

STATE OF MAINE
BOARD OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

Mark C. Draper, Chair

William F. Hinkel
Executive Analyst

Ruth Ann Burke
Board Clerk

October 22, 2020

SENT VIA ELECTRONIC MAIL ONLY

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Re: Jeffrey Spinney, Department Order #L-28397-4E-A-N, Pier System and Boat Ramp, Alna Ruling on October 12, 2020, Motion to Further Continue

Dear Participants:

On July 22, 2020, the Board of Environmental Protection (“Board”) tentatively scheduled for August 20, 2020, consideration of the appeals of the Department of Environmental Protection’s Commissioner’s approval of a Natural Resources Protection Act (“NRPA”) permit issued to Jeffrey Spinney (“NRPA Order”) for the construction of a shared-use boat ramp and pier system on and in a coastal wetland in Alna, Maine. On August 11, 2020, Kristin Collins, counsel to Mr. Spinney, filed with the Board a Motion to Continue the Board’s consideration of the appeals for at least 60 days. By letter dated August 13, 2020, the Board granted the motion to continue until October 12, 2020.

On October 12, 2020, Attorney Collins filed with the Board a motion to further continue the Board’s consideration of the appeals for another 60 days beyond the October 12, 2020, extension. Attorney Collins explained that Mr. Spinney is awaiting a decision from the Town of Alna’s Board of Appeals

and that “[u]ntil there is a decision on the pending municipal appeal, [the] Licensee will not know whether the work contemplated under the [NRPA Order] will be possible.”

Appellants and respondents were provided until October 15, 2020, to submit comments or objections on the motion to further continue. Appellants Carol Ervin and Bailey Bolen, Allen Philbrick, and William Weary filed a joint response to the motion on October 14, 2020, stating that they do not object to the requested continuance.

Following consultation with Board counsel and Department staff, and in the absence of any objections to the contrary, the Board grants the continuance until Tuesday, December 15, 2020. The Board will consider any developments through December 15, 2020, related to the Licensee’s effort to obtain local approval(s) and continue with the Board appeal process as appropriate.

If you have any questions, you may contact Board Analyst, William F. Hinkel, at bill.hinkel@maine.gov (207) 314-1458 or Assistant Attorney General, Peggy Bensinger, at peggy.bensinger@maine.gov (207) 626-8578.

Respectfully,



Mark C. Draper, Chair
Board of Environmental Protection

cc (via e-mail only): Service List (rev. October 13, 2020)