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|---|---|
| **From:** | Hediger, David |
| **To:** | "Jenny Burch"; "Emily Hastings"; "Curt Fish"; "Russell Peters"; "Cathryn Peters"; Elwell, Caleb; Godsoe, Benjamin; Carr, Tim |
| **Subject:** | RE: SP-4103, Coplin Plantation, Maine |
| **Date:** | Wednesday, November 25, 2026 11:20:00 AM |
| **Attachments:** | image001.png |

Good morning.

We are responding to the question of whether Commissioner DuBois should recuse himself from reviewing SP 4103 due to a potential conflict of interest. We shared the November 20, 2026, emails from Jenny Burch and Emily Hastings with Commissioner DuBois and LUPC's counsel.

Title 5, Chapter 375 establishes many of the procedural requirements that LUPC must follow when exercising its authority. Specifically, 5 M.R.S. § 9063 addresses bias on the part of a presiding officer or agency member.

> 1. Hearings; impartial. Hearings must be conducted in an impartial manner. Upon the filing in good faith by a party of a timely charge of bias or of personal or financial interest, direct or indirect, of a presiding officer or agency member in the proceeding requesting that the presiding officer or agency member be disqualified, that presiding officer or agency member shall determine the matter as a part of the record.

Below is the response received from Commission DuBois.

Have a safe Thanksgiving.


maine
LAND USE PLANNING COMMISSION
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

David Hediger
Senior Planner
Land Use Planning Commission
18 Elkins Lane
22 State House Station
Augusta, Maine 04333-0022
Phone: (207) 441-4020


**From:** Tom DuBois
**Sent:** Wednesday, November 25, 2026 10:37 AM
**To:** Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>
**Cc:** Elwell, Caleb <Caleb.Elwell@maine.gov>
**Subject:** Re: FW: SP-4103, Coplin Plantation, Maine

**EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Good Morning Ben (and Caleb),

Please consider this email my response to the concerns raised by Intervenor Burch regarding the Loaf Land LLC subdivision application SP 4103 in Coplin Plantation.

I was employed full time as an engineer at Main-Land Development Consultants, Inc. (MLDC) from 1987 until 2015. During that time, I served as General Manager for approximately two decades, from 1990 to 2010. In 2015, I semi-retired to focus on my work as Pastor of Western Mountains Baptist Church, but continued working for MLDC on a part-time basis (averaging 8 to 12 hours a week) until 2021.

At the time of my departure, MLDC was solely owned by Robert Berry, III. During my employment, my only financial tie to the company was my weekly paycheck. Since my full retirement in 2021, I have had no fiduciary ties, ownership, stock, or revenue stream associated with the company.

Therefore, I do not believe I fall under the conflict of interest provisions of Title 5 M.R.S. §9063.

Also, I believe that, despite my years of employment, I can maintain impartiality in my review and deliberations regarding this application. As a professional engineer (retired), a peer review agent (similar to what Sebago Technics has done for this application), and as an expert witness in several court proceedings, I have a proven track record in this regard.

Sincerely,

Thomas DuBois
LUPC Commissioner
Pastor, Western Mountains Baptist Church

On Mon, Nov 23, 2026 at 11:43 AM Godsoe, Benjamin <Benjamin.Godsoe@maine.gov> wrote:

> Hi Tom,
>
> Below is the email chain regarding your relationship with Main-Land Development

Consultants, Inc. As discussed, we would appreciate a written response from you addressing whether you have a conflict of interest regarding Subdivision Permit SP 4103 in Coplin Plantation. Please reply pursuant to 5 M.R.S. §9063. It can be addressed to me, I think. Caleb, please advise if it should go to the presiding officer.

Let me know if you have any questions or want to discuss further. Caleb is also copied in case you have questions for him.

Thanks,

Ben

**Ben Godsoe**
Acting Executive Director
Land Use Planning Commission
22 State House Station, Augusta, Maine 04333-0022
Phone (Direct): (207) 592-6429
Email: Benjamin.Godsoe@maine.gov

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**From:** Emily Hastings <emily@main-landdci.com>
**Sent:** Friday, November 20, 2026 2:39 PM
**To:** Carr, Tim <Tim.Carr@maine.gov>; Jenny Burch <jennyburch207@gmail.com>; Hediger, David <David.Hediger@maine.gov>; Curt Fish <curt@curtfish.com>; Russell Peters <petersrj83@gmail.com>; Cathryn Peters <csquiers721@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>
**Subject:** RE: SP-4103, Coplin Plantation, Maine

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Hi Tim,
Our team wanted to follow up regarding Commissioner DuBois.

Commissioner DuBois has no ongoing financial ties to Main-Land. He has not been employed full time by Main-Land for approximately eight to ten years and fully retired in 2020. He has never held an ownership interest in the company, and Main-Land only recently transitioned to an employee-owned structure. The existence of a former employment relationship, particularly one so remote in time, does not establish bias or create a conflict of interest.

Commissioners are appointed to review applications fairly, objectively, and in accordance

with applicable LUPC standards. Since Commissioner DuBois's appointment, Main-Land has continued to work on projects within LUPC jurisdiction and is not aware of any instance in which Main-Land received preferential treatment or treatment inconsistent with the Commission's established standards, procedures, or past practice.

The Applicant and Main-Land suggest that the Commission consider Tom's record and service to the LUPC and decide for themselves if they feel he can be impartial as to this project.

Thank you!
Emily

**Main-Land Development Consultants, Inc.**
**Main-Land Camp Solutions**
**Emily Hastings, P.E.**
Senior Project Engineer
Tel: 207-897-6752
www.main-landdci.com
***Main-Land: PEOPLE. PROPERTY. PROSPERITY.***

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**From:** Carr, Tim <Tim.Carr@maine.gov>
**Sent:** Friday, November 20, 2026 1:12 PM
**To:** Jenny Burch <jennyburch207@gmail.com>; Hediger, David <David.Hediger@maine.gov>; Emily Hastings <emily@main-landdci.com>; Curt Fish <curt@curtfish.com>; Russell Peters <petersrj83@gmail.com>; Cathryn Peters <csquiers721@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>
**Subject:** RE: SP-4103, Coplin Plantation, Maine

Dear Jenny,

This message is to acknowledge receipt of your email regarding Commissioner DuBois.

LUPC staff, counsel, and the Presiding Officer will discuss this as soon as possible and respond to the service list.

Thank you,

**Tim Carr**
Acting Chief Planner
Land Use Planning Commission
(207) 592 - 4129

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**From:** Jenny Burch <jennyburch207@gmail.com>

**Sent:** Friday, November 20, 2026 12:06 PM
**To:** Hediger, David <David.Hediger@maine.gov>; Emily Hastings <emily@main-landdci.com>; Curt Fish <curt@curtfish.com>; Russell Peters <petersrj83@gmail.com>; Cathryn Peters <csquiers721@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Carr, Tim <Tim.Carr@maine.gov>
**Subject:** SP-4103, Coplin Plantation, Maine

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Dear Tim and LUPC Staff Members,

We recently learned that Commissioner DuBois has the appearance of a potential conflict of interest in the Coplin matter sufficient to warrant a discussion of whether it is appropriate for him to recuse himself from further review of the Application.

A recusal is the appropriate course when a decision-maker has either a financial interest related to the matter or the parties, or has other circumstances that present the appearance of bias.

We understand that Commissioner DuBois worked for Main-Land Development Consultants (MLDC) for many decades and served as a MLDC's General Manager. MLDC appears to be an employee owned company.

Does Commissioner DuBois have an ownership position, continue to own stock in MLDC, or maintain a revenue stream from MLDC? If any of these circumstances are true, they should be disclosed and a recusal is appropriate to avoid the appearance of impropriety.

Even if Commissioner DuBois does not have a financial conflict of interest as suggested above, we understand that such long-term personal relationships with MLDC ownership and staff may still create the appearance of a conflict or impropriety, and may in fact affect whether all parties receive a fair review. These long-term professional and business relationships suggest Commissioner DuBois should recuse himself from further participation in the review of the Application presented by MLDC to the Commission, even if there is no financial conflict of interest.

Thank you.

Sincerely,

Jenny Burch

**Jenny Burch**
Law Office of Jenny Burch & 207 Title
136 Front Street #4
Bath, Maine 04530
M: 207.841.0715
jennyburch207@gmail.com
www.jennyburch207.com

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