

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



# CITY OF PORTLAND BUILDING PERMIT

This is to certify that J DUDLEY ETALS WOODBERRY

Located At 24 BIRCHWOOD AVE

Job ID: 2011-09-2172-SUBSRE

CBL: 105-L-021-001

has permission to: Install Non Engineered Treatment Tank

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

11/30/2011

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY

PENALTY FOR REMOVING THIS CARD

## BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov)

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

### Required Inspections:

1. Septic field and extension inspection for bottom preparation/ scarification to verify removal of vegetation, established transitional horizon and erosion and sedimentation control measures.
2. Backfill inspection of septic field for approved materials, stabilization, slopes and extensions.
3. Exposed septic field installation and tank location inspection to check elevations, dimensions, piping, plumbing station and system design prior to covering.

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.

**SUBSURFACE WASTEWATER  
EFFLUENT PIPE LOCATION AGREEMENT  
RE: WOODBERRY PROPERTY**

THIS SUBSURFACE WASTEWATER AGREEMENT is made as of the 16<sup>th</sup> day of November, 2011 by and between KAREN E. WOODBERRY ("OWNER"), individual and owner of property located on Birchwood Avenue, Little Diamond Island (the "Property") and the CITY OF PORTLAND, a body politic and corporate located in Cumberland County, Maine, whose mailing address is 389 Congress Street, Portland, Maine 04101 (the "City").

WHEREAS, OWNER owns the Property which is more particularly portrayed on municipal tax map number 105, Lots 21 and 22 and described in a deed from Jeanne Woodberry to Karen E. Woodberry, Gretchen M. Woodberry Rosenberg and Kristen A. Woodberry, dated October 1, 2010, and recorded in the Cumberland County Registry of Deeds in Book 28281, Page 99; and

WHEREAS, Birchwood Avenue is a paper street as described in City Council Order number 84 and the CITY has continued its rights in said road; and

WHEREAS, the CITY has agreed to allow OWNER to place, construct and locate their effluent line across Birchwood Avenue as depicted and described in the attached application (attached hereto as Exhibit A).

NOW, THEREFORE, in consideration of the foregoing and subject to the terms and conditions hereof, OWNER and the CITY hereby agree as follows:

1. That Birchwood Avenue is a paper street and that there exist public and private rights in said road, which OWNER cannot and will not block; and
2. If the CITY decides to build Birchwood Avenue at any time hereafter, OWNER may, at their own cost, have to remove, move and/or adjust the location of the effluent pipe that they are installing, and re-install the effluent pipe in whatever location and to whatever standard the CITY requires as part of the building of the road; and
3. OWNER shall install the effluent line as per City standards and as required by the Subsurface Wastewater Disposal System Permit (see permit attached hereto as Exhibit B); and
4. It is not the CITY'S responsibility to maintain, repair, reconstruct, build, locate and/or construct OWNER'S effluent pipe. Instead, the effluent pipe is the OWNER'S sole responsibility.

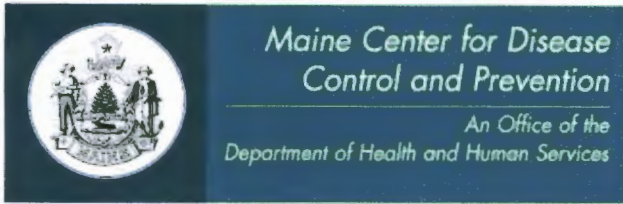
Witness: Daniela Santana

Karen Woodberry  
Karen E. Woodberry



Witness: Judith Rosen

CITY OF PORTLAND  
Mark H. Rees  
By: Mark H. Rees



2011-09-2172

Department of Health and Human Services  
Maine Center for Disease Control and Prevention  
286 Water Street  
# 11 State House Station  
Augusta, Maine 04333-0011  
Tel: (207) 287-5672  
Fax: (207) 287-4172; TTY: 1-800-606-0215

## 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.

<b>GENERAL INFORMATION</b>		Town of <u>PORTLAND, LITTLE DIAMOND ISLAND</u>
Property Owner's Name:	<u>J. DUDLEY &amp; KAREN WOODBERRY</u>	Tel. No.: <u>773-9600</u>
System's Location:	<u>BIRCHWOOD AVENUE, LITTLE DIAMOND AVENUE</u>	
Property Owner's Address:	<u>51 MAPLE STREET, NORTH ANDOVER, MA</u>	Zip Code <u>01845</u>
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.

<b>SPECIFIC VARIANCE REQUESTED</b> (To be filled in by Site Evaluator. Use additional sheets if needed.)	<b>SECTION OF RULE</b>
1. <u>REPLACEMENT SEPTIC TANK LOCATED 4' FROM PROPERTY LINE (SEE LETTER ATTACHED)</u>	<u>SEC. 8, TABLE 8A</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 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. 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

7/8/2011  
DATE

**PROPERTY OWNER**

I, Karen Woodberry, 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. I 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.

Karen Woodberry  
 SIGNATURE OF OWNER  
 AGENT FOR THE OWNER

7-12-11  
DATE

**SUBSURFACE WASTEWATER  
EFFLUENT PIPE LOCATION AGREEMENT  
RE: DUDLEY AND WOODBERRY**

THIS SUBSURFACE WASTEWATER AGREEMENT is made as of the \_\_\_\_ day of October, 2011 by and between J. DUDLEY and KAREN WOODBURY (“OWNER”), individuals and owners of property located on Birchwood Avenue, Little Diamond Island (the “Property”) and the CITY OF PORTLAND, a body politic and corporate located in Cumberland County, Maine, whose mailing address is 389 Congress Street, Portland, Maine 04101 (the “City”).

WHEREAS, OWNER owns the Property which is more particularly portrayed on municipal tax map number 105, Lots 21 and 22 and described in a deed from to , dated , and recorded in the Cumberland County Registry of Deeds in Book , Page ; and

WHEREAS, Birchwood Avenue is a paper street as described in City Council Order number 84 and the CITY has continued its rights in said road; and

WHEREAS, the CITY has agreed to allow OWNER to place, construct and locate their effluent line across Birchwood Avenue as depicted and described in the attached application (attached hereto as Exhibit A).

NOW, THEREFORE, in consideration of the foregoing and subject to the terms and conditions hereof, OWNER and the CITY hereby agree as follows:

1. That Birchwood Avenue is a paper street and that there exist public and private rights in said road, which OWNER cannot and will not block; and
2. If the CITY decides to build Birchwood Avenue at any time hereafter, OWNER may, at their own cost, have to remove, move and/or adjust the location of the effluent pipe that they are installing, and re-install the effluent pipe in whatever location and to whatever standard the CITY requires as part of the building of the road; and
3. OWNER shall install the effluent line as per City standards and as required by the Subsurface Wastewater Disposal System Permit (see permit attached hereto as Exhibit B); and
4. It is not the CITY’S responsibility to maintain, repair, reconstruct, build, locate and/or construct OWNER’S effluent pipe. Instead, the effluent pipe is the OWNER’S sole responsibility.

Dated at Portland, Maine this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

STATE OF MAINE  
CUMBERLAND, ss.

Date:

\_\_\_\_\_  
Personally appeared the above-named \_\_\_\_\_, and  
acknowledged the foregoing instrument to be his/his free act and deed.

Before me,

\_\_\_\_\_  
Notary Public/Attorney at Law

Print name: \_\_\_\_\_

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Div of Environmental Health, 11 SHS  
(207) 287-5672 FAX (207) 287-3165

<b>PROPERTY LOCATION</b>		>>CAUTION: PERMIT REQUIRED - ATTACH IN SPACE BELOW<<
City, Town, or Plantation	<b>PORTLAND, LITTLE DIAMOND ISLAND</b>	# 117 130
Street or Road	<b>BIRCHWOOD ROAD</b>	
Subdivision, Lot #		
<b>OWNER/APPLICANT INFORMATION</b>		# 1112
Name (last, first, MI) <b>WOODBERRY J. DUDLEY &amp; KAREN</b> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Applicant		
Mailing Address of Owner/Applicant	<b>51 MAPLE STREET NORTH ANDOVER, MA 01845</b>	
Daytime Tel. #		
<b>OWNER OR APPLICANT STATEMENT</b>		<b>CAUTION: INSPECTION REQUIRED</b>
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a permit.		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.
<i>Karen Woodberry</i> <u>7-12-11</u> Signature of Owner/Applicant Date		2011 09 21 77 _____ Local Plumbing Inspector Signature
		_____ (1st) Date Approved  _____ (2nd) Date Approved

PERMIT INFORMATION		
<b>TYPE OF APPLICATION</b> <b>N/A</b> <input type="checkbox"/> 1. First Time System <input type="checkbox"/> 2. Replacement System Type Replaced: _____ Year Installed: _____ <input type="checkbox"/> 3. Expanded System <input type="checkbox"/> a. <25% Expansion <input type="checkbox"/> b. ≥25% Expansion <input type="checkbox"/> 4. Experimental System <input type="checkbox"/> 5. Seasonal Conversion	<b>THIS APPLICATION REQUIRES</b> <b>SEE LETTER ATTACHED TO TAMMY MUNSON DATED 7-7-11</b> <input type="checkbox"/> 1. No Rule Variance <input type="checkbox"/> 2. First Time System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input checked="" type="checkbox"/> 3. Replacement System Variance <input checked="" type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Permit	<b>DISPOSAL SYSTEM COMPONENTS</b> <input type="checkbox"/> 1. Complete Non-Engineered System <input type="checkbox"/> 2. Primitive System (graywater & alt toilet) <input type="checkbox"/> 3. Alternative Toilet, specify: _____ <input checked="" type="checkbox"/> 4. Non-Engineered Treatment Tank (only) <input type="checkbox"/> 5. Holding Tank, _____ gallons <input type="checkbox"/> 6. Non-Engineered Disposal Field (only) <input type="checkbox"/> 7. Separated Laundry System <input type="checkbox"/> 8. Complete Engineered System (2000gpd+) <input type="checkbox"/> 9. Engineered Treatment Tank (only) <input type="checkbox"/> 10. Engineered Disposal Field (only) <input type="checkbox"/> 11. Pre-treatment, specify: _____ <input type="checkbox"/> 12. Miscellaneous components
<b>SIZE OF PROPERTY</b> <b>0.58+/-</b> <input type="checkbox"/> SQ. FT. <input checked="" type="checkbox"/> ACRES	<b>DISPOSAL SYSTEM TO SERVE</b> <input checked="" type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: <u>5</u> <input type="checkbox"/> 2. Multiple Family Dwelling, No of Units: _____ <input type="checkbox"/> 3. Other: _____ (specify) Current Use <input checked="" type="checkbox"/> Seasonal <input type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped	<b>TYPE OF WATER SUPPLY</b> <input type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input checked="" type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other: _____
<b>SHORELAND ZONING</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

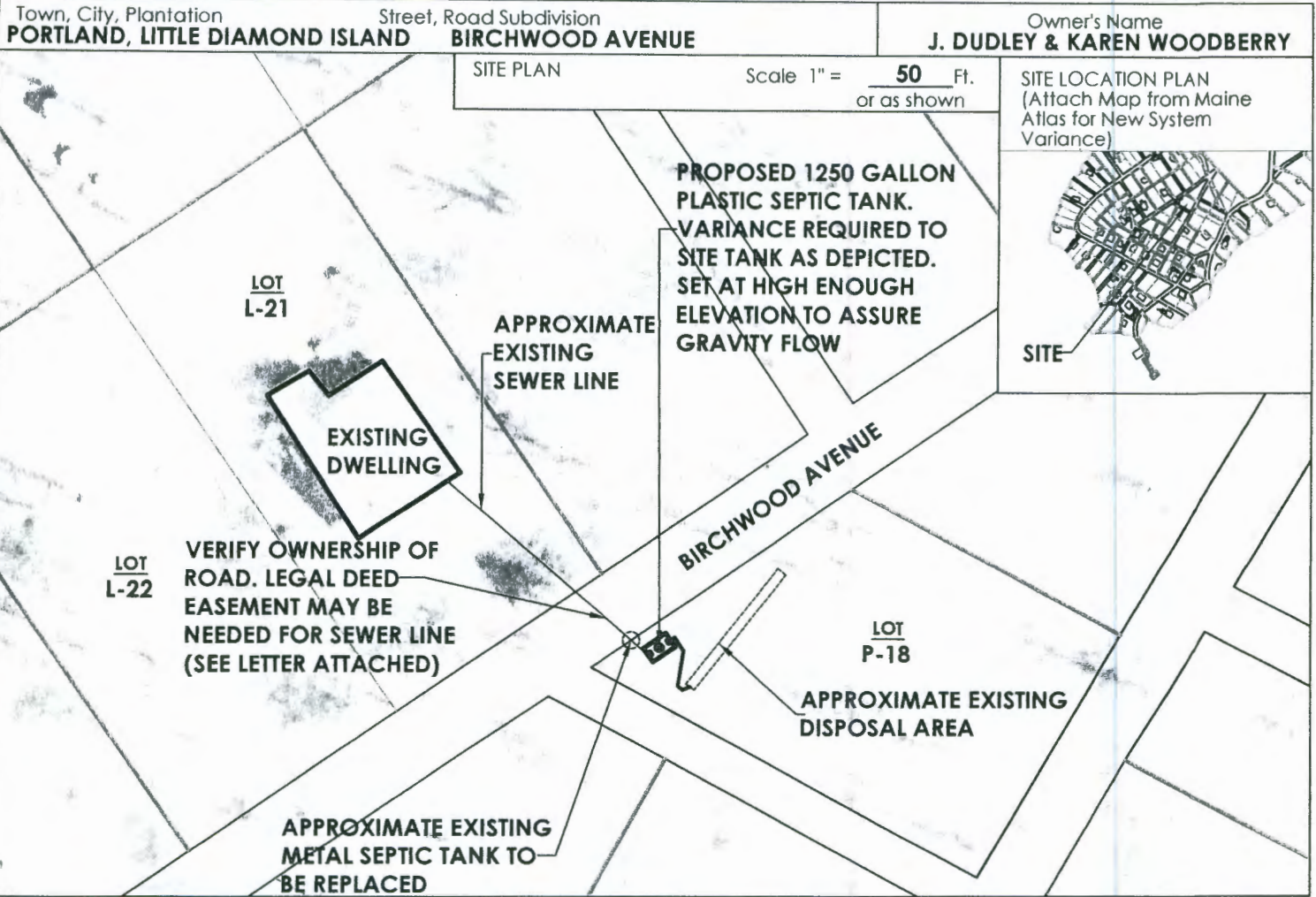
DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)			
<b>TREATMENT TANK</b> <input type="checkbox"/> 1. Concrete <input type="checkbox"/> a. Regular <input type="checkbox"/> b. Low Profile <input checked="" type="checkbox"/> 2. Plastic <input type="checkbox"/> 3. Other: _____ CAPACITY: <u>1250</u> GAL.	<b>DISPOSAL FIELD TYPE &amp; SIZE</b> <input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench <input type="checkbox"/> 3. Proprietary Device <input type="checkbox"/> a. Cluster array <input type="checkbox"/> c. Linear <input type="checkbox"/> b. Regular <input type="checkbox"/> d. H-20 loaded <input type="checkbox"/> 4. Other: _____ SIZE: _____ sq. ft. <input type="checkbox"/> in. ft. <b>N/A</b>	<b>GARBAGE DISPOSAL UNIT</b> <input type="checkbox"/> 1. No <input type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe If Yes or Maybe, specify one below: <input type="checkbox"/> a. Multi-compartment tank <input type="checkbox"/> b. _____ tanks in series <input type="checkbox"/> c. Increase in tank capacity <input type="checkbox"/> d. Filter on tank outlet <b>N/A</b>	<b>DESIGN FLOW</b> <u>450</u> gallons per day BASED ON: <input checked="" type="checkbox"/> 1. Table 4A (dwelling unit(s)) <input type="checkbox"/> 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities <b>SINGLE-FAMILY DWELLING 5 BEDROOMS AT 90 GPD EACH</b>  <input type="checkbox"/> 3. Section 4G (meter readings) ATTACH WATER-METER DATA <b>LATITUDE AND LONGITUDE</b> at center of disposal area Lat. <u>43</u> d <u>39</u> m <u>50</u> s Lon. <u>70</u> d <u>12</u> m <u>35</u> s if g.p.s., state margin of error
<b>SOIL DATA &amp; DESIGN CLASS</b> PROFILE <u>N/A</u> / CONDITION <u>N/A</u> at Observation Hole # <u>N/A</u> Depth <u>N/A</u> " of Most Limiting Soil Factor	<b>DISPOSAL FIELD SIZING</b> <b>N/A</b> <input type="checkbox"/> 1. Medium - 2.6 sq.ft./gpd <input type="checkbox"/> 2. Medium-Large - 3.3 sq.ft./gpd <input type="checkbox"/> 3. Large - 4.1 sq.ft./gpd <input type="checkbox"/> 4. Extra-Large - 5.0 sq.ft./gpd	<b>EFFLUENT/EJECTOR PUMP</b> <b>N/A</b> <input type="checkbox"/> 1. Not required <input type="checkbox"/> 2. May be required <input type="checkbox"/> 3. Required Specify only for engineered systems: DOSE: _____ gallons	

SITE EVALUATOR STATEMENT		
I Certify that on <u>6-22-11</u> (date) I 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 (10-144A CMR 241).		
_____ Site Evaluator Signature	163 SE #	<u>7/8/2011</u> Date
ALBERT FRICK Site Evaluator Name Printed	(207) 839-5563 Telephone Number	albert@albertfrick.com E-mail Address
ALBERT FRICK ASSOCIATES - 95A COUNTY ROAD ROAD GORHAM, MAINE 04038 - (207) 839-5563 Note: Changes to or deviations from the design should be confirmed with the Site Evaluator		



# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
 Division of Health Engineering, Station 10 SHS  
 (207) 287-5672 FAX (207) 287-4172



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

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

Texture	Consistency	Color	Mottling
0			
10			
20			
30			
40			
50			

**N/A**

Soil Classification	Slope	Limiting Factor	<input type="checkbox"/> Ground Water
Profile _____ Condition _____	_____ %	_____	<input type="checkbox"/> Restrictive Layer
			<input type="checkbox"/> Bedrock
			<input type="checkbox"/> Pit Depth

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

Texture	Consistency	Color	Mottling
0			
10			
20			
30			
40			
50			

Soil Classification	Slope	Limiting Factor	<input type="checkbox"/> Ground Water
Profile _____ Condition _____	_____ %	_____	<input type="checkbox"/> Restrictive Layer
			<input type="checkbox"/> Bedrock
			<input type="checkbox"/> Pit Depth

*Albert Frick*  
 Site Evaluator Signature

163  
 SE #

7/8/2011  
 Date



**Albert Frick Associates, Inc.**

**Soil Scientists & Site Evaluators**

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

Albert Frick, SS, SE  
James Logan, SS, SE  
Matthew Logan, SE  
Brady Frick, SE  
Bryan Jordan, SE  
William O'Connor, SE  
Noel Dunn, Office Manager

July 7, 2011

Tammy Munson  
Division Director of Inspection Services Program  
389 Congress Street  
Portland, ME 04101

Re: Proposed septic tank for Dudley J. & Karen Woodberry, Birchwood Road (Map 105, Lot P18, 21 & 22). Little Diamond Island, Portland, ME (easement across existing right-of-way)

Dear Ms. Munson:

Attached is a HHE-200 application and site plan which was done in behalf of the Woodberrys. Albert Frick Associates is proposing to replace the existing steel septic tank which is in poor condition, with a new 1000 gallon plastic septic tank.

The existing septic tank and line sewer line from the dwelling is located in the paper right-of-way of Birchwood Road. The proposal is to place the new septic tank entirely on the Woodberry's property which is located on the opposite side of the road than the dwelling. The septic tank would be placed on Lot P18, which is the same lot that the existing plastic chamber system is located on. A local variance is needed to place the septic tank 4' from the paper right-of-way, in order to maintain gravity flow to the existing disposal area.

It is my understanding that, typically, if a municipality has 'officially' abandoned the paper street (Birchwood Avenue), then the Woodberrys, who own property on both sides of the road, may own the road, therefore having the right to place the sewer in the road. If, however, the City still has ownership of the Birchwood Road, a legal deed easement may be needed/prudent to provide for the sewer line to remain in the right-of-way.

Please contact me if you have any questions or additional matters for discussion.

Respectfully,

Albert Frick

Enc. Master plan  
HHE-200 form

Cc. John Rioux, Local Plumbing Inspector  
Dudley J. and Karen Woodberry