village is expected in later phases of development.

A new service road extending from the base lodge northward under Route 26 and ending at Valley Road will provide access for service vehicles without the need to cross Route 26. The tunnel under Route 26 will also accommodate snowmobile and all-terrain vehicle (ATV) traffic.

Future development phases will include a variety of residential, hotel, guest services, recreational and associated facilities clustered at the base and extending slopeside up the existing Wilderness Ski Area and along the access road. Approximately 500 Dwelling Units are anticipated in this Area.

C - Cascade Basin:

A new mid-mountain lodge will be constructed at Cascade Basin and will serve as the end terminal for the new lift connection to Balsams Lake Village. Public access to Cascade Basin will be provided by the connector lift's upload and download capacity. The lodge will provide a variety of guest services, including dining. From Cascade Basin, guests may access the full ski expansion area through the network of lifts and trails. A new work road from the existing ski area and/or Wilderness Ski Area will provide summer service access.

Future development phases may include a variety of residential, hotel, guest services, recreational and associated facilities clustered within the basin. Approximately 300 Dwelling Units are anticipated in this Area.

D - South Village:

This primary development area is expected to include a base lodge, commercial and guest services, recreational and associated facilities, and a variety of lodging and residential types, depending on market conditions at the time of development. Guest access from Route 26 will be accommodated by upgrading and reconstructing the existing land management road or constructing a new road when development occurs.

Approximately 1500 Dwelling Units are anticipated in this Area.

Ski Area:

A concept plan for the ski area expansion is attached as **Map K-3** (Ski Area Concept Plan). A map showing the initial stage of ski area development is attached as **Map K-4**.

Approximately 1200 acres of new trails, 23 new lifts, and 800 acres of glade skiing are planned. Primary access to the ski area will be provided by up to three chair and/or gondola lifts originating in the Balsams Lake Village area. These lifts are in addition to the 23 lifts serving ski trails. A ski-back bridge providing ski access from the ski area back to Balsams Lake Village as well as summertime access of the ski area for hiking and biking is also shown. The Wilderness Base area provides a secondary access point to skiing. Development of the South Base area in future phases provides a third access point.

A snowmaking system is planned to serve the entire ski trail network. Water will be supplied by a 24”-30” pipeline extending from the Androscoggin River in Errol, generally along and within the Route 26 right of way to the ski area. The pipeline will be underground along Route 26. At a point, east of Dixville Notch State Park, the pipeline will turn into the ski area and will remain underground until terminating at the primary booster pumphouse. Distribution piping exiting the booster pumphouse may be above or below ground. Several secondary booster pumphouses may be located within the ski area. The snowmaking system will also include one or more air compressor stations and distribution piping, generally running parallel with the snowmaking water distribution lines.

As depicted on the Ski Area Concept Plan (See **Map K-3** and **Map K-4**), a new mid-mountain lodge, located in Cascade Brook Valley is anticipated. Future ski lodges at the top of the existing ski area and at the South Village area planned.
Final Development Plans for the ski lodges and other uses described for the primary development areas will be pursued at a later time.

As discussed in Parts II and III of this document, (Proposed DD-Balsams Subdistrict Land Use Standards and Site Plan Review) the development of on-mountain ski trails, lifts and ancillary uses such as snowmaking, will be submitted for Site Plan Review as a separate application.

Mitigation for high elevation, wildlife, and wetlands impacts are under review with NHDES and US Federal regulatory agencies. Prior to construction of each phase, final permits and required mitigation will be provided to the Board.

Additional Development Areas:

In addition to the identified primary development areas, other portions of the subdistrict may be developed in future phases to provide additional amenities, services, housing, or other approved uses.

Infrastructure Components:

As discussed in Parts II and III of this document, (Proposed DD-Balsams Subdistrict Land Use and Site Dimensional Standards and Site Plan Review) given the technical nature of these project components, the County will rely on State and Federal regulatory agencies for the review and approval for the development of on-site infrastructure including power, water, waste water, stormwater, gas and telecommunications. These facilities will not be subject to further Site Plan Review by the Board.

This section includes electrical distribution lines only. Electrical transmission lines would require County Planning Board approval.

The primary agencies identified for NH State and Federal review for Ski Area and Infrastructure Components are NH DES Land Resources Management Division (lead state agency), US Army Corp of Engineers (lead federal agency), NH Attorney General, NH DOT, and NH Dept. of Safety. A detailed list of agencies is outlined in **Exhibit 3**.

Panorama Golf (Outside DD-Balsams Subdistrict):

The Balsams Resort Concept Plan anticipates additional development outside of the DD-Balsams Subdistrict associated with the Panorama Golf area. A portion of Golf Links Road, which provides primary access to the golf course, is within the proposed subdistrict. This road will be repaired and resurfaced to its existing width by the NHDOT. The resort will assume ownership and responsibility for this road.

III. APPROVAL OF BALSAMS RESORT CONCEPT PLAN AND VESTING RIGHTS

Upon the approval of the Board of Commissioners and the County Delegation for adoption of the Balsams Resort Concept Plan:

1. The Balsams Resort Concept Plan Permit may be transferred to another owner in its entirety or as it applies to a specific parcel.

2. Per 4.07.g.3.C and D, the applicant shall file a Final Development Plan with the Board within 18 months. For the purpose of compliance with these subsections The Final

Development Plan may be for one or more development stages and does not need to be for the entire Concept Plan area.

3. Submittal of a Final Development Plan for the Hampshire House and Dix House renovation, shall satisfy the requirement for "Active and Substantial Development" pursuant to RSA 674:39. Upon achieving "Active and Substantial Development" the Balsams Resort Concept Plan, DD-Balsams Subdistrict zoning, and adopted Land Use Standards and Site Plan Review Standards shall be vested for 4 years.

4. Completing the renovation of the Hampshire House and Dix house, and constructing a portion of Phase 1 Ski Area Improvements that will include one (1) transfer lift, three (3) new chairlifts, and approximately 150 acres of new alpine terrain shall satisfy the requirement for "Substantial Completion" pursuant to RSA 674:39. At Substantial Completion, the Balsams Resort Concept Plan, DD-Balsams Subdistrict zoning, adopted Land Use Standards, and adopted Site Plan Review Standards shall be vested permanently.

IV. FINAL DEVELOPMENT PLAN SUBMITTALS

1. The Concept Plan anticipates a staged development to be constructed over a period of years which will depend on market conditions. Final Development Plan approval may be sought in whole or for an individual stage by satisfying the conditions applicable to each stage.

2. For each stage of development, the applicant will submit to the Planning Board a Final Development Plan for Site Plan Review. The Development Plan shall conform to the Submission Requirements of Parts II and III of this approval document.

V. ZONING APPLICATION STATEMENTS

A. Description of Subdistrict Boundary and Statement on Present and Proposed Ownership (Pursuant to Section 4.07(g)(1)(A) of the Zoning Ordinance)

<u>Subdistrict Boundary</u>

The Balsams Resort development area is comprised of over 11,000 acres located in the unincorporated area of Dixville and in the Towns of Colebrook and Columbia as shown in Exhibit A. The proposed DD-Balsams Subdistrict consists of approximately 8,175

acres - the portion of the Balsams Resort Concept Plan that is located in Dixville as shown on **Map K-1** (Balsams Resort Concept Plan Map).

Present and Proposed Ownership

The properties proposed for inclusion within the DD-Balsams Subdistrict are presently owned by several entities are identified on **Map I-1** (Existing Conditions - Property Ownership Map). The Applicant, Dixville Capital LLC, has options to purchase those properties. Letters authorizing Dixville Capital to proceed with this application are included as **Exhibit 2**. At the start of development, the properties will be purchased by one or more entities formed by Dixville Capital, LLC specifically to undertake various aspects of development.

It should be noted that, within the perimeter boundaries of the DD-Balsams Subdistrict, there are three parcels that are owned by others. Two of these parcels **ARE NOT** part of the Balsams Resort Concept Plan or proposed subdistrict. (Tillotson Cemetery and Tom Tillotson Residence) These parcels are also shown on **Map I-1** (Existing Conditions - Property Ownership Map).

B. Statement of Objectives to be Achieved by Locating the Development in its Proposed Location (Pursuant to Section 4.07(g)(1)(B) of the Zoning Ordinance)

As described in the Balsams Resort Concept Plan, the nature of the project is based on redeveloping and expanding the existing Balsams Grand Resort with upgraded amenities and recreational offerings to achieve long-term economic viability for the property. The spectacular site, its natural amenities, Lake Gloriette, the resort's history and its well-known brand are all fundamental to the development plan. The availability of adjacent property with superb terrain for skiing and abundant natural snowfall is also critical to the expansion required for economic viability.

The lands encompassing the proposed DD-Balsams Subdistrict represent a location well suited to support the nature of the Balsams Resort Concept Plan and which is not found elsewhere in the region. The Balsams Resort Concept Plan and vision for the project builds upon the historic legacy of the area for recreation and tourism accommodation and is the ideal location for the proposed uses contemplated for the DD-Balsams Subdistrict.

C. Preliminary Development Schedule (Pursuant to Section 4.07(g)(1)(C) of the Zoning Ordinance)

The Balsams Resort Concept Plan presents a broad vision for the evolution of the Balsams Resort. Given the scope and scale of this vision, it will be developed over a series of phases. Determining the specific timing of any future development phase must be consistent with market demand for residential and/or resort-oriented uses and amenities.

It is the intention of Dixville Capital, LLC to submit to the County in the very near term a site development plan for the first residential phase of the Balsams Lake Village primary development area. Dixville Capital, LLC requests that this site development plan application be reviewed concurrently with this zoning application. Additionally, and consistent with the intention of the DD-Balsams Subdistrict, Dixville Capital, LLC intends to notice the development of the ski terrain elements of the Balsams Resort Concept Plan, which is currently under review by both State and Federal regulatory agencies.

D. Statement on Applicants Intentions Regarding Future Selling, Subdivision, etc. (Pursuant to Section 4.07(g)(1)(D) of the Zoning Ordinance)

The Balsams Resort Concept Plan anticipates a variety of lodging and ownership types and will be developed to meet market demands. The initial development phases will include commercially owned hotel rooms and facilities as well as the sale of fractional and whole ownership residential condominium units. Mixed-use buildings are expected to be in condominium form. Homeowners or condominium association(s) will be established to govern and maintain individual or multiple properties pursuant to CC&R's (Codes, Covenants and Regulations) created specifically for each property.

The sale of condominiums, including the establishment of associations' CC&R's and related documents, will be reviewed by and is regulated by the New Hampshire Office of the Attorney General.

E. Statement on the Viability of the Project (Pursuant to Section 4.07(g)(1)(E) of the Zoning Ordinance)

Dixville Capital, LLC has taken a number of steps to ensure the feasibility and long-term success of this project. An independent market study comparing the resort and real estate plans indicated that the project's plan and real estate offerings are well positioned to fill a void in New England's current destination resort market. Additionally, the applicant has begun an initial marketing effort to gauge market interest in the proposed real estate offerings; to date, more than 150 individuals have signed

reservation agreements and made deposits to secure their position in the first phase of real estate sales.

Financing for the project will come from a number of sources, including equity investment from the ownership group, construction loans from private lenders and revenue bonds secured by assessments against the property. Due to the success of the initial real estate marketing efforts, a number of proposals have been received for the construction financing to date and Dixville Capital, LLC is evaluating these options. Legislation was recently passed by the State of New Hampshire to allow the creation of assessment districts in Unincorporated Places, including Dixville, and the applicant is working closely with the New Hampshire Business Finance Authority and private lenders to finalize that portion of the financing package.

F. Preliminary Statement of the Environmental Impacts of the Proposed Development (Pursuant to Section 4.07(g)(1)(F) of the Zoning Ordinance)

Due to the size and scope of development anticipated in the Balsams Resort Concept Plan, extensive environmental review and permitting is required pursuant to state and federal regulations to achieve final approval for construction. The applicant will continue to comply with any required state or federal review for any future phase or subphase of development.

Critical environmental permitting is currently underway which examines any adverse impacts and will set forth requirements to mitigate such impacts. A summary of current permitting efforts is described below:

- 401 Water Quality Permit, as administered by New Hampshire DES Water Quality Bureau and New Hampshire Fish and Game, has been issued.

- NHDES Wetlands Permit application process is well underway with input and advisement from the following regulatory agencies: US Army Corps of Engineers, US Fish and Wildlife Service, US EPA, NHDES Wetland Bureau, NHDES Shoreland Bureau, NH Fish and Game, DRED, NH Department of Forestry, NH Department of Historic Resources, NH Department of Natural Heritage among others. (See pages 7 & 8)

The State and Federal review and permitting processes, mitigation and conditions required by such permits, and compliance with all applicable regulations will ensure environmental impacts are minimized.

G. General Statement on the Management and Protection of Natural Resources (Pursuant to Section 4.07(g)(1)(G) of the Zoning Ordinance)

Within the boundaries of the proposed DD-Balsams Subdistrict there are several areas designated as Protection Districts by existing zoning regulations (See **Map H-1**, Location Map and **Map H-2**, Location Map with Existing Zoning). These districts are: PD5, PD6, PD7, and PD8. As required by existing zoning, this Balsams Resort Concept Plan and DD-Balsams Subdistrict will provide substantially equivalent protection to those areas.

- PD5 – Shorelines of Rivers, Streams, Ponds, and Lakes: Since adoption of the Zoning Ordinances in 1991, state and federal regulations have continued to expand and strengthen regulations to protect natural resources and the environment. Protection of PD5 areas will be ensured through the state and federal permitting processes including, Shoreland Permits, Wetland Permits, Alteration of Terrain Permits, and the 401 Water Quality Certification process.

- PD6 – Steep Slopes and High Elevations: Similar to PD5, several state and federal agencies are involved in the permitting process for development within this district. For the development proposed at The Balsams, the review and permitting conditions for development in high elevation areas will be handled with the Wetlands Permit process. These areas will be subject to significant environmental review from various state and federal agencies.

- PD7- Wetlands: Protection of areas designated as PD7 will ensured through the same state and federal permitting processes as PD5.

- PD8 – Unusual Areas: The specific protection goals of four PD8 areas within the proposed subdistrict are not clearly defined within the existing zoning ordinance. In general the objective to protect areas of important natural, recreational, historic, scientific or aesthetic resources is a shared objective with what is established in the Balsams Resort Concept Plan. The Balsams Resort Concept Plan identifies areas of development that preserve and expand upon historical resort-oriented uses and are sensitive to environmental and aesthetic considerations. As outlined in the DD-Balsams Subdistrict Land Use and Site Plan Review Standards (See Exhibit K), addressing aesthetics associated with the Route 26 corridor, maintaining adequate setbacks for development and providing design considerations for new structures will be part of the review of Final Development Plans.

  Environmental protection of PD8 districts will be ensured through state and federal permitting for wetlands, alteration of terrain and water quality.

VI. APPLICATION MAPS

H. Location Map (Pursuant to Section 4.07(g)(1)(H) of the Zoning Ordinance)

The location for the proposed DD-Balsams Subdistrict is identified on USGS-based location map (See **Map H-1**) as well in context with the existing zoning of Coös County (see **Map H-2**).

I. Existing Conditions Map (Pursuant to Section 4.07(g)(1)(I) of the Zoning Ordinance)

The existing conditions of the lands within which the DD-Balsams Subdistrict is proposed are documented on **Map I-1** (Existing Conditions – Property Ownership) and **Map I-2** (Existing Conditions – Primary Features). These plans show the location of natural conditions, forest cover, lakes and ponds, water courses and property ownership. An additional existing conditions map is provided for the area in/around the Lake Village Area (See **Map I-3**, Existing Conditions – Lake Village Area)

J. Soils Map (Pursuant to Section 4.07(g)(1)(J) of the Zoning Ordinance)

A soils map encompassing the lands within the proposed DD-Balsams Subdistrict is provided as **Map J** (Soils Map).

K. Preliminary Site Plan (Pursuant to Section 4.07(g)(1)(K) of the Zoning Ordinance)

The Balsams Resort Concept Plan (**See Map K-1**) for the DD-Balsams Subdistrict provides the approximate location of elements anticipated in the overall buildout of the resort. More detailed plans are provided of the Balsams Lake Village Area (**Map K-2**), the overall Ski Area Concept (**Map K-3**) and the Ski Area Phase 1 Concept (**Map K-4**). At time of Final Development Plan review (i.e. site plan review) for any phase or subphase, a more detailed site-level plan addressing applicable elements will be provided to the Planning Board.

In tandem with this application process and under separate cover, Dixville Capital, LLC intends on submitting documentation for Final Development Plan review of the Balsams Lake Village Area development of Hampshire House and Dix House. Separately, Dixville Capital, LLC also intends to submit documentation for Final Development Plan review for its development of the Ski Area components of the Balsams Resort Concept Plan. Both submittals will conform with the proposed Land Use and Site Plan Review Standards (See Parts II and III).

L. Description of Proposed Utilities Systems (Pursuant to Section 4.07(g)(1)(L) of the Zoning Ordinance)

As a Planned Development subdistrict, the DD-Balsams Subdistrict will be "reasonably self-contained and self-sufficient". The resort will provide a wide-spectrum of infrastructure and utilities that serve the needs of the resort while not placing a burden on the County.

Electrical and Telephone Service:

The existing electrical and telephone systems serving The Balsams will be upgraded and expanded to serve new development. Prior to construction of each phased development plan, will-serve letters or the equivalent will be obtained from utility providers.

Drinking (Potable) Water:

Several shared water systems and individual wells currently serve existing development. As development proceeds, these systems will be upgraded, expanded, and/or replaced as required to comply with New Hampshire Department of Environmental Services (NHDES) permit conditions and regulations. It is anticipated that each of the primary development areas will be served by shared water systems. Other development areas may be served by shared water systems or individual wells, depending on location, expected use, and future development needs. Water systems will comply with all design, permitting, testing, and operational requirements of the NHDES.

The Balsams Lake Village area is served by an existing well field which, based on historical records, has ample capacity to serve multiple phases of development. Adequate source capacity to serve each development phase will be verified and approved as required by the NHDES. If additional water sources are required to serve later development phases, sources will be identified and permitted through applicable state and federal regulations. The existing water distribution system will be replaced with a new system designed and permitted by NHDES to meet the needs of Phase I development. The system design will anticipate future expansion to accommodate additional development phases.

Wastewater:

Existing development is served by both shared and individual wastewater disposal systems. As with drinking water, it is anticipated that each of the primary development areas will be served by shared wastewater systems which will be permitted through the NHDES. Other development areas may be served by shared or individual disposal systems, depending on location, expected use, and future development needs.

The Balsams Lake Village area is currently served by an existing wastewater treatment plant with permitted capacity to accommodate multiple phases of development. Prior to reactivation of the plant, its actual capacity will be verified and approved by the NHDES. Upgrades or repairs required by the NHDES will be made to ensure adequate capacity is present for each development phase. If additional wastewater treatment capacity is required to serve later development phases, system upgrades will be designed, permitted, and constructed in accordance with applicable state and federal regulations.

Road Maintenance:

The existing internal private road network will be maintained at its current design standards. Where new or upgraded internal private roadways are needed to support the buildout of the resort they will be designed to conform to road standards as identified in the DD-Balsams Subdistrict Site Plan Review Standards to help maintain a high quality visual aesthetic and avoid excessive impacts. The maintenance of all existing and planned private roadways will be provided by the resort and/or home owner associations.

Solid Waste Disposal / Recycling:

The Balsams Resort will make provisions with local, private waste management companies to handle all aspects of its solid waste and/or recycling needs.

PART II: LAND USE AND DIMENSIONAL STANDARDS

The scope and scale of the Balsams Resort Concept Plan and its eventual implementation through phased development plans necessitates a modification of existing Land Use Standards within the Unincorporated Places of Coös County. Unlike other zones within the County, the uses contemplated within the DD-Balsams Subdistrict require departing from existing land use and site plan regulations to assure that the outcomes anticipated in the Balsams Resort Concept Plan can be realized.

I. PURPOSE

The DD-Balsams Planned Development subdistrict within the Unincorporated Places of Coös County, New Hampshire, is a unique resort environment within the region. As part of its application for Conceptual Plan approval under Section 4.07 of the Zoning Ordinances for Coös County Unincorporated Places (as adopted, July 2014), Dixville Capital LLC (the "Applicant") proposes the following review standards to supplant the existing regulations of the County and ensure that the conceptual basis established for the subdistrict can be realized through successive phases of development.

II. DEFINITIONS

The following definitions have been added/modified from the County regulations to better address the unique characteristics of the DD-Balsams Subdistict:

ACTIVE OUTDOOR RECREATIONAL FACILITY: A place designed to accommodate outdoor sports and activities such as alpine and cross-country skiing, snowshoeing, tennis, biking, golf, horseback riding, ropes or challenge courses, swimming and similar activities, and structures necessary to and incidental to the actual carrying on of such activities.

CONTINENTAL STYLE EATING: The provision for the making of hot beverages, a hospitality refrigerator and a microwave cooker.

DWELLING UNIT: A single unit providing complete and independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation. Four hotel rooms or dorm-like residences (i.e. employee housing) shall equal one Dwelling Unit.

EMPLOYEE HOUSING: A single unit accommodating one or more persons including but not limited to provisions for sleeping, that may include provisions for Continental style eating and sanitation. Cooking of meals and sanitation for such units may be provided in a shared, dormitory style, configuration.

HOTEL ROOM: A single unit providing overnight accommodation for one or more persons including but not limited to provisions for living, sleeping, Continental style eating and sanitation.

RENTAL UNIT: Any residential unit in a building or single family dwelling which provides permanent or transient living facilities for one or more persons, which is occupied by tenants on a rental basis. This term shall include but not be limited to: hotels, motels, dormitories, apartments, multi-family units, rooms rented out of the home of another and single-family dwellings, so long as they are rented.

III. USES

Given the resort-orientation of the DD-Balsams Subdistrict, the intended uses reflect a wide spectrum of outdoor recreation and guest accommodation uses consistent with the approved Concept Plan.

Two categories of uses are contemplated; uses allowed without need of additional county approval and uses requiring submission to the County for Final Development Plan review.

(a) *Uses allowed and not subject to County Site Plan Review*: The following uses are contemplated within in the Balsams Resort Concept Plan and shall be allowed without a permit from the Coös County Planning Board within the DD-Balsams Subdistrict. Development of these elements may require State and/or Federal permits.

1) *Renovation of existing facilities where a building permit is not required;*
2) *Special events including such events as ski races, bicycle races and outdoor concerts;*
3) *Primitive recreational uses including fishing, hiking, wildlife study and photography, wild crop harvesting, tenting and camping at remote camping sites, canoe portaging, biking, but not including hunting or trapping;*
4) *Motorized vehicular traffic on internal resort (private) roads, and snowmobiling;*
5) *Skills venues and courses including archery, hand gun, rifle, skeet and trap facilities, including Biathlon and similar courses;*
6) *Wildlife and fishery management practices;*
7) *Surveying, mineral exploration and other resource analysis;*
8) *Signage outside of 200 foot setback from Route 26 right of way;*
9) *Land management roads including construction and maintenance access roads and other roads closed to public traffic;*
10) *Electrical and Telecom distribution lines and service drops;*
11) *Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;*
12) *Agricultural management activities;*
13) *Forest management activities;*

14) *Infrastructure facilities including water delivery systems, waste water, storm water drainage that require State or Federal permits;*

(b) *Permitted Uses:* The following uses are contemplated in the DD-Balsams Concept Plan and shall be considered permitted for consideration in Final Development Plan review (i.e. site plan review, See Part III):

1) *Retail or food service establishments primarily serving resort guests including day lodges, base lodges;*
2) *Lodge units including timeshare lodge, condominium or rental units;*
3) *Hotel units;*
4) *Single-family detached dwelling units*
5) *Multi-family dwellings including detached residential or duplex dwellings;*
6) *Dining rooms, customary accessory commercial uses, laundry and recreational facilities located on the same site of and for guests of lodge units, hotels and dwelling units;*
7) *Stand-alone Restaurants and bars primarily serving resort guests and visitors;*
8) *Alpine ski trails and snowmaking systems;*
9) *Ski Lifts and terminal building and transportation related facilities;*
10) *Ski area infrastructure including snowmaking systems, power, telecom, and stormwater systems*
11) *Active Outdoor Recreational Facilities, golf courses, outdoor adventure centers including zip lines, mountain coasters, alpine slides and other gravity-oriented recreational uses and accessory structures;*
12) *Health and Wellness Facilities including spas, outdoor baths and pools, aquatic centers, fitness facilities and accessory structures;*
13) *Public and private surface and underground parking areas;*
14) *Public transportation stop;*
15) *Medical clinic accessory to the resort;*
16) *Fire, police and emergency services facilities;*
17) *Accessory buildings and uses;*
18) *NH DOT road maintenance facility;*
19) *Public and Institutional: Places of worship and other religious institutions; public, private and parochial schools; public and other institutional buildings such as, but not limited to libraries, fire stations, post offices, day nurseries and cemeteries;*
20) *New mineral extraction operations of less than five (5) acres in size for on-site improvement;*
21) *Commercial and Industrial facilities including, but not limited to craft and light manufacturing facilities, storage, etc., but excluding auto service stations or repair garages providing service to the general public and uses which may create a nuisance or unsafe or unhealthy conditions or are otherwise incompatible with permitted or historic uses; and subdivisions for uses permitted by this subdistrict;*

22) Utility facilities compatible with permitted and historical uses, other than service drops;
23) Other structures, uses, or services which the Board determines are consistent with the purposes of this subdistrict and of the Conceptual Plan.

IV. DIMENSIONAL STANDARDS

A. Maximum Overall Density

1. The Balsams Resort Concept Plan for the DD-Balsams Subdistrict establishes a maximum residential density of 4600 Dwelling Units.

2. Final Development Plan approval for any phase of development within the DD-Balsams Subdistrict shall demonstrate compliance to this maximum overall density.

B. Minimum Lot Size

1. For lots within the DD-Balsams Subdistrict that are served by on-site potable water supply and/or an individual subsurface disposal system, the minimum lot size shall meet all required setbacks and protection zones established in applicable New Hampshire Department of Environmental Services (NHDES) water supply and/or wastewater regulations.

2. For lots within the DD-Balsams Subdistrict that are served by shared or off-site potable water supply systems and subsurface disposal systems, a minimum lot size shall not apply.

3. Final site plan approval for any phase of development within the DD-Balsams Subdistrict shall not be granted before applicable state water supply or subsurface disposal permits are secured. The conditions of these permits shall be made part of the record before the Planning Board.

C. Minimum Shoreline Frontage

1. The minimum shoreline frontage for a lot shall be as required by applicable state regulations.

2. Final site plan approval for any phase of development within the DD-Balsams Subdistrict shall not be granted unless conformance to required state setbacks from shorelines is documented and evidence made part of the record before the Planning Board.

D. Minimum Road Frontage

1. The minimum road frontage along Route 26 shall be defined as follows:

    a) Two hundred (200) feet for residential uses; and
    b) Two hundred (200) feet for commercial, industrial and other non-residential uses involving one or more buildings;

2. The minimum road frontage along all other roads shall be one hundred (100) feet.

3. Where the lot is located at the end of a road or along a circular turnaround with an outside diameter of less than 125 feet, the road frontage requirements shall not apply.

4. Where adequate access to a lot is provided by easements or other legal means, no frontage is required.

5. For lots with frontage on two or more roads, the minimum frontage requirement applies only to the roadway providing primary lot access.

6. Frontage shall be measured along the right of way between the points of intersection of side lot lines.

E. Minimum Setbacks

1. With the exception of welcome centers, wayfinding and signage and other gateway features there shall be no development within 75 feet of the Route 26 right of way.

2. The minimum setbacks for single family detached dwelling units shall be:

    a) Seventy-five (75) feet from the edge of the Route 26 right of way;
    b) Twenty (20) feet from the edge of other rights of way;
    c) Twenty (20) feet from the side and rear property lines.

3. The minimum setbacks for multiple family dwelling unit housing, lodge, hotel, commercial and other non-residential buildings shall be:

    a) Seventy-five (75) feet from the edge of the Route 26 right of way;
    b) Twenty (20) feet from the edge of other rights of way;
    c) Twenty (20) feet from the side and rear property lines.

4. “Setback” shall mean the minimum horizontal distance from the lot line, shoreline or road to the nearest part of the building.

5. For all uses, where a property abuts another property which is not included in this subdistrict, the setback shall be twenty-five (25) feet from the non-district abutting property.

6. Setbacks may be reduced below the above requirements to any amount, including zero, provided the abutting landowner provides written consent to the reduced setback and such reduced setbacks comply with applicable building and fire codes.

F. Maximum Lot Coverage

1. The maximum lot coverage shall be fifty percent (50%) for all single-family detached residential uses.

2. For other residential and/or commercial uses there shall be no maximum lot coverage requirement.

3. "Coverage" shall be calculated by determining the percentage of lot area covered by all structures.

4. For any phase or portion of a phase of development which is required to obtain a State of New Hampshire Alteration of Terrain (AOT) permit, the maximum lot coverage herein shall not apply provided the phase or portion of a phase of development complies with all provisions of the AOT permit. Final site plan approval shall not be granted unless compliance is documented and evidence made part of the record before the Planning Board.

G. Maximum Building Height

1. For any building or portion of a building located within seventy-five (75) feet of the Route 26 right of way, the maximum building height shall be:

    a) Thirty-five (35) feet for commercial, industrial and other non-residential uses involving one or more buildings;
    b) Features of buildings which contain no floor area such as chimneys, towers, ventilators and spires may exceed these maximum heights with the Board's approval.
    c) Building height is the vertical distance between the lowest finished grade at any point along the foundation to the highest point of the roof of a building or structure.

2. For all other buildings, or portions thereof, the maximum building height shall be seventy- five (75) feet as measured from the lowest level of fire department vehicle access to the highest occupied floor level as defined by the International Building

Code (IBC). For these buildings, features which contain no floor area such as chimneys, towers, ventilators and spires may not exceed ninety- eight (98) feet also as measured by the IBC unless approved by the Planning Board.

PART III: SITE PLAN REVIEW AND PLAN REVIEW STANDARDS

The scope and scale of the Balsams Resort Concept Plan and its eventual implementation through phased development plans necessitates a modification of existing Site Plan Review standards within the Unincorporated Places of Coös County. Unlike other zones within the County, the uses contemplated within the DD-Balsams Subdistrict require departing from existing land use and site plan regulations to assure that the outcomes anticipated in the Balsams Resort Concept Plan can be realized.

I. PURPOSE

For Final Development Plan (i.e. Site Plan) review within the DD-Balsams Subdistrict, the Planning Board shall ascertain that provisions have been made by the developer or his authorized agent for improvements to existing streets, traffic access to the site, on-site vehicular and pedestrian circulation, parking, loading facilities, emergency vehicle access, shall all be designed to ensure the safety of vehicles and pedestrians.

II. PROCESS

There are two (2) categories of uses identified in the Land Use Standards: *Uses Allowed Without a Permit*, and *Permitted Uses*. Only Permitted Uses require submission of Final Development Plans for County review and approval.

The Balsams Resort Concept Plan approved for the DD-Balsams Subdistrict establishes the framework for subsequent Planning Board consideration of phased site plans or Final Development Plans.

Prior to construction, land clearing or building development for any phase (or subphase) consistent with the DD-Balsams Subdistrict or before any permit for erection of any building not including those exempt as Allowable Uses not Requiring a Site Plan Review in the Land Use Standards, and before any site plan may be filed in the Office of the Registrar of Deeds of Coös County, the applicant (developer) or his authorized agent shall apply for and secure approval of such proposed development In accordance with the following procedures:

A. Preliminary Consultation and Review

1. The applicant may appear at a regular meeting of the Planning Board to discuss a proposal in conceptual form and in general terms. Such preliminary consultation shall be informal and directed toward:

    a) Reviewing the basic site plan concept for the proposed phase of development;

b) Reviewing the proposal with relationship to the approved Concept Plan for the DD-Balsams Subdistrict and;
c) Guiding the applicant relative to necessary state and local requirements.

2. Preliminary consultation and review shall not bind the applicant or the Board. No discussions beyond the conceptual and general review shall take place without identification of and notice to abutters and the general public as described hereinafter.

B. Completed Application

1. A completed application sufficient to invoke jurisdiction of the Board, must include sufficient information to allow the Board to proceed with consideration and to make an informed decision.

2. The following shall be required for and shall constitute a completed application: An application for Site Plan Approval properly filled out and executed by the applicant and filed with the Board in accordance XVIII of this document, together with the following:

a) The names and addresses of the applicant and all abutters as indicated in the property records no more than five (5) days prior to filing the application.
b) A check payable to Coös County to cover filing fees, mailing, advertising, recording and other costs provided in Article III Section H of the Site Plan Review Regulations for Unincorporated Places Coös County New Hampshire.
c) Three paper print copies of the Site Plan Layout in accordance with and accompanied by the information required in Part B, Section III of this standard. The completed application shall be filed with the Board or its agent at least fifteen (15) days prior to a scheduled public meeting of the Board.

C. Filing and Submission of Completed Application

1. The completed application shall be filed with the Board or its agent at least fifteen (15) days prior to a scheduled public meeting of the Board.

2. The completed application shall be formally submitted to and accepted by the Board as a complete application only at a regularly scheduled public meeting after required notification to owner, applicant if different than the owner, abutters, easement holders, any professional whose seal appears on the plat, and the general public, of the date the completed application will be submitted to and reviewed by the Board.

3. An incomplete application filed by the applicant will not be formally accepted by the Board, nor will notices of a public hearing be mailed, posted or published as provided under Article III Section G of the Site Plan Review Standards for Unincorporated Places – Coös County, New Hampshire.

4. Applications may be disapproved by the Board without public hearing on grounds of failure of the applicant to supply information required by these regulations, including:

    a) Abutters' identification and information required for completed application;
    b) Failure to pay costs of notices or other costs and fees required by these regulations; or
    c) Failure to meet any reasonable deadline established by these regulations.

5. When a completed application is accepted by the Board, the Board shall provide a receipt to the applicant indicating the date of formal acceptance.

D. Procedure for Regional Impact

1. Pursuant to RSA 36:56, upon receipt of an application for site plan review within the DD-Balsams Subdistrict, the Board shall review it and determine whether or not the development phase, if approved, could reasonably be construed as having the potential for impact beyond the boundaries of the specific Unincorporated Places.

2. If the Board determines a specific development phase could have a regional impact pursuant to RSA 36:56, the Planning Board shall afford the Regional Planning Commission and the affected municipalities (Colebrook and Errol) the status of abutters for the limited purpose of providing notice and giving testimony. Within five (5) business days of reaching a decision that a development has regional impact, the Board shall, by certified mail, furnish the Regional Planning Commission with copies of the minutes of the meeting at which the decision was made and copies of the initial project plan and the affected municipalities with copies of the minutes of the meeting at which the decision was made. At least fourteen (14) days prior to the public hearing, the Board shall notify, by certified mail, all affected municipalities and the Regional Planning Commission of the date, time and place of the hearing and the right to testify concerning the development.

E. Board Action on Completed Application

1. Within sixty-five (65) days of acceptance of the application as complete, and after a duly noticed public hearing as provided in *Article III Section F of the Site Plan Review Regulations for Unincorporated Places – Coös County, New Hampshire*, the Board

shall approve, disapprove, or approve the application with conditions, subject to extension or waiver as provided in accordance with RSA 676:4.

2. Final approval of the Site Plan shall be certified by written endorsement on the Site Plan and signed by the Chairman or Clerk of the Board. The Board or its agent shall transmit a copy of the Site Plan with such approval endorsed in writing therein to the Registrar of Deeds of Coös County. The applicant shall be responsible for the payment of all recording fees. In case of disapproval of any plan submitted, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and written notice given to the applicant.

3. If the Planning Board has not obtained an extension as provided in *Article III Section E1 of the Site Plan Review Regulations – Coös County, New Hampshire*, and has not taken action to approve or disapprove the completed application within sixty-five (65) days of its acceptance, the applicant may obtain from the County Commissioners an order directing the Board to act within thirty (30) days. If the Board does not act on the application within that thirty (30) day time period, then within forty (40) days within issuance of the order, the County Commissioners shall certify on the application that the plat is approved pursuant to RSA 676:4 I (c) (1) unless during that period the Commissioners have identified in writing that the site plan does not comply with some specific provision of the *DD-Balsams Land Use and Site Plan Review Standards (PART II AND PART III of this document)*.

F. Public Hearing

1. Prior to approval of a Site Plan, a public hearing shall be held as prescribed in RSA 676:4, and notice to the applicant, easement holders, abutters and the public shall be given in accordance with the *DD-Balsams Land Use and Site Plan Review Standards*. The Board may hold a hearing on Site Plan Review in conjunction with a subdivision hearing if both are required for a project.

G. Notices

1. Notice of the submission of a completed application shall be given by the Board to the owner, applicant if not the owner, abutters, easement holders, and any professional whose seal appears on the plat, by certified mail, prior to the submission, and to the public at the same time by posting in a least two appropriate public places in the County and publication in a newspaper of general circulation. The notice shall give the date, time and place of the Board meeting at which the application will be formally submitted to the Board, and shall include a general description of the proposal which is subject of the application, and shall identify the applicant and location of the proposed site development.

2. For any public hearing on the completed application, the same notices as required for notice of submission of the completed application shall be given. If the notice of public hearing has been included in the notice of submission or any prior notice, additional notice of the public hearing is not required, nor shall additional notice be required of any adjourned session of hearing with proper notice if the date, time and place of the adjourned session was made known at the prior hearing.

H. Fees

1. A completed application shall be accompanied by the required filing fees.

2. All costs of notices, whether mailed, posted or published, shall be paid in advance by the applicant. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plat without a public hearing.

3. The cost for any special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matter which may be required to assist the Planning Board in making an informed decision on a particular site plan application pursuant to NH RSA 676.4.I(g), <u>shall be provided to the applicant prior to its incurrence for review and comment</u>. The applicant shall provide any substantive comment on such costs to the Planning Board in a timely manner. (See Land Subdivision Regulations, Section 4.06c)

I. Submission Requirements

<u>Site Plan Requirements</u>

The application for site plan review for any development phase (or portion thereof) within the DD-Balsams Subdistrict shall include a site plan with the following characteristics:

1. Maximum plan size: 24” x 36”
2. Suggested scale: 1” = 40’
3. Submit three (3) copies of blue or black line prints d. Date, title, north point, scale
4. Name and address of developer, owner, and applicant if not the owner
5. Name, address and stamp of the Registered Professional Engineer and/or Registered Land Surveyor who prepared the plan.

The site plan should include the following information:

1. Surveyed property lines showing bearings, distances, monuments, the lot area and names of all abutters.

2. Existing and proposed grades, drainage systems and structures, with topographic contours at intervals not exceeding 2 feet with spot elevations where grade is less than 5% (percent), otherwise not exceeding 5 foot contour intervals.

3. The location of all existing buildings within 50 feet of sight lines of existing abutting streets, and the location of all intersecting roads or driveways within 200 feet, together with an identification of the use of abutting properties.

4. Natural features such as streams, marshes, lakes or ponds, types of vegetation, and ledge outcrops. Man-made features such as, but not limited to, existing roads, structures and landscaping. Such map shall indicate which of such features are to be retained and which are to be removed or altered.

5. A vicinity sketch (suggested scale 1" equals 400') showing the location of the site in relation to the surrounding public street system. The zoning districts and boundaries for the site and up to 1,000 feet from the site shall be shown. One hundred year flood elevation line shall be included where applicable.

6. The size and proposed location of water supply and sewage and all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200 feet.

7. The size and location of existing and proposed public and private utilities and utility connections, including provisions for fire protection.

8. The shape, size, height and location of the proposed structures, including expansion of existing buildings.

9. The location, type and size of all proposed landscaping and screening, when applicable.

10. Exterior lighting plan

11. Proposed signs (advertising and instructional) to be located on the site if the site is located within 200 feet of the Route 26 right-of-way.

12. A plan for long-term maintenance of the stormwater facilities must be included. Indicate plan for snow removal and storage.

13. Proposed streets with street names, driveways, parking spaces, sidewalks, with indication of direction of travel for one way streets and drives, and inside radii of all curves. The width of streets, driveways, sidewalks and the total number of parking

spaces shall be shown. In addition, loading spaces and facilities associated with the structures on the site shall be done.

14. The location of all buildings setbacks required within the *DD-Balsams Subdistrict Land Use Standards and Site Plan Review Standards*.

15. The lot area and street frontage.

16. The location of all existing and proposed deed restrictions, easements, covenants, etc.

<u>Supportive Documents and Narratives</u>

1. Narrative documentation of the proposed transportation plan for the phase of development including description of automobile impacts to public highways, planned means of accesses and egress, proposed changes to public roadways, sidewalks or curbs, or new traffic control devices or signs necessary in conjunction with the final site plan.

2. A written narrative addressing the adequacy of parking for the phase of development; documenting uses, parking generation assumptions and parking management plan.

3. Documentation to demonstrate adequacy of water and sewer capacity for the site plan including engineering calculations and/or design drawings. Approved water supply or sewerage facility permits from NHDES addressing this issue will satisfy conformance to this submission requirement. In the absence of an approved permit, the Final Site Development Plan approval may be conditioned to obtain final permits.

4. Documentation of stormwater management and erosion control plans including plans for retention and slow release/recharge of storm water where necessary, including the location, elevation and site of all catch basins, dry wells, drainage ditches, swales, culverts, retention basins and storm sewers. Indicate direction of flow through the use of arrows. Approved permits from NHDES addressing this issue (Alteration of Terrain, or ACOE 404) may satisfy conformance to this submission requirement. In the absence of an approved AOT permit if required, the Final Site Development Plan approval may be conditioned to obtain final permits.

5. Copies of all applicable state approvals and permits and associated application materials.

Other Information

1. The Planning Board may require such additional other information as it deems necessary in order to apply the regulations contained herein. The cost of all such additional information will be paid by the applicant subject to review/consultation with the applicant.

J. Subdivision Procedures

Any proposed subdivision within the DD-Balsams Subdistrict will be required to follow the procedures and requirements of the Land Subdivision Regulations for the Unincorporated Places of Coös County, New Hampshire (herein "Land Subdivision Regulations") with the following modifications or exceptions:

A. Minor Subdivision

1. Lands within the DD-Balsams Subdistrict shall not be restricted as to the number of total minor subdivisions that can be allowed within a given time period. (See Land Subdivision Regulations, Section 4.06c)

B. Fees

1. The cost for any special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matter which may be required to assist the Planning Board in making an informed decision on a particular subdivision application pursuant to NH RSA 676.4.I(g), shall be provided to the applicant prior to its incurrence for review and comment. The applicant shall provide any substantive comment on such costs to the Planning Board in a timely manner. (See Land Subdivision Regulations, Section 4.06c)

C. Performance Guarantee

1. The intent of the DD-Balsams Subdistrict is to provide onsite private utilities (water, sewer, stormwater) and erosion control measures appropriate to each phase of development (or portion thereof). Given this, there are no "public utilities" and all provisions under Land Subdivision Regulations, Section 5.02 are invalid.

D. Required Improvements

1. The regulations of streets (See Land Subdivision Regulations, Section 6.01) within the DD-Balsams Subdistrict shall be governed under the DD-Balsams Subdistrict Land Use and Site Dimensional Standards and Site Plan Review procedures (Parts II and III).

2. The development of water and sewer facilities within the DD-Balsams Subdistrict (See Land Subdivision Regulations, Section 6.03) shall meet all applicable requirements of the New Hampshire Department of Environmental Services (NHDES). [NOTE: Receipt of state permits]

E. Design Standards
   1. The regulations of streets (See Land Subdivision Regulations, Section 6.01) within the DD-Balsams Subdistrict shall be governed under the DD-Balsams Subdistrict Land Use Standards and Site Plan Review Standards (See Parts II and III).

III. SITE PLAN REVIEW STANDARDS

For Final Development Plan (site plan) review within the DD-Balsams Subdistrict, the Planning Board shall ascertain that provisions have been made by the developer or his authorized agent for improvements to existing streets, traffic access to the site, on-site vehicular and pedestrian circulation, parking, loading facilities, emergency vehicle access, shall all be designed to ensure the safety of vehicles and pedestrians.

A. Private Roads and Driveways

The intent of the DD-Balsams Subdistrict is to maintain an appearance conducive to a resort environment and to minimize environmental impacts from the development of new roadways. To help achieve this, new private roadways within the subdistrict shall be designed to favor lower speed limits and minimize land disturbance to the extent practical.

1. New private roads intended for vehicular use by resort visitors and guests shall comply with the following:

   a) Design shall consider the *New Hampshire Department of Transportation Suggested Minimum Design Standards for Rural Subdivision Streets* where/if applicable.
   b) Where grades cannot feasibly meet the maximum grade of 10%, they shall be allowed to increase up to 15% for no more than 200 feet per 1000 feet of road length.
   c) Right-of-way width for roadways shall be a minimum of 50 feet.
   d) The road surface shall be a minimum of 18 feet wide.

2. New driveways for single-family lots shall comply with the following:

    a) Driveways shall be permitted on natural or man-made slopes over 25% grade subject to the steep slope mitigation.

B. Parking Requirements

1. There shall be no parking within 75 feet of Route 26 right of way except in designated trailhead locations or where there may be permitted buildings.

2. The DD-Balsams Subdistrict shall provide adequate parking to serve resort and residential uses within the development.

3. The allowable forms of parking may include paved and/or gravel surface parking lots, stand-alone parking structures, or at or below-grade structured parking integral to buildings.

4. Development within the DD-Balsams Subdistrict will use the following ratios to assure adequacy of parking:

    - Single-Family Detached: 2 spaces per dwelling unit.

    - Multi-family (1-2 bedroom) – 1 space per dwelling unit. This can be reduced to 0.75 space per dwelling unit if more than 50% of the floor area within the structure is commercial/retail space.

    - Multi-family (3+ bedroom) – 1 space per dwelling unit.

    - Hotel or Lodge Unit – 1 space per room

    - Employee Parking - 0.50 space per employee. This may be reduced through parking management such as buses and/or carpooling.

    - Ski Area: Parking for the ski area uses shall be based on resort capacity: Total Skiers at One Time (CCC) / 6. (i.e. Phase 1 capacity = 1000, requiring 167 parking stalls)

5. Valet parking and tandem parking shall be allowed.

6. Final site plan approval for any phase of development within the DD-Balsams Subdistrict shall not be granted unless adequacy of parking is documented and evidence made part of the record before the Planning Board.

C. Landscaping and screening

1. There is no minimum landscaping or screening requirements within the DD-Balsams Subdistrict.

2. Where development abuts properties outside of the DD-Balsams Subdistrict and along Route 26, the applicant must demonstrate adequate screening and landscaping.

D. Stormwater Management and Erosion Prevention

1. If the phase of development requires an NH Alteration of Terrain (AOT) or US Army Corp of Engineers (ACOE) 404 WQC permit, the permit and its supporting documentation shall provide sufficient evidence of adequacy to these provisions.

2. All stormwater management and erosion control measures shall be in conformance with NHDES requirements.

3. If construction of a phase of development (or subphase) is to occur during cold weather (winter) months (November 30 to May 1st), all work shall be done in conformance with Env-Wq 1505.05 (Cold Weather Site Stabilization) procedures under the Alteration of Terrain process.

4. Final site plan approval for any phase of development within the DD-Balsams Subdistrict shall not be granted unless adequacy in addressing stormwater management and erosion prevention measures are documented and evidence made part of the record before the Planning Board. In the absence of an approved permit, the Final Site Development Plan approval may be conditioned to obtain final permits.

E. Signage:

1. All signage within 200 feet of the Route 26 corridor shall comply with the following:

    a) Existing signage shall be grandfathered and its equivalent square footage shall be allowed for future redesign.
    b) New signage shall comply with existing Coös County signage ordinances

2. All signage, placed outside of the 200 foot setback from Route 26, <u>shall be exempt</u> from Coös County permitting but shall conform to a resort design guidelines to be prepared.

F. Exterior Lighting:

1. All exterior lighting within the DD-Balsams Subdistrict shall conform to the Dark Skies standards outlined in the recent Model Lighting Ordinance (MLO, June 2011) from the International Dark Sky Association (in collaboration with the Illuminating Engineering Society).

2. An allowable use exempt from the standards outlined in the paragraph above would include outside sporting venues like night skiing, athletic facilities, and events and festivals.

3. The maximum height for luminaires shall encourage a more pedestrian scale. Typically the heights would be 14-16 feet for appropriate fixtures.

MAPS AND EXHIBITS

Map H-1 Location Map

Map H-2 Location Map w Existing Zoning

Map I-1 – Existing Conditions – Property Ownership Map

Map I-2 – Existing Conditions – Primary Features

Map I-3 Existing Conditions – Lake Village Area

Map J – Soils Map

Map K-1 – Balsams Resort Concept Plan Map

Map K-2 – Balsams Lake Village Area Concept Plan Initial Phases

Map K-3 – Ski Area Concept Plan

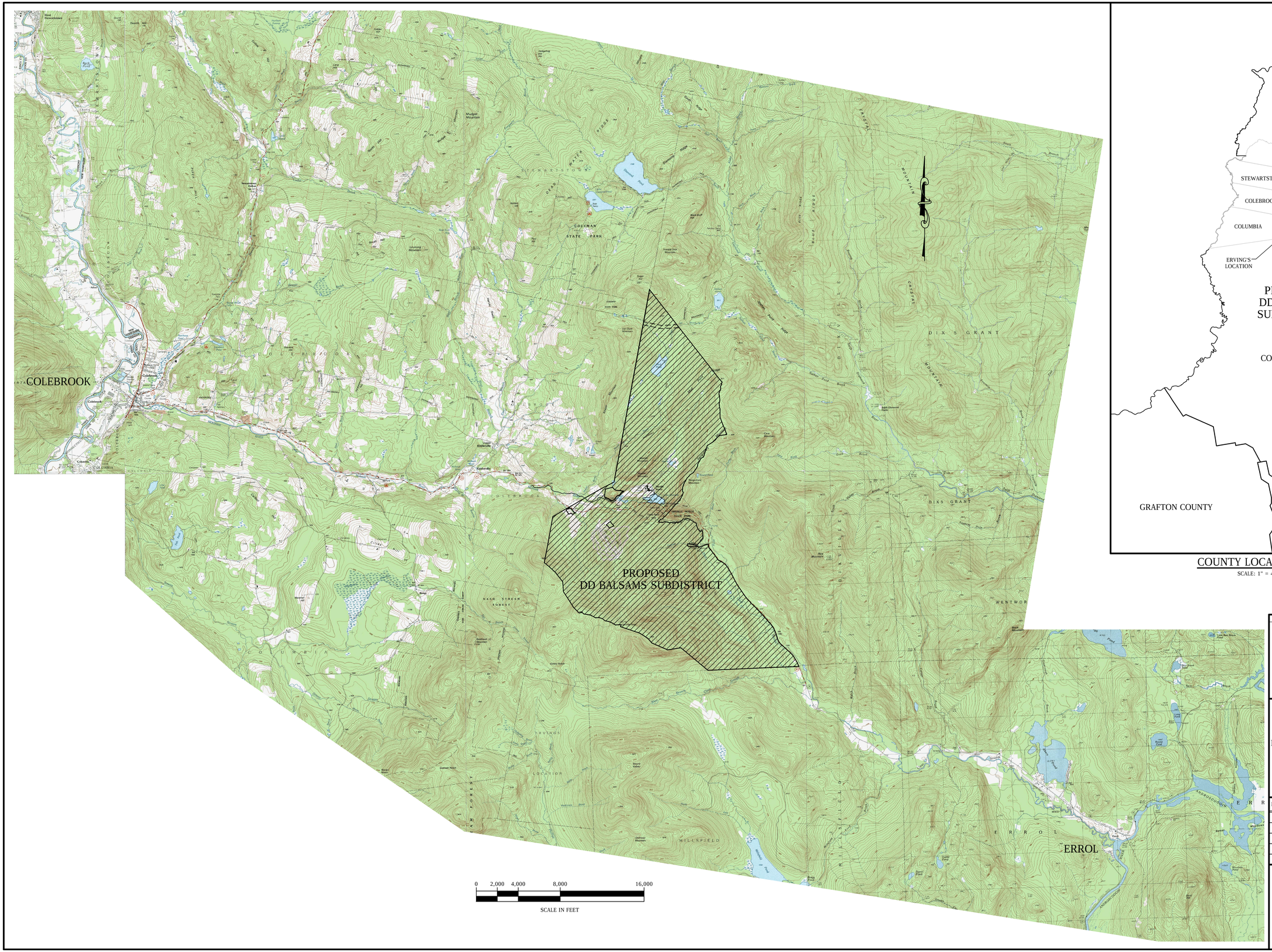
Map K-4 – Ski Area Phase 1 Concept Plan

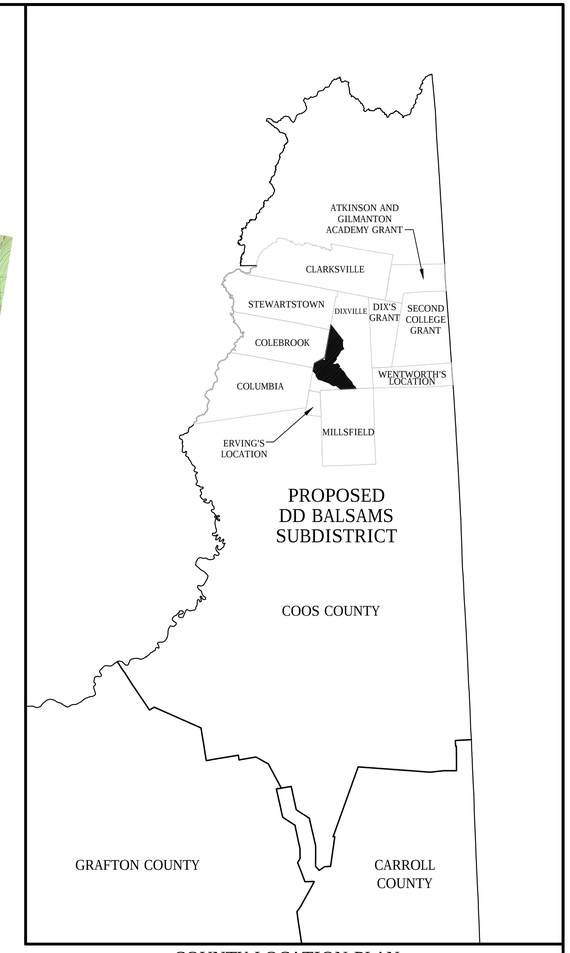
Exhibit 1 – List of Abutters

Exhibit 2 - Letters of Authorization from Existing Land Owners

Exhibit 3 – List of Agencies identified for NH State and Federal Review

Map H-1 – Location Map





COUNTY LOCATION PLAN

SCALE: 1" = 40,000'

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DIXVILLE CAPITAL, LLC
THE BALSAMS
DIXVILLE, MILLSFIELD & ERROL, NEW HAMPSHIRE
PROPOSED DD BALSAMS SUBDISTRICT

MAP H-1
LOCATION MAP

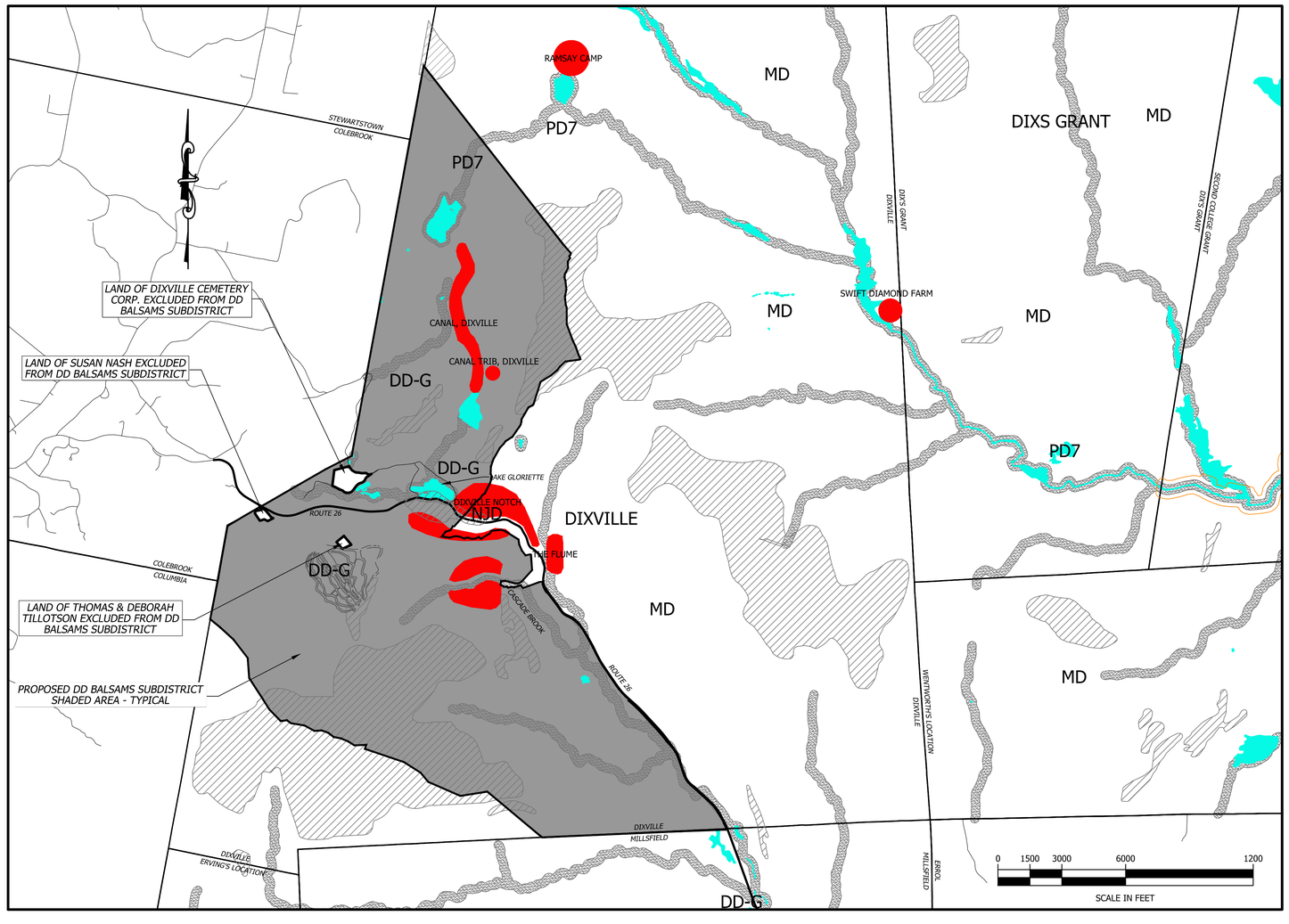
NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: JULY 29, 2015	PROJECT #: 14038
ENGIN'D BY: SML	DRAWN BY: AJN
CHECK'D BY: JLW/SML	ARCHIVE #: H-5193

MAP H-1

R:\14038 Dixville Capital, LLC - Concept Plans\DWGS\Final\Overlay Zone Maps\14038_Zoning_Balsams Subdistrict Location Map.dwg, Map H-1, 7/31/2015 9:37:39 AM, SBoutin

Map H-2 - Location Map with Existing Zoning



LEGEND

ZONING DISTRICTS

N/A	PD1 (AQUIFERS) NOT SHOWN
N/A	PD2 (FLOOD PRONE AREAS) NOT SHOWN
	PD3 (CRITICAL WILDLIFE HABITAT AS IDENTIFIED IN 1990)
N/A	PD4 (FISH SPAWNING AREAS)
	PD5 (BOARD-IDENTIFIED SHORELINES)
	PD6 (STEEP SLOPES, HIGH -ELEVATION)
	PD7 (BOARD IDENTIFIED WETLANDS)
	PD8 (UNUSUAL AREAS)
	TOWN BOUNDARY
	STATE OR LOCAL ROAD
	PROPERTY LINE
MD	MANAGEMENT DISTRICT
DD-G	GENERAL DEVELOPMENT DISTRICT

REFERENCE: COOS COUNTY LAND USE GUIDANCE MAP

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PROPOSED DD BALSAMS SUBDISTRICT

MAP H-2
LOCATION MAP WITH
EXISTING ZONING

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: JULY 29, 2015	PROJECT #: 14038
ENGIN'D BY: SJB	DRAWN BY: SJB
CHECK'D BY: AJN	ARCHIVE #: H-5193
MAP H-2	

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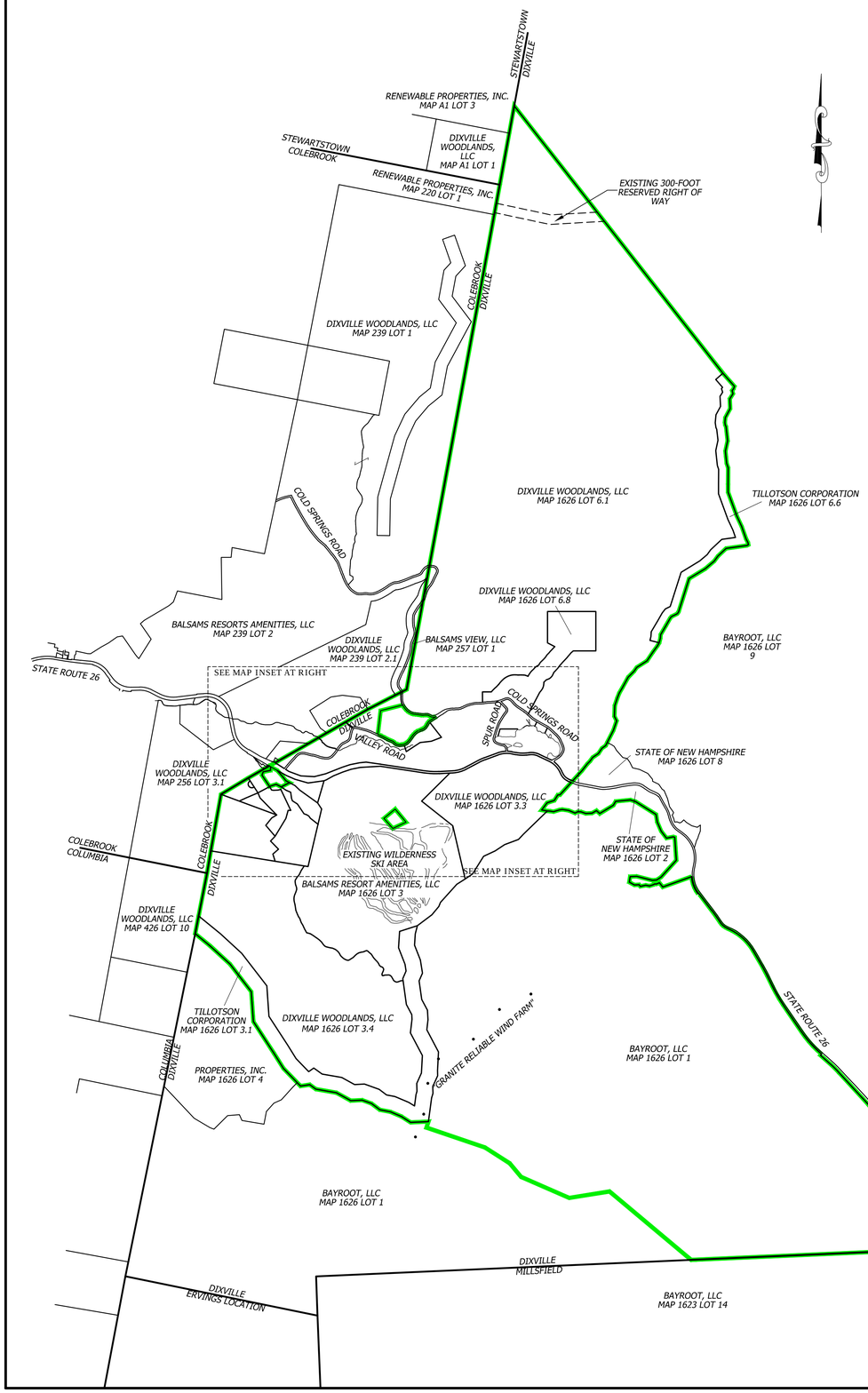
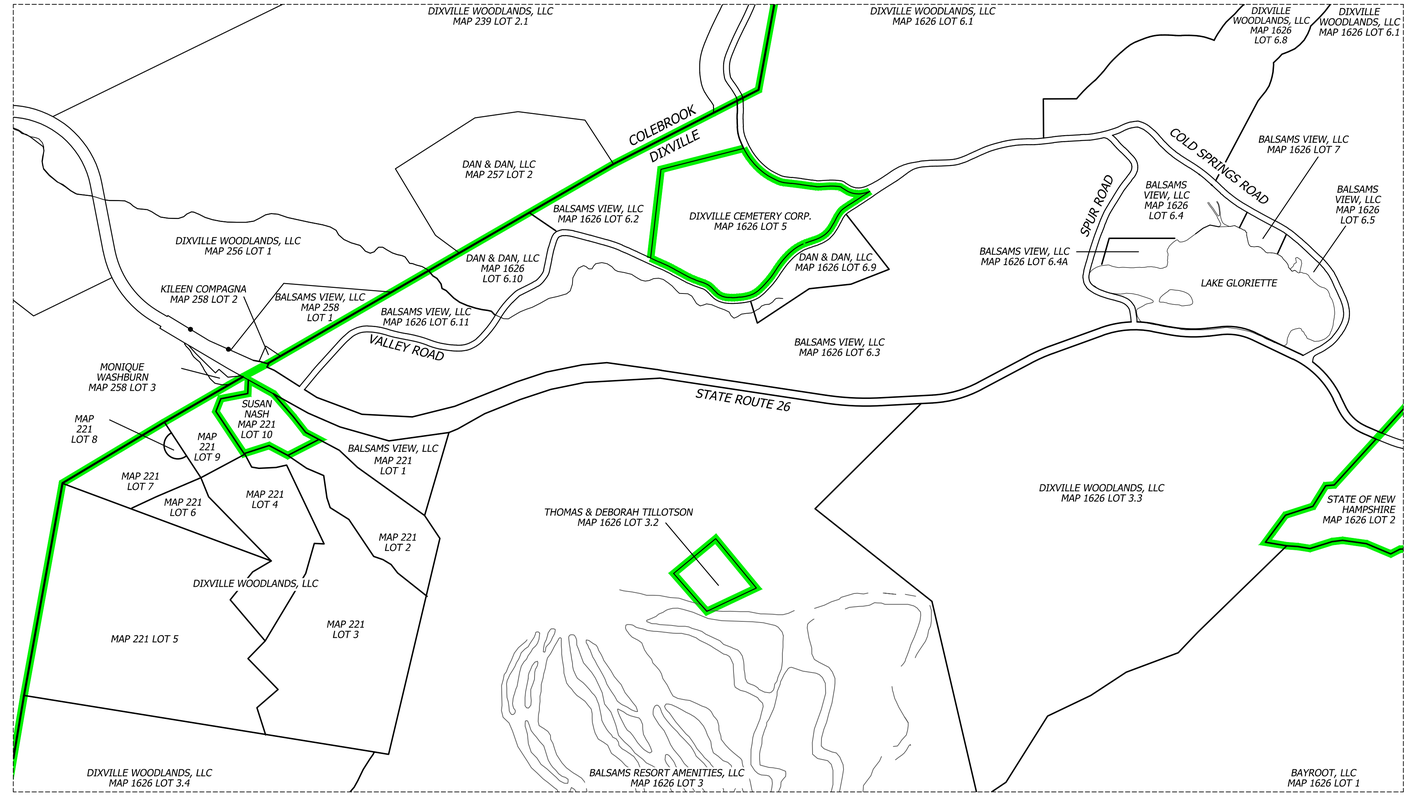
R:\14038 Dixville Capital, LLC - Concept Plans\DWGS\Final\Overlay Zone Maps\14038 County Land Use Map-03_Zoning Exhibit.dwg, Zoning Exhibit, 7/30/2015 3:39:25 PM, SBoutin

Map I-1 – Existing Conditions – Property Ownership Map





MAP INSET

SCALE: 1" = 600'

0 300 600 1200 2400

SCALE IN FEET

PROPOSED DD BALSAMS SUBDISTRICT BOUNDARY

0 1000 2000 4000 8000

SCALE IN FEET

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THE BALSAMS

DIXVILLE, MILLSFIELD & ERROL, NEW HAMPSHIRE

PROPOSED DD BALSAMS SUBDISTRICT

MAP I-1
EXISTING CONDITIONS
PROPERTY OWNERSHIP MAP

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: JULY 29, 2015	PROJECT #: 14038
ENGIN'D BY: SML	DRAWN BY: AJN
CHECK'D BY: JLW/SML	ARCHIVE #: H-5193

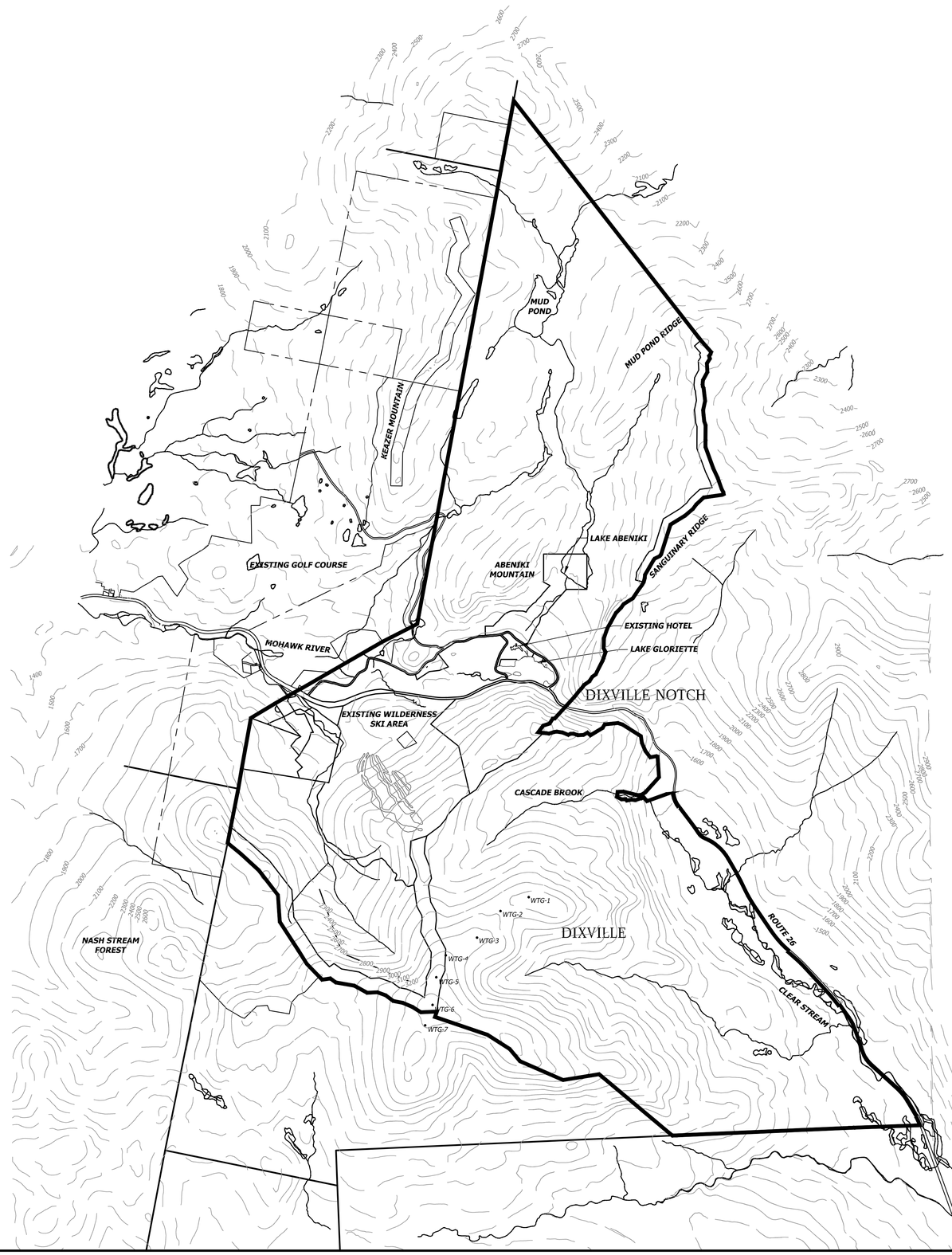
MAP I-1

R:\14038 Dixville Capital, LLC - Concept Plans\DWG\Final\Overlay Zone Maps\14038_Zoning_Subject Property.dwg, 7/31/2015 1:27:41 PM

Map I-2 – Existing Conditions – Primary Features

LEGEND

- MAJOR 100 CONTOUR
- TOWN LINE
- PROPOERTY LINE
- WATERWAY/FLOWLINE
- WTG-3 — EXISTING WIND TOWER



0 1000 2000 4000 8000

SCALE IN FEET

REFERENCE: TOPOGRAPHY ORIGINATED FROM USGS DATABASE

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DIXVILLE CAPITAL, LLC
THE BALSAMS
DIXVILLE, MILLSFIELD & ERROL, NEW HAMPSHIRE
PROPOSED DD BALSAMS SUBDISTRICT

MAP I-2
EXISTING CONDITIONS
PRIMARY FEATURES

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: JULY 29, 2015	PROJECT #: 14038
ENGIN'D BY: SML	DRAWN BY: AJN
CHECK'D BY: JLW/SML	ARCHIVE #: H-5193

MAP I-2

R:\14038 Dixville Capital, LLC - Concept Plans\DWGS\Final\Overlay Zone Maps\14038_Zoning_Primary Features.dwg, Existing Conditions, 7/29/2015 8:27:04 AM, SBoutin

Map I-3 – Existing Conditions – Lake Village Area

LEGEND

EXISTING

1612	2 FOOT CONTOURS
1610	10 FOOT CONTOURS
D	DRAIN LINE
N/A	STONE RIP-RAP
	PAVEMENT
	PROPERTY LINE
N/A	SEDIMENT FENCE
	SETBACK LINE
	TREELINE
W	WATER MAIN
	WETLAND BOUNDARY
	CATCH BASIN
	DRAIN MANHOLE
N/A	NYOPLAST BASIN
	SEWER MANHOLE
S	SEWER MAIN (GRAVITY)
S	SEWER SERVICE (GRAVITY)
	WATER SERVICE
	WATER SHUT OFF
	REDUCER
	GATE VALVE
	HYDRANT
	UTILITY POLE
SPB-250 SPB-250	SHORELAND BUFFER
	TEMP. SHORELAND DIST.

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PROPOSED DD BALSAMS SUBDISTRICT

MAP I-3
EXISTING CONDITIONS
LAKE VILLAGE AREA

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: JULY 29, 2015	PROJECT #: 14038
ENGIN'D BY: MDN	DRAWN BY: SJB
CHECK'D BY: MD/RL	ARCHIVE #: H-5193
MAP I-3	

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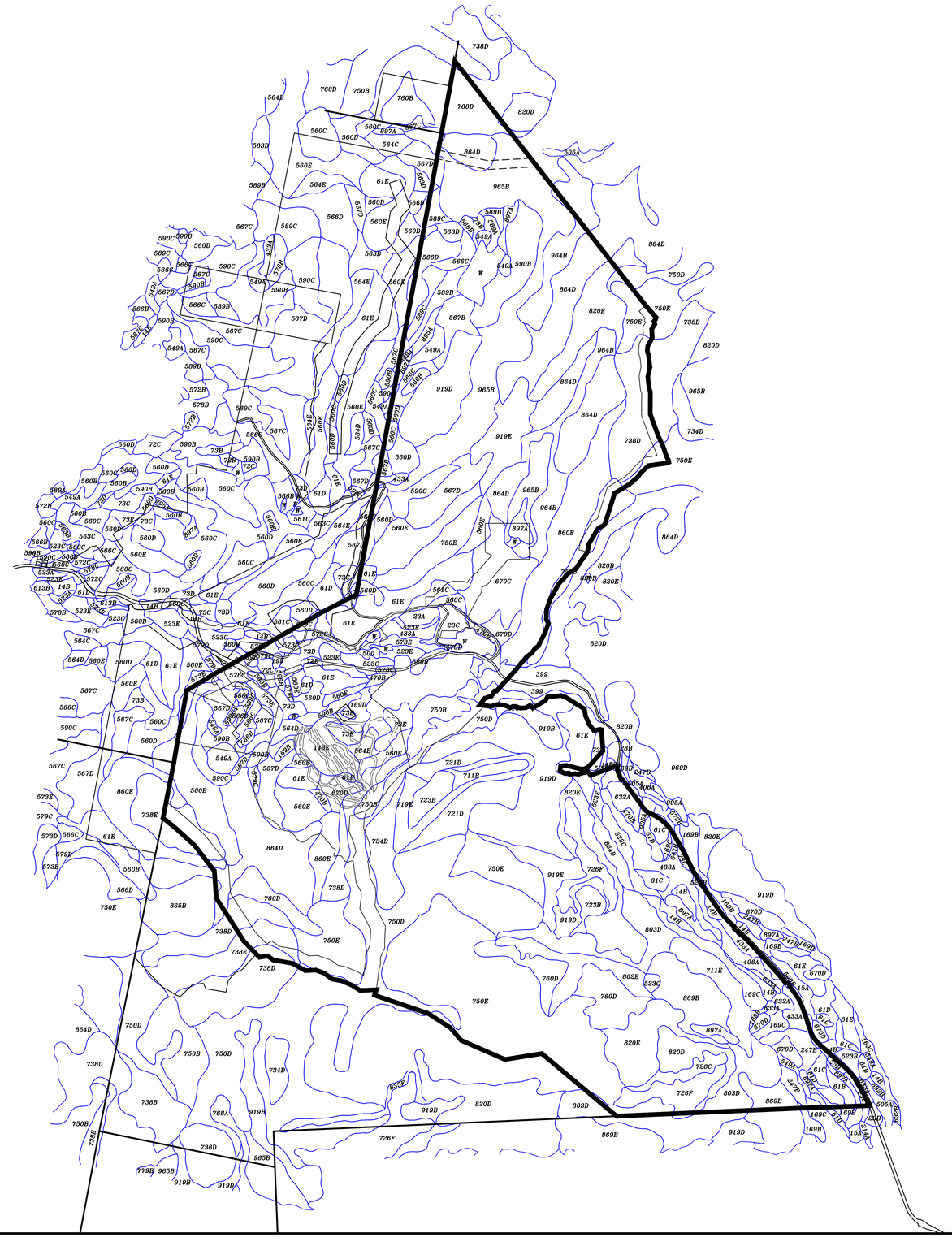
R:\14038 Dixville Capital, LLC - Concept Plans\DWGS\Final\Overlay Zone Maps\12005_SITE-WATER-07_I-3.dwg, I-3, 7/30/2015 12:27:05 PM, SBoutin

Map J – Soils Map



0 1000 2000 4000 8000

SCALE IN FEET

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PROPOSED DD BALSAMS SUBDISTRICT

MAP J
NRCS SOILS MAPPING

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: JULY 29, 2015	PROJECT #: 14038
ENGIN'D BY: SML	DRAWN BY: SJB
CHECK'D BY: JLW/SML	ARCHIVE #: H-5193
MAP J	

R:\14038 Dixville Capital, LLC - Concept Plans\DWGS\Final\Overlay Zone Maps\14038_Zoning_Soils.dwg, 7/31/2015 11:08:50 PM

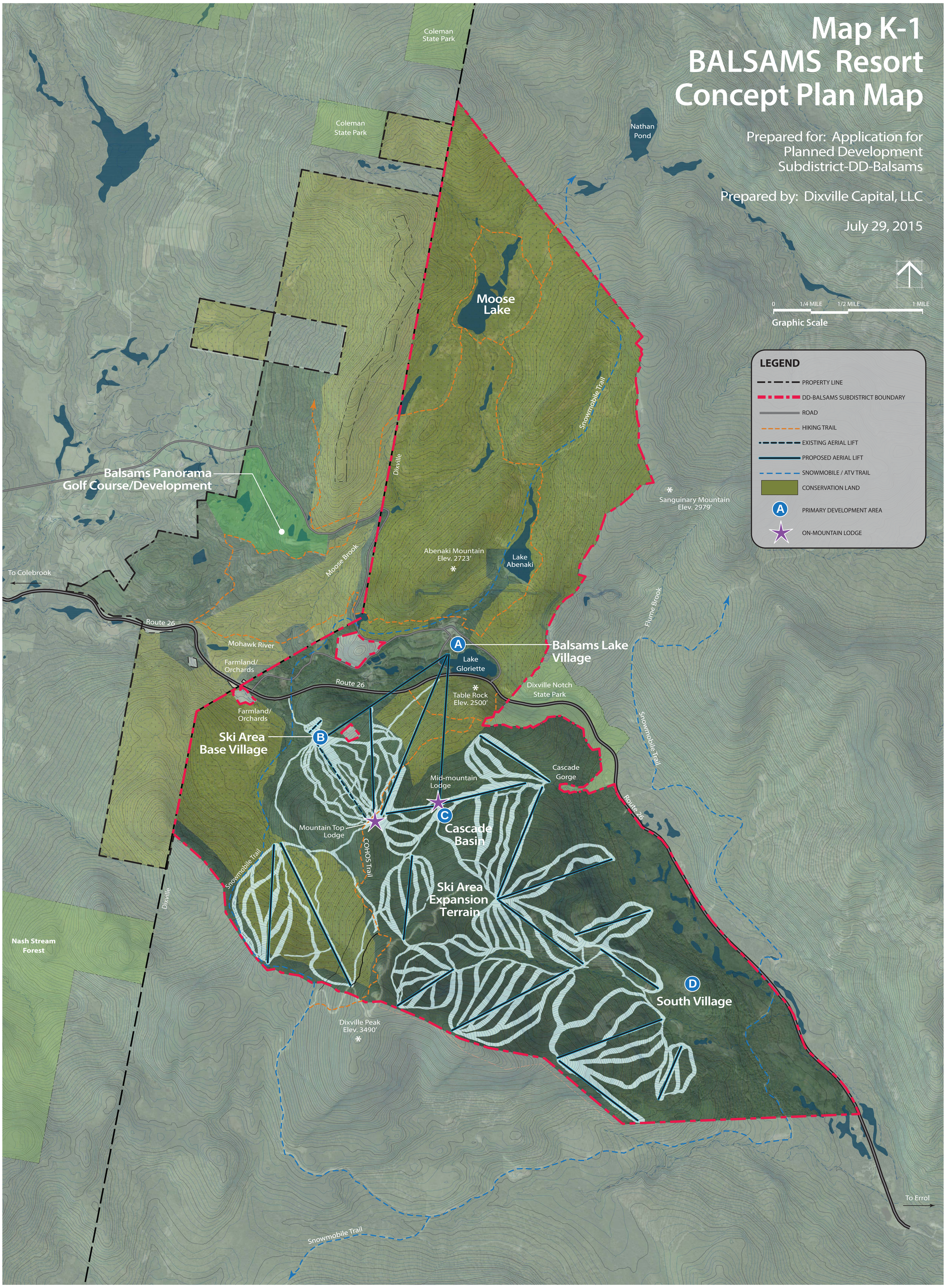
Map K-1 – Balsams Resort Concept Plan Map

Map K-1
BALSAMS Resort Concept Plan Map

Prepared for: Application for Planned Development Subdistrict-DD-Balsams

Prepared by: Dixville Capital, LLC

July 29, 2015



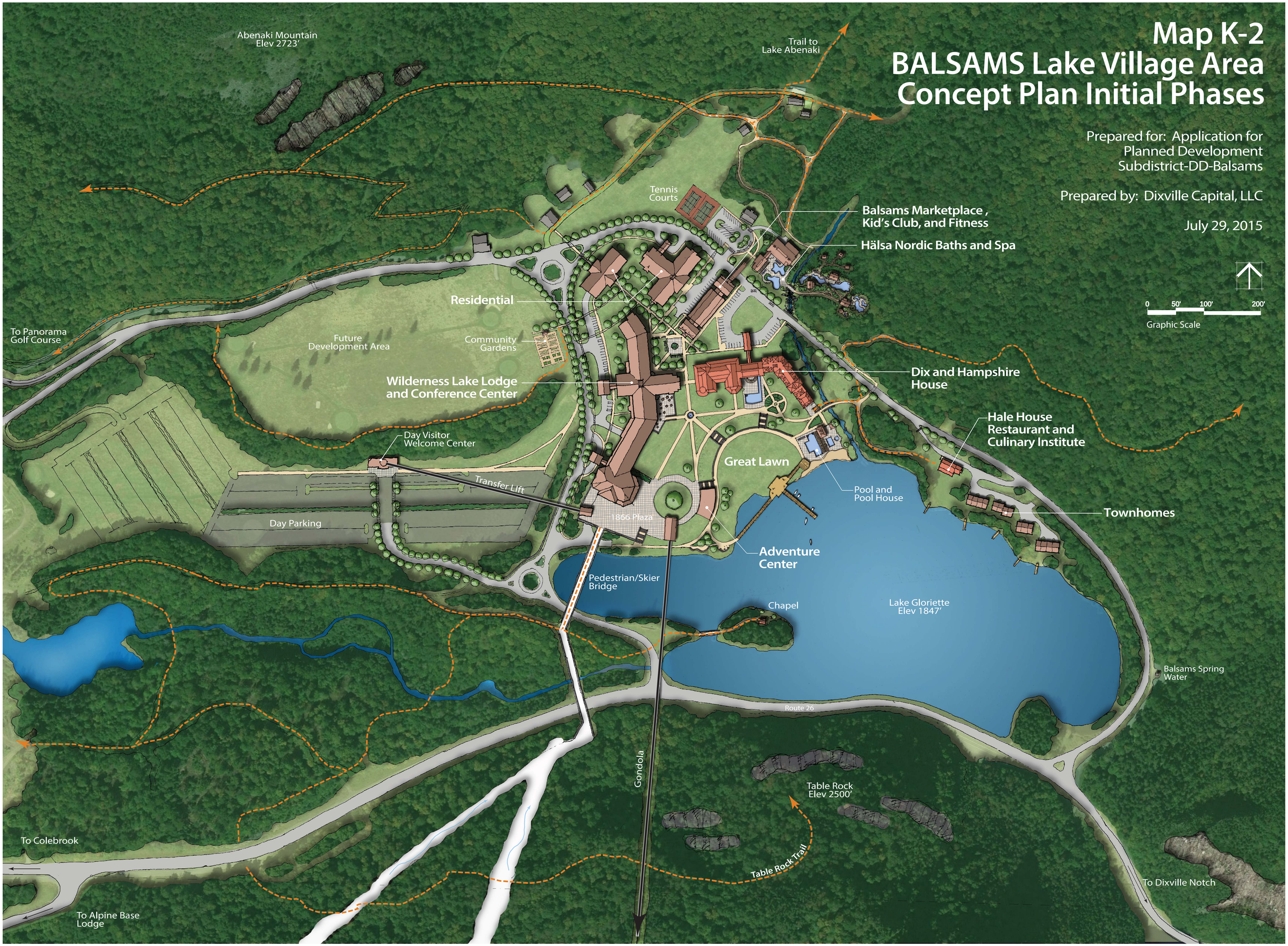
Map K-2 – Balsams Lake Village Area Concept Plan Initial Phases

Map K-2
BALSAMS Lake Village Area Concept Plan Initial Phases

Prepared for: Application for Planned Development Subdistrict-DD-Balsams

Prepared by: Dixville Capital, LLC

July 29, 2015



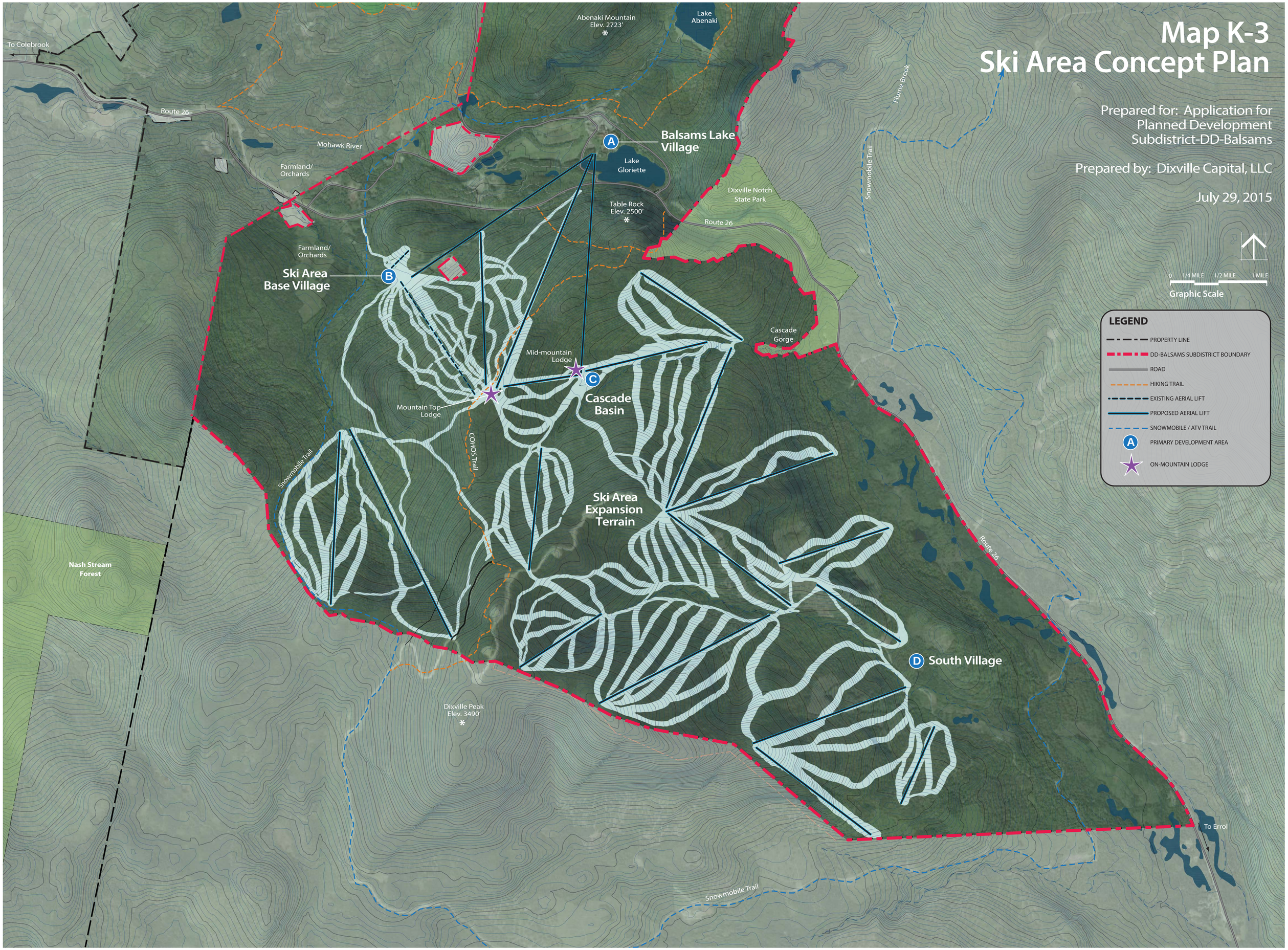
Map K-3 – Ski Area Concept Plan

Map K-3
Ski Area Concept Plan

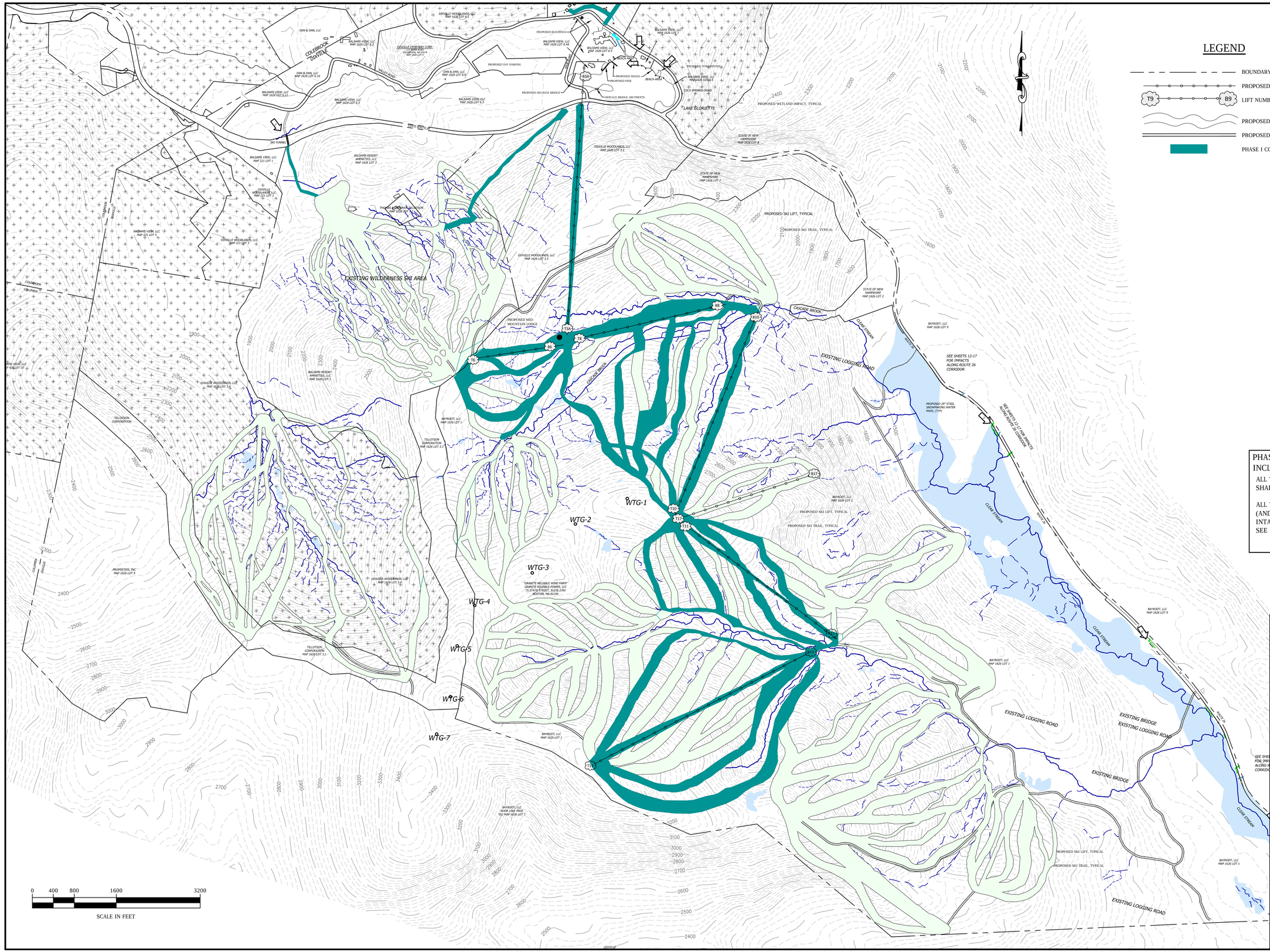
Prepared for: Application for Planned Development Subdistrict-DD-Balsams

Prepared by: Dixville Capital, LLC

July 29, 2015



Map K-4 – Ski Area Phase 1 Concept Plan



LEGEND

- BOUNDARY/ROW LINE
- PROPOSED LIFT LINE
- T9 — B9 LIFT NUMBER (TOP OR BOTTOM)
- PROPOSED SKI TRAIL
- PROPOSED ACCESS ROAD
- PHASE I CONSTRUCTION LIMITS

PHASE I CONSTRUCTION LIMITS INCLUDES THE FOLLOWING:

ALL TRAILS AND MISCELLANEOUS AREAS SHADED WITH

ALL WATER MAIN WORK ALONG ROUTE 26 FROM (AND INCLUDING) THE ANDROSCOGGIN RIVER INTAKE TO THE PROPOSED SKI AREA. SEE SHEETS 12 THRU 17.

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DIXVILLE CAPITAL, LLC
THE BALSAMS
DIXVILLE, MILLSFIELD & ERROL, NEW HAMPSHIRE

PROPOSED DD BALSAMS SUBDISTRICT

MAP K-4
SKI AREA PHASE 1
CONCEPT PLAN

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: JULY 29, 2015	PROJECT #: 14038
ENGIN'D BY: SML	DRAWN BY: AJN
CHECK'D BY: JLW/SML	ARCHIVE #: H-5193
MAP K-4	

R:\14038 Dixville Capital, LLC - Concept Plans\DWGS\Final\14038_2015_0729 Exhibits.dwg, Map K-4, 7/31/2015 9:26:08 AM, SBoutin

Exhibit 1 – List of Abutters

ABUTTERS LIST

Adam J. Jr. & Patricia Mazur *11 Depot Road* *E. Kingston NH 03827* *Millsfield Tax Map #1623, Lot #20*	*Bayroot LLC.* *c/o Wagner Forest Management* *PO Box 160, 150 Orford Road* *Lyme NH 03768* *Millsfield Tax Map #1623, Lot #28*	*Lori J. Bach* *36 Mount Pleasant Drive* *Trumbull CT 06611-3441* *Millsfield Tax Map #1623, Lot #35*
Mark Lyons & Rene Grenier, Victor *One Van Wie Drive,* *Strafford, NH 03884* *Millsfield Tax Map #1623, Lot #32*	*NH - DRED* *PO Box 1856* *Concord NH 03302-1856* *Dixville Tax Map #1626* *Lot #8*	*Properties, Inc.* *PO Box 330* *780 North Commercial St* *Manchester NH 03105-0330* *Dixville Tax Map #1626, Lot #4*
Dixville Woodlands, LLC *12 Pleasant Street* *Colebrook NH 03576* *Columbia Tax Map #426, Lot #10*	*Renewable Properties, Inc.* *Energy Park* *780 N. Commercial Street* *Manchester NH 03101* *Colebrook Tax Map #220, Lot #1*	*Dixville Woodlands, LLC* *12 Pleasant Street* *Colebrook NH 03576* *Colebrook Tax Map #239, Lot #2.1; #256, Lots #1 & 3.1*
Balsams Resorts Amenities, LLC *12 Pleasant Street* *Colebrook NH 03576* *Colebrook Tax Map #239, Lot #2*	*Dan & Dan, LLC* *12 Pleasant Street* *Colebrook NH 03576* *Colebrook Tax Map #257, Lot #2*	*Balsams View, LLC* *12 Pleasant Street* *Colebrook NH 03576* *Colebrook Tax Map #258, Lot #1; #257, Lot #1*
Killeen Compagna *30 Seagull Lane* *Eliot ME 03903* *Colebrook Tax Map #258, Lot #2*	*Monique Washburn* *757 Bungy Road* *Colebrook NH 03576* *Colebrook Tax Map #258, Lot #3*	*Dixville Woodlands, LLC* *12 Pleasant Street* *Colebrook NH 03576* *Stewartstown Tax Map # A1, Lot #1*
Renewable Properties, Inc. *Energy Park* *780 North Commercial Street* *Manchester NH 03101* *Stewartstown Tax Map #A1, Lot #3*	*Bayroot LLC* *c/o Wagner Forest Management* *150 Orford Road* *Lyme NH 03768* *Dixville Tax Map #1626,* *Lot #1& #9* ***Owner***	

34 School Street
Littleton, NH 03561
(603) 444-4111

Abutters List - Dixville Capital, LLC

Application for Planned Development
Subdistrict – DD – Balsams

July 14, 2015

Project No. 14038

Exhibit 2 – Letters of Authorization from Existing Land Owners

WAGNER
FOREST MANAGEMENT, LTD.

February 4, 2015

Dixville Capital, LLC
PO Box 547
Bethel ME 04217

Subject: Authorized Agent Letter – Land Owned by Bayroot LLC

Dear Sirs:

Bayroot LLC ("Bayroot") owns lands in Dixville and adjoining towns in northern New Hampshire. A portion of the these lands, generally described as the "Property" in Exhibit A attached hereto, is subject to an option agreement dated August 20, 2014, that provides Dixville Capital, LLC with the right to acquire ownership of the Property upon satisfaction of certain conditions, and to apply for all permits and approvals required to develop the Balsams Wilderness Resort, which as planned would occupy a portion of the Property.

Please consider this letter as confirmation that Dixville Capital, LLC is an authorized agent for Landowner for the purpose of obtaining any and all permits, approvals and permissions required from the New Hampshire Department of Environmental Services, the State of New Hampshire Department of Transportation, Coos County, the municipalities of Colebrook and Errol, New Hampshire, the unincorporated municipalities of Dixville and Millsfield, New Hampshire, the US Army Corps of Engineers and any other governmental boards, bodies or authorities with jurisdiction over the Property and its planned development as the Balsams Wilderness Resort.

This letter authorizes the Dixville Capital, LLC to sign any and all applications for permits, approvals and permissions and any related materials, and to represent the Landowner with respect to the Property at public meetings as the applicant for the proposed project.

Bayroot LLC
By Wagner Forest Management, Ltd.
Its Manager

Thomas J. Colgan

Thomas J. Colgan, President

{W4687718.1}

Phone: 603-795-2002 • Fax: 603-795-4631 | PO Box 160 • 150 Orford Rd • Lyme, New Hampshire 03768 | WagnerForest.com

Exhibit A
Property Description

The "Property" comprises the following lots or parcels of land located in Dixville, Coos County, New Hampshire:

(a) The "Ski Resort Parcel" is an approximate 3,222 acre parcel, bounded on the East by State Route 26; bounded on the South by the Dixville/Millsfield Town line; bounded on the West by the height of land of the Dixville Peak ridge line; and bounded on the Northwest and North by the existing property boundary between Bayroot and Tillotson Corporation.

(b) The "Sanguinary Ridge Parcel" is a strip of land 200' in width having a Point of Beginning at the junction of Line Segment 96 and Line Segment 5 and running southerly to a Point of Ending at the Northerly end of Line Segment 56 following the easterly boundary of a lot shown as Lot 2 and further along the boundary of Lot 6.1 to the Intersection of the northern boundary of the State of New Hampshire Dixville Notch State Park using Line Segment as listed on a Plan entitled "Proposed Two Lot Subdivision, Balsams/Sanguinary Ridge, Property of Tillotson Corporation, Dixville, NH, Map 1626 – Parcel 6.1", dated March 30, 2011 (and revised June 1, 2011), prepared by Thaddeus Thorne Surveys, Inc., 1164 Brownfield Road, Center Conway, NH, 03813, and recorded with Coos County Registry of Deeds as Plan No. 3560.

(c) "Adjustment Parcel(s)", if any, shall be such other real estate as is owned by Bayroot adjacent to the Ski Resort Parcel, and lying south and west of N.H. Route 26, which is identified by Dixville Capital through its due diligence process as necessary or convenient for the redevelopment and expansion of the Balsams.

Dixville Capital acknowledges that (i) Bayroot's rights in and to the Property are subject to prior agreements listed in the Option Agreement, including but not limited to the GRP Wind Lease Documents and the Northern Pass Lease and (ii) upon sale of the Property, Bayroot would reserve a right-of-way in order to provide access to other Bayroot lands in Dixville and Millsfield.

Being a portion only of that certain real property located in the unincorporated place of Dixville, Coos County, New Hampshire, which real property is a portion of the real property described in the deed of MeadWestvaco Oxford Corporation to Bayroot dated November 21, 2003 and recorded in the Coos County Registry of Deeds at Book 1061, Page 952.

TC

RECEIVED FEB 05 A.M.

Balsams View, LLC
c/o Daniel Hebert, Jr and Daniel Dagesse
12 Pleasant St
Colebrook NH 03576

February 5, 2015

Dixville Capital, LLC
PO Box 547
Bethel ME 04217

Subject: Authorized Agent Letter – Land Owned by Balsams View, LLC; Balsams Amenities, LLC; and, Dixville Woodlands, LLC ("Landowner")

Dear Sirs:

Balsams View, LLC; Balsams Amenities, LLC; and, Dixville Woodlands, LLC ("Landowner") are the owners or otherwise holding certain interests in the parcels of land generally described in Exhibit A attached hereto ("Property").

A portion of the Property is subject to an option agreement dated February 9, 2014 with extension that provides Dixville Capital, LLC with the right to acquire ownership of the property upon satisfaction of certain conditions, and to apply for all permits and approvals required to develop the Balsams Wilderness Resort, which as planned would occupy a portion of the Property.

Please consider this letter as confirmation that Dixville Capital, LLC is an authorized agent for the Landowner for the purpose of obtaining any and all permits, approvals and permissions required from the New Hampshire Department of Environmental Services, the State of New Hampshire Department of Transportation, Coos County, the municipalities of Colebrook and Errol, New Hampshire, the unincorporated municipalities of Dixville and Millsfield, New Hampshire, the US Army Corps of Engineers and any other governmental boards, bodies or authorities with jurisdiction over the Property and its planned development as the Balsams Wilderness Resort.

This letter authorizes the Dixville Capital, LLC to sign any and all applications for permits, approvals and permissions and any related materials, and to represent the Landowner at public meetings as the applicant for the proposed project.

Sincerely,

By: _____
Daniel Hebert, Jr

{W4687718.1}

By: _____
Daniel Dagesse

BALSAMS VIEW, LLC

By: _____
Its member

BALSAMS AMENITIES, LLC

By: _____
Its member

DIXVILLE WOODLANDS, LLC

By: _____
Its member

By: _____
Daniel Dagesse

BALSAMS VIEW, LLC

By: _____
Its member

BALSAMS AMENITIES, LLC

By: _____
Its member

DIXVILLE WOODLANDS, LLC

By: _____
Its member

Exhibit A
Property Description

The assets making up the Resort are owned by several entities including Balsams View, LLC; Balsams Amenities, LLC; and, Dixville Woodlands, LLC, which are all owned or controlled, directly or indirectly, by Daniel Hebert, Jr. and Daniel Dagesse. These entities, together with any affiliates owning or controlling any assets historically making up the Resort, or used, held for use or related to the Resort. [The former waste disposal site is owned by Dan and Dan, LLC and is dealt with separately.]

The Resort was founded in the mid-1800s and was operated since 1954 under the ownership Tillotson Corporation. The Resort was acquired in 2011 by Daniel Hebert, Jr and Daniel Dagesse with all Resort and related acquired assets. The Resort consists of the Dix House hotel building, the Hampshire House hotel building, the Hale House bungalow, the Captains Lodge, the Balsam's Wilderness Ski Area, including both alpine skiing and 65 acres of groomed cross country ski trails, the Panorama Golf Course and Clubhouse, a nine-hole executive golf course, certain undeveloped land and a large tract of timberland subject to a conservation easement.

The real estate upon which the resort is located is described in a Quitclaim Deed from Tillotson Corporation to Balsams View, LLC dated December 6, 2011 and recorded in the Coos County Registry of Deeds at Book 1339, Page 915, and encompasses land in Colebrook, Columbia, Stewartstown and the unincorporated Town of Dixville, Coos County, New Hampshire.

Tillotson Corp.
c/o Thomas Deans
450 Bedford St.
Lexington MA 02420

February 5, 2015

Dixville Capital, LLC
PO Box 547
Bethel ME 04217

Subject: Authorized Agent Letter – Land Owned by Tillotson Corp ("Landowner")

Dear Sirs:

Tillotson Corp is the owner or otherwise holds certain interests in the parcels of land generally described in Exhibit A attached hereto ("Property").

A portion of the Property is subject to an option agreement dated June 19, 2014, that provides Dixville Capital, LLC with the right to acquire ownership of the property upon satisfaction of certain conditions, and to apply for all permits and approvals required to develop the Balsams Wilderness Resort, which as planned would occupy a portion of the Property.

Please consider this letter as confirmation that Dixville Capital, LLC is an authorized agent for Landowner for the purpose of obtaining any and all permits, approvals and permissions required from the New Hampshire Department of Environmental Services, the State of New Hampshire Department of Transportation, Coos County, the municipalities of Colebrook and Errol, New Hampshire, the unincorporated municipalities of Dixville and Millsfield, New Hampshire, the US Army Corps of Engineers and any other governmental boards, bodies or authorities with jurisdiction over the Property and its planned development as the Balsams Wilderness Resort.

This letter authorizes the Dixville Capital, LLC to sign any and all applications for permits, approvals and permissions and any related materials, and to represent the Landowner at public meetings as the applicant for the proposed project.

Sincerely,

Tillotson Corp

By: Thomas S. Deans
Its President

Exhibit A
Property Description

Dixville Peak description

That certain lot or parcel of land depicted in the Plan attached hereto as Exhibit B and shown as Lot 2 – Dixville Peak on a Plan entitled "proposed Three Lot Subdivision, Wilderness Ski Area/Dixville Peak, Property of Tillotson Corporation, Dixville, NH, Map 1626 – Parcel 03", dated March 30, 2011 (and revised June 30, 2011), prepared by Thaddeus Thorne Surveys, Inc., 1164 Brownfield Road, Center Conway, NH 03813, and recorded with Coos County Deeds as Plan No. 3561.

Sanguinary Ridge description

That certain lot or parcel of land depicted in the Plan attached hereto as exhibit C and shown as Lot 2 – Sanguinary Ridge on a plan entitled "Proposed Two Lot Subdivision, Balsams/Sanguinary Ridge, Property of Tillotson Corporation, Dixville, NH, Map 1626 – Parcel 6.1", dated March 30, 2011 (and revised June 1, 2011), prepared by Thaddeus Thorne Surveys, Inc., 1164 Brownfield Road, Center Conway, NH 03813, and recorded with Coos County Deeds as Plan No, 3560.

Meaning and intending to convey the parcels identified as the "Wind Farm Parcels" in that certain Quitclaim Deed from Seller to Balsams View, LLC dated December 6, 2011 and recorded in the Coos County Registry of Deeds on December 7, 2011 as Document No. 0004970.

Exhibit 3 – List of Agencies Identified for NH State and Federal Review

Exhibit 3 – List of Agencies identified for NH State and Federal Review

1. **NH DES LAND RESOURCES MANAGEMENT DIVISION – Lead State Agency**
    - 1.1. WETLANDS DIVISION – Issues Programmatic General Permit
        - 1.1.1. NH F&G - Advisory
            - Fish and Wildlife Habitat (including high elevation)
            - Compliance and Enforcement
        - 1.1.2. NH Dept. of Natural Resources - Advisory
            - Endangered Plant and Animal Species
        - 1.1.3. US ARMY CORP of ENGINEERS - Lead Federal Agency
            - 1.1.3.1. US F&W - Advisory
                - Threatened and Endangered Species
            - 1.1.3.2. US EPA - Advisory
                - Habitat Preservation (Streams, Wetlands, Vernal Pools)
                - Storm Water Pollution Prevention Plan (SWPPP)
                    - Construction BMPS (Best Management Practices)
                - National Pollutant Discharge Elimination System
                    - Point Source Discharge Management
                - Clean Water Act
            - 1.1.3.3. NH Dept. Historic Resources - Advisory
                - Paleo, homestead and significant historic sites
    - 1.2. ALTERATION OF TERRAIN
        - 1.2.1. Issues Grading and watershed management permits
        - 1.2.2. Monitors Construction BMPS (Best Management Practices)
        - 1.2.3. Administers NH Watershed Manual
    - 1.3. SHORELAND DIVISION
        - 1.3.1. Reviews and Permits all Shoreland impacts
    - 1.4. DRINKING WATER DIVISION
        - 1.4.1. SYSTEM DESIGN DIVISION
            - Reviews and Approves Engineered Systems
        - 1.4.2. WATER WELL DIVISION
            - Permits well locations and capacities
    - 1.5. STORMWATER DIVISION
        - Reviews and Approves Stormwater collection and treatment
    - 1.6. DAM BUREAU
        - Monitors and permits all existing dam maintenance and operation
    - 1.7. WASTEWATER DIVISION
        - 1.7.1. SEPTIC DESIGN DIVISION
            - Permits all septic systems
        - 1.7.2. WASTEWATER TREATMENT PLANT DIVISION
            - Permits all WWTF design and operation
    - 1.8. WATER CONSERVATION DEPARTMENT

- Permits Mandatory Conservation Compliance Activities

1.9. WATER QUALITY CERTIFICATION DIVISION

- Permits surface water withdrawal and quality standards
- Compliance and Enforcement

2. NH ATTORNEY GENERAL

- Review and Approve all permits prior to real estate sales
- Review and Approve all real estate sales programs
- Review and Approve all HOA and Condo covenants

3. NH DOT

3.1. DIVISION ONE ENGINEERING

- Excavation and Use and Occupancy Permits

3.2. BRIDGE DIVISION

- Bridge and Tunnel design

4. NH DEPT OF SAFETY

4.1. FIRE MARSHALL'S OFFICE

- All building life safety review
- Compliance and Enforcement

4.2. TRAMWAY AND AMUSEMENT RIDE DIVISION

- Ski and Transport lift design and operation
- Compliance and Enforcement