

May 14, 2012

Susan G and Bruce T Astarita
402 8th St.
Del Mar CA 92014

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MAY 21 2012
Dept. of Building Inspections
City of Portland Maine

Marge Schmuckal, Zoning Administrator
✓ Tammy Musson, Inspection Division Director
389 Congress Street, Room 315
Portland, ME 04101
FAX:(207) 874-8716

Re: Waste Disposal System for 7 Diamond Pass/360 Island Avenue,
Peaks Island – 90-A-1 – IR -2-Zone

Dear Ms. Schmuckal:

As you know, we own property located at 7 Diamond Pass/360 Island Avenue on Peaks Island. The property at 346 Island Avenue owned by Douglas and Mary Lloyd is leaking sewage and drywell waste water onto our property at 7 Diamond Pass to such an extent that it renders our property unusable.

You may recall that you visited our property in June, 2011 when we were in the midst of trying to rectify the drainage problem. We have not been able to use our property since that time. We have conducted rather extensive investigation in the past year using, among other professionals, Royal River Survey Company which found that the source of the water that continuously fills our cesspool and saturates the drainage field on our property originates from two places:

- 1) Douglas and Mary Lloyd's dry well which captures rain and clothes washer water with drainage onto our property; and
- 2) A breach in the Island Avenue Berm that allows rainwater and gray water from surrounding cottages to flow onto our property.

I have been in touch with the Lloyds, who apparently are unable to obtain a permit to dispose of waste water appropriately. I would ask that you investigate this matter as there is an unpermitted discharge of waste water from 346 Island Avenue onto our property. This waste water not only renders our property uninhabitable, but might very well be causing a health hazard.

We are hopeful that you will issue a cease and desist order, or similar command that is appropriate under these circumstances, to Mr. and Mrs. Lloyd. If you do this, we hope that our property will be restored and that we can once again reside there.

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Additionally, and of equal importance to us, is our request that that you refer this letter to a colleague at City Hall who will investigate and remedy the breach of the Island Avenue Berm which allows rain water and gray water from Island Avenue and surrounding cottages to flow onto our property.

In 1992 we acquired 7 Diamond Pass and until 2008 when the Lloyds began to remodel their property our septic disposal system worked just fine. Shortly after the Lloyds finished remodeling their property, it became impossible to mow the lawn on the west end of my property because the ground was always saturated with water. I regularly have my cesspool pumped out, however in 2011, when the house was unoccupied, the cesspool continued to fill with water and I could not use the property.

This matter is rather urgent. May I please have a response by May 30, 2012? Thank you.

Sincerely,



Bruce and Susan Astarita
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BruceAstarita@yahoo.com
astacom@aol.com

Susan Astarita *

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Cc:

Douglas and Mary Lloyd, 30 Silver Hill RD, Milford, MA 01757, 346 Island Ave.
Peter Dinan, 41 CHESTER ST, NASHUA NH 03060, 344 Island Ave.
Daniel H Doane, 364 Island AVE, Peaks Island ME 04108
ANNA NOYES AND HENRI ARTHUR BENOIT, 107 WEST ST, PORTLAND ME 04102, 16 Diamond Pass