

**IN RE: APPEAL OF DEPARTMENT ORDER L-28397-4E-A-N
Jeffry Spinney, Licensee. Pier System and Boat Ramp, Alna**

MOTION TO CONTINUE APPEAL HEARING

Licensee/Appellee Jeffry Spinney hereby moves that the Board of Environmental Protection continue the hearing scheduled for August 20, 2020 regarding the above appeal for at least 60 days. Licensee is considering and discussing with DEP staff the option to install a seasonal, removable ramp surface instead of the permitted permanent ramp resurfacing. The ramp resurfacing work is the only portion of this project which remains subject to appeal as the Licensee has opted to relinquish the portion of the Permit allowing for installation of a permanent dock (see attached letter of even date). The proposed continuance would allow Department staff to take its time to consider the Licensee's request for the temporary ramp surface as an alternative to the permitted work. If the temporary ramp surface is allowed, with or without further Department permitting, the Licensee may relinquish his DEP permit entirely, thus rendering all of the issues on appeal moot.

Dated: August 11, 2020

Appellee/Licensee Jeffry Spinney

By:



Kristin M. Collins, Esq. – Bar No. 9793
Preti Flaherty Beliveau & Pachios LLP
45 Memorial Circle
Augusta, ME 04330
207.791.3292
kcollins@preti.com

Kristin M. Collins
kcollins@preti.com
207.791.3292

August 11, 2020

Maine Department of Environmental Protection
Gerald D. Reid, Commissioner
Attn: Bureau of Land & Water Quality
17 State House Station
Augusta, ME 04333-0017

RE: NRPA Permit L-28397-4E-A-N

Dear Commissioner Reid and staff:

I am writing on behalf of Licensee Jeffrey Spinney to relinquish the portion of the above Natural Resources Protection Act permit which allows for the installation of permanent pilings to support the permitted dock at the Licensee's property at 126 Golden Ridge Road in the Town of Alna. The Licensee has decided to attach the dock to a removable granite block, rather than install the permanent pilings in the upland as permitted. DEP Staff (Jami MacNeil) indicated by email to the Licensee dated June 24, 2020 (please see attached) that this would not require any formal modification of the existing permit.

Sincerely



Kristin M. Collins

KMC:

Collins, Kristin M.

From: MacNeil, Jami <Jami.MacNeil@maine.gov>
Sent: Wednesday, June 24, 2020 2:59 PM
To: Collins, Kristin M.
Cc: jeff spinney
Subject: RE: Spinney dock

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Hi Kristin,

Yes, I can confirm that the use of granite in the upland to anchor the seasonal ramp and floats, in lieu of the permanent pilings approved in the permit, would not require a formal modification of the permit, provided the granite is not in a fixed location for more than 7 months out of the year. It can be stored elsewhere on the property, in an upland location, during the off season.

Best,

-Jami MacNeil (she/her)

Environmental Specialist III
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 446-4894 | jami.macneil@maine.gov

From: Collins, Kristin M. <KCollins@preti.com>
Sent: Wednesday, June 24, 2020 11:41 AM
To: MacNeil, Jami <Jami.MacNeil@maine.gov>
Cc: jeff spinney <jeff.spinney@gmail.com>
Subject: Spinney dock

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Jami,

As we discussed this morning, there is the potential that Mr. Spinney may, instead of connecting his temporary ramp and floats to permanent piers in the upland, choose to connect them to a 500lb slab of granite located in the upland. The granite slab would be removed and replaced at the same time as the other dock components.

Would you please confirm that the dock as described here would not require NRPA permit, and therefore that the existing dock permit would simply go unused and not need to be modified?

Many thanks,
Kristin

Kristin M. Collins
Attorney
207.791.3292 Tel
kcollins@preti.com
[Bio](#) | [LinkedIn](#) | [Twitter](#) | preti.com

PretiFlaherty
45 Memorial Circle