

**IN RE: APPEAL OF DEPARTMENT ORDER L-28397-4E-A-N
Jeffry Spinney, Licensee. Pier System and Boat Ramp, Alna
MOTION TO FURTHER 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 another 60 days beyond the October 12, 2020 expiration of the current continuance. The Town of Alna Planning Board did not grant Licensee's local shoreland zoning application for the project because it was deadlocked (by 2:2 vote) on the issue of whether the ramp was an existing structure. It did not issue a written decision until September 8, 2020. Licensee filed an appeal with the Town of Alna Board of Appeals on August 20, 2020. A hearing will not be held on that appeal until October 16, 2020. Licensee expects that the hearing and decision process for the Board of Appeals will not be complete until late November or early December, 2020. Until there is a decision on the pending municipal appeal, Licensee will not know whether the work contemplated under the subject DEP permit will be possible. In order to prevent the Board from hearing an appeal for a project that may become moot for lack of local approval, Licensee requests further continuance.

Dated: October 12, 2020

By: Appellee/Licensee Jeffry Spinney



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