



STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
11 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0011

085 G 003-4

ANGUS S. KING, JR.
GOVERNOR

KEVIN W. CONCANNON
COMMISSIONER

85-6-003

* December 2, 1996

Ralph Ashmore
65 Commercial Street
Portland ME 04104

SUBJECT: Approval Replacement System Variance Request, Ashmore property, Spruce Avenue
*(Lots 1 & 2), Peaks Island (Portland)

Dear Mr. Ashmore:

The Division has reviewed a replacement system variance request for the subject property. The requested variances are to allow a subsurface wastewater disposal system to be installed with a setback of four feet from the disposal area to a basement and the use of a fill extension grade of 3:1 rather than the required 4:1. The system design prepared by Albert Frick, SE, dated revised 11/8/96, is found to be in compliance with the Maine Subsurface Wastewater Disposal Rules.

We approve the requested variances. This approval requires the following:

1. A permit for system installation is to be obtained from the Local Plumbing Inspector prior to system construction.
2. The disposal field is to be clearly staked by the system designer prior to system construction.
3. The system is to be installed in accordance with the submitted and approved design dated revised 11/8/96.

Should you or others have any questions regarding this review and/or approval, please contact me at 287-5687.

Sincerely,

Linda S. Robinson
Wastewater & Plumbing Control
Division of Health Engineering

/lsr

cc: P. Samuel Hoffses, LPI ✓
Albert Frick, SE

* This is a corrected copy of previously issued approval letter. The lot numbers on the original letter were incorrect.



REPLACEMENT SYSTEM VARIANCE REQUEST

THE LIMITATIONS OF THE REPLACEMENT SYSTEM VARIANCE REQUEST

This form shall be attached to an application for the proposed replacement system which does not comply with the Rules. The LPI shall review the Replacement System Variance Request and Application and may approve the Request if all of the following requirements can be met, and the variance(s) requested fall within the limits of LPI's authority.

1. The proposed design meets the definition of a Replacement System from the rules.
2. A system cannot be designed and installed in total compliance with the Rules.
3. The design flow is less than 500 GPD.
4. There will be no change in use of the structure.
5. The replacement system is determined by the Site Evaluator and LPI to be the most practical method to treat and dispose of the wastewater.

GENERAL INFORMATION

Town of (PEAKS ISLAND)
PORTLAND

Permit No. _____ E _____ Date Permit Issued _____
MONTH/DAY/YEAR

Property Owner's Name: RALPH ASHMORE Tel. No. _____

System's Location: SPRUCE AVENUE (MAP 85C, LOTS 3 & 4)
STREET
PORTLAND Maine _____
TOWN ZIP

Property Owner's Address: 65 COMMERCIAL STREET
(if different from above) STREET
PORTLAND ME. 04104
TOWN STATE ZIP

SPECIFIC INSTRUCTIONS TO THE:

LPI:

If any of the variances exceed your approval authority and/or do not meet all of the requirements listed under the Limitations Section above, then you are to send this Replacement System Variance Request, along with the Application, to the Department for review and approval consideration before issuing a Permit. (See reverse side for Comments Section and your signature.)

SITE EVALUATOR:

If after completing the Application, you find that a variance for the proposed replacement system is needed, then complete the Replacement Variance Request with your signature on reverse side of form.

PROPERTY OWNER:

It has been determined by the Site Evaluator that a variance to the Rules is required for the proposed replacement system. This variance request is due to physical limitations of the site and/or soil conditions. Both the Site Evaluator and the LPI have considered the site/soil restrictions and have concluded that a replacement system in total compliance with the Rules is not possible.

The OWNER shall sign this statement. Therefore, having read both this Replacement Variance Request and the attached Application, I understand that the proposed system is not in total compliance with the Rules and hereby release all those concerned with this Variance, provided they have performed their duties in a reasonable and proper manner.

R Ashmore
PROPERTY OWNER'S SIGNATURE

11-12-96
DATE

| VARIANCE CATEGORY | VARIANCE REQUESTED | LIMIT OF LPI'S APPROVAL AUTHORITY | | VARIANCE REQUESTED TO: | |
|---------------------------------------------------------|---------------------------|-----------------------------------|------------------|------------------------|---------------|
| | | TREATMENT TANK | DISPOSAL AREA | TREATMENT TANK | DISPOSAL AREA |
| SOILS Soil Profile Soil Condition from HHE-200 | Ground Water Table | to 6" | | inches | |
| | Restrictive Layer | to 6" | | inches | |
| | Bedrock | to 10" | | inches | |
| | FROM: | | | | |
| SETBACK DISTANCES (IN FEET) | | | | | |
| Potable Water Supplies | 1. Well: > 2000 gal/day | 100 ^a | 300 ^a | | |
| | 2. Well: < 2000 gal/day | | | | |
| | a. Neighbor's | 50 ^b | 60 ^b | | |
| | b. Property Owner's | 25' | 50' | | |
| | 3. Water Supply Line | See note 'a' | | | |
| Waterbodies | 1. Perennial | 50' | 60' | | |
| | 2. Intermittent | 15' | 20' | | |
| | 3. Manmade drainage ditch | 10' | 15' | | |
| Downhill Slope | Greater than 3:1 (33%) | 5 ^c | 10 ^c | 5'± | 4± |
| Buildings | 1. With Basement | 5' | 10' | | |
| | 2. Without Basement | 5' | 10' | | |
| Property Line | | 4' | 5' | | 5'± |

OTHER

1. Fill extension Grade—to 3:1 NEAR ROAD FRONTAGE

2. _____
3. _____

Footnotes:

- a. This setback distance cannot be reduced by variance. See Table 6-2.
b. Written Permission from the owner of a well is required when a replacement system will be located less than 100 feet but closer to that well than the system it is replacing.
c. Sufficient distance shall be maintained to assure that the toe of the fill does not extend to the 3:1 slope.

Albert Feick
SITE EVALUATOR'S SIGNATURE

1/24/92
DATE 11/8/96

LPI STATEMENT

I, F. Samuel, LPI for the Town of Portland have conducted an on-site inspection for the proposed replacement system and have determined to the best of my knowledge, that it cannot be installed in total compliance with the Rules, applicable Municipal Wastewater Disposal Ordinances, or the Local Shoreland Zoning Ordinance. As a result of my review of the Replacement System Variance Request, the Application, and my on-site investigation, I (check and complete either a or b):

- a. (approve, disapprove) the variance request based on my authority to grant this variance. Note: If the LPI does not give his approval, he shall list his reasons for denial in Comments Section below and return to the applicant.
—OR—
 b. find that one or more of the requested Variances exceeds my approval authority as LPI. I (recommend do not recommend) the Department's approval of the variances. Note: If the LPI does not recommend the Department's approval, he shall state his reasons in Comments Section below as to why the proposed replacement system is not being recommended.

Comments: I didn't go to site but know about the lot I approved the replacement

[Signature]
LPI'S SIGNATURE

15/Nov/96
DATE

FOR USE BY THE DEPARTMENT ONLY

The Department has reviewed the variance(s) and (does does not) give its approval. Any additional requirements, recommendations, or reasons for the Variance denial, are given in the attached letter.

Linda S. Roberson
SIGNATURE OF THE DEPARTMENT

11/26/96
DATE