Service List Email Correspondence 9/30/2026 to 11/02/2026 on the Application for Subdivision Permit SP4103, the Loaf Land Subdivision, Coplin Plantation

State of Maine Land Use Planning Commission

Attn: Tim Carr, Acting Chief Planner & David Hediger, Senior Planner

18 Elkins Lane, 22 State House Station

Augusta, Maine 04333

SP4103: Pre- Hearing Conference – Applicants Address to Motions

Thank you for scheduling and conducting the First Pre-Hearing Conference in this matter. Please allow this correspondence to serve as the Applicant's supplemental comments on the motions made during the hearing yesterday.

First, and as to scheduling of the Site Visit and the Public Hearing, the Applicant understands and welcomes the Intervenors' desire to be heard. However, the Applicant's legitimate expectations for the approval process to proceed in a timely fashion must also be taken into account.

In an effort to address both of these concerns, the Applicant suggests, regardless of when the Public Hearing is actually conducted, that the Site Visit remain scheduled for October 13. If it is pushed out sixty (60) days as the Intervenors propose, then we would be looking at a mid-December date for the same. Given the location, altitude and terrain, it very possible that the site would be inaccessible to the parties and LUPC commissioners in December and remain so until next spring. That would result in an unnecessary and unacceptable delay. Keeping the Site Visit as scheduled for October 13 makes it much more likely that the commissioners will be able to walk the property this year and visually see the land and topography without snow cover. Perhaps the site visit will alleviate some of the Intervenors' concerns. While the Applicant is ready to proceed with the Public Hearing on October 13, it is amenable to pushing that date out to accommodate the Intervenors. That being said, the Applicant would object to any extension beyond the sixty (60) days requested by the Intervenors.

Second, as to Mr. Fish's request that he (or the other Intervenors) be allowed to attend the Public Hearing as active participants (*i.e.*, as intervenors) and also to provide public comment, the Applicant objects. The Intervenors, by their very status as the same, already have the rights to participate in the Public Hearing as parties to the proceeding, with the right to provide testimony, cross-examine witnesses and file post-hearing comments. In fact, the LUPC Commission Policy on Receiving Comments[1] acknowledges this distinction, differentiating between the "applicant", "interested parties" and "the general public." The Intervenors are interested parties; there is simply no need for them to have another bite at the apple via public comments to have their voices heard. Allowing this will slow down and complicate the Public Hearing with no concomitant benefit to the LUPC decision-making process.

[1] https://www.maine.gov/dacf/lupc/laws_rules/guidance_documents/CommissionPolicyOnReceivingPublicComment.pdf

Thank you for your time and consideration. We look forward to continuing to work with you on this project.

Sincerely,

Main-Land Development Consultants, Inc.

Emily Hastings

Emily J. Hastings, PE
Senior Project Engineer

Date: 2026-09-30

Carr, Tim

From: Jenny Burch <jennyburch207@gmail.com>
Sent: Wednesday, September 30, 2026 11:36 AM
To: Carr, Tim; Elwell, Caleb; emily@main-landdci.com; Curt Fish; Russell Peters; dcj@marcusclegg.com; btb@marcusclegg.com
Subject: Coplin Plantation Subdivision Project SP 4103

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Dear Tim,

Thank you for the opportunity to participate in the First Pre-Hearing Conference. I am writing to reiterate the facts stated today which support the Intervenors' motion to delay the dates on which witness lists and pre-filed testimony are due, and the dates of the site visit and public hearing by sixty days. These facts are as follow:

1. Intervenors Fish and Burch did not realize that they would be directly affected by the Applicant's stormwater designs until they were provided the Sebago Technics report by LUPC Staff, only two weeks ago.

2. All Intervenors just received word that they had been granted Intervenor status on Friday, September 25, and it would not be reasonable to expect Intervenors to have invested in professional review of matters related to Applicant's application without having Intervenor status.

3. Applicant's application continues to change, changed as recently as September 22, and, at the Conference, announced that the application would change again on September 30. While Applicant may consider its changes to its application to be small, those changes have significant impacts on at least some of the Intervenors. Given that witness lists are due the day after the date on which the Application will change again, fairness and due process require that Intervenors are given adequate time to review Applicant's final application and seek professional advice regarding Applicant's application in its final form, which has not yet been published, especially when Applicant has been benefitting from the work of LUPC staff and its engineer for about a year.

4. Intervenors' complete testimony is due exactly one week following the date of the First Pre-Hearing Conference, which due date is then less than one week from the date on which the version of Applicant's application presumed to be its final application will be published. Fairness and due process require that Intervenors are given adequate time to review Applicant's final application and seek professional advice regarding Applicant's application in its final form, which has not yet been published, especially when Applicant has been benefitting from the work of LUPC staff and its engineer for about a year.

5. The lack of information regarding off site conditions within Applicant's application, on which Applicant's application depends, amounts to misrepresentation. Without more information, this misrepresentation will persist and LUPC's decision will be based on misrepresentation. At this juncture, it is clear that Applicant is not going to supply the information, and that burden now lies with the Intervenors. Fairness and due process require that Intervenors are given adequate time to amass

information regarding the locations of homes and other improvements on lots abutting the land which is subject to the Application, especially Intervenor Fish & Burch's lot, which appears, from the application, to be where the vast majority of stormwater leaving Applicant's project will be directed; obtain professional information regarding the design characteristics of Mountain Road; determine whether the stormwater calculations provided by Applicant include the stormwater entering Applicant's land from higher elevations; seek answers to Sebago Technics' questions about the effects of Applicant's design on Intervenor Fish & Burch's land; and identify the wetlands and classify the vernal pool on Intervenor Fish & Burch's land.

Thank you.

Sincerely,

Jenny Burch & Curt Fish
Jenny Burch
Law Office of Jenny Burch & 207 Title
23 Centre Street
Bath, Maine 04530
O: 207.443.3333
M: 207.841.0715
jennyburch207@gmail.com
www.jennyburch207.com

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Carr, Tim

From: Russell Peters <petersrj83@gmail.com>
Sent: Wednesday, September 30, 2026 11:43 AM
To: Carr, Tim
Cc: Elwell, Caleb; Emily Hastings; Curt Fish; dcj@marcusclegg.com; btb@marcusclegg.com; Jenny Burch; Cathryn Peters
Subject: Coplin Plantation Subdivision Project SP 4103

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Dear Tim,

Thank you for the opportunity to participate in the First Pre-Hearing Conference. I am writing to reiterate the facts stated today which support the Intervenors' motion to delay the dates on which witness lists and pre-filed testimony are due, and the dates of the site visit and public hearing by sixty days. These facts are as follow:

1. The Applicant has failed to provide sufficient technical data demonstrating that the proposed access point via Moose Track Trail is legally or physically viable for multi-lot subdivision use. The current application represents Moose Track Trail as a viable vehicular access road, whereas the existing site condition is an established, narrow footpath running within 25 feet of an Intervenor's residential dwelling. Upgrading this path to a subdivision-grade roadway constitutes a fundamental change and a severe overburdening of the historic right-of-way easement.

2. All Intervenors just received word that they had been granted Intervenor status on Friday, September 25, and it would not be reasonable to expect Intervenors to have invested in professional review of matters related to Applicant's application without having Intervenor status.

3. Applicant's application continues to change, changed as recently as September 22, and, at the Conference, announced that the application would change again on September 30. While Applicant may consider its changes to its application to be small, those changes have significant impacts on at least some of the Intervenors. Given that witness lists are due the day after the date on which the Application will change again, fairness and due process require that Intervenors are given adequate time to review Applicant's final application and seek professional advice regarding Applicant's application in its final form, which has not yet been published, especially when Applicant has been benefitting from the work of LUPC staff and its engineer for about a year.

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5. The lack of information regarding off site conditions within Applicant's application, on which Applicant's application depends, amounts to misrepresentation. Without more information, this misrepresentation will persist and LUPC's decision will be based on misrepresentation. At this juncture, it is clear that Applicant is not going to supply the information, and that burden now lies with the Intervenors. Fairness and due process require that Intervenors are given adequate time to amass information regarding the locations of homes and other improvements on lots abutting the land which is subject to the Application; obtain professional information regarding the technical standards of Mountain Road and Moose Track Trail.

Thank you

Russell Peters
Cathryn Peters

On Wed, Sep 30, 2026, 11:36 AM Jenny Burch <jennyburch207@gmail.com> wrote:

Dear Tim,

Thank you for the opportunity to participate in the First Pre-Hearing Conference. I am writing to reiterate the facts stated today which support the Intervenors' motion to delay the dates on which witness lists and pre-filed testimony are due, and the dates of the site visit and public hearing by sixty days. These facts are as follow:

1. Intervenors Fish and Burch did not realize that they would be directly affected by the Applicant's stormwater designs until they were provided the Sebago Technics report by LUPC Staff, only two weeks ago.

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4. Intervenors' complete testimony is due exactly one week following the date of the First Pre-Hearing Conference, which due date is then less than one week from the date on which the version of Applicant's application presumed to be its final application will be published. Fairness and due process require that Intervenors are given adequate time to review Applicant's final application and seek professional advice regarding Applicant's application in its final form, which has not yet been published, especially when Applicant has been benefitting from the work of LUPC staff and its engineer for about a year.

5. The lack of information regarding off site conditions within Applicant's application, on which Applicant's application depends, amounts to misrepresentation. Without more information, this misrepresentation will persist and LUPC's decision will be based on misrepresentation. At this juncture, it is clear that Applicant is not going to supply the information, and that burden now lies with the Intervenors. Fairness and due process require that Intervenors are given adequate time to amass information regarding the locations of homes and other improvements on lots abutting the land which is subject to the Application, especially Intervenor Fish & Burch's lot, which appears, from the application, to be where the vast majority of stormwater leaving Applicant's project will be directed; obtain professional information regarding the design characteristics of Mountain Road; determine whether the stormwater calculations provided by Applicant include the stormwater entering Applicant's land from higher elevations; seek answers to Sebago Technics' questions about the effects of Applicant's design on Intervenor Fish & Burch's land; and identify the wetlands and classify the vernal pool on Intervenor Fish & Burch's land.

Thank you.

Sincerely,

Jenny Burch & Curt Fish
Jenny Burch
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23 Centre Street
Bath, Maine 04530
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M: 207.841.0715
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From:	Godsoe, Benjamin
To:	Curt Fish
Cc:	Emily Hastings; Carr, Tim; Russell Peters; csquiers721@gmail.com; Jenny Burch; Elwell, Caleb; Hediger, David
Subject:	RE: Coplin Subdivision Question
Date:	Monday, November 2, 2026 4:03:09 PM
Attachments:	image001.png

Hi Curt,

It depends. Driveways do not have setbacks from existing structures on the same lot. In most situations, the two uses (structure and driveway) are directly related. Driveways are subject to a 15-foot setback from the property line, unless they meet one of the exceptions. (For exceptions, please see Chapter 10, Subchapter III, Section 10.27,H,3; page 294).

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

From: Curt Fish <curt@curtfish.com>
Sent: Friday, October 30, 2026 1:41 PM
To: Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>
Cc: Emily Hastings <emily@main-landdci.com>; Carr, Tim <Tim.Carr@maine.gov>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Hediger, David <David.Hediger@maine.gov>
Subject: Coplin Subdivision Question

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Dear Ben,

We have a question.

Does LUPC have a regulation controlling how close a driveway can be built to a home on an adjacent property?

Many thanks,

Curt

Curt Fish, Broker
Sharon Drake Real Estate
136 Front Street
Bath MAINE
207.443.4444 - Mobile
207.443.1057 - Fax
curt@curtfish.com
www.sharondrakerealestate.com

On Thu, Oct 22, 2026 at 4:04 PM Godsoe, Benjamin <Benjamin.Godsoe@maine.gov> wrote:

> Thank you both – we appreciate the update and will stay tuned for the motions and any related response from the applicant tomorrow.
>
> 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
>
> ---
>
> **From:** Curt Fish <curt@curtfish.com>
> **Sent:** Thursday, October 22, 2026 3:44 PM
> **To:** Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>
> **Cc:** Emily Hastings <emily@main-landdci.com>; Carr, Tim <Tim.Carr@maine.gov>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Hediger, David <David.Hediger@maine.gov>
> **Subject:** Re: Applicant's Denial of Intervenor's Request for Site Access
>
> **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.**
>
> Yes, we will be submitting motions by COB tomorrow.
>
> Thank you,

Curt Fish, Broker
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curt@curtfish.com
www.sharondrakerealestate.com

On Thu, Oct 22, 2026 at 3:05 PM Godsoe, Benjamin <Benjamin.Godsoe@maine.gov> wrote:

> Curt and Emily,
>
> I just wanted to make sure I understood the recent emails to the service list. It sounds like the intervenors are preparing a motion or motions that would: 1) "…requesting that LUPC grant access to the subject property…"; and 2) "…postpone the technical hearing date so the intervenors can have a meaningful opportunity for their professionals to review the site…"
>
> The presiding officer would address these motions and the related objection in a third procedural order. We have been waiting to respond because the intervenors indicated they are in the process of preparing them. Is that still the case, or would you (intervenors) like us to consider your email of 10/20/2026 (see below) to be the motions?
>
> If that is the case, would the applicant like us to treat your reply dated 10/20/2026 (see below) as a formal objection to the motions?
>
> 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

From: Curt Fish <curt@curtfish.com>
Sent: Tuesday, October 20, 2026 10:34 AM
To: Emily Hastings <emily@main-landdci.com>
Cc: Carr, Tim <Tim.Carr@maine.gov>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Hediger, David <David.Hediger@maine.gov>
Subject: Applicant's Denial of Intervenor's Request for Site Access

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Dear Tim,

We received Emily Hastings' email denying our request to access the subject property.

We are writing today to inform the LUPC that we will prepare motions requesting that LUPC grant access to the subject property, and postpone the Technical Hearing date so the Intervenors can have a meaningful opportunity for their professionals to review the site. Major questions regarding natural resource data, including but not limited to wetlands, grade, and site lines, and data related to the Applicant's stormwater design are not presented in the application. Given the necessity to submit complete testimony and exhibits by November 4, postponing the hearing is necessary without immediate access to the subject property if the hearing is going to add any value to the Commission's process and give the Intervenors a meaningful opportunity to make their case.

As you more than most are aware, LUPC has worked hard for over a year to support the Applicant's proposal. Now, fairness and due process require that the Intervenors likewise be given time to be supported by LUPC in their effort to fill in some serious gaps in this proposal and ensure the Commission is fully informed regarding the Intervenors' regulatory concerns.

Thank you.

Curt Fish, Broker
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curt@curtfish.com
www.sharondrakerealestate.com

On Tue, Oct 20, 2026 at 8:40 AM Emily Hastings <emily@main-landdci.com> wrote:

> Hi Curt & all,
> We appreciate the intervenors' request. However, at this time the applicant does not wish to grant access to the property for several reasons.
>
> If the LUPC determines that the intervenors have a legal basis to access the property without the owner's permission, we respectfully request that the applicant team be notified in a timely manner so that a member of the applicant team may be present, if we choose.
>
> 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.***
>
> ---
>
> **From:** Emily Hastings
> **Sent:** Monday, October 19, 2026 1:43 PM
> **To:** Curt Fish <curt@curtfish.com>; Carr, Tim <Tim.Carr@maine.gov>
> **Cc:** Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Hediger, David <David.Hediger@maine.gov>
> **Subject:** RE: Site Visit and Hearing information
>
> Hi Curt,
> I circled around with the Applicant and his team. I'll keep you posted as soon as I know their answer.
>
> Thanks!
>
> **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.***

From: Curt Fish <curt@curtfish.com>
Sent: Monday, October 19, 2026 10:44 AM
To: Carr, Tim <Tim.Carr@maine.gov>
Cc: Emily Hastings <emily@main-landdci.com>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Hediger, David <David.Hediger@maine.gov>
Subject: Re: Site Visit and Hearing information

Dear Emily,

May I have permission from the Applicant to bring an engineer and/or wetlands person onto the site?

Curt Fish, Broker
Sharon Drake Real Estate
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207.443.4444 - Mobile
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curt@curtfish.com
www.sharondrakerealestate.com

On Mon, Oct 19, 2026 at 10:04 AM Carr, Tim <Tim.Carr@maine.gov> wrote:

> Hi Curt,
>
> This is a novel question for the LUPC.
>
> As a first step, please request access from Loaf Land Development LLC through a message to Emily Hastings, the agent for the application, copied to the service list.
>
> If the property owner does not agree, the LUPC would determine whether there is a legal basis for an intervenor to gain access without the owner's permission.
>
> **Tim Carr**
> Acting Chief Planner
> Land Use Planning Commission
> (207) 592 - 4129
>
> ---
>
> **From:** Curt Fish <curt@curtfish.com>
> **Sent:** Monday, October 19, 2026 9:23 AM
> **To:** Carr, Tim <Tim.Carr@maine.gov>

Cc: Emily Hastings <emily@main-landdci.com>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Hediger, David <David.Hediger@maine.gov>
Subject: Re: Site Visit and Hearing information

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Hi Tim,

We missed you at the site walk but are hopeful for you and your family. Good luck with everything!

To the extent we can find an engineer in this short time frame how do we go about gaining permission to visit the site with them?

Thank you,

Curt

Curt Fish, Broker
Sharon Drake Real Estate
136 Front Street
Bath MAINE
207.443.4444 - Mobile
207.443.1057 - Fax
curt@curtfish.com
www.sharondrakerealestate.com

On Mon, Oct 19, 2026, 9:04 AM Carr, Tim <Tim.Carr@maine.gov> wrote:

> Curt,
>
> Thanks for asking. My family member is out of the hospital but not out of the proverbial woods, and I will likely be in the office intermittently over the next weeks.
>
> The LUPC was unaware of the timber harvest on Lot 7-12 until the application for Subdivision Permit SP4103. Timber harvesting is an allowed use by permit in the Residential Development subdistrict (D-RS; the zoning on the lot), but the property owner at the time did not obtain a Forest Operations Permit, making the

timber harvest illegal. Because the agency was unaware until recently, the LUPC has no records related to the timber harvest. The LUPC's Geographically Oriented Action Tracker (GOAT) database lists 3 actions on the lot: two Advisory Rulings (AR04-6, AR23-11) and the application for SP4103. Screenshots of the GOAT results for Lots 7-2 and 7-12 are attached. LUPC also checked with the Maine Forest Service. MFS has no records related to a timber harvest on Lot 7-12 (see attached email message).

Violations of LUPC regulations run with the land. The LUPC's approach to resolving violations is to work with the property owner to obtain an after-the-fact permit when possible while requiring corrective action for activities that cannot be permitted. When a violation comes to light through a permitting process for a new use, the permit, if approved, may contain after-the fact approval for the unpermitted activities. A separate enforcement process occurring at the same time addresses the corrective actions required for activities that could not be permitted.

The proposed subdivision includes a drainage plan for runoff from the property, potentially addressing concerns about altered drainage patterns resulting from the timber harvest. If the subdivision permit is not approved, the LUPC would require that Loaf Land Development, LLC obtain an after-the-fact Forest Operations Permit. That process would involve assessing if the timber harvest involved activities that could not have been permitted and requiring corrective action if so.

You may certainly bring evidence and concerns about the timber harvest and its potential effect on soils and drainage to the Stormwater and Phosphorus Management portion of the hearing's Technical Session on November 12.

Anyone on the service list should not hesitate to reach out with any questions.

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

From: Curt Fish <curt@curtfish.com>
Sent: Wednesday, October 14, 2026 2:32 PM
To: Carr, Tim <Tim.Carr@maine.gov>
Cc: Emily Hastings <emily@main-landdci.com>; petersrj83@gmail.com; csquiers721@gmail.com; jennyburch207@gmail.com; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>;

Hediger, David <David.Hediger@maine.gov>
Subject: Re: Site Visit and Hearing information

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Dear Tim,

I hope things are back on track for you and your family.

I am writing to request copies of any documents related to forestry or other regulatory violations that have occurred on the Applicant's property. It has come to my attention once again that a corrective order or violation exists in the file. We believe this is central to stormwater management issues because it concerns soil compaction and skidder damage that once disrupted groundwater and redirected surface water, causing a well on our property to fail.

Would it be possible for you folks to forward these records to all involved at your earliest convenience?

These records will obviously affect our testimony regarding existing on-site conditions that affect runoff and stormwater management.

Thank you,

Curt Fish

Curt Fish, Broker
Sharon Drake Real Estate
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207.443.4444 - Mobile
207.443.1057 - Fax
curt@curtfish.com
www.sharondrakerealestate.com

On Thu, Oct 8, 2026 at 11:02 AM Carr, Tim <Tim.Carr@maine.gov> wrote:

> Hello, all.
>
> The LUPC Public Meetings Calendar webpage will be updated today with the attached documents related to the Hearing Agenda and the Site Visit. The Hearing Agenda document is the one I referred to yesterday in response to Curt's questions.

The SP4103 Project Webpage will also be updated today with the two attached documents, the application updates and project overview Emily submitted yesterday, and the Commission memo shared earlier.

Please let me know if you have any questions or any difficulty accessing materials.

Tim Carr
Acting Chief Planner
Land Use Planning Commission
22 State House Station, Augusta, Maine 04333-0022
Phone (Direct): (207) 592-4129
LUPC Front Desk: (207) 287-2631
Email: tim.carr@maine.gov

From:	Hediger, David
To:	csquiers721@gmail.com
Cc:	Godsoe, Benjamin; Benjamin, Stacy; Carr, Tim; petersrj83@gmail.com
Subject:	RE: Official Objection: Lack of Abutter Notice & Property Impacts - Coplin Plantation Subdivision (SP 4103)
Date:	Wednesday, October 21, 2026 2:21:00 PM
Attachments:	image001.png

Hi Cathryn.

Your email to Tim was forwarded to me.

Clarification on how notice was provided is a question for the applicant and the Commission.

The second procedural order limited consolidated intervenor testimony to three topics: stormwater management and phosphorus control; access via Mountain Road; and access via Moose Track Trail. Section III(B) of the Second Procedural Order states: "If the Intervenors believe specific topics not currently included in the Technical Session should be added, they may move to add them and may also comment on all aspects of the Application through written comments."

In addition, section III(D) of the First Procedural Order states, "…Intervenors are not consolidated for the periods before and after the hearing. For example, the Intervenors are not consolidated for the purpose of providing pre-filed testimony nor for the purpose of providing post-hearing comments and rebuttal" on topics beyond those limited by the procedural order (i.e., the three specific topics for the technical hearing).

Given the Procedural Orders, you have two options:

1. The consolidated intervenors may make a motion to add a topic not included in the technical sessions; or
2. You (the Peters) may provide pre-filed testimony on topics beyond those limited by the procedural orders.

In either case, the information will be considered in the Commission's decision and should be completed before the November 4th deadline.

Feel free to reach out with any questions.

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: Cathryn Peters <csquiers721@gmail.com>
Sent: Tuesday, October 20, 2026 3:33 PM
To: Benjamin, Stacy <Stacy.Benjamin@maine.gov>
Cc: Carr, Tim <Tim.Carr@maine.gov>; Russell Peters <petersrj83@gmail.com>

Subject: Fwd: Official Objection: Lack of Abutter Notice & Property Impacts - Coplin Plantation Subdivision (SP 4103)

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Hi, Stacy. I'm looping you in on the below in Tim's absence.

---------- Forwarded message ---------
From: **Cathryn Peters** <csquiers721@gmail.com>
Date: Tue, Oct 20, 2026 at 3:27 PM
Subject: Re: Official Objection: Lack of Abutter Notice & Property Impacts - Coplin Plantation Subdivision (SP 4103)
To: Carr, Tim <Tim.Carr@maine.gov>
Cc: Russell Peters <petersrj83@gmail.com>

Hi, Tim.

I appreciate your guidance on this matter.

In Emily's most recent email today, she references the intervenors having been aware of the public hearing process since June 10. I wanted to clarify that my husband, Russell, and I, who are also intervenors, did not receive formal notice of the application from the applicant.

Although we became aware of the application in February through Curt and attended the initial town meeting, we did not understand the direct implications of the proposed easement access to the applicant's two lots until Curt and Jenny brought those concerns to our attention on September 14.

I also noticed that we are not listed in Section 7, Notice of Filing, of the application, although our property (Lot 15) is identified in Section 12, Site Access and Legal Right of Access, as being impacted by the easement. Given that our property is directly affected, I would appreciate clarification on how notice was handled in our case. With the current discussion about the timeline and the intervenors' opportunity to prepare, I believe this distinction is important. Before replying to the full service list, I wanted to check with you on the appropriate process.

Based on your October 5 email, would submitting this clarification now be considered pre-filed testimony, and would we still be able to submit additional testimony on other issues before the November 4 deadline? I want to make sure I follow the proper procedure while ensuring our circumstances are accurately reflected in the record.

Thank you for your time, and I hope your family member is doing better.

Cathryn

On Mon, Oct 5, 2026 at 4:53 PM Carr, Tim <Tim.Carr@maine.gov> wrote:

> Dear Cathryn and Russell,
>
> With regard to the hearing process, your message is providing testimony - information that could influence the Commission's decision. An objection would typically involve a procedural matter, such as objecting to the hearing schedule.
>
> As testimony, it must be sent to the service list so that all parties are aware and have a chance to provide supporting or rebutting testimony.
>
> This testimony should be submitted by November 4, the deadline for pre-filed testimony before the Technical Session on November 12. But the choice of when to submit it between now and then is yours. If you are interested in having these issues raised during the site visit (as the letter mentions), you could submit this pre-filed testimony now (by October 7 at 5:00 PM seems reasonable given the hearing schedule in the Second Procedural Order). Unless the Applicant objects to filing testimony at this time and the Presiding Officer agrees, the testimony would be in the hearing record, and LUPC staff could present the concerns during the site visit. LUPC staff will be leading any portion of the site visit that involves your property.
>
> Please let me know if you have any questions. I understand that these state agency procedural concerns and distinctions can seem obscure.
>
> Thanks,
>
> **Tim Carr**
> Acting Chief Planner
> Land Use Planning Commission
> (207) 592 - 4129
>
> ---
>
> **From:** Cathryn Peters <csquiers721@gmail.com>
> **Sent:** Monday, October 5, 2026 12:23 PM
> **To:** Carr, Tim <Tim.Carr@maine.gov>
> **Cc:** Russell Peters <petersrj83@gmail.com>
> **Subject:** Official Objection: Lack of Abutter Notice & Property Impacts - Coplin Plantation Subdivision (SP 4103)
>
> **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.

Dear Mr. Carr,

I am writing to you as a formal Intervenor regarding the proposed Coplin Plantation Subdivision (SP 4103). Our property is located at 53 Mountain Rd, directly abutting the subject parcel (Map 7, Lots 2 and 12).

I want to formally place into the record that the Applicant (Loaf Land Development, LLC) completely failed to provide us with the legally required formal notice of this subdivision application, despite our status as direct, abutting property owners whose land is uniquely and heavily impacted by their proposed access route.

In their official abutter filing, the developer's consultants mistakenly listed our parcel under the name of a previous owner ("now or formerly Douglas D. Peters"). Because of this error, we were never formally served notice and only discovered these proceedings through our neighbors. For the record, we purchased this property in November 2024. Because the applicant's original submission was filed on November 4, 2025, our ownership was a matter of public record for a full year prior to their application and should have been accurately identified.

Furthermore, we wish to correct a significant misrepresentation of fact within the application materials regarding our property. The applicant's documentation states that the proposed access utilizes an "existing gravel road." This is entirely inaccurate. Specifically:

- **Actual Footprint Misrepresentation:** The easement footprint (Moose Track Road) is actually a narrow, dirt footpath measuring only 7 to 8 feet wide. It features a very steep slope and passes within 25 feet of our front porch.
- **Infrastructure Risks:** Converting a narrow, sloped dirt path into a cleared, engineered construction and residential roadway raises major safety concerns regarding heavy vehicle runoff and erosion, directly threatening our nearby private drinking well, kerosene tank, and crawl space.

We request that the Commission review this notice failure, investigate these factual inaccuracies regarding the current site conditions, and take these severe omissions into account during the upcoming October 13th site visit and subsequent sessions.

Thank you for your time and consideration.

Sincerely,

Russell & Cathryn Peters
53 Mountain Rd, Coplin Plantation

From: Emily Hastings
To: Godsoe, Benjamin; Curt Fish
Cc: Carr, Tim; Russell Peters; csquiers721@gmail.com; Jenny Burch; Elwell, Caleb; Hediger, David
Subject: RE: Applicant"s Denial of Intervenor"s Request for Site Access
Date: Thursday, October 22, 2026 3:11:49 PM
Attachments: image001.png

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Hi Ben,
Yes - you may treat my email(s) on 10/20/26 as a formal objection on behalf of the applicant.

Thanks!
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.

From: Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>
Sent: Thursday, October 22, 2026 3:06 PM
To: Curt Fish <curt@curtfish.com>; Emily Hastings <emily@main-landdci.com>
Cc: Carr, Tim <Tim.Carr@maine.gov>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Hediger, David <David.Hediger@maine.gov>
Subject: RE: Applicant's Denial of Intervenor's Request for Site Access

Curt and Emily,

I just wanted to make sure I understood the recent emails to the service list. It sounds like the intervenors are preparing a motion or motions that would: 1) "…requesting that LUPC grant access to the subject property…"; and 2) "…postpone the technical hearing date so the intervenors can have a meaningful opportunity for their professionals to review the site…"

The presiding officer would address these motions and the related objection in a third procedural order. We have been waiting to respond because the intervenors indicated they are in the process of preparing them. Is that still the case, or would you (intervenors) like us to consider your email of 10/20/2026 (see below) to be the motions?

If that is the case, would the applicant like us to treat your reply dated 10/20/2026 (see below) as a formal objection to the motions?

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

From: Curt Fish <curt@curtfish.com>
Sent: Tuesday, October 20, 2026 10:34 AM
To: Emily Hastings <emily@main-landdci.com>
Cc: Carr, Tim <Tim.Carr@maine.gov>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Hediger, David <David.Hediger@maine.gov>
Subject: Applicant's Denial of Intervenor's Request for Site Access

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Dear Tim,

We received Emily Hastings' email denying our request to access the subject property.

We are writing today to inform the LUPC that we will prepare motions requesting that LUPC grant access to the subject property, and postpone the Technical Hearing date so the Intervenors can have a meaningful opportunity for their professionals to review the site. Major questions regarding natural resource data, including but not limited to wetlands, grade, and site lines, and data related to the Applicant's stormwater design are not presented in the application. Given the necessity to submit complete testimony and exhibits by November 4, postponing the hearing is necessary without immediate access to the subject property if the hearing is going to add any value to the Commission's process and give the Intervenors a meaningful opportunity to make their case.

As you more than most are aware, LUPC has worked hard for over a year to support

the Applicant's proposal. Now, fairness and due process require that the Intervenors likewise be given time to be supported by LUPC in their effort to fill in some serious gaps in this proposal and ensure the Commission is fully informed regarding the Intervenors' regulatory concerns.

Thank you.

Curt Fish, Broker
Sharon Drake Real Estate
136 Front Street
Bath MAINE
207.443.4444 - Mobile
207.443.1057 - Fax
curt@curtfish.com
www.sharondrakerealestate.com

On Tue, Oct 20, 2026 at 8:40 AM Emily Hastings <emily@main-landdci.com> wrote:

> Hi Curt & all,
> We appreciate the intervenors' request. However, at this time the applicant does not wish to grant access to the property for several reasons.
>
> If the LUPC determines that the intervenors have a legal basis to access the property without the owner's permission, we respectfully request that the applicant team be notified in a timely manner so that a member of the applicant team may be present, if we choose.
>
> 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.***
>
> ---
>
> **From:** Emily Hastings
> **Sent:** Monday, October 19, 2026 1:43 PM
> **To:** Curt Fish <curt@curtfish.com>; Carr, Tim <Tim.Carr@maine.gov>
> **Cc:** Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Hediger, David <David.Hediger@maine.gov>

Subject: RE: Site Visit and Hearing information

Hi Curt,
I circled around with the Applicant and his team. I'll keep you posted as soon as I know their answer.

Thanks!

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.

From: Curt Fish <curt@curtfish.com>
Sent: Monday, October 19, 2026 10:44 AM
To: Carr, Tim <Tim.Carr@maine.gov>
Cc: Emily Hastings <emily@main-landdci.com>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Hediger, David <David.Hediger@maine.gov>
Subject: Re: Site Visit and Hearing information

Dear Emily,

May I have permission from the Applicant to bring an engineer and/or wetlands person onto the site?

Curt Fish, Broker
Sharon Drake Real Estate
136 Front Street
Bath MAINE
207.443.4444 - Mobile
207.443.1057 - Fax
curt@curtfish.com
www.sharondrakerealestate.com

On Mon, Oct 19, 2026 at 10:04 AM Carr, Tim <Tim.Carr@maine.gov> wrote:

> Hi Curt,
>
> This is a novel question for the LUPC.

As a first step, please request access from Loaf Land Development LLC through a message to Emily Hastings, the agent for the application, copied to the service list.

If the property owner does not agree, the LUPC would determine whether there is a legal basis for an intervenor to gain access without the owner's permission.

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

From: Curt Fish <curt@curtfish.com>
Sent: Monday, October 19, 2026 9:23 AM
To: Carr, Tim <Tim.Carr@maine.gov>
Cc: Emily Hastings <emily@main-landdci.com>; Russell Peters <petersrj83@gmail.com>; csquiers721@gmail.com; Jenny Burch <jennyburch207@gmail.com>; Elwell, Caleb <Caleb.Elwell@maine.gov>; Godsoe, Benjamin <Benjamin.Godsoe@maine.gov>; Hediger, David <David.Hediger@maine.gov>
Subject: Re: Site Visit and Hearing information

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Hi Tim,

We missed you at the site walk but are hopeful for you and your family. Good luck with everything!

To the extent we can find an engineer in this short time frame how do we go about gaining permission to visit the site with them?

Thank you,

Curt

Curt Fish, Broker
Sharon Drake Real Estate
136 Front Street
Bath MAINE
207.443.4444 - Mobile
207.443.1057 - Fax

curt@curtfish.com
www.sharondrakerealestate.com