

## MacNeil, Jami

---

**From:** Hinkel, Bill  
**Sent:** Wednesday, December 16, 2020 12:22 PM  
**To:** Burke, Ruth A; Hinkel, Bill; Bensinger, Peggy; MacNeil, Jami; Hallowell, Dawn; Carol Ervin; Bailey Bolen; Allen J. Philbrick; plyons@eatonpeabody.com; William A. Weary; Kristin Collins (kcollins@preti.com); Jeffry Spinney; Cathy Johnson (cjohnson@tidewater.net); Doreen Conboy; Mark P. Desmeules; A. McKinne Stires; Nicholas Barth; Jon Luoma  
**Subject:** Spinney appeal

Dear Participants:

On April 7, 2020, Carol Ervin and Bailey Bolen, Allen J. Philbrick (Trustee of the James Erskine Philbrick Tree Farm Trust), and William A. Weary, jointly, filed an appeal of Department Order #L-28397-4E-A-N issued to Jeffry Spinney. Kristin Collins, on behalf of Mr. Spinney, requested a continuance of the Board's scheduled consideration of the appeal which was tentatively set for August 20, 2020, due to ongoing proceedings at the local level. That continuance was granted until October 12, 2020. On October 12, 2020, the Licensee requested a second continuance, which was granted by the Chair on October 22, 2020. The latest continuance ended on December 15, 2020. Absent a request of the Appellants to withdraw the appeal, a petition of the Licensee to the Commissioner to surrender the license under appeal, or other form of alternative dispute resolution, the Board will resume processing of the appeal. The Board Chair notified participants on June 19, 2020, that the evidentiary record is closed. Staff will prepare a recommended decision on the appeal for the Board to consider at a future meeting. You will be notified of the date of that Board meeting and receive a copy of the materials presented to the Board for its consideration.

Respectfully,

William F. Hinkel  
Executive Analyst, Board of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017  
(207) 314-1458  
[bill.hinkel@maine.gov](mailto:bill.hinkel@maine.gov)