September 26, 2019

**Jami MacNeil**

Environmental Specialist III

Bureau of Land Resources

Maine Department of Environmental Protection

28 Tyson Drive

Augusta, ME 04330

Re: DEP permit application – Alna/Spinney

Dear Ms. MacNeil,

I am writing as a resident of the town of Alna, as a Sheepscot River shoreland property owner, and as a relative of one of the abutters to Mr. Spinney. I understand he has recently filed a DEP permit application for a new common use permanent dock structure in the shoreland zone in Alna. I was forwarded a copy of my father, Allen Philbrick’s comments and agree with them. I also have several concerns with regard to the permit application:

**Concerns with “common use” permit application designation**

1. The permit application is for a significant change in use type from Mr. Spinney’s prior private recreational dock to a new “common or shared recreational use” type. The application goes on to describe a new common or shared recreational use not previously approved for 25+ members of an unnamed “recreational club”.
2. This club is not defined and should be described more fully. What is its legal status? Is it a corporation, a LLC, 501c? What is its mission, purpose, bylaws and business plan? Is this a commercial club? The application states that “members pool their resources through annual club membership dues”.
3. The permit describes a campsite and gun range, combined with the proposed common use dock/boat ramp that would indicate increased use similar to a commercial or recreational campground far beyond what occurs there today at Mr. Spinney’s private residence. At a minimum, a common use dock suggests, or would give approval for, increased utilization of protected shoreland zones. Up to this point, I have never heard of a campsite, gun range or recreational club using Mr. Spinney’s land with regularity and this is the most surprising revelation contained in the permit application.
4. There is no recreational club with an official address of 126 Golden Ridge Rd. in Alna that I am able to find, so why is this particular use type being requested at a private residence?
5. The permit application Attachment 1 statement that “Access to the site is gained via an existing private road from the Golden Ridge Road and it is located on a 120 acre, parcel, tax map R-4, 21” is not accurate. It should be noted that access to the proposed site is via a private road not owned by Mr. Spinney, through Alna tax map lots R-4 20C, R-4 20A and R-4 20. See attached Alna tax map R-4. In addition, the proposed site is located on a 99 acre parcel, tax map R-4 21A, not a 120 acre parcel tax map R-4, 21 as stated.
6. The permit application Attachment 1 statement that “The existing pier, ramp, and float (located approx. 10’ South of the existing ramp) has been at this location for approximately 20 years and used seasonally.” is inaccurate, as Mr. Spinney acquired the property in August, 2002, and the earliest permit found for a dock is 2003.

**Concerns with Shoreland/Environmental Impact**

1. I am concerned with the installation of new permanent fixtures on the Sheepscot river bank in the protected shoreland zone. The permit application describes permanent pilings and dock/pier components more substantial than what was previously approved.
2. Per the attached document, the Midcoast Conservancy has identified the lower Sheepscot River area as a natural habitat of importance. The permit application site is within this designated area.
3. Per the attached letter from the State Department of Agriculture, dated 5/21/14, the lands in question and nearby constitute wetlands of special significance as described in 38 M.R.S. Sec. 480-X(4) or (5) and require certification by a knowledgeable professional wetland scientist that the activity will not alter, or cause to be altered, the wetlands in question under this application. See attached letter. Due to the sensitive areas of protection in close proximity to the permit application site, a certification and a full environmental impact analysis as described above to assess the effects of “common use” of 25-80 recreation club members utilizing motorized boats in the protected areas should be performed.
4. I fear that the increased utilization of motorized boats at the proposed dock and boat ramp may increase the potential for the introduction of harmful invasive species such as zebra mussel and milfoil to this area of the Sheepscot.
5. Please be aware that our family has placed conservation easements on several abutting land parcels, held with Midcoast Conservancy. Our goals for many decades have been to maintain protections of these natural areas without increased development or human use.
6. As a local, it seems to me that there are several existing “common use” public boat launch access points to the river in the area: at the Head Tide Dam, Bass Falls Preserve, Sheepscot Village and Wiscasset. There is not a demonstrated need for a new “common use” access point at this pristine location of protected shoreland.

If Mr. Spinney were to modify his permit application to request a seasonal private recreational dock permit, without common use, and there are no permanent dock/ramp or pier structures involved, my primary objections would be alleviated. This would align with what Mr. Spinney has had at his private residence on and off in the past.

Thank you for your consideration and time on this matter,

Jeff Philbrick

134 Dock Rd., Alna, ME 04535

207-563-4180

Cc: Allen J. Philbrick

Jody Jones, Midcoast Conservancy