



# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering

Town, City, Plantation  
**PORTLAND, CLIFF ISLAND**

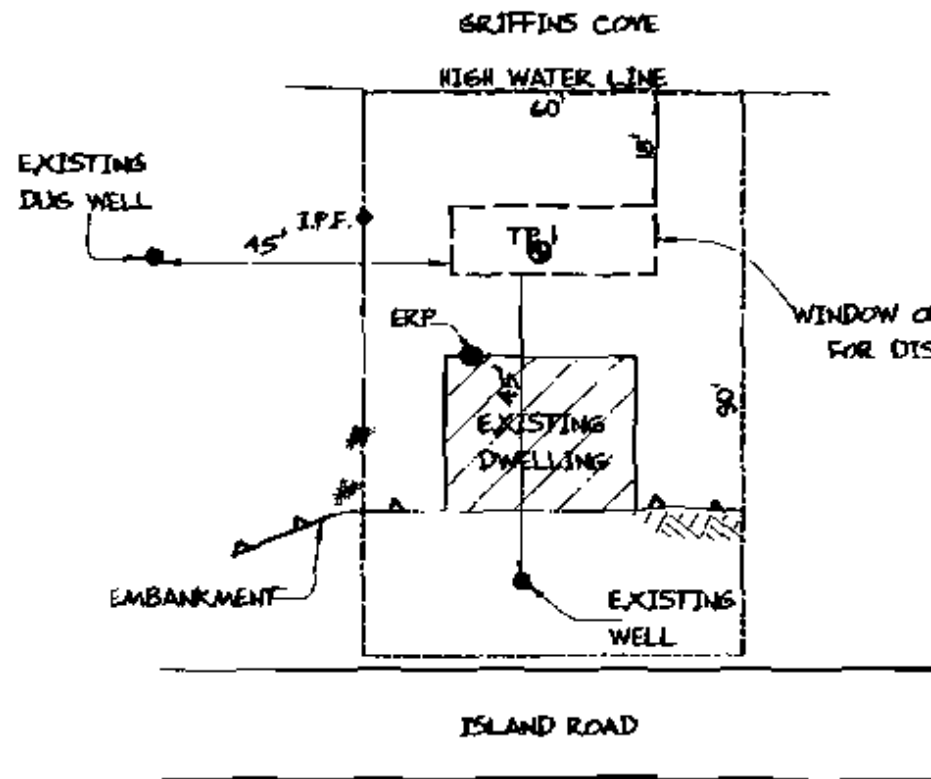
Street, Road Subdivision  
**ISLAND ROAD**

Owner's Name  
**JOSEPH BENNETT**

SITE PLAN Scale 1" = 30 Ft. or as shown

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

**SEE ATTACHED TOPO**



**RECOMMEND OVERBOARD DISCHARGE**

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

Observation Hole TP1  Test Pit  Boring  
" Depth of Organic Horizon Above Mineral Soil

| DEPTH BELOW MINERAL SOIL SURFACE (feet) | Texture    | Consistency | Color      | Mottling |
|---|------------|-------------|------------|----------|
| 0                                       |            |             |            |          |
| 10                                      | SANDY LOAM | FRIABLE     | DARK BROWN |          |
| 20                                      |            |             |            |          |
| 30                                      | BEDROCK    |             |            |          |
| 40                                      |            |             |            |          |
| 50                                      |            |             |            |          |

Soil Classification: 12 Profile A Condition 24  
 Limiting Factor: 24  
 Ground Water  
 Restrictive Layer  
 Bedrock  
 Pit Depth

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

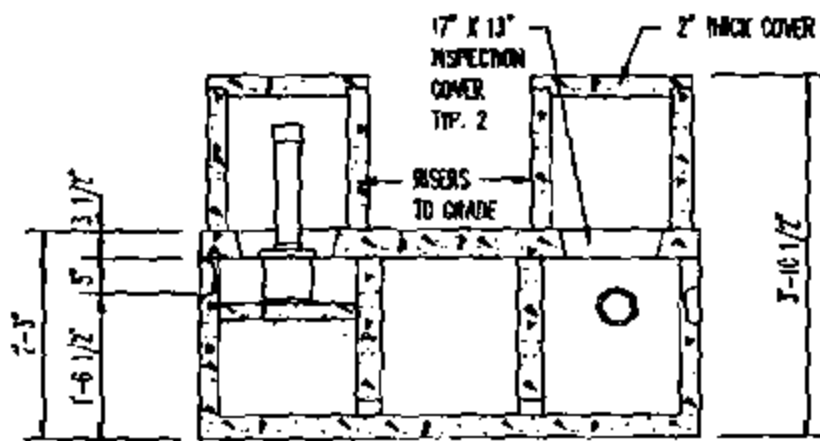
| DEPTH BELOW MINERAL SOIL SURFACE (feet) | Texture | Consistency | Color | Mottling |
|---|---------|-------------|-------|----------|
| 0                                       |         |             |       |          |
| 10                                      |         |             |       |  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

Soil Classification:          Profile          Condition           
 Limiting Factor:           
 Ground Water  
 Restrictive Layer  
 Bedrock  
 Pit Depth

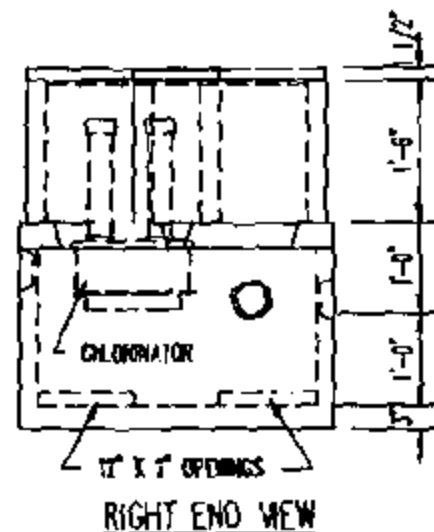
*Albert Frick*  
Site Evaluator Signature

K5  
SE

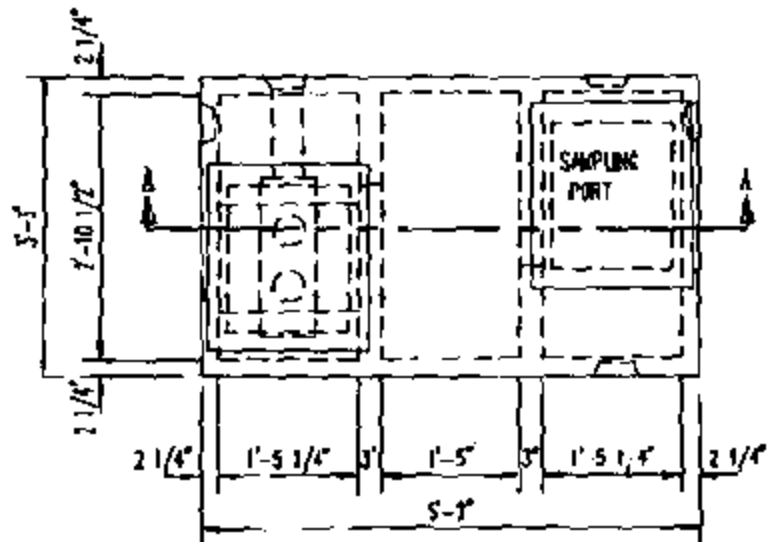
10/4/2000  
Date



SECTION A-A



RIGHT END VIEW



PLAN VIEW

NOTES:

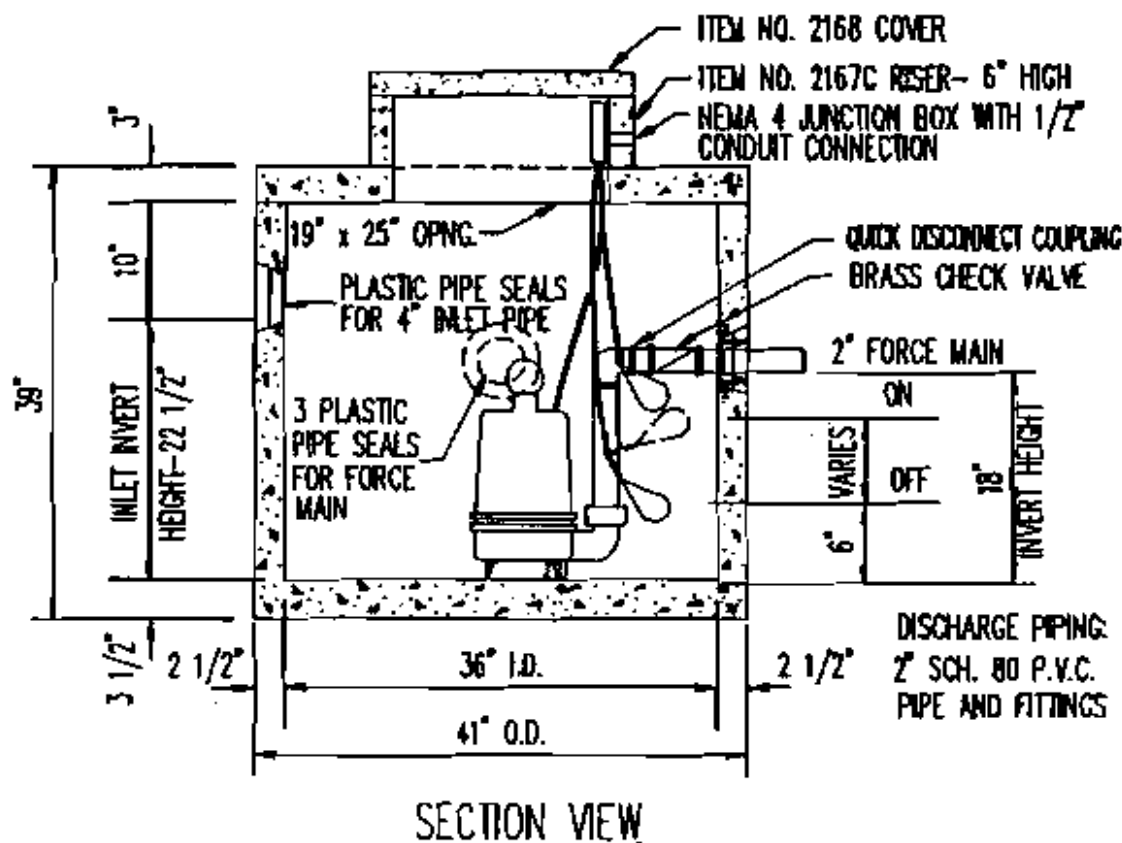
1. CHOICE OF SANURIL CHLORINATOR:  
A. MINI-SAN 200 TO 1500 GAL./DAY  
B. MINI-SAN 100 TO 7500 GAL./DAY
2. CONCRETE: 4,000 PSI AFTER 28 DAYS.
3. REINFORCING: 6X6/10X10 W.W.M.
4. WEIGHT: 2500lbs. W/D RISER BLOCKS.
5. RETENTION CAPACITY IS APPROX. 90 GAL.
6. LARGER CHAMBERS ARE AVAILABLE.

ITEM NO. K-1900



**SUPERIOR**  
CONCRETE CO., INC.  
AUBURN, ME.

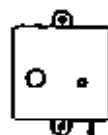
PRECAST CHLORINE  
CONTACT CHAMBER



REINFORCED PRECAST CONCRETE  
 WET WELL WITH A

**BARNES**

SE411 (4/10 HP 115V 1Ø)  
 SUBMERSIBLE PUMP



HIGH WATER ALARM  
 WITH RED LIGHT, BUZZER, AND  
 ONE MERCURY FLOAT SWITCH  
 SEE PAGE IIIA3

- ITEM # 3155B MODEL NO. SES1 (1/2 H.P., 115V., 1Ø)  
 ITEM # 3155C MODEL NO. EH51 (1/2 H.P., 115V., 1Ø)  
 ITEM # 3155D MODEL NO. EH102 (1 H.P., 230V., 1Ø)

**NOTES:**

1. PROVIDED WITH 30 FEET OF CABLE.
2. HEAVY CAST IRON MOTOR COVER AND PUMP CASE.
3. ADJUSTABLE LEVEL CONTROL SWITCHES.
4. AVAILABLE IN 4" CO. PUMP TANK.
5. AVAILABLE WITH ABOVE GROUND JUNCTION BOX - SEE PAGE IIIA3.

ITEM NO. 3155A

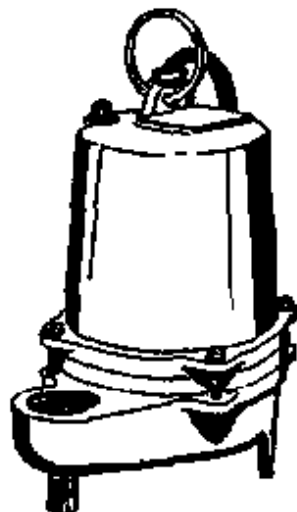


**SUPERIOR**  
 CONCRETE CO., INC.  
 AUBURN, ME.

PACKAGE RESIDENTIAL  
 LIFT STATION

**SUBMERSIBLE WASTEWATER PUMPS**  
**2" Non-Clogs**  
**1-1/2" Spherical Solids Handling**

|            |      |
|------------|------|
| SECTION    | 4A   |
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| ISSUED     | 7/92 |
| SUPERSEDES | 7/90 |



**Series: SE .4 HP**  
**1750 RPM**  
**(SE411 & SE421)**



**PUMP SPECIFICATIONS**

**DISCHARGE:** 2" NPT, Vertical  
**LIQUID TEMPERATURE:** 160° F Intermittent.  
**VOLUTE:** Cast Iron, ASTM A-48 Class 30.  
**MOTOR HOUSING:** Cast Iron ASTM A-48, Class 30.  
**SEAL PLATE:** Cast Iron ASTM A-48 Class 30.  
**IMPELLER:**

*Design:* 2 Vane, Open, With Pump Out  
 Vanes On Back Side. Dynamically  
 Balanced.

*Material:* Zytel 70G43 Nylon, Glass Filled.

**SHAFT:** 416 Stainless Steel  
**SQUARE RINGS:** Buna-N  
**HARDWARE:** 300 Series Stainless Steel  
**PAINT:** Air Dry Enamel  
**SEAL:** *Design:* Single Mechanical Oil-Filled With  
 Secondary Exclusion Seal

*Material:* Rotating Face - Carbon  
 Stationary Face - Ceramic  
 Elastomer - Buna-N  
 Hardware - 300 Series Stainless

**CABLE ENTRY:** 15 ft. Cord (Plug On 115 Volt),  
 Pressure Grommet For Sealing And  
 Strain Relief.

**SPEED:** 1750 RPM (Nom.)

**UPPER BEARING:**  
*Design:* Sleeve  
*Lubrication:* Oil  
*Load:* Radial

**LOWER BEARING:**  
*Design:* Single Row, Ball  
*Lubrication:* Oil  
*Load:* Radial & Thrust

**MOTOR:**  
*Design:* NEMA B, Completely Oil-Filled,  
 Squirrel Cage Induction  
*Insulation:* Class A

**SINGLE PHASE:** Permanent Split Capacitor  
 (PSC) Includes Overload Protection In Motor.  
**OPTIONAL EQUIPMENT:** Seal Face Material,  
 Additional Cable and Cast Iron Impeller.



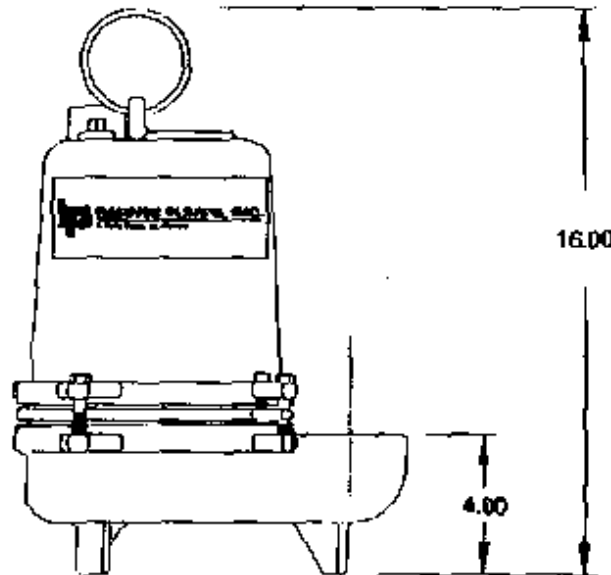
**BARNES PUMPS, INC.**

A Barnes Pumps, Inc. Company  
 Distributor Sales & Service Dept.  
 420 Third Street/PO Box 623  
 Piquette, Ohio 45358-0623  
 Ph: (513) 773-2442  
 Fax: (513) 773-2228

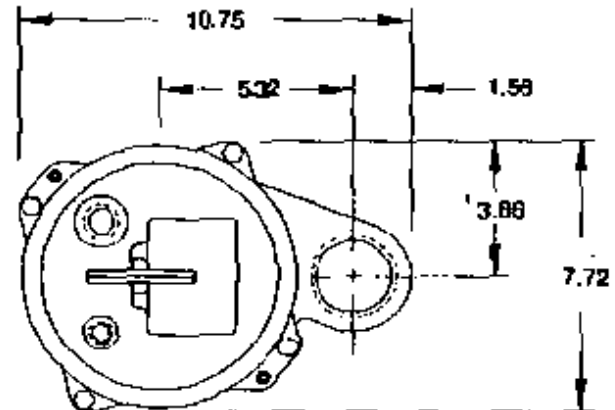
Special Bids & Project Sales  
 1455 Lexington Ave.  
 Mansfield, Ohio 44907-2674  
 Ph: (419) 774-1511  
 Fax: (419) 774-1630



|            |      |
|------------|------|
| SECTION    | 4A   |
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| ISSUED     | 7/92 |
| SUPERSEDES | 7/91 |



SE411A supplied with Wide Angle Level Control attached to pump.



| MODEL NO. | PART NO. | HP  | VOLT | PH | RPM (Nom) | NEMA CODE | FULL LOAD AMPS | LOCKED ROTOR AMPS | CORD SIZE | CORD TYPE | CORD OD |
|-----------|----------|-----|------|----|-----------|-----------|----------------|-------------------|-----------|-----------|---------|
| SE411     | 089701   | 0.4 | 115  | 1  | 1750      | A         | 10.0           | 19.0              | 14/3      | SJTO      | 0.390   |
| SE411A    | 082215   | 0.4 | 115  | 1  | 1750      | A         | 10.0           | 19.0              | 14/3      | SJTO      | 0.390   |
| SE421     | 082089   | 0.4 | 230  | 1  | 1750      | A         | 5.0            | 9.5               | 14/3      | SJTO      | 0.390   |



Underwriters Laboratories Inc.®

**IMPORTANT!**

- 1.) **DO NOT** USE THIS PUMP TO PUMP FLAMMABLE LIQUIDS.
- 2.) THIS PUMP IS **NOT** RECOMMENDED FOR USE IN LOCATIONS SPECIFIED AS HAZARDOUS.
- 3.) THIS PUMP IS **NOT** APPROVED FOR USE IN SWIMMING POOLS, RECREATIONAL WATER INSTALLATIONS, DECORATIVE FOUNTAINS OR ANY INSTALLATION WHERE HUMAN CONTACT WITH THE PUMPED FLUID IS COMMON WHILE THE PUMP IS RUNNING.
- 4.) PUMP CAN BE OPERATED DRY FOR EXTENDED PERIODS WITHOUT DAMAGE TO MOTOR AND/OR SEALS.



**BARNES PUMPS, INC.**

A Barnes Pump, Inc. Company  
 Distributor Sales & Service Dept.  
 420 Third Street/PO Box 600  
 Piquette, Ohio 45356-0603  
 Ph: (513) 773-2442  
 Fax: (513) 773-2238

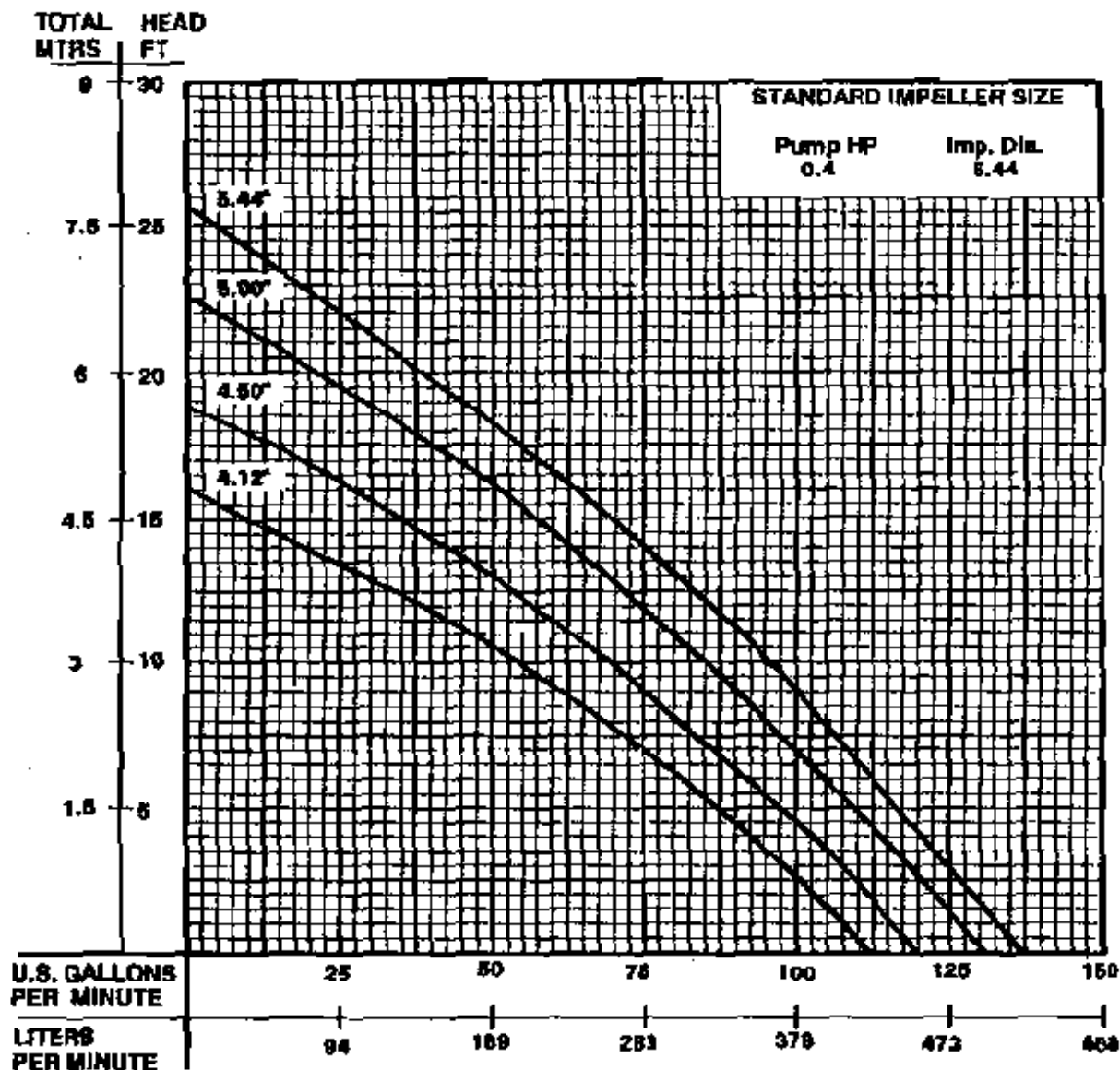
Special Bids & Project Sales  
 1480 Lexington Ave.  
 Mansfield, Ohio 44907-2674  
 Ph: (419) 774-1511  
 Fax: (419) 774-1530



# PERFORMANCE CURVE

## SERIES: SE ,0.4 HP, 1750RPM

|            |      |
|------------|------|
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| ISSUED     | 7/92 |
| SUPERSEDES | 7/90 |



Testing is performed with water, specific gravity of 1.0 @ 68° F, other fluids may vary performance.



## BARNES PUMPS, INC.

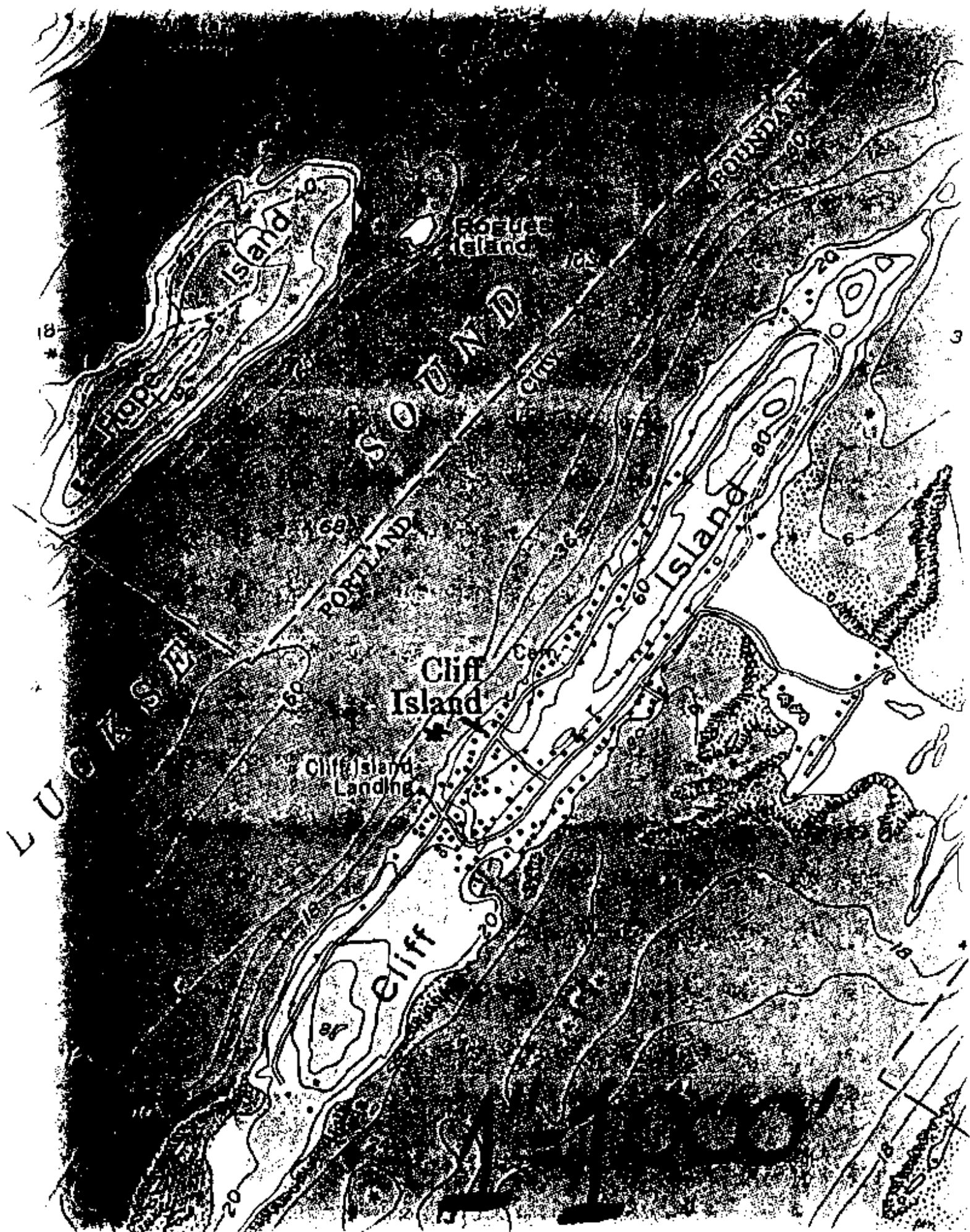
A Barnes Pump, Inc. Company  
Distributor Sales & Service Dept.  
480 Third Street/PO Box 609  
Miqua, Ohio 43068-0609  
Ph: (613) 773-8442  
Fax: (613) 773-2228

Special Bids & Project Sales  
1465 Lexington Ave.  
Mansfield, Ohio 44907-2874  
Ph: (419) 774-1511  
Fax: (419) 774-1530



- B** 1. The Department may issue a license for an existing but previously unlicensed overboard discharge only if all of the following criteria are met:
- (a) The applicant demonstrates with clear and convincing evidence that an overboard discharge was in continuous existence for the 12 months preceding June 1, 1987; and
  - (b) A subsurface waste water disposal system cannot be installed in compliance with the State of Maine Subsurface Waste water Disposal Rules on land owned or controlled by the applicant; and
  - (c) A publicly owned sewer line is not located on or abutting land owned or controlled by the applicant or is not available for the applicant's use; and
  - (d) The discharge is not located within the boundaries of a sanitary or sewer district and the district has not agreed to service and maintain a holding tank at an annual fee that does not exceed those fees charged to other similar users of the district's services who are physically connected to the sewers of the district; and
  - (e) The discharge is not a seasonal residential overboard discharge located on the mainland or on any island connected to the mainland by vehicle bridge or scheduled car ferry service; and
  - (f) The receiving water is not:
    - (i) A shellfish harvesting area;
    - (ii) A Class GP-A, AA, A, or SA water;
    - (iii) A tributary to Class GP-A water; or
    - (iv) A waterbody with a drainage area of less than 10 square miles; and
  - (g) Removal of the discharge alone or in combination with other discharges will not result in an increase in the dissolved oxygen level of the receiving water of at least one part per million; and
  - (h) The discharge meets the requirements of 38 M.R.S.A. §§ 414-A, 464, 465, 465-A and 465-B; and
  - (i) The discharge receives best practicable treatment pursuant to Section K of this regulation.
2. Any applicant for a new waste discharge license who fails to comply with sub-section (a) through (e) above shall be denied a waste discharge license and ordered to terminate the discharge. Any applicant for a new waste discharge license who fulfills sub-section (a) through (c) but fails to comply with sub-sections (f) through (h) above, shall be issued a conditional permit. Sub-section (i) must be met by all applicants. (See Section D of this regulation for conditional permit details.)





MARCH 18, 1991

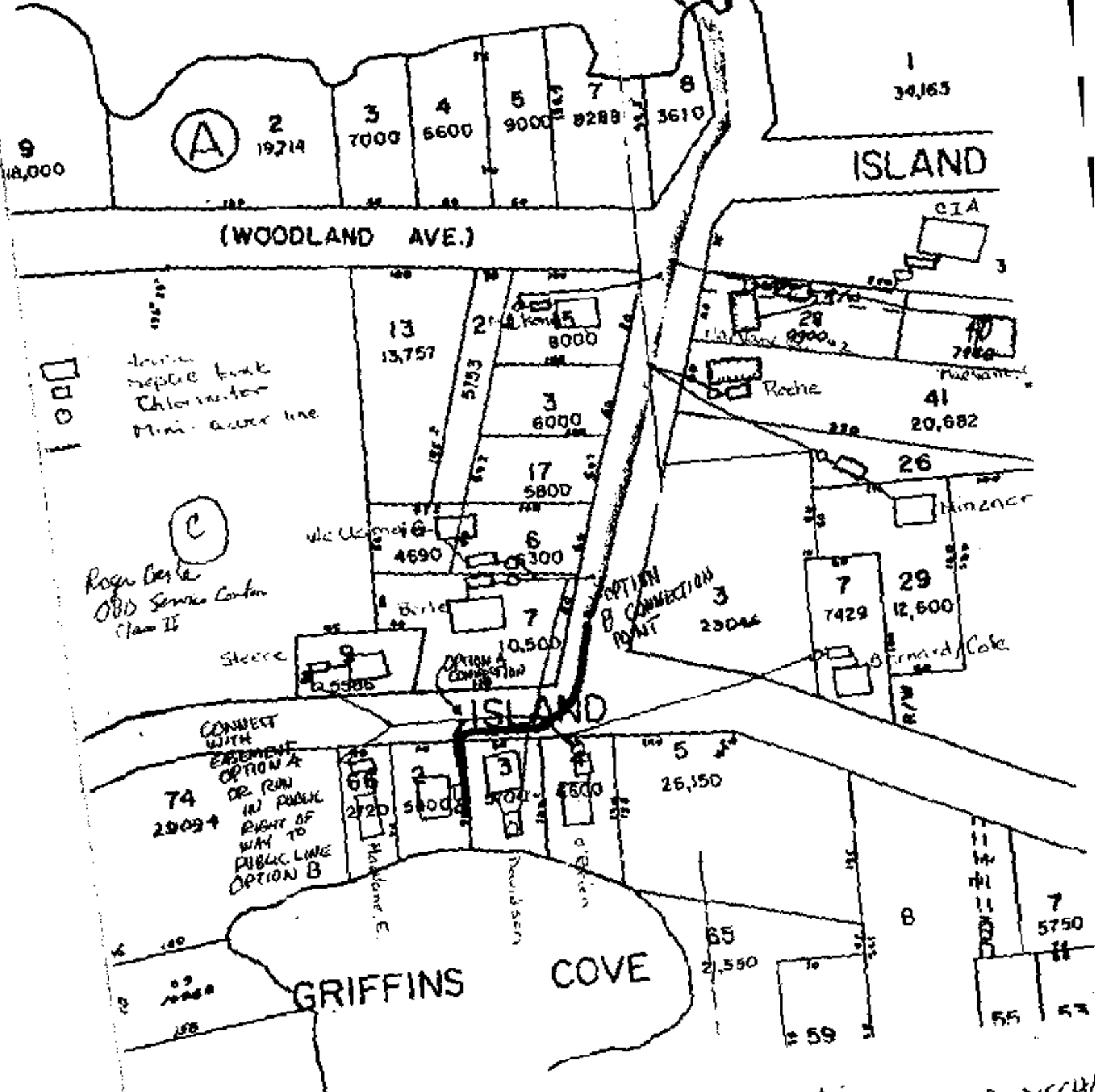


FIGURE 1:  
EXISTING OVERBOARD DISCHARGE

Cliff Island Mini-Community Sewer Line: Membership Addresses

|  |                                  |                                |
|--|----------------------------------|--------------------------------|
| Roger Berle<br>*(#W003176)             | 6 Island Avenue                  | Cliff Island, Maine 04019      |
| Cliff Island Association,              | c/o David Crowley, President     | Cliff Island, Maine 04019      |
| Phil Cole                              | 120 Walnut Tree Hill Road        | Sandy Hook, Connecticut 06482  |
| Alan Kidder<br>** (Davidson: #W001117) | PSC # 557, Box # 74              | FPO-AP 96379-0074              |
| Ethel MacVane<br>** (#W003518)         | 300 East Bridge Street           | Westbrook, Maine 04092         |
| Gary MacVane                           |                                  | Cliff Island, Maine 04019      |
| Paul MacVane Estate,                   | c/o Gary MacVane                 | Cliff Island, Maine 04019      |
| Norman McKone,<br>*(#W001433)          | DCS Tunis                        | Washington, DC 20521-6360      |
| Ray Minzner                            | #215 Rio Villa Drive #3263       | Punta Gorda, Florida 33950     |
| Margaret O'Brien<br>** (#W001116)      | 89 Indian Trail                  | Duxbury, Massachusetts 02332   |
| Ben Potter                             | 31 West Bourne Road,             | Concord, New Hampshire 03301   |
| Nancy Roche                            | Tantumoranum Road                | Lyme, Connecticut 06371        |
| Lincoln Shodd                          | Dolly Road                       | Concord, New Hampshire 03301   |
| Anne Steere                            | P.O. Box # 131, Fairgrounds Road | Bradford, New Hampshire 03221  |
| Harry Wellman                          | 330 Gorwin Drive                 | Holliston, Massachusetts 01746 |



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.  
GOVERNOR

MARTHA KIRKPATRICK  
COMMISSIONER

October 30, 2000

Joseph Bennett  
222 Osceola Drive  
Winter Park, FL 32789

RE: Waste Discharge Application #W00812D-5A-A-N in Portland, Maine.

Dear Mr. Bennett:

I received your application for the initial issuance of a waste discharge license today. However, the application is incomplete and we cannot accept it for processing. Your application lacks the following items:

1. Clear and convincing evidence that the overboard discharge was in continuous existence for the 12 months preceding June 1, 1987.
2. Documentation that the Department of Human Services will not approve the installation of a sub-surface waste water disposal system under the replacement system criteria.

Since you have not provided the materials necessary to make your application acceptable for processing, I am returning your application as required by law. Please call me prior to re-filing so we can go over your application together to ensure that all the deficiencies are adequately addressed.

Please re-submit your application by November 30, 2000, with all the deficiencies corrected. Once we receive a complete application with all the necessary attachments, we will accept your application and begin processing it. If you have questions, please call me at (207) 287-7781.

Sincerely,

Mary Morgan  
Division of Water Resource Regulation  
Bureau of Land and Water Quality

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7600  
RAY BLDG., HOSPITAL ST.

BANGOR  
106 HOGAN ROAD  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6100 FAX: (207) 822-6303

PRESCOTT ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESCOTT ISLE, MAINE 04769-2094  
(207) 764-0477 FAX: (207) 764-1507

104 BQ

Don Belanger  
Bell Development Corp.  
35 Val Halls Road  
Cumberland, Maine  
October 25, 2000

Ms Mary Morgan  
Project Manager  
Overboard Discharge Licensing Program  
DEP  
17 State House Station  
Augusta, Maine 04333-0017

Dear Ms Morgan:

Thank you for taking the time to review this case and your regulations with me yesterday. After talking with you I contacted Al Frick and we discussed overboard waste discharge licensing requirements, as I understood them after talking to you. He felt that it would be in everyone's best interest if he again contacted you and health engineering to further discuss and clarify this matter. He also suggested that I continue to do research on exactly how long this house has been vacant and when people lived in it year round.

Because of the time constraints placed on this project by the City of Portland, and because Al felt he could work within the regulations and still proceed with this application, I elected to mail the application packet to you, as is. This will get the process underway and will also demonstrate that my client, Mr. Bennett, is actively proceeding forward with this project.

Sincerely



Don Belanger

cc: Albert Frick, Albert Frick Associates  
Michael Nugent, CEO City of Portland  
Linda Robinson, DHE  
Joseph Bennett



**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

September 27, 2000

Mary Morgan  
DEP-Augusta  
17 State House Station  
Augusta, ME 04333

Re: Bennett property (Map 109B, Lot 2), Island Road, Cliff Island, Portland

Dear Mary:

We spoke on September 20, 2000 concerning the above-referenced property. Thank-you for sending me an overboard discharge application.

I did an on-site evaluation for the above-referenced property on September 14, 2000.

Following is a summary of my findings:

- There is an existing structure on the property that appeared to consist of three or four bedrooms. There was evidence of a lead pipe sink drain and a last row 4" dia cast iron waste pipe observed in the structure (see Photo 3)
- A water pump and storage tank was observed outside the building which was assumed to be pump that served the dwelling (see photo 10)
- Bob Howe (local island resident) consulted with old neighbors who reported that the structure has been used year-round in the distant past.
- Old documentation obtained by Don Belanger indicated that a well had existed in the northerly corner of the property near Griffins Cove. This well is non-evident today and there is a relatively new well drilled on property near road (see Photo 5 and Site Plan)
- An on-site subsurface wastewater disposal system cannot be installed on the property in accordance with the State of Maine Subsurface Wastewater Disposal Rules.

The following variance would be required:

- Reduction of 100' setback to Griffin Cove to 15'
- Reduction of 100' setback to neighbor's well to 45'
- Reduction of 100' setback to owner and to 45'
- Reduction of 15' to building to 10'

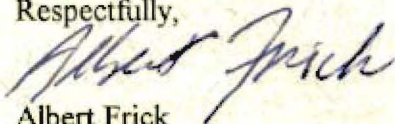
The existing structures in the immediate vicinity are connected to a licensed overboard discharge system (see Figure 1). It is my professional opinion that the best and most reasonable solution to upgrade the wastewater disposal for this property would be connection to the approved community-licensed overboard with primary treatment (1000 gallon septic tank) (see copy of proposed design).

It is my opinion that the applicant, Mr. Bennett, meets the criteria of Chapter 596B.1.a. through i. (attached). Following is a summary of the conditions:

- (a) The dwelling existed as a recognized structure in the City of Portland tax logs into the early 1900's (see attached affidavits concerning local knowledge of dwelling's historical use). The City of Portland describes the dwelling as a 3-bedroom single family residence.
- (b) A subsurface wastewater disposal system cannot be installed in compliance with the State of Maine Subsurface Wastewater Disposal Rules (see Site Plan attached). A copy of the application has been sent to Linda Robinson, at the Division of Health Engineering, for confirmation and variance consideration.
- (c) A publicly owned sewer line is not located on an abutting land. However, components of publicly owned overboard discharge system is in the immediate vicinity which the applicant proposes to connect to.
- (d) There is no sanitary sewer on Cliff Island and servicing holding tanks are not practical.
- (e) Cliff Island is not connected to the mainland by vehicle bridge or scheduled car ferry service.
- (f)(g)(h)(i) The receiving water has an existing licensed quasi-municipal Overboard Discharge from 13 dwellings.

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

Respectfully,



Albert Frick  
AF/nd

Enc.

Cc. Linda Robinson, DHE  
Don Belanger, Building Contractor  
Michael Nugent, Portland Code Enforcement Officer  
Joseph Bennett, property owner



**JOSEPH BENNETT**  
Island Avenue, map 109B, Lot 2  
Cliff Island, Portland



**Photo 1: View of back yard from edge of Griffin Cove.**



**Photo 2: View of back yard from neighbor's well.**

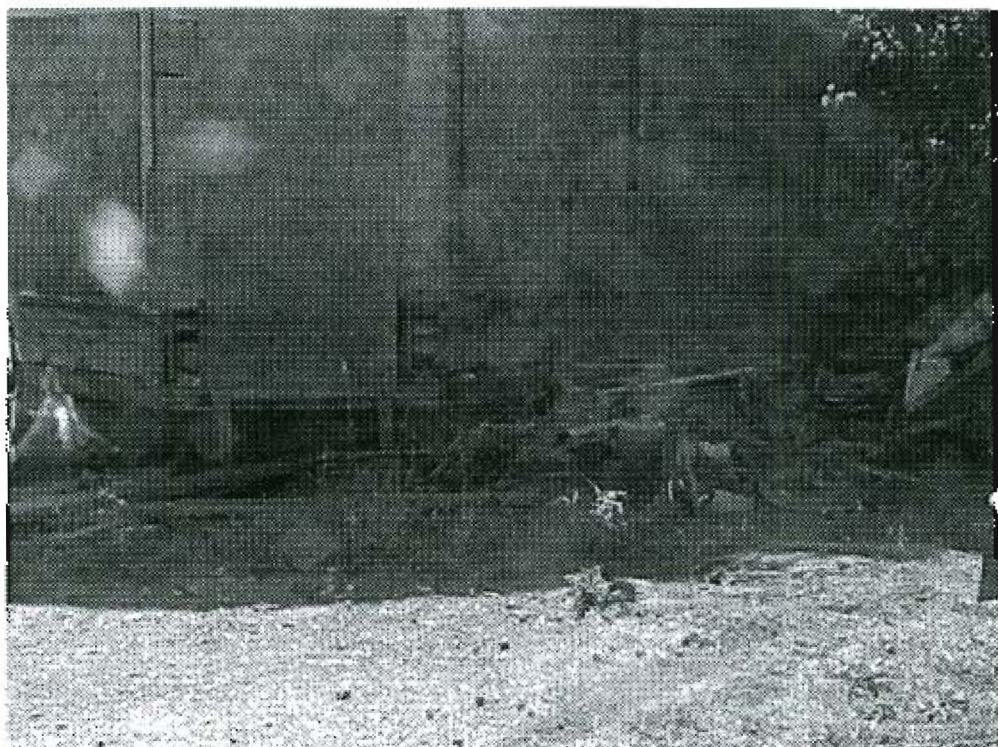




**Photo 3: View of underneath existing dwelling with remains of lead pipe and cast iron drain pipe.**



**Photo 4: View of dwelling from Griffin Cove.**



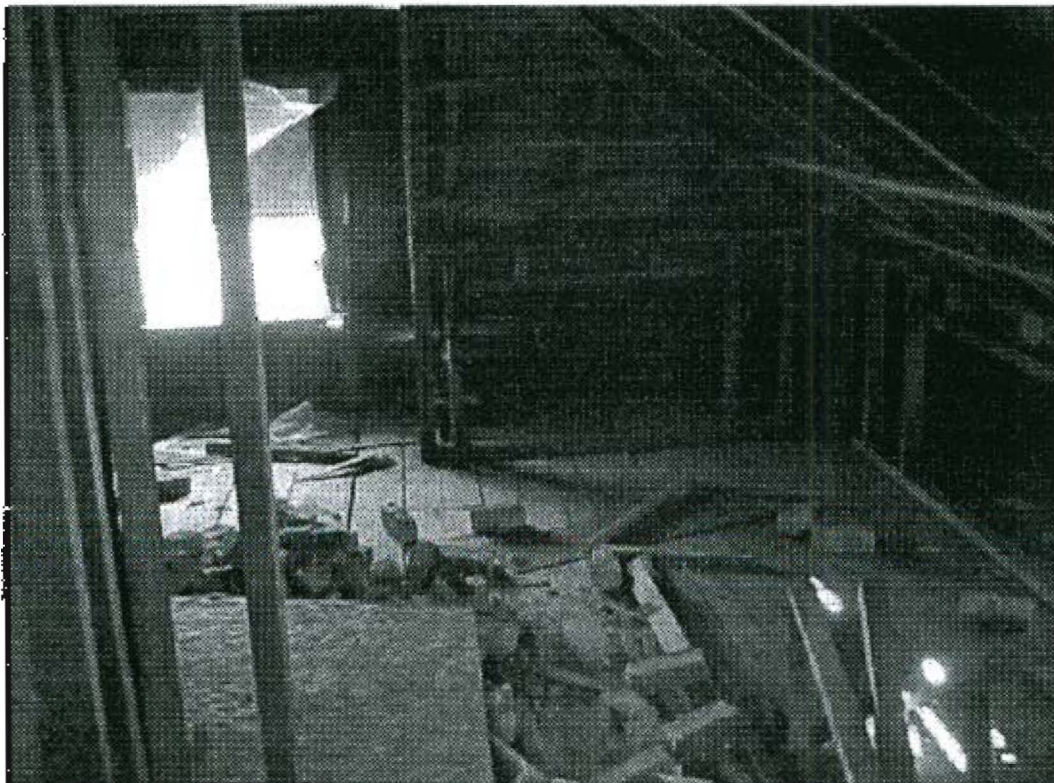
**Photo 5: View of existing well.**



**Photo 6: View of property.**



**Photo 7: View of north side yard with bedrock in foreground.**



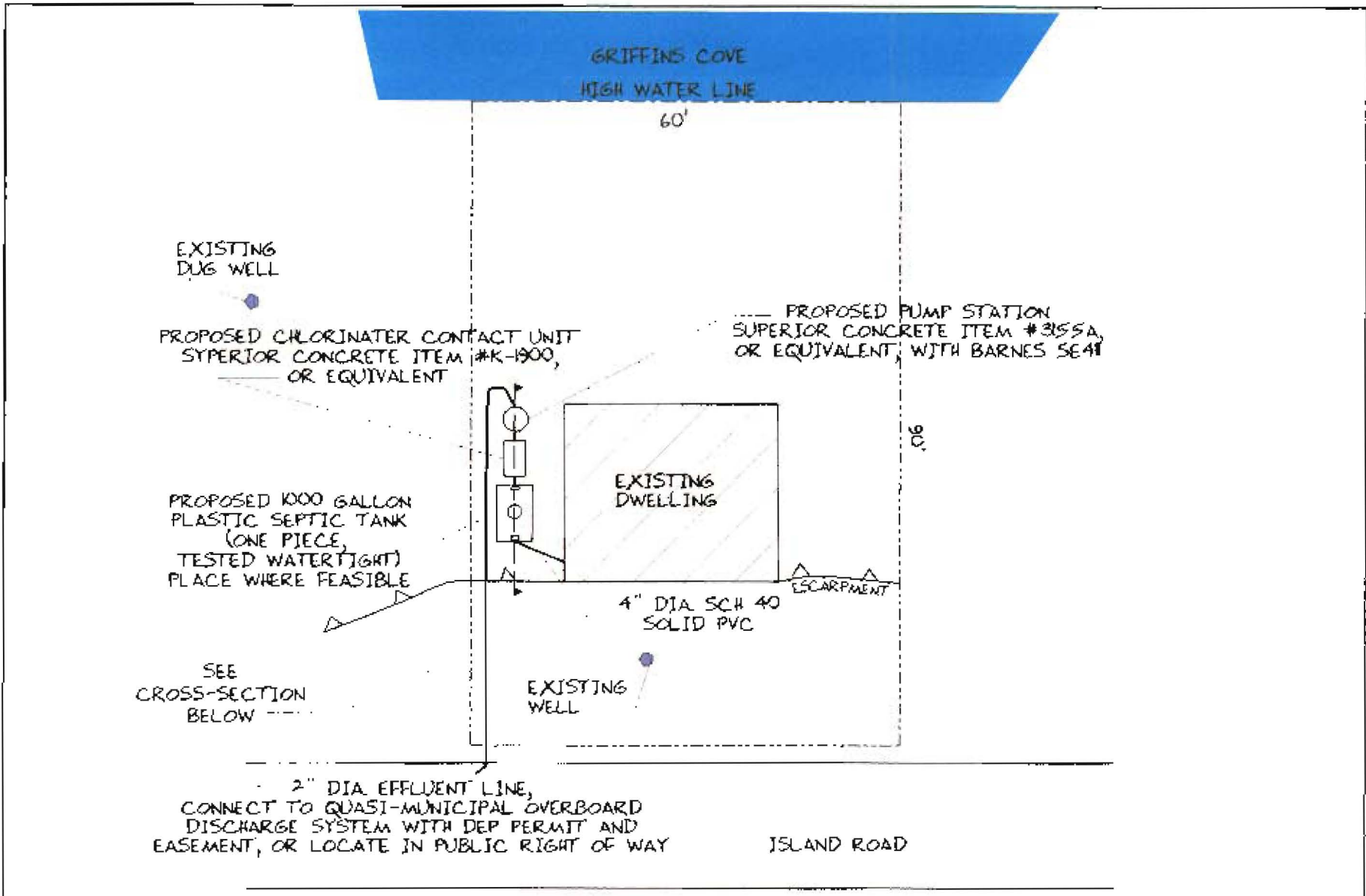
**Photo 8: View of inside of upstairs.**



**Photo 9: View of existing bedroom.**

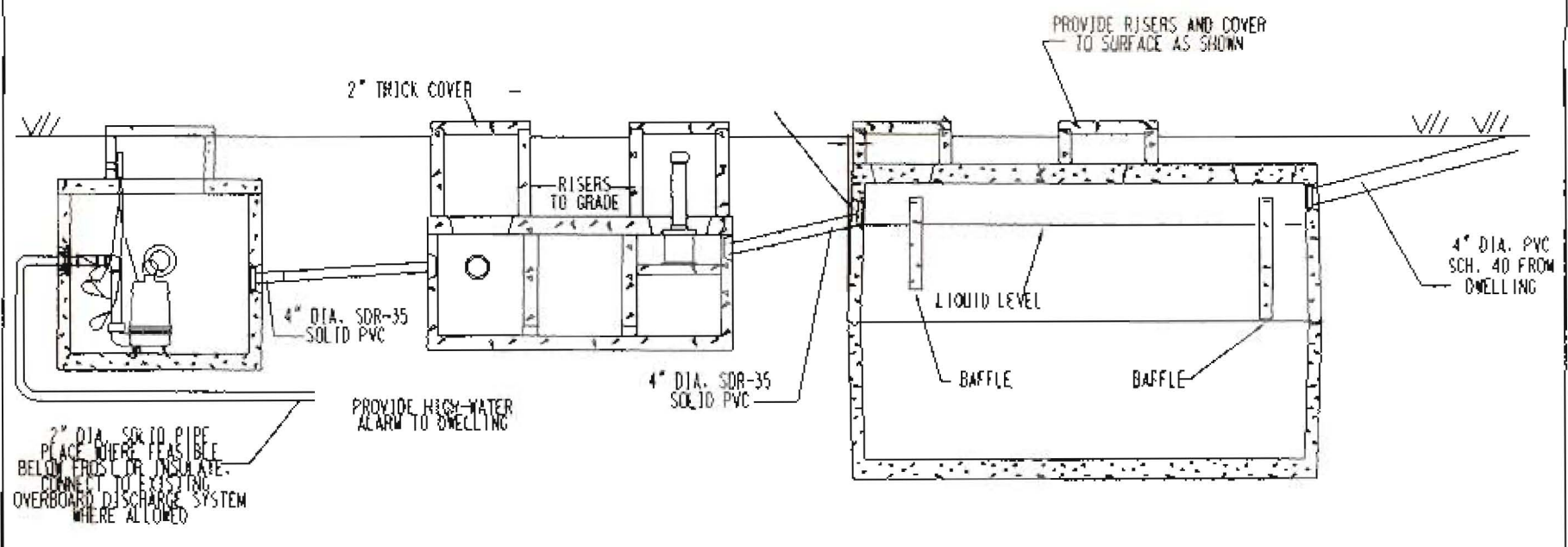


**Photo 10: View of remains of existing water pipe.**



SCALE 1" = 20'

SITE PLAN



CROSS-SECTION

NO SCALE

SITE PLAN  
 JOSEPH BENNETT  
 ISLAND ROAD, CLIFF ISLAND  
 PORTLAND, ME  
 MAP 109B LOT 2  
 PROPOSED OVERBOARD DISCHARGE



Albert Frick Associates, Inc.  
 Soil Scientists & Site Evaluators  
 Gorham, Maine 04038

| Date | Revision Description | Drawn By:    | Checked By:    |
|------|----------------------|--------------|----------------|
|      |                      | B.O.         | A.F.           |
|      |                      | Date 10/4/00 | Scale 1" = 20' |



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.  
GOVERNOR

MARTHA KIRKPATRICK  
COMMISSIONER

September 25, 2000

Albert Frick  
95 County Road  
Gorham, Maine 04038

RE: Application for Initial Issuance of Overboard Discharge License #W008120-5A-A-N  
in Portland, Maine.

Dear Mr. Frick:

Thank you for contacting us to obtain a new overboard discharge (OBD) license for your client's property on Cliff Island. I have enclosed an application for you to use. Before you start filling out the application, please review the qualification criteria for licensing new overboard discharges (see enclosed copy of the DEP's OBD Regulations).

If you find that the discharge meets all of the criteria, please have Mr. Bennett complete the enclosed application and return it to me within 60 days. If he cannot return the application within the specified time, please call or write me so that we can discuss an alternate deadline. Your client must submit a complete application within the 60 days or the agreed-on deadline. Discharges to waters of the State that are not authorized by a waste discharge license are prohibited, and subject to enforcement action.

Please remember to include the fee of \$ 51.00 with the application. We are required to return applications which are incomplete or do not include the appropriate fee.

I have enclosed a DEP Issue Profile that provides a summary of the OBD program. If you have questions, or need help in completing the application, please call me at (207) 287-7781.

Sincerely,

Mary Morgan  
Division of Water Resource Regulation  
Bureau of Land and Water Quality

AUGUST 17  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 187-7688  
KAY BLDG., HOSPITAL ST.

BANGOR  
106 HOGAN ROAD  
BANGOR, MAINE 04401  
(207) 941-4370 FAX: (207) 941-4184

PORTLAND  
311 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 812-6100 FAX: (207) 812-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769-2094  
(207) 764-0477 FAX: (207) 764-1507

## WASTE DISCHARGE LICENSE APPLICATION OVERVIEW

Dear Applicant,

Attached is a Waste Discharge License application. Please follow the instructions carefully and completely fill out the application. If you have questions at any time during the application process, please do not hesitate to contact your project manager. He/she will be happy to answer your questions and assist you whenever possible.

Waste discharge licenses are required by law for any discharge of pollutants to the surface waters of the State. Licenses ensure that the licensees are made aware of the laws governing their discharge and understand the restrictions and responsibilities associated with their discharge. The application process also ensures that the interested public is notified of the discharge and therefore has the opportunity to comment and potentially participate in the licensing process.

The following summary is written to give you an understanding of laws that have shaped the regulation of overboard discharges (OBDs).

Commercial and residential discharges of sanitary waste have been regulated since the late 1970's when direct discharges of untreated waste were banned (except in very specific situations). At that time, many old "straight pipes" were connected to publicly owned treatment works (POTWs), replaced with standard septic systems or, in the case of facilities unable to install a septic system because of site conditions, overboard discharge treatment systems. There are about 1980 licensed residential or commercial OBDs throughout the State including individual residences, schools, restaurants, apartment buildings, motels, inns, private community sewage treatment facilities, and hospitals.

In 1987, due to concern over the closure of shellfish areas because of OBDs, the legislature revised the waste discharge law to significantly restrict the use and licensing of OBDs. New OBDs are now prohibited, but those facilities with existing approved treatment systems are allowed to continue discharging until the DEP orders the system removed. The DEP will not order a system removed if there is no viable alternative to the discharge. Most OBDs are also prohibited from increasing the licensed flow from their treatment system and some cannot discharge on a year round basis. The DEP administers the overboard discharge inspection program that was initiated to combat the problem of poor OBD system maintenance. The program is funded by fees collected annually. The inspection program has dramatically increased system maintenance compliance and increased licensee awareness of OBD license requirements.

Individuals who hold OBD licenses are subject to a number of conditions, restrictions, and fees. The conditions and restrictions are clearly identified in the current license or conditional permit and are summarized in an attachment to this application. Fees associated with OBDs are the annual inspection fee and annual license fee. The annual license fee is new in 1998 and replaces the five year fees previously due with the application. Starting in 1999, the annual inspection fees and license fee will be billed together.

The DEP encourages owners to remove their OBDs voluntarily whenever possible, either by connecting to the public sewer or by installing a septic system under more lenient site condition requirements. In addition, the DEP administers a grant program (Overboard Discharge Removal Program) designed to help offset the cost of replacing OBDs that are ordered removed because they discharge to shellfishing areas or present a public health threat. However, there are certain facilities that will continue to use OBDs because they have no other alternative, i.e. they cannot install a septic system due to site conditions or connect to a sewer.

Please note: Unlicensed "straight pipes" are NOT "grandfathered"; they are illegal and must be replaced by approved subsurface or overboard discharge systems or connected to a POTW. If you know of any "straight pipes" please report them to your project manager, it is not fair that you have to comply with the laws and bear those expenses when others are not doing the same. Unlicensed untreated discharges threaten public health and are often the cause of poor water quality.

If you have questions regarding any subject in this summary, please do not hesitate to call (207) 287-3901 or contact your project manager identified on your application.

**MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**APPLICATION**  
**RESIDENTIAL WASTE WATER DISCHARGE LICENSE**  
**BUREAU OF LAND & WATER QUALITY**

**GENERAL INSTRUCTIONS**

It is the licensee's responsibility to renew or transfer their waste water discharge license or permit. Failure to renew or transfer the license or not submitting a timely and complete application may result in termination of the license and/or enforcement action. Applications for transfers, and renewals and transfers are available from the DEP office in Augusta.

Please read the entire application form before furnishing any information. If you need assistance in filling out the form or have any questions, please contact your project manager. Please be sure to read and follow the instructions on Page 4 regarding Public Notice. Public Notice is required by law for all DEP licensing actions.

Mail the completed original application with attachments to:

**Overboard Discharge Licensing Program**  
**DEP**  
**17 State House Station**  
**Augusta, Maine 04333-0017**

Submit one copy with attachments, to the town or city municipal office where the discharge occurs, and

Please retain a copy for your own records.

Your Project Manager

Mary Morgan

207-287-7781

His/Her phone #

Application Number: W00 8120 JA-A-N

License Fee \$51.00

Due At This Time

Renewal \_\_\_\_\_ Renewal & Transfer \_\_\_\_\_ Modification \_\_\_\_\_ Initial  Other \_\_\_\_\_

**APPLICANT AND FACILITY INFORMATION**

1. Applicants Name: JOSEPH BENNETT

(Social Security #)

2. Mailing Address: 232 OSCEOLA CIRCLE

(street & number)

WINTER PARK FL 32789

(Town/City)

(State)

(Zip)

407-677-6500

407-539-7891

(work telephone)

(home telephone)

3. Facility Description: 300 gallons per day residential overboard discharge.

4. Facility Address: ISLAND AVENUE, CLIFF ISLAND

(street & number)

PORTLAND CUMBERLAND

(Town/City)

(County)

(Zip)

(Telephone)

Local Tax Map 109 B

Lot 2

5. Name of Receiving Water: Luckse Sound Class SB

6. Name of Current License Holder: (transfers only) \_\_\_\_\_

7. System Type: (check one) Mechanical \_\_\_\_\_ Sandfilter \_\_\_\_\_ Primary (greywater) \_\_\_\_\_

No Treatment \_\_\_\_\_ Other (describe) SEPTIC TANK, CHLORINATOR

Disinfection: Chlorine

Other (describe) size of septic tank.. 1000 GAL.



8. If you have a sandfilter or primary system, when was the septic tank last pumped? \_\_\_\_\_  
The DEP recommends pumping tank every 2-5 years.

9. Is the facility or any part of the waste disposal system within 200 feet of a municipal or  
quasimunicipal sanitary sewer? Yes ~~to~~ No \_\_\_\_\_ **WITHIN 50' OF QUASIMUNICIPAL OVERBOARD  
DISCHARGE SYSTEM**

10. Is this your primary residence? Yes \_\_\_\_\_ No  Since When? \_\_\_\_\_

11. Is this facility currently used on a year round basis? Yes \_\_\_\_\_ No   
If yes, since when? \_\_\_\_\_  
If no, circle the months of occupation.

**HOWEVER, DWELLING IMPROVE-  
MENTS PROPOSED TO WINTER-  
IZE TO USE AS YEAR-  
ROUND DWELLING POTENTIAL**

- |          |       |           |          |
|----------|-------|-----------|----------|
| January  | April | July      | October  |
| February | May   | August    | November |
| March    | June  | September | December |

If currently used seasonally, has the facility ever been used on a year round basis?  
Yes  No \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_

**SEE ATTACHED LETTER & REFERENCE**

*Note: If the facility is used seasonally, year-round use may be resumed only if the facility was used on a year-round basis prior to June 1, 1987. If you wish to maintain the ability to use the facility year-round, attach sworn affidavits or utility records demonstrating year round use for the time in question. Facilities with seasonal licenses or permits or facilities that were only used seasonally prior to June 1, 1987 can not be converted to year round use.*

12. How many bedrooms does the system serve? 3

13. Is there more than one house connected to the system? Yes  No \_\_\_\_\_  
If yes, how many? 13 who are they owned by? \_\_\_\_\_  
If yes, please review the applicant affirmation on Page 3 and the Property Easement supplemental materials requirement on Page 5.

14. Is the facility a multi-family dwelling (apartment house, condominium) Yes \_\_\_\_\_ No   
If yes, how many units? \_\_\_\_\_

15. Is the facility a rental property or otherwise used as a source of income? Yes \_\_\_\_\_ No

16. Are all annual inspection fees and annual license fees paid? NOT APPLICABLE

17. Other comments? SEE ACCOMPANYING Letter of 9/27/2000  
TO MARY MORGAN DEP

### APPLICANT AFFIRMATION


I (the applicant) certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances of the property to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

I am familiar with and understand the statutory requirements of Title 38 M.R.S.A. Chapter 3, Section 413 and 414, Protection and Improvement of Waters and Section 464, the Water Classification Program.

### CERTIFICATION OF PUBLICATION

I also understand that by signing below, I (the applicant or authorized agent) certify that I have:

1. Published a Notice of Intent to File once in a newspaper circulated in the area where the project site is located within thirty days of filing of the application;
2. Sent a completed copy of the Notice of Intent to File by certified mail to the owners of the property abutting the land upon which the project site is located within thirty days prior to the filing of the application; and
3. Sent a completed copy of the Notice of Intent to File by certified mail and filed a duplicate of this application with the town clerk or city clerk of the municipality(ies) where the project is located.

  
Signature 10/19/2000  
Date  
Joseph R. Bennett  
Print name and title of applicant

If signature is other than that of the applicant, attach letter of agent authorization signed by applicant.

**NOTE:** If there are multiple properties connected to the treatment system authorized by this license parties must sign this application or authorize one party to act as the agent.

### INSTRUCTIONS FOR PUBLIC NOTICE

Applicants for DEP licensing actions are required to provide adequate public notice. By following these instructions you will meet the public notice requirements.

1. Complete the NOTICE OF INTENT TO FILE form below.
2. Send a copy of the completed NOTICE to a paper circulated in the area of the overboard discharge being licensed, to be published in the legal advertisements section in one issue within 30 days of filing the application. If you are not familiar with the local newspaper(s), the town or city clerk may be able to help you. The clerk may be able to give you the phone number. If not, call information at (207)555-1212. If you are unable to locate any newspaper, please call your project manager for assistance.
3. Send a copy of the completed NOTICE by certified mail to the owners of the property abutting the land with the overboard discharge within 30 days of filing of the application. The town or city clerk and/or the tax assessors office will be able to assist you in identifying abutters and will be able to give you their most recent address.
4. Send a copy of the completed NOTICE and a copy of the completed application by certified mail to the town clerk or city clerk of the municipality where the overboard discharge is located.
5. Send the completed original application (blue form) to the DEP with the application fees and any supplemental materials.

If you have questions about the public notice requirements, please do not hesitate to call your project manager at the telephone number on the first page of the application.

#### NOTICE OF INTENT TO FILE

Please take notice that JOSEPH BENNETT of ISLAND AVE, CLIFF ISLAND, PORTLAND  
(applicant) (applicant's address and phone number)

MAP 109B, LOT 2 is intending to file an application with the Maine Department of

Environmental Protection for a Maine Waste Discharge License pursuant to 38 MRSA Sections

413 and 414-A. The application is for the initial issuance  
(renewal, renewal and transfer, Modification etc)

of Waste Discharge License #W00 8120-5A-A-N for the operation of a surface waste water  
(license number)

disposal system for the treatment and disposal of 300 gallons per day  
(flow)

of waste water to Luckse Sound in the town/city of PORTLAND, CLIFF ISLAND  
(receiving waterbody) (municipality)

Maine. The application will be filed on or about 10-23-00 for public inspection  
(anticipated filing date)

at the DEP's offices in Augusta during normal working hours. A copy of the application may also

be seen at the municipal offices in PORTLAND, Maine.  
(municipality)

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. Public comment on the application will be accepted throughout the processing of the application. Written public comments may be sent to the Department of Environmental Protection, Bureau of Land and Water Quality, State House Station #17, Augusta, Maine 04333.

## SUPPLEMENTAL MATERIALS

The following required supplemental materials will be considered part of this application. Your application will not be accepted for processing until you have submitted all the materials checked (✓) below.

NOT  
APPLICABLE

**✓** ✓ **Past Due Annual Inspection Fees or License Fees:** Submit payment of past due annual inspection fees or annual license fees as identified by project manager on Page 2 of this application. If you dispute the accuracy of our records, please discuss this issue with your project manager prior to submitting this application and be prepared to produce documentation of fees paid in the form of copies of canceled checks or bank records.

**✓** ✓ **Geographic Site Map:** Submit a U.S. Geological Survey map or U.S. Coastal and Geodetic Survey map (7 1/2 or 15 minute series) illustrating the location of your waste discharge. Indicate the location of your property and discharge point on the map as accurately as possible. U.S. Geological Survey maps are available at local sporting goods and book stores. *see enclosed map.*

**✓** ✓ **Municipal Tax Map:** Submit a copy of a tax map from the Tax Assessor's office in the town or city where your waste discharge occurs. The tax map should identify the map and lot number of your property as well as the names of abutting landowners. Please, indicate property line dimensions, the location of wells, dwellings and the overboard discharge system.

**✓** ✓ **Property Easements:** If any part of your overboard discharge system, including the discharge pipe, is located on property owned or controlled by another party, submit a copy of the easement granting the rights to use that property. If other parties use any part of your system, please provide the names of the other property owners and a copy of the easement or agreement that allows this use. Please note, licenses or permits for shared systems must reflect all parties connected to the system and all parties must sign Page 3 of this application or provide a statement authorizing one party to act as agent for the other(s). *OR USE PUBLIC WAY WITH CITY OF PORTLAND APPROVAL*

**✓** ✓ **Proof of Title, Right or Interest:** Submit evidence of ownership or of interest in the property on which the overboard discharge system is located. A copy of the deed or transfer tax form is also acceptable.

NOT  
APPLICABLE

**✓** ✓ **Service Contract:** If any part of your overboard discharge system is a mechanical treatment plant, submit a copy of a valid service contract entered into with a qualified maintenance contractor approved by DEP.

**✓** ✓ **Site Evaluation Report:** A site evaluation of your property, conducted in accordance with the State of Maine Subsurface Waste Water Disposal Rules, is required. The evaluation must be conducted by a licensed Site Evaluator and must be completed on HHE-200 form pages 1 and 2 for the purpose of determining whether subsurface disposal is possible. The Site Evaluator may use the replacement system criteria of the Disposal Rules to make the determination. You can obtain a list of licensed Site Evaluators from your local plumbing inspector.

**✓** ✓ **Other:** *Document year-round use of the system during the 12 months prior to June 1, 1987.*

October 11, 2000

I, Eleanor Cushing, have lived on Cliff Island for 74 years am a retired Postmaster (36 yrs) and currently am a Notary Public.

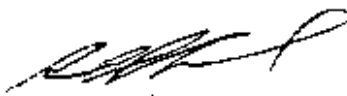
The following people have lived year round in the Griffin house that I know of.

Arthur and Elsie Griffin  
Earl and Sophie MacVane  
Wayne and Edna Griffin  
Gladys Griffin

off island workers lived in the house when the Government built the wharf on Jewell's Island. Names unknown.

Eleanor Cushing

WITNESSED BY



Bob Holman

CLIFF I

123423  
**Quit-Claim Deed**  
(with warranty)  
(Maine Statutory Short Form 2)

111

I, **EDNA GRIFFIN** of **Portland** **Cumberland** County,  
State of **Maine** (being unmarried), for consideration paid  
and to **JOSEPH R. BENNETT** of **Lansing**  
Ingham County, State of **Michigan** with Quitclaim covenant,  
the land in **Cliff Island**  
**Cumberland** County, **Maine**:

All my right, title, and interest in a certain lot or parcel of land  
with the buildings thereon, situated on **Cliff Island** in the City of  
**Portland**, County of **Cumberland** and State of **Maine**, bounded and described  
as follows:

Commencing at a stake on the southeasterly shore of said **Cliff Island**,  
which stake is sixty (60) feet, more or less, southwesterly from land  
of **Walter Griffin**, said stake being the southeasterly boundary of land  
of **Ellen McKean**; thence from said stake ninety (90) feet, more or less,  
northwesterly to the City road; thence northeasterly sixty (60) feet,  
more or less, to land of **Walter Griffin**; thence ninety (90) feet, more  
or less, southeasterly to the sea-shore; thence sixty (60) feet, more  
or less, southwesterly to the point of beginning.


Being the same premises conveyed by **Arthur E. Griffin** to **Elsie E.**  
**Griffin** by warranty deed dated August 11, 1909 and recorded in the  
**Cumberland County Registry of Deeds** in Book 643, Page 10 and the same  
premises acquired by **Gledys V. Griffin** and **Wayne E. Griffin** as the  
only heirs at law of **Elsie E. Griffin** and **Arthur E. Griffin**, their par-  
ents. The herein Grantor's interest derived as the widow of the said  
**Wayne E. Griffin** who died laststate April 23, 1971.

and all other rights

Witness my hand and seal this 28th day of December, 1977.

In presence of:



**Edna Luella Griffin** 

State of **Maine**  
County of **Cumberland**

December 28, 1977

This personally appeared the above named **Edna Griffin**  
and acknowledged the foregoing instrument to be her free act and deed.

Before me,



Notary Public, County of **Cumberland**, State of **Maine**

DEC 28 1977

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 4:10 PM, and recorded in

BOOK 4154 PAGE 111

**Registrar**



16779

Abstract of the Will of  
CLADYS VIVIAN GRIFFIN



STATE OF MAINE

PROBATE OFFICE

Portland, July 3, A. D. 19 73

I, WILLIAM B. HUGHES, Register of the Probate Court for said County of Cumberland hereby certify,

that  
the will and Testament  
of Gladys Vivian Griffin late of Portland  
was proved approved and allowed by the Judge of Probate for said County of Cumberland in a Court  
held at Portland on the 3rd day of  
July A. D. 19 73; and that the following is a true copy of so much of said  
will as follows: First: That in the County of Cumberland  
aforesaid:

THIRD: I hereby give, devise and bequeath the real estate  
and buildings which I own located on Cliff Island, Portland,  
Maine, together with the contents therein (except paintings),  
to MR. JOSEPH ROBINSON BENNETT of Windham Center, Maine, in  
accordance with the wishes of my father, who had the house built  
and paid for it. *In the event Dr. Joseph Robinson Bennett predeceases me  
then I give devise and bequeath the real estate to Edwin Bennett  
of Windham Center.*

*Joseph Robinson Bennett*

SIXTH: All the rest, residue and remainder of my estate  
of every nature and description, including Lots 13, 14, and 15C  
located in Beacon Acres, Sanford, Seminole County, Florida,  
and 53.110 shares of Enterprise Fund, Inc. and 79.997 shares

of ~~the~~ <sup>the</sup> ~~holders~~ <sup>trust</sup> of Boston, I hereby give, devise and bequeath as follows, after being liquidated by sale by my Executor named hereinbelow: one-half (1/2) of the residue of my said estate to RICHARD ORBISON, Director, Camps Laboratory School, Andrews University, Harrison Springs, Michigan; and the remaining one-half (1/2) of the residue of my said estate to PAUL E. MacVANE, JR. of Cliff Island, Portland, Maine. In the event either of the beneficiaries herein predecease me, then the entire residue of my estate I give, devise and bequeath to the surviving beneficiary.

SEVENTH: I nominate and appoint JOHN W. KELLY of Durham, Maine, Executor of this Will, and if he is unable or unwilling, at any time to act as such, I nominate and appoint LARRY SIMONSON Executor in his place and direct that no bond be required of either of them in said capacity.

I authorize and empower my Executor, without license of Probate Court, at public or private sale, not only to pay debts of my estate but also for the more convenient distribution of my said estate, to sell any or all of my real or personal estate, to retain and hold any property which is part of my estate without obligation to dispose of it, and to make distribution in cash or in kind or partly in each.

Witness my hand and the seal of the Probate Court for said County of Cumberland the day and year first above written.

 Registrar

JUL 18 1973

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 2 55 P.M. and registered in  
BOOK 3430 PAGE 159 16 July 1973 Registrar





25166

137

**Know All Men by These Presents, that**

we, Joseph Bennett and Julia Bennett, both of Cliff Island, County of Cumberland and State of Maine,

in consideration of Twelve Thousand Dollars (\$12,000.00) dollars paid by the Maine Savings Bank, a corporation established by law, in the County of Cumberland, and State of Maine, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Maine Savings Bank, its successors and assigns forever

A certain lot of land situated on said Cliff Island bounded and described as follows to-wit: Commencing at a point or stake on the westerly shore of said Cliff Island, which point is sixty (60) feet more or less, Southwesterly from land of Walter Griffin, said point being the Southwesterly boundary of land of Ellen Adams, thence from said point sixty (60) feet more or less northerly to the sea shore, thence sixty (60) feet more or less, southerly to land of Walter Griffin, thence sixty (60) feet more or less, southerly to the sea shore, thence sixty (60) feet more or less, southerly to the point of beginning. Being the same premises conveyed to me by George H. Griffin et al, by deed dated January 21st 1907, and recorded in Cumberland Registry of Deeds in Book 796 page 466.