



Maine Center for Disease
Control and Prevention
An Office of the
Department of Health and Human Services

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Subsurface Wastewater Unit

Fax (207) 287-4172

October 25, 2013

City of Portland
Jeanie Bourke
389 Congress Street
Portland, Maine 04101

Subject: Approval **WITH STIPULATION**, Replacement System Variance Request, Maybelle Blanchard Property, 621 Island Ave., Peaks Island, Portland, Maine. Mailing Address Of: Owner/Applicant: 7A Appledge Drive, Portland, Maine, 04103.

Jeanie;

We have completed our review of an HHE-200 Form dated 09-19-2013 for the property at 621 Island Ave., Peaks Island, Portland, Maine.

The variance requested which is not within the LPI's authority is from the disposal field to a potable water supply line of 3 feet, to a no full basement of 2 feet, to the property line of 1 foot and from the septic tank to a potable water supply line of 7 feet.

The variances requested that is within the LPI's authority is from the septic tank to the no full basement of 5 feet and to the property line of 6 feet.

The variance request has been submitted because topography and existing development limit the potential of the system location and the system design prepared by Albert Frick, SE # 163 on 09-19-2013 is otherwise found to be in compliance with the Maine Subsurface Wastewater Disposal Rules as long as the **stipulation below is followed and completed before the permitting of this application.**

We approve the local 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 to the design be required at the time of construction, the site evaluator is to be notified prior to making any changes.
3. The contractor is to scarify the soils under the fill extensions to create a transitional zone more compatible with the disposal field area.

4. **BEFORE PERMITTING, THE POTABLE WATER SUPPLY LINE MUST BE INCASED IN A 4 INCH SCHEDULE 40 PVC PIPE, OR STRONGER AT LEAST TEN FEET BEYOND BOTH ENDS OF THE FOOTPRINT OF THE DISPOSAL FIELD AND SEALED AT BOTH ENDS WITH A WATER TIGHT COMPOUND.**

By accepting this approval and the associated plumbing permit, the owner agrees to comply fully with the conditions of approval and the Subsurface Wastewater 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, please feel free to contact me at 592-7376.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Lawson". The signature is fluid and cursive, with the first name "Brent" being larger and more prominent than the last name "Lawson".

Brent Lawson, State Plumbing Inspector
Subsurface Wastewater Program
Division of Environmental Health
e-mail: brent.lawson@maine.gov

/BML

xc: File

Maybelle Blanchard, Owner/Applicant.
Albert Frick, SE

OCT 25 2013



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SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE REQUEST

This form must accompany an application (HHE-200 Form) for any subsurface wastewater disposal system which requires a variance to provisions of the Subsurface Wastewater Disposal Rules. The Local Plumbing Inspector must not issue a permit for the installation of a subsurface wastewater disposal system requiring a variance from the Department of Health and Human Services until approval has been received from the Department.

GENERAL INFORMATION Town of Portland, Peaks Island

Property Owner's Name: Marybelle Blanchard Tel. No.: _____

System's Location: 821 Island Avenue

Property Owner's Address: _____ Zip Code _____

e-mail address: _____

The subsurface wastewater disposal system design for the subject property requires a replacement system variance first time system variance to the Subsurface Wastewater Disposal Rules. This variance requires local approval local and state approval.

SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator. Use additional sheets if needed.)	SECTION OF RULE
1. <u>See Sheet Attached</u>	_____
2. _____	_____
3. _____	_____

SITE EVALUATOR

When a property is found to be unsuitable for subsurface wastewater disposal 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 this 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. Attach a separate sheet if necessary.

I, Albert Frick, 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 Frick SIGNATURE OF SITE EVALUATOR 9/19/2013 DATE

PROPERTY OWNER

I, Danielle Mulkern, 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.

Danielle M. Mulkern / PA Inc SIGNATURE OF OWNER AGENT FOR THE OWNER 10/7/13 DATE

LOCAL PLUMBING INSPECTOR - Approval at local level

The local plumbing inspector shall review all 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 variance requests prior to forwarding to the Division of Environmental Health.

I, Jeanie Bourke #0732 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.

Jeanie Bourke #0732
LPI Signature

10/25/13
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]
SIGNATURE OF THE DEPARTMENT

10/25/13
DATE

Notes: 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 7.B.4 of the Subsurface Wastewater Disposal Rules 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 7.B.3 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

SOIL, SITE AND ENGINEERING FACTORS FOR FIRST TIME SYSTEM VARIANCE ASSESSMENT WITH LIMITING SOIL DRAINAGE CONDITIONS (SEE TABLES 7C THROUGH 7M).

Soil Profile	APPLICANT'S COMMENTS	INSPECTOR'S COMMENTS
Depth to Groundwater/Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
TOTAL POINT ASSESSMENT:		

Minimum Points (Check One): Outside Shoreland Zone-50 Inside Shoreland Zone-65 Subdivision-65

Address: 621 Island Avenue, Peaks Island

Property Owner's Name: Marbelle Blanchard

REPLACEMENT SYSTEM VARIANCE REQUEST ATTACHMENT
Table 8A
Setback Distances for Replacement System, Limits of LPI Authority

VARIANCE CATEGORY	LIMIT OF LPI'S APPROVAL AUTHORITY						VARIANCE REQUESTED TO:	
	Disposal Fields (total design flow)			Septic Tanks and Holding Tanks (total design flow)			Disposal Fields	Septic Tanks
	Less than 1000 gpd	1000 to 2000 gpd	Over 2000 gpd	Less than 1000 gpd	1000 to 2000 gpd	Over 2000 gpd	To	To
SOILS								
Soil Profile	Ground Water Table						inches	
Soil Condition	Restrictive Layer						inches	
from HHE-200	Bedrock						inches	
Site Features vs. disposal system components of various sizes								
Wells with water usage of 2000 or more gpd or public water supply wells	300 ft	300 ft	300 ft	150 ft	150 ft	150 ft		
Potable Supply Well	100 down to 80 ft	200 down to 100 ft	300 down to 150 ft	50 down to 25 ft	100 down to 50 ft	100 down to 50 ft		
Water supply line	10 ft	20 ft	25 ft	10 ft	10 ft	10 ft	9'-5"	7'
Water course, major	100 down to 50 ft	200 down to 120 ft	300 down to 180 ft	100 down to 25 ft [a]	100 down to 50 ft	100 down to 50 ft		
Water course, minor	50 down to 20 ft	100 down to 50 ft	150 down to 75 ft	50 down to 25 ft	50 down to 25 ft	50 down to 25 ft		
Drainage ditches	25 down to 12 ft	50 down to 25 ft	75 down to 35 ft	25 down to 12 ft	25 down to 12 ft	25 down to 12 ft		
Edge of fill extension - Coastal wetlands, special freshwater wetlands, great ponds, rivers, streams	20 ft	25 ft	25 ft	25 ft	25 ft	25 ft		
Slopes greater than 3:1	10 ft	18 ft	25 ft	N/A	N/A	N/A		
No full basement (e.g. slab)	15 down to 7 ft	30 down to 15 ft	40 down to 20 ft	8 down to 5 ft	14 down to 7 ft	20 down to 10 ft	2'	5'
Full basement (below grade foundation, frost wall, columns)	20 down to 10 ft	30 down to 15 ft	40 down to 20 ft	8 down to 5 ft	14 down to 7 ft	20 down to 10 ft		
Property lines	10 down to 5 ft [b]	18 down to 9 ft [b]	20 down to 10 ft [b]	10 down to 4 ft [b]	15 down to 7 ft [b]	20 down to 10 ft [b]	1'	6'
Burial sites or graveyards boundaries, measured from the down toe of the fill extension	25 ft	25 ft	25 ft	25 ft	25 ft	25 ft		
Stormwater infiltration systems	100 down to 60 feet	200 down to 120 feet	300 down to 180 feet	100 down to 50 feet	100 down to 50 feet	100 down to 50 feet		
Wetponds, retention ponds, and detention basins (excavated below grade); Soil filters underdrained swales, underdrained outlets, and similar structures	50 down to 25 feet	100 down to 50 feet	150 down to 75 feet	50 down to 25 feet	50 down to 25 feet	50 down to 25 feet		
Stormwater detention basins (basin bottom at, or above, predevelopment grade)	25 down to 12 feet	50 down to 25 feet	75 down to 35 feet	25 down to 12 feet	25 down to 12 feet	25 down to 12 feet		
OTHER								
1. To allow a retaining wall (no taller than 24") to be located within 10' of proposed disposal area								
2.								
3.								

Notes:

[a.] This distance may be reduced to 25 feet, if the septic or holding tank is tested in LPI's presence and shown to be watertight or of monolithic construction.

[b.] Additional setbacks may be needed to prevent fill material extensions from encroaching onto abutting property.

[c.] All ground disturbance or clearing of woody vegetation necessary for the installation of a subsurface wastewater disposal system that occurs within 100 feet of the normal high water mark of a major water body/ course must comply with these Rules pertaining to work adjacent to or within wetlands and waterbodies (see Section 11(M)).