

City of Portland, Maine - Building or Use Permit Application
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

PERMIT ISSUED

Permit No: 03-1490 Issue Date: MAR 08 2004 PL: 090 J004001

Location of Construction: 498 Island Ave <i>P.I.</i>	Owner Name: Wright Joseph D & Nancy L Its	Owner Address: 498 Island Ave	Phone: 07-766-5615
Business Name: n/a	Contractor Name: Burlington Homes	Contractor Address: 620 Main St. Oxford	Phone:
Lender/Buyer's Name: n/a	Phone: n/a	Permit Type: Single Family	Zone: IR-2

Past Use: Vacant	Proposed Use: Build New 27' x 50' Single Family with 7'5" x 50' deck.	Permit Fee: \$1,203.00	Cost of Work: \$123,000.00	CEO District: 1
Proposed Project Description: Build new 27' x 50' Single Family with 7'5" x 50' deck.		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB MEMPH. HOUSING Rules Signature: JMB 1/27/04	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: Date:		

Permit Taken By: gg	Date Applied For: 12/09/2003	Zoning Approval	
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone or Reviews <input checked="" type="checkbox"/> Shoreland <i>within 250' but well over 75' from W/M</i> <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <i>Panel 15 zone C</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>2003-0261</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input checked="" type="checkbox"/> Date: <i>12/21/03</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
	Date: <i>12/21/03</i>		

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

 SIGNATURE OF APPLICANT ADDRESS DATE PHONE

 RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE

4/12/04 visited site, could not find pins. Also springs running
through property, extremely muddy. will call contractor.

4-23-04 setbacks 25' + both sides front 40' + rear
50', okay to pass -

5/6/04 septic system okay - backfill to foundation to
be done 5/17/04



Albert Frick Associates, Inc.

Soil Scientists & Site Evaluators

95A County Road Durham, Maine 04038
(207) 839-5563 FAX (207) 839-5564

Albert Frick SS, SE
James Logan SS, SE
Maureen Logan SE
Brady Frick SE

December 16, 2002

Tammy Munson, LPI
City of Portland
389 Congress Street
Portland, ME 04101

Linda Robinson
DHE
10 State House Station
Augusta, ME 04333

Re: Nancy Wright property, Island Avenue, Peaks Island, Portland

Dear Tammy and Linda:

Enclosed are a Subsurface Wastewater Disposal Permit Application and a New System Variance Request submitted in behalf of Nancy Wright. The proposed site does not meet the minimum criteria of Maine's Subsurface Wastewater Disposal Rules, and variances are requested for the following:

To allow a system to be sited on soils that do not meet the minimum criteria. Specifically, the seasonal high ground water table in the spring and during periods of heavy precipitation is 11 inches below the existing soil surface as evidenced by mothing in the proposed disposal area.

It is my opinion that the soil and site limitations are mitigated by the following:

1. The disposal area is designed based on a 360 design flow.
2. The proposed separation distance from the bottom of the bed to the seasonal high ground water table is increased from the minimum of 18 inches to 30 inches.
3. The use of a FRICKLE Filter to enhance the quality of the effluent.

The proposed design and site accrues a relative point assessment of 52 points, which offers potential for variance approval.

Jay Hardcastle, State Site Evaluator for DHE, met with Tammy Munson, Portland LPI and myself on December 11, 2002, to evaluate the Filled Land status and discuss age of fill with property owner and Covey Johnson, who was familiar with the site in the late 1960's, 1970's. The fill has been in place prior to July 1974 per testimony from Ms. Wright and Covey Johnson, and a notarized statement from Ms. Wright's father will follow.

It is my opinion that the proposed disposal system mitigates the soil and site limitations of this particular site and will assure environmental sanitation. Please contact me if you have any questions or additional matters for discussion.

Respectfully,



Albert Frick

AF/nd

Enc.

cc. Nancy Wright
Jay Hardcastle



Albert Frick Associates, Inc.
Soil Scientists & Site Engineers

2002-0030

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Wash. Department of Health
 Department of Health Engineering Division
 3201 15th Ave. S.E. Room 4130
 Olympia, WA 98512 Phone: (360) 725-1333

Caution: Permit Required - Attach in Space Below

PROPERTY LOCATION City, Town or Plantation PORTLAND, PEAKS ISLAND	ESR 1 AND ESR 2 DATE: 12/13/02 Licensing District: 101 LIC: 01140
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Street or Road ISLAND AVE	ESR 1 AND ESR 2 DATE: 12/13/02 Licensing District: 101 LIC: 01140
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Subdivision, Lot # ONKEMAN PLANT INFORMATION	ESR 1 AND ESR 2 DATE: 12/13/02 Licensing District: 101 LIC: 01140
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Name (Must first, MI) WRESTLANT	ESR 1 AND ESR 2 DATE: 12/13/02 Licensing District: 101 LIC: 01140
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Mailing Address of SIA ISLAND AVE PEAKS ISLAND, WA 98680	ESR 1 AND ESR 2 DATE: 12/13/02 Licensing District: 101 LIC: 01140
--	--

Longtime Tel # 764-5425	ESR 1 AND ESR 2 DATE: 12/13/02 Licensing District: 101 LIC: 01140
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I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any false data is reason for the Department and/or Local Planning Inspector to deny a permit.

Signature of Applicant: *[Signature]* Date: 12/31/02
 Local Planning Inspector Signature: _____ (2nd Date Approved)

TYPE OF APPLICATION	THIS APPLICATION REQUIRES	DISPOSAL SYSTEM COMPONENTS
---------------------	---------------------------	----------------------------

- | | | |
|--|--|--|
| <ol style="list-style-type: none"> <input checked="" type="checkbox"/> First Time System <input type="checkbox"/> Replacement System Type Replaced: _____
Year Installed: _____ | <ol style="list-style-type: none"> No Rule Variance First Time System Variance <ol style="list-style-type: none"> Local Plumbing Inspector Approval State & Local Plumbing Inspector Approval Replacement System Variance <ol style="list-style-type: none"> Local Plumbing Inspector Approval State & Local Plumbing Inspector Approval Minimum 1st Size Variance Seasonal Conversion Approval | <ol style="list-style-type: none"> Complete Non-Engineered system Primitive System (gravity) & all tanks Alternative Toilet, gravity Non-Engineered Treatment Tank (only) holding Tank, _____ Gallons Non-Engineered Disposal Field (only) Separated Gravity System Complete Engineered System (2000/gpd+) Engineered Treatment Tank (only) Engineered Disposal Field (only) Pre-treatment, specify PACLIFE FILTER Miscellaneous components |
|--|--|--|

SIZE OF PROPERTY: 20,647 SQ. FT. sq ft acres
 REPAIRS TO DISPOSAL AREA: _____
 OUTSIDE SCHEDULED ZONE: _____

DESIGN DETAILS SYSTEM LANDY SPINN ON PAGE 3
 Current Use: Seasonal Year Round Undeveloped
 SPECIFY: _____

TREATMENT TANK	DISPOSAL FIELD TYPE & SIZE	GARBAGE DISPOSAL UNIT	DESIGN FLOW
----------------	----------------------------	-----------------------	-------------

- | | | | |
|--|--|---|--|
| <ol style="list-style-type: none"> Concrete <ol style="list-style-type: none"> Regular Low Profile Plastic Other: _____ gallons CAPACITY: 1000 | <ol style="list-style-type: none"> Stone Bed Stone trench Preparatory Device Cluster array <ol style="list-style-type: none"> Linear Regular Other: _____ sq ft (ln. ft) SIZE: 24 ELLEN IN-DRAIN UNITS | <ol style="list-style-type: none"> No Maybe Yes <ol style="list-style-type: none"> Specify one below Multi-compartment tank _____ tanks in series Increase in tank capacity Falter on tank outlet ZABEL FILTER | 3600 gallons per day
BASIN (LxWxH) = 3372
DAY EACH = 270
370 X 3372 = 90
90 X 270 = 3600 |
|--|--|---|--|

SOIL DATA & DESIGN CLASS: _____
 PROFILE CONDITION: _____ DESIGN: _____
 AT Observation Hole # TP A
 Depth: _____

DISPOSAL FIELD SIZING:
 Small - 2.0 sq.ft./gpd
 Medium - 2.5 sq.ft./gpd
 Medium-Large - 3.3 sq.ft./gpd
 Large - 4.1 sq.ft./gpd
 Extra-Large - 5.0 sq.ft./gpd

PUMPING:
 Not required
 May be required
 Required (Specify only for engineered or experimental systems)
 MODEL: _____ CAPACITY: _____

SITE EVALUATION STATEMENT
 I certify that an ESR 1 (date) completed a site evaluation on this property and state that the data reported is accurate and that the proposed system is in compliance with the Subsurface Wastewater Disposal Rules (WAC 173-201-030).

ALBERT PECK
 Site Evaluator Name
 Printed
 12/18/2002
 Date
 3600
 SE
 ALBERT PECK
 Site Evaluator Signature
 Printed
 3600
 Telephone Number
 ALBERT PECK@WELLNETAATT.NET
 E-mail Address
 HHE-201 Rev. 8/01

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services
Division of Health Engineering, Station 10-545
(207) 287-9672 FAX (207) 287-4172

Town, City, Plantation
PORTLAND, PEAKS ISLAND

Street, Road Subdivision
ISLAND AVE

Owner's Name
NANCY WRIGHT

SITE PLAN Scale 1" = 50 FT.
or as shown

SITE LOCATION PLAN (Attach Map from Maine Atlas for New System Variance)

APPROXIMATE PROPOSED DWELLING LOCATION

ISLAND AVE

BRIMMER STREET

OCEAN

OAKLAWN AVE

SITE LOT 415

BRIMMER STREET

ISLAND AVE

TO FERRY LANDINGS

PROPOSED DISPOSAL AREA

57'-0" 175' 57'-0" 85' 175'

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP A Test Pit Boring
Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)	Texture	Consistency	Color	Mottling
0	LOAMY SAND		DARK BROWN	
10		FRIABLE		FEW, FADIT
20	SAND		LIGHT OLIVE BROWN	Δ Δ Δ FREE WATER
30				
40	SILTY CLAY	FIRM	GRAY	
50				

Soil Classification: 12 Profile D Condition 1

Slope: 1

Limiting Factor: 1

Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Observation Hole Test Pit Boring
Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)	Texture	Consistency	Color	Mottling
0				
10				
20				
30				
40				
50				

Soil Classification: _____ Profile _____ Condition _____

Slope: _____

Limiting Factor: _____

Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Site Evaluator Signature

63
SE

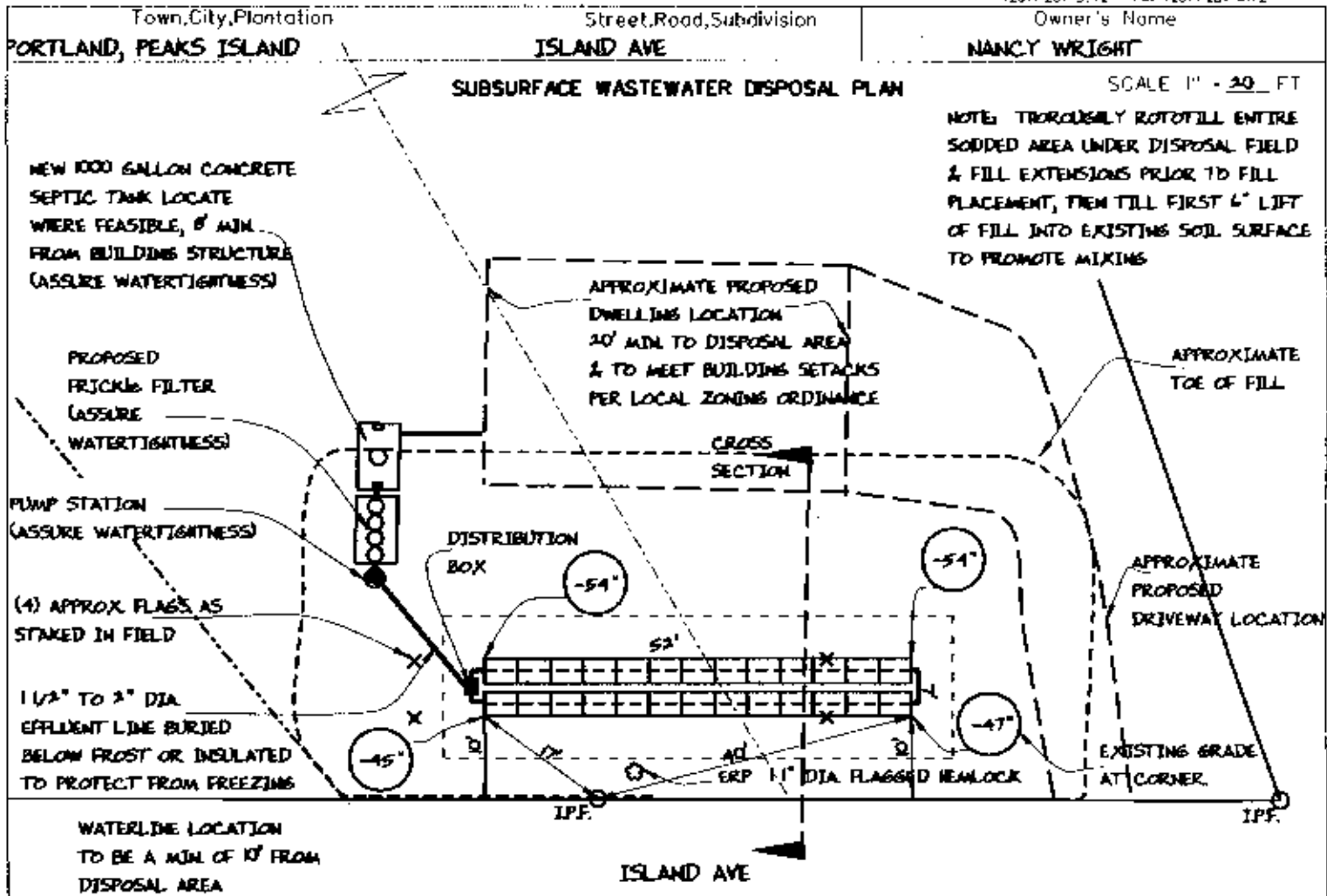
Date

12/16/2002

Page 2 of 3
HHF-200 Rev 10/02

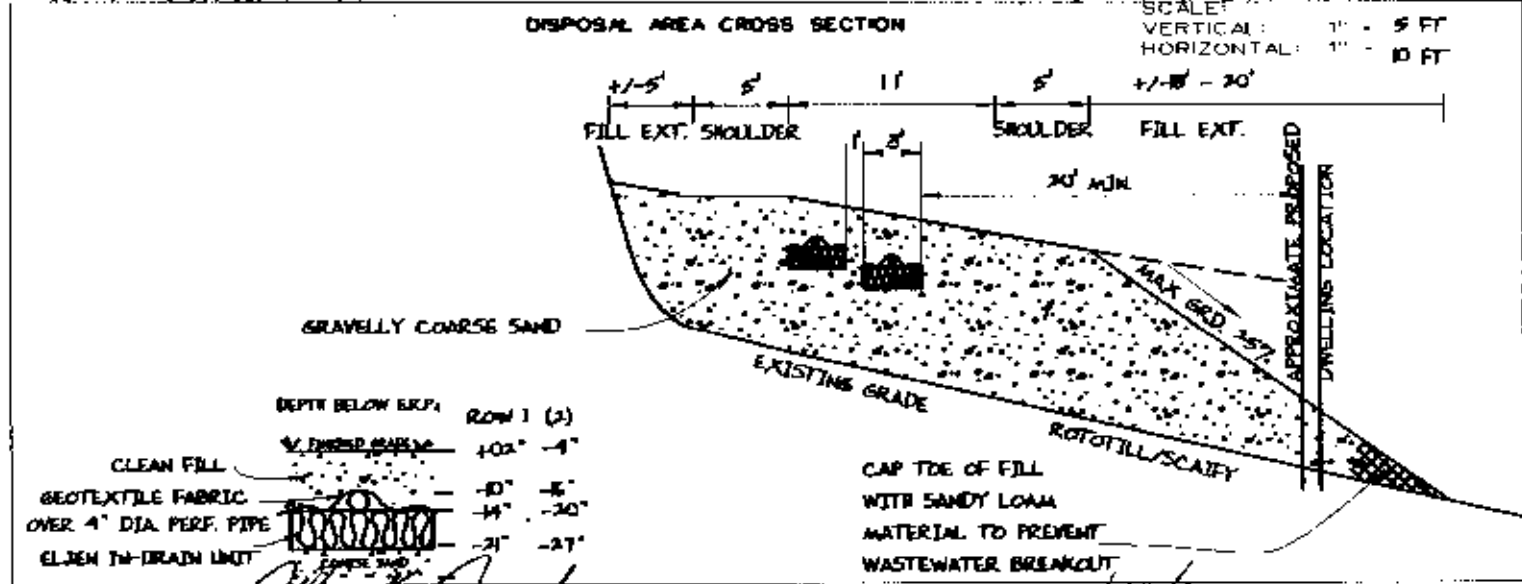
SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services
Division of Health Engineering, Station 10-545
12075 287-5672 Fax 12071 287-4172



NOTE: THOROUGHLY ROTOFILL ENTIRE SODDED AREA UNDER DISPOSAL FIELD & FILL EXTENSIONS PRIOR TO FILL PLACEMENT, THEN TILL FIRST 4" LIFT OF FILL INTO EXISTING SOIL SURFACE TO PROMOTE MIXING

FILL REQUIREMENTS	CONSTRUCTION ELEVATIONS	ELEVATION REFERENCE POINT
Depth of Fill (Upslope) : 45" - 49"	Finished Grade Elevation	SEE DETAIL BELOW
Depth of Fill (Downslope) : 20"	Top of Distribution Pipe or Proprietary Device	Location & Description
DEPTHS AT CROSS-SECTION (shown below)	Bottom of Disposal Area	1" DIA REALOCK TREE, NAILED 24" ABOVE BASE Reference Elevation to: 0.0' or -----





Albert Frick Associates, Inc.

Soil Scientists & Site Evaluators

45A County Road - Gorham, Maine 04038

(207) 439-5563

Peaks Island
TOWN

Island Ave.
LOCATION

Wright
APPLICANT'S NAME

1) The Plumbing and Subsurface Wastewater Disposal Rules adopted by the State of Maine, Department of Human Services pursuant to 22 M.R.S.A. § 42 (the "Rules") are incorporated herein by reference and made a part of this application and shall be consulted by the owner/applicant, the system installer and/or building contractor for further construction details and material specifications. The system installer should contact Albert Frick Associates, Inc. 839-5563, if there are any questions concerning materials, procedures or designs. The system installer and/or building contractor installing the system shall be solely responsible for compliance with the Rules and with all state and municipal laws and ordinances pertaining to the permitting, inspection and construction of subsurface wastewater disposal systems.

2) This application is intended to represent facts pertinent to the Rules only. It shall be the responsibility of the owner/applicant, system installer and/or building contractor to determine compliance with and to obtain permits under all applicable local, state and/or federal laws and regulations (including, without limitation, National Resources Protection Act, wetland regulations, zoning ordinances, subdivision regulations, Site Location of Development Act and minimum lot size laws) before installing this system or considering the property on which the system is to be installed a "buildable" lot. It is recommended that a wetland scientist be consulted regarding wetland regulations.

Prior to the commencement of construction/installation, the local plumbing inspector shall inform the owner/applicant and Albert Frick Associates, Inc. of any local ordinances which are more restrictive than the Rules in order that the design may be amended. All designs are subject to review by local, state and/or federal authorities. Albert Frick Associates, Inc.'s liability shall be limited to revisions required by regulatory agencies pursuant to laws or regulations in effect at the time of preparation of this application.

3) All information shown on this application relating to property lines, well locations, subsurface structures and underground facilities (such as, utility lines, drains, septic systems, water lines, etc.) are based solely upon information provided by the owner/applicant and has been relied upon by Albert Frick Associates, Inc. in preparing this application. The owner/applicant shall review this application prior to the start of construction and confirm this information.

4) Installation of a garbage (grinder) disposal is not recommended. If one is installed, an additional 1000 gallon septic tank or a septic tank filter should be connected in series to the proposed septic tank.

5) The system user shall avoid introducing kitchen grease or fats into this system. Chemicals such as septic tank cleaners and/or chlorine (such as from water treatment) and controlled or hazardous substances shall not be disposed of in this system.

ATTACHMENT TO SUBSURFACE WASTEWATER DISPOSAL APPLICATION

Peaks Island Island Ave Wright
TOWN LOCATION APPLICANT'S NAME

- 6) The septic tank should be pumped within two years of installation and subsequently as recommended by the pump service, but in no event should the septic tank be pumped less often than once every three years.
- 7) The actual water flow or number of bedrooms shall not exceed the design criteria indicated on this application without a re-evaluation of the system as proposed. If the system is supplied by public water or a private service with a water meter, the water consumption per period should be divided by the number of days to calculate the average daily water consumption (water usage (cu.ft.) \times 7.48 cu.ft.(gallons per cu.ft.) \div # of days in period).
- 8) The general minimum setbacks between a well and septic system serving a single family residence is 100-300 feet, unless the local municipality has a more stringent requirement. A well installed by an abutter within the minimum setback distances prior to the issuance of a permit for the proposed disposal system may void this design.
- 9) When a gravity system is proposed: **BEFORE CONSTRUCTION/INSTALLATION BEGINS**, the system installer or building contractor shall review the elevations of all points given in this application and the elevation of the existing and/or proposed building drain and septic tank inverts for compatibility to minimum slope requirements. In gravity systems, the invert of the septic tank(s) outlet(s) shall be at least 4 inches above the invert of the distribution box outlet at the disposal area. When an effluent pump is required, provisions shall be made to make certain that surface ground water does not enter the septic tank or pump station. An alarm device warning of a pump failure shall be installed. Also, when pumping is required to a chamber system, install a "T" connection in the distribution box and place 3 inches of stone or a splash plate in the first chamber. Insulate gravity pipes, pump lines and the distribution box as necessary to prevent freezing.
- 10) On all systems, remove the vegetation, organic duff and old fill material from under the disposal area and any fill extension. On sites where the proposed system is to be installed in natural soil, scarify the bottom and sides of the excavated disposal area with a rake. Do not use wheeled equipment on the scarified soil surface. For systems installed in fill, scarify the native soil by roto-tilling to a depth of at least 8 inches over the entire disposal and fill extension area to prevent glazing and to promote fill bonding. Place fill in loose layers no deeper than 8 inches and compact thoroughly before placing more fill (this ensures that voids and loose pockets are eliminated to minimize the chance of leakage). Do not use wheeled equipment on the scarified soil area until after 12 inches of fill is in place. Keep equipment off the chambers. Divert the surface water away from the disposal area by ditching or shallow swales.
- 11) Unless noted otherwise, fill shall be gravelly coarse sand which contains no more than 5% fines (silt and clay).
- 12) Do not install systems on loamy, silty, or clayey soils during wet periods since soil smearing/glazing may seal off the soil interface.
- 13) Seed all filled and disturbed surfaces with perennial grass seed, then mulch with hay or equivalent material to prevent erosion.



FIRST TIME SYSTEM VARIANCE REQUEST

This form shall accompany an Application (HHE-200) for a proposed first time system which requires a Variance to provisions of the Subsurface Wastewater Disposal Rules.
 The local plumbing inspector shall not issue a permit for the installation of a first time subsurface wastewater disposal system requiring a variance from the Department of Human Services until approval has been received from them.

GENERAL INFORMATION		Town of <u>Peaks Island</u>
Permit No. _____		Date Permit Issued _____
Property Owner's Name: <u>Nancy Wright</u>		Tel. No.: <u>766-5615</u>
System's Location: <u>Island Ave</u>		
Property Owner's Address: <u>512 Island Ave</u>		
(if different from above) <u>Peaks Island, ME 04108</u>		

VARIANCE CONDITIONS

The Department has the authority to vary the requirements of the Rules in accordance with Section 105.2 of the Rules CMR 241 if all the following criteria are satisfied:

- The variance request has the approval of the LPI.
- The Municipal Officials have indicated that the variance does not conflict with any local wastewater disposal ordinances.
- The variance request demonstrates that there is no practical alternative for wastewater disposal such as access to public sewer or the potential for an easement.
- The proposed system does not conflict with any provision controlling subsurface wastewater disposal in the Shoreland Zone.
- The site offers a potential for a system which will dispose of the wastewater with minimal threat to public health, safety, or welfare.
- The property owner has indicated an awareness of the variance and any limitations or added costs the proposed system may require.

SOIL, SITE AND ENGINEERING FACTORS FOR NEW SYSTEM VARIANCE ASSESSMENT (SEE TABLES 1900.1-1900.11)

CHARACTERISTIC	POINT ASSESSMENT	
Soil Profile	7-D	15
Depth to Groundwater/Restrictive Layer	11"	6
Terrain	side slope	3
Size of Property	20,667 SQ FT ±	-10
Waterbody Backlog	250'	5
Water Supply	Public Water	5
Type of Development	Single Family Residence	0
Disposal Area Adjustment	M.in. + 33%	5
Vertical Separation Adjustment	M.in. + 12"	10
Additional Treatment	Frackle Filter + Zobel Filter	10 + 3
TOTAL POINT ASSESSMENT (Sec. 1900.1)		52

Minimum Points (Check one) Outside Shoreland-50 Inside Shoreland-65 Subdivision-65

SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator)	SECTION OF RULE
1. <u>11" to a watertable (Seasonal Groundwater Table, M.in. 12')</u>	<u>Table 600.2</u>
2. _____	_____
3. _____	_____

SITE EVALUATOR

When a property is found to be unsuitable for subsurface wastewater disposal for a First Time System Variance by a Licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a Variance to the Rules, and the Evaluator in his professional opinion feels the variance request is justified and the site limitations can be overcome, he shall document the soil and site conditions on the Application. The Evaluator shall list the specific variances necessary plus describe below the proposed system design and function. The Evaluator shall further describe how the specific site limitations are to be overcome, and provide any other support documentation as required prior to consideration by the Department.
 (Use Additional Sheets, if needed)

See attached letter.

I, _____ S.E., certify that a variance to the Rules is necessary since a system cannot be installed which will completely satisfy all the Rule requirements. In my judgment, the proposed system design on the attached Application is the best alternative available, enhances the potential of the site for subsurface wastewater disposal, and that the system should function properly.

Albert Frisch

 SIGNATURE OF SITE EVALUATOR

12/18/2002

 DATE

First Time System Variance Request

PROPERTY OWNER

I, Daniel Wright, am the owner agent for the owner of the subject property. I understand that the installation on the Application is not in total compliance with the Rules. Should the proposed system malfunction, I release all concerned provided they have performed their duties in a reasonable and proper manner, and I will promptly notify the Local Plumbing Inspector and make any corrections required by the Rules. By signing the variance request form, I acknowledge permission for representatives of the Department to enter onto the property to perform such duties as may be necessary to evaluate the variance request.

Daniel Wright
 SIGNATURE OF OWNER
 AGENT FOR THE OWNER

12/31/02
 DATE

MUNICIPAL OFFICER(S) (Selectman, Councilman, Alderman, Mayor, Town Manager)

We, the Municipal Officer(s) of _____ have reviewed this application and are aware that the applicant is applying for a First Time System Variance to the Subsurface Wastewater Disposal Rules because the proposed system does not meet all requirements of the rules. The proposed variance request does does not comply with all Municipal Ordinances relating to subsurface wastewater disposal.

 SIGNATURE FOR THE MUNICIPALITY

 TITLE

 DATE

LOCAL PLUMBING INSPECTOR - Approval at local level

The local plumbing inspector shall review all First Time System Variance requests prior to rendering a decision.

I, _____, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system (does does not) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone.

Therefore, I (do do not) approve the requested variance. I (will will not) issue a permit for the system's installation as proposed by the application.

 LPI Signature

 Date

LOCAL PLUMBING INSPECTOR - Referral to the Department

The local plumbing inspector shall review all First Time System Variance requests prior to forwarding to the Division of Health Engineering.

I, _____, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system (does does not) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone.

Therefore, I (do do not) recommend the issuance of a permit for the system's installation as proposed by the application.

 LPI Signature

 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.

 SIGNATURE OF THE DEPARTMENT

 DATE

Note: 1. Variances for soil conditions may be approved at the local level as long as the total point assessment is at least the minimum allowed. (See Section 1902.0 for Municipal Review.)
 2. Variances for other than soil conditions or soil conditions beyond the limit of the LPI's authority are to be submitted to the Department for review. (See Section 1901.0 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.



John Elias Baldacci
Governor

State of Maine
Department of Human Services
11 State House Station
Augusta, Maine
04333-0011

March 4, 2004

John R. Nicholas
Acting Commissioner

Nancy Wright
512 Island Avenue
Peaks Island ME 04108

Subject: Approval, First Time System Variance Request, Wright property, Island Avenue, Peaks Island
(Portland)

Dear Ms. Wright:

The Division has reviewed a First Time System Variance Request for the subject property. The proposal is to install a subsurface wastewater disposal system to serve a three-bedroom single-family dwelling. The state variance requested is to allow the installation of the system in soils with eleven inches to the ground water table. The system design, prepared by Albert Frick, SE, dated December 18, 2002, includes an increase in disposal area size and vertical separation plus a septic tank outlet filter and a pretreatment unit known as the Frick Filter in order to achieve the required First Time System Total Point Assessment. The design is found to be in compliance with the Maine Subsurface Wastewater Disposal Rules.

We approve the requested variance with the following requirements:

1. A permit for system installation is to be obtained from the Local Plumbing Inspector in advance of the start of system construction.
2. The system is to be installed in accordance with the submitted and approved system design. Should alterations be required at the time of system installation, the system designer must be notified prior to making any changes.
3. The variance approval is based only on the rules administered by this department. The approval of the variance request does not relieve the property owner from compliance with all other state and local requirements pertaining to the installation, use, and operation of the wastewater disposal system.

By accepting this approval and the associated plumbing permit, the owner agrees to comply fully with the conditions of approval and the Subsurface Wastewater Disposal Rules.

Because installation and owner maintenance has a significant effect on the working order of onsite sewage disposal systems, including their components, the Division makes no representation or guarantee as to the efficiency and/or operation of the system.

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

Sincerely,

Linda S. Robinson, Environmental Specialist II
Wastewater & Plumbing Control Program
Division of Health Engineering
E-mail: linda.robinson@maine.gov

/s/
cc: Michael Nugent, LPI
Albert Frick, SE

FEB 17 2004

RECEIVED

MAR 01 2004

FIRST TIME SYSTEM VARIANCE REQUEST

This form shall accompany an Application (HHS-300) for a proposed first time system which requires a Variance in provisions of the Wastewater Disposal Rules. The local planning board must not issue a permit for the installation of a first time subsurface wastewater disposal system requiring a variance from the Department of Human Resources until approval has been received from them.

WASTEWATER &
PLUMBING PROGRAM

GENERAL INFORMATION		Town of <u>Peaks Island</u>
Permit No. _____	_____	Date Permit Issued _____
Property Owner's Name: <u>Nancy Wright</u>	_____	Tel. No.: <u>766-5615</u>
System's Location: <u>Island Ave</u>	_____	_____
Property Owner's Address: <u>512 Island Ave</u>	_____	_____
(if different from above) <u>Peaks Island, ME 04108</u>	_____	_____

VARIANCE CONDITIONS

The Department has the authority to vary the requirements of the Rules in accordance with Section 105.3 of the Rules ChR 241 if all the following criteria are satisfied:

- The variance request has the approval of the LPI.
- The Municipal Officials have indicated that the variance does not conflict with any local wastewater disposal ordinances.
- The variance request demonstrates that there is no practical alternative for wastewater disposal, such as access to public sewer or the potential for an easement.
- The proposed system does not conflict with any provision controlling subsurface wastewater disposal in the Overland Zone.
- The site offers potential for a system which will dispose of the wastewater with minimal threat to public health, safety, or welfare.
- The property owner has indicated an acceptance of the variance and any conditions or added costs the proposed system may require.

SOIL, SITE AND ENGINEERING FACTORS FOR FIRST TIME VARIANCE ADJUSTMENT

	CHARACTERISTIC	POINT ADJUSTMENT
Soil Profile	3-0	5
Depth to Groundwater/Bedrock Layer	11'	5
Width	side slope	0
Size of Property	20,667 sq ft	-10
Wastewater Volume	2800	5
Water Supply	Public Water	5
Type of Development	Single Family Residence	0
Ground Area Available	14,000 sq ft	5
Vertical Infiltration Adjustment	Min. + 10'	10
Adjusted Total	Waste & Load Ratio (WLR)	100%
TOTAL POINT ADJUSTMENT max. 20%		25

Minimum Point Score and Grade Required for First Time Variance: 100 Points

ADDITIONAL VARIANCE REASONING (To be filled in by the Evaluator)	SECTION OF RULE
1. <u>11' to a water table (Seasonal Groundwater Table Min. 12')</u>	<u>Table 600.2</u>
2. _____	_____
3. _____	_____

EVALUATOR

When a property is found to be unsuitable for subsurface wastewater disposal for a First Time System Variance by a Licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a Variance to the Rules, and the Evaluator in his professional opinion feels the variance request is justified and the site conditions can be approved, he shall document the soil and site conditions on the Application. The Evaluator shall list the specific variances necessary plus describe below the proposed system design and location. The Evaluator shall further describe how the specific site conditions are to be corrected, and provide any other support documentation as required prior to consideration by the Department.
(Use Additional Sheets, if needed)

see attached letter.

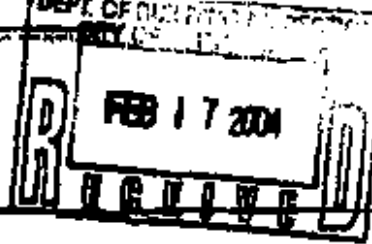
I, _____, do hereby certify that a variance to the Rules is necessary when a system cannot be installed which will completely satisfy all the Rule requirements. In my judgment, the proposed system design on the attached Application is the best alternative available; whereas the potential of the site for subsurface wastewater disposal and that the system should function properly.

SIGNATURE OF SITE EVALUATOR

12/18/2002
DATE

HHS-315 Rev. 0200

2873165



First Time System Variance Request

PROPERTY OWNER
 I, Dave Wright, on the owner agent for the owner of the subject property, I understand that the installation of the Applicant is not in total compliance with the Rules. Should the proposed system malfunction, I release all concerned parties from performance their duties in a responsible and proper manner, and I will promptly notify the Local Plumbing Inspector and make any corrections required by the Rules. By signing the variance request form, I acknowledge permission for representatives of the Department to enter onto the property to perform such duties as may be necessary to evaluate the variance request.
Dave L. Wright SIGNATURE OF OWNER
 2/17/04 DATE
 AGENT FOR THE OWNER

MUNICIPAL OFFICIAL (Mayor, Supervisor, Alderman, Mayor, Town Manager)
 I, City Of Portland, have reviewed this application and am aware that the applicant is applying for a First Time System Variance in the Subsurface Wastewater Disposal Rules because the proposed system does not meet all requirements of the rules. The proposed variance request does does not comply with all Municipal Ordinances relating to subsurface wastewater disposal.
John E. Long SIGNATURE FOR THE MUNICIPALITY
City Manager TITLE
 2-17-04 DATE

LOCAL PLUMBING INSPECTOR - Approval at local level
 The local plumbing inspector shall review all First Time System Variance requests prior to rendering a decision.
 I, Quinn Nugent, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system does does not conflict with any provisions governing subsurface wastewater disposal in the jurisdiction.
 Therefore, I do not do not) approve the requested variance. I will will not) issue a permit for the system's installation as proposed by the applicant.
 _____ LPI Signature _____ Date

LOCAL PLUMBING INSPECTOR - Approval to the Department
 The local plumbing inspector shall review all First Time System Variance requests prior to forwarding to the Division of Health Engineering.
 I, Quinn Nugent, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system does does not conflict with any provisions governing subsurface wastewater disposal in the jurisdiction.
 Therefore, I do not do not) recommend the issuance of a permit for the system's installation as proposed by the applicant.
 _____ LPI Signature _____ 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 Robinson SIGNATURE OF THE DEPARTMENT
 3/4/04 DATE

Note: 1. Variances for soil conditions may be approved at the local level as long as the total point concentration is at least the minimum allowed. (See Section 1802.0 for Municipal Review)
 2. Variances for other than soil conditions or soil conditions beyond the limit of the LPI's authority are to be submitted to the Department for review. (See Section 1801.0 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
ADDENDUM

2009-0251

Application I. D. Number

Wright Joseph D & Nancy L Jts

Applicant

498 Island Ave, Peaks Island, ME 04108

Applicant's Mailing Address

12/8/2003

Application Date

498 Island Ave. PEAKS ISLAND

Project Name/Description

Consultant/Agent

Applicant Ph: (207) 766-5616

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

498 - 498 Island Ave, Portland, Maine

Address of Proposed Site

080 J004001

Assessor's Reference: Chart-Block-Lot

Approval Conditions of DRC

- 1 All damage to sidewalk, curb, street, or public utilities shall be repaired to City of Portland standards prior to issuance of a Certificate of Occupancy.
- 2 Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.
- 3 Your new street address is now 498 ISLAND AVENUE, the number must be displayed on the street frontage of your house prior to issuance of a Certificate of Occupancy.
- 4 A street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible.)
- 5 As-built record information for sewer and stormwater service connections must be submitted to Public Works Engineering Section (55 Portland Street) and approved prior to issuance of a Certificate of Occupancy.
- 6 The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.

Applicant: Joseph & Nancy Wright

Date: 12/29/03

Address: 498 Island Ave, PI

C-B-L: 90-J-004 & S

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New permit # 03-1490

Zone Location - IR-2

Interior or corner lot -

Proposed Use/Work - To construct new 27' x 50' single family with 15' x 50' Deck

Sevage Disposal - Private

Lot Street Frontage - 70' min req - 110.32' shown

post steps shown

Front Yard - 25' min req - 35' scaled to steps

Rear Yard - 25' min req - 55' scaled

Side Yard - 20' min req - 30' & 45' scaled

Projections - rear Deck 15' x 60' front porch & stairs - other front stairs

Width of Lot - 80' min - 118' shown

20' from driveway

Height - 35' max from original grade - 2' scaled

Lot Area - 20,000^{sq} min 20,667^{sq} per assessor's

Lot Coverage Impervious Surface - 20% MAX or 4133.4^{sq} MAX

Area per Family - 20,000^{sq}

Off-street Parking - 2 ply spaces req

Loading Bays - N/A

Site Plan - minor/minor - 2003-0261

Shoreland Zoning/Stream Protection - lot is in 200' shoreland but well over a 75' to high water

Flood Plains - panel 15 - Zone C

27x50 = 1350
15x50 = 750
6x5 = 30
5x5 = 25

2155^{sq}

Needs to show rights to use of the existing ROW for their Driveway Access