

## **Proposed Extension of Urban Compact on Route 110 Public Hearing – September 29, 2021**

Mayor Grenier opened the duly scheduled and advertised public hearing at approximately 6:04 p.m. Present were Mayor Grenier, Councilors Eastman, Berthiaume, Higbee, Remillard, and Morgan. Also present: City Manager James Wheeler, Community Development Director Pamela Laflamme, City Clerk Shelli Fortin, members of the public, and William Carroll, Berlin Daily Sun.

Mayor Grenier advised those in attendance that the City Council would not be taking a vote tonight. The purpose of the meeting is to take input from the public. Mayor Grenier asked those in attendance to be respectful of different points of view.

City Manager Wheeler reviewed the proposed extension of the urban compact on Route 110. The City would take responsibility for an additional 2 miles of Route 110 that is currently under NHDOT's jurisdiction. The current urban compact is at the old White Mountain Distributor warehouse and would be extended to just past Jericho Lake Road. Under the agreement, NHDOT would enter into a maintenance agreement for the next 5 years, and during that time DOT will overlay the road. NHDOT will also support the pursuit of upgrades through discretionary grants and the 10-year plan. The importance of the extension is so that the City can set speed limits, permit driveway access, and allow for OHRV operation. This area has land that is available for possible development. City Manager Wheeler advised there is no specific timeline or deadline for the execution of the agreement.

Michael Tardif of 98 Jericho Road stated that he does not want to see a lot of people build on lot sizes of 50'. Mayor Grenier advised that changes to lots sizes is part of the Master Plan discussion and is handled by the Planning Board. Tardiff also stated that the City does not do a great job on the streets, however he is not against development. Tardiff noted that water lines would need to be extended and fire protection added.

James Long of 23 West Milan Road advised that the change in the speed limit would only affect 5-6 residents and wondered how it would affect everyone else or any businesses. Long noted that in 5 years, the City would take over and have to provide sand, salt, and repairs to the roadway.

Richard King of 107 Jericho Road asked about expenses to the City, as they currently have aging equipment and the road conditions are terrible. King stated that the City should think twice before taking on another road. King noted that ATV's already have access to the trails and that Route 110 has become a speedway for ATV's and vehicles. King shared concern that someone would be hurt and the City would be sued. King also shared concern that the two bridges in that area would need repair. City Manager Wheeler advised that the DOT report listed the bridges in good condition, with one of them being recently replaced. King reiterated that the City has enough to care for now, and that if the state is supporting that area, it should stay that way.

Lise Barrette read a prepared statement:

As a taxpayer in the City of Berlin, I feel I need to express my thoughts about this.

If the City takes over 2 miles of road from the State there will be an increase of needs for plowing, sand, salt and equipment use. Please make note that this is a main road therefore, it would need more attention during the winter. Also this increases our need for road maintenance i.e.: potholes, patching, and line painting. Again, it's a main road where there is more wear and tear than most.

In looking at our track record of road maintenance, one just has to look around at our streets of disrepair. Many crosswalks and no parking yellow lines aren't even visible anymore. Our Public Works has been short staffed for a while now and there hasn't been a PW Director for over a year.

Why should we be adding on more road upkeep with less resources?

It's been stated that this acquisition will allow Berlin to control the speed limit. ATV's already can drive the majority of that 2-mile strip all the way up to Dalton Motor Sports since it's already 40mph. ATV's already have access to trails on the East and West of Jericho Road. So, the speed limit would have to change for only ½ mi. section for ATV's to be able to drive up to Jericho Lake Road. That ½ mi consists of the 50-mph section that starts a little way after Dalton Motor Sports up to Jericho Lake Road.

I don't understand why we should take on the responsibility of 2 mi of road for lowering the speed limit by 10mph on ½ mi of road.

Another positive which was mentioned was that any new development won't have to go through the State's red tape to get a driveway permit. But they still would have to go through the City's red tape to get one. This transaction would add to the burden of the Planning Board who would have to redevelop their regulations to fit this unique strip of road. And as it has been for some time now, there is no Public Works Director or Engineer which will help in this effort.

If there was a multi-million project going up at Route 110, then I would hope that they would have all their ducks in a row in acquiring all the other State permits needed that adding on a State driveway permit should not be much of a burden for the investor. It's funny that a need for a State driveway permit has not impeded development in Gorham or other communities.

As to water and sewer connections, we already maintain the water and sewer connections all the way up to the pump station not far from the ATV trail entry. It's already the city's burden to upgrade that pump station when new properties connect to the sewer. Acquiring more road will not change this. Also, we are already going to receive money from the County for the engineering to extend water and sewer along that ½ mi section.

I would love to see new development but not by increasing the expense of the taxpayer's dollar. I'd like to see other avenues taken when it comes to ATV trail access to new developments after the 50mph begins. Head Pond road which is currently used by ATV's can possibly be accessed through new trail development on the East side. New trail development can create access to the current trails on the West side. I'd much rather see my tax dollars go towards resources to take care of what we already have. Taking over 2 miles of road to compensate for ½ mi road is not sensible or practical."

Arnold Davis of 640 West Milan Road asked about the water and sewer on Route 110 and was advised this is a different project.

Deborah Fysh of 35 West Milan Road asked what the term urban compact means. City Manager Wheeler explained that it is a property line between the City and State for care of the

roadway and the proposed agreement would move this line further up. Any current regulations for City streets would then apply to that road also.

Mayor Grenier noted that the amount of money received from the State for the care of the streets would increase and City Manager Wheeler advised that Block Grant Funding is about \$40,000 per year, and is based on the number of miles of streets. Since they would be responsible for an additional two miles, it would be in incremental increase.

Lise Leveille of 236 Jericho Road advised that she lives next to the bridge by Rocket Snowmobile and that the property owner next to her has filled in the wetlands. Leveille expressed concern for the brook, and possible flooding, as there is not enough room when it turns by the tracks and recent digging has caused problems. Leveille is concerned as to how the road is used, and the possible damage to property.

Theodore Bosen of 13 Bisson Road noted that if investment in the area is a result of the extension of the road, then we will have the revenue to maintain the road. Bosen asked that investors who are asking for this extension make their case openly, so that taxpayers would have confidence that the costs would be covered. Bosen noted that he lives on a road that used to be maintained by the State and is now handled by the City, and he has witnessed a decline in maintenance. Bosen also stated that he hopes they are not giving away revenue in TIF's for 10 years.

Wanetta Collins of 104 Seventh Street advised that she also owns property on Jericho Road. Collins noted the holes in sidewalks and lack of snow removal and stated that she does not want to see taxes go up. Collins stated that she was opposed to the extension as she doesn't know how the City will afford it.

Ronald Therrien of 27 West Milan Road advised that he is in favor of the extension, as he enjoys ATV's and snow machining.

Alex Ritchie of Hampton, NH, who does work for Robert Chapman, read a prepared statement:

"My name is Alex Ritchie and I work with Bob Chapman and other business owners in Berlin and specifically those who have made investments along the Route 110 corridor.

A few comments:

The City of Berlin should be very proud of what they have accomplished over the past decade or so in making a name for itself as a true recreation destination.

The work that has gone into establishing itself as a leader in the ATV industry and providing first rate recreational experiences to outdoor enthusiasts is tremendous, and the outcome has truly become a model for other former Mill Towns that need to reinvent themselves.

The challenge we see is that the infrastructure to support this now established and ever growing recreational industry is lacking in Berlin and the result is, at the end of a day spent recreating on the trails or Jericho Mountain, these individuals go elsewhere to stay – and these dollars are spent in the surrounding communities and not in Berlin.

It is these dollars we are trying to retain in the City, for small businesses here in the community. You have accomplished the hard part – getting people to come to the area, now we have the

opportunity to grow the associated infrastructure to keep people here and patronizing our businesses and lodging establishments.

This is not a concept that was developed hastily – many local businessmen have made meaningful investment into their properties along the Route 110 corridor over many years.

These opportunities include several campgrounds, cabin rentals, and building lots, the potential for a hotel/conference development, a gas station/convenience store pairing, a potential brew pub/restaurant set up, an 18-lot residential subdivision (in addition to the investments made by MOMs motorcycle in acquiring land adjacent to Jericho Mountain, and the acquisition of Jericho Gateway Campground which has undergone expansion efforts this year.

These investments should be applauded, and supported, as they bolster the entire area. Many of these businessmen and landowners began meeting with City officials to discuss the challenges they were encountering in developing these efforts over a year ago. I think this collaboration has been a positive experience, resulting in a working group to try and advance the hotel development in Berlin, as well as to revisit the long-contemplated extension of the Urban Compact.

The agreement being discussed here with the NH DOT allows the City to take ownership of this stretch of Route 110 now, while the State maintains the section for five years including upgrading existing drainage piping. This agreement will unlock the potential for the much-needed economic development efforts underway to continue in a timely, responsible and safe manner. This agreement would allow the City to make changes to the speed limit, allowing for ATV ridership along Rte 110 to the State Park, as well as oversee access and driveway permitting, as it does throughout the city, further facilitating economic development.

I know there is a lot to consider, but I respectfully ask that you look at the entire picture and all the opportunities this effort could help to advance.

I thank you for your time and consideration.”

Charles Fysh of 35 West Milan Road advised that he is in favor of the extension, however he noted a lack of enforcement from the Fish and Game Department, Sheriff’s Department, and the Berlin Police Department, as OHRV’s are currently traveling all the way to Jericho Lake Road and the campground.

Janet Tremblay of 812 Second Avenue pointed out that snowplowing in the City is horrendous and she does not want to pay more in taxes. Tremblay stated she is in favor of development.

David Redston of Timberland Adventures stated that he is planning to build cabins on his property on Route 110. Redston noted that Berlin has a great start with the Ride the Wilds trails, but has no lodging available. If Berlin is able to get the lots developed, they will raise more in taxes. Redston stated that development on Route 110 will make a difference and it will be a plus to take over the road.

Kevin Murphy of 43 Sweden Street asked why businesses needed these two miles of roadway, and what this would provide.

Roland Riendeau of 20 Arlington Street and 174 Jericho Road stated that he has built up his business 150% in the last 7 years. Riendeau noted that the City has one set of rules for OHRV's and the State has another. The State road closes ½ hour after sunset, while City streets are open until 10pm. The State closes the road to use on November 1, whereas the City streets are open year-round except during mud season. Extending the urban compact would provide the same City rules to that section of roadway. Riendeau also noted that the State has not done a good job with plowing over the last couple of years and he is in support of extending the urban compact.

Robert Chapman of Chapman Development and Scrap Metal stated that if the City takes over the roadway, they have control. Chapman stated that he has plans for 18 house lots on 255 acres, and if water and sewer service is available the bank will provide financing. If water and sewer is available, they won't need 5-7-acre lot sizes, and the number of lots could double, providing more tax revenue to the City. Chapman stated they are trying to get a hotel and gas station as well, but it takes time. Chapman stated that currently people leave the area at the end of the day, and he is hoping to keep them here.

Roland Berthiaume of 26 Franklin Street advised that if the urban compact is moved, the ATV's will be able to use the road year-round. Jericho State Park is available for use in the winter months, but cannot be accessed in the winter season. Berlin's roads being open for ATV use provides a unique opportunity to use ATV's to get to stores, restaurants, and the trails. Berthiaume also noted that the state permitting process is not easy with DOT, and this would allow the City to handle the permitting process.

Steven Binette of 181 Overlook Drive in Milan advised that he has invested a large sum of money in his property on Route 110 and would like to see the money from tourists stay in Berlin. Binette stated that this is a time for Berlin to be prosperous.

Steven Korzen of 788 Kent Street advised that businesses are people that are investing here and we need to help them as well. Money used from increased revenue can also be used to help redevelop and rebuild other areas of the City.

Lori Korzen of 788 Kent Street advised that she is in favor of the extension. Korzen stated she is in favor as this may provide a reason for younger people to come back to the area and this is our opportunity. Korzen asked that people separate poor road management in the past from this proposal.

Michael Couch of 29 Tenth Street advised that of all the permits that he had to obtain for his development, the driveway permit from the State was the worst. Couch noted that if the urban compact was moved the City would be in charge of the number of permits issued, as the State only issues a limited number of permits.

Janet Tremblay asked about the annual maintenance costs and City Manager Wheeler advised that based on the state numbers, they would need about \$600,000 in taxable development to break even. Wheeler agreed that the way the City maintains the current 60 miles of street is not the same as what the State does. However, the first 5 years of maintenance will not cost the City anything. Tremblay also asked about the bridges, as the state has said it does not need maintenance now, but they will in the future which will be on the taxpayers. Mr. Wheeler noted that it will be about 10 years before one requires any maintenance and the other was replaced recently.

Michael Tardiff stated that they still have to extend water and sewer and Mayor Grenier advised that sewer currently goes to the old Bass Shoe plant and water to Dalton Mountain Motor Sports. Mayor Grenier advised that they did get a grant for engineering work which includes upgrades to the pump station, and they could pursue more grants.

City Manager Wheeler noted that there is a TIF district being planned, and that revenue from development could be used to make improvements beyond the proposed two miles. The additional revenue would not be available for water or sewer.

James Long advised that he is in support of the extension of the urban compact.

Wanetta Collins advised that there is a misconception that they are against development and they are not, they just don't want to take on the extra road costs.

Richard King stated that he can't see where the extension of 2 miles is going to make a big difference, as water and sewer and City services are already available. King noted that the extra maintenance will be that much more wear and tear on equipment.

Kevin Murphy questioned the numbers projected for upkeep and asked where the multiplier comes from. Murphy stated that Mr. Chapman has 21 building lots, which could provide \$4.2 million in valuation. The potential of 27 more lots could provide another \$5.4 million. That is opportunity and growth. Murphy noted that just a hotel could provide \$20-25 million in valuation on the tax rolls. Murphy noted that the City is just barely hanging on and not properly maintaining the roads. This creates an opportunity to budget for repairs and maintenance with the added revenue. Mr. Wheeler agreed that it is possible, but not guaranteed, and advised it is up to the public how much risk they are willing to take.

Theodore Bosen advised that he has an Airbnb and he would be able to extend the time he could rent to ATVers if they could ride to the park in the winter months. This would help him to continue to pay his taxes.

Lise Leveille advised that taxes in Conway went up after development and that we don't have the people to hire to fill the jobs. Leveille also noted we don't know what will happen with Covid.

Lise Barrette asked if trail access has been looked at to provide a trail to Jericho and it was noted this has been looked at many times. Richard King stated that there was a trail that used to go up. Michael Tardiff stated that during the first summer there was a dust cloud across his yard and if they use it again, they would have to wet it down with a water truck.

Mayor Grenier advised that the Council has not made a decision and thanked the public for their input. Mayor Grenier stated that the first few proposals received from the State were not well received at all, as they were heavily in DOT's favor. However if the City were to agree to this proposal, it would be a pretty good deal. They are doing everything they can to support developers as Route 110 is a unique experience, but they need to be fiscally responsible. This will be debated in public and there is no timeframe set.

Councilor Eastman thanked the public for coming as it is important for the Council to hear from people on the street. There are business and individual interests. Eastman noted that property taxes are a huge issue for developers and that last year's decrease helped with interest in developing the area. Eastman stated there is a bigger picture than just the road cost, as we have Jericho Lake Park to which people come for the day, but don't stay. These two miles

could mean an increase in tax revenue, and if we do not increase our tax base, our taxes will go up. Development could help to spread the increases over more people.

City Manger Wheeler provided a letter submitted by Lisa Nast, for the record:

Dear Mayor and Council Members,

As a business/property owner on Jericho Road I am writing to express my support regarding the City taking over ownership and maintenance of the proposed stretch of road on Jericho Road/Route 110.

I feel that this would be a benefit to the City and to the community that relies on recreational business.

Sincerely,

List Nast – Owner  
Dalton Mountain Motor Sports

There being no further comments, Mayor Grenier declared the public hearing closed at 7:34 p.m.

Respectfully Submitted,

Shelli Fortin  
City Clerk