



JANET T. MILLS  
GOVERNER

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

June 10, 2021

Town Council  
Town of Freeport  
30 Main Street  
Freeport, Maine 04032-1209

RE: Jeffrey T. Davis Consent Agreement Penalty, 250 Wolfe's Neck Road

Dear Members of the Town Council,

Code Enforcement Officer Nick Adams contacted the Department of Environmental Protection, Shoreland Zoning Division ("Department") to comment on a request by Mr. Davis for the Town Council to review a proposed penalty included in a proposed consent agreement to resolve violations of provisions of the Town of Freeport's Floodplain Management, Zoning and Coastal Management Ordinances on Mr. Davis's property. The Department reviewed the proposed penalty based on consent agreements involving violations of shoreland zoning provisions in Freeport and other Maine municipalities and submits the following comments for consideration.

Based on the violations noted in the consent agreement and notice of violation issued by the Town the Department finds the proposed penalty as being consistent with consent agreements issued by other municipalities for similar actions. In some cases the proposed consent agreement penalty is less than others that the Department has reviewed over the years that addressed multiple violations. Similarly, after review of the Town of Freeport's recent consent agreements with Toni R & Richard A. Merrick and David & Valerie Stone & Hawkes Tree Service, Inc. the Department finds that the proposed penalty is consistent with these recent consent agreements.

**AUGUSTA**  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

**BANGOR**  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
207-941-4570 FAX: (207) 941-4584

**PORTLAND**  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

**PRESQUE ISLE**  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143

Thank you in advance for thoughtfully considering the Department's comments. Please contact me if you have any questions or seek further clarification in this matter. I may be reached by email at [Jeffrey.C.Kalinich@maine.gov](mailto:Jeffrey.C.Kalinich@maine.gov) or telephone at 207-615-7044.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jeffrey Kalinich". The signature is written in a cursive style with a large initial "J" and "K".

Jeffrey C. Kalinich  
Assistant Shoreland Zoning Coordinator

cc: Nick Adams, Code Enforcement Officer  
File