



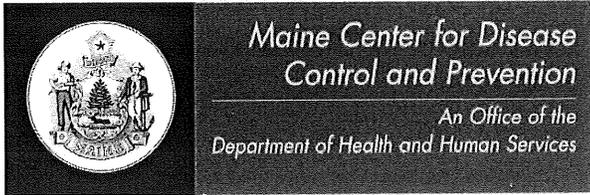
Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

Date: 06/26/14

37 Wharf Rd

2012 E6022

109B C006



Department of Health & Human Services  
Maine Center for Disease Control and Prevention



Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

# 11  
August

Fax: (207) 287-4172; Date: 06/26/14

## 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 (Cliff Island)</u>
Property Owner's Name:	<u>Andrew MacDonald</u>	Tel. No.:	<u>256-7643</u>
System's Location:	<u>37 Wharf Road</u>		
Property Owner's Address:	<u>37 Wharf Road</u>	Zip Code:	<u>04019</u>
e-mail address:	<u>andy@macandquacks.com</u>		

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>Reduce setback to public water supply well to 93'</u>	<u>Table 8A</u>
2. <u>Reduce setback to private wells to 21', 67', 68', and 80'. Property line setback at 9'.</u>	<u>Table 8A</u>
3. <u>SHW table mottling at 0".</u>	<u>Table 4F</u>

### 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.

The system proposed is a removal from a community overboard discharge system. The owner's well at a 21' setback may require relocation to the rear of the lot. The public supply well is not directly downslope from the disposal field and the soil below the Disposal field is silty providing a confining layer separation from the water table serving the public well.

I, Richard A. Sweet, 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.

Richard A. Sweet  
SIGNATURE OF SITE EVALUATOR

09-11-12  
DATE

### PROPERTY OWNER

I, [Signature], 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.

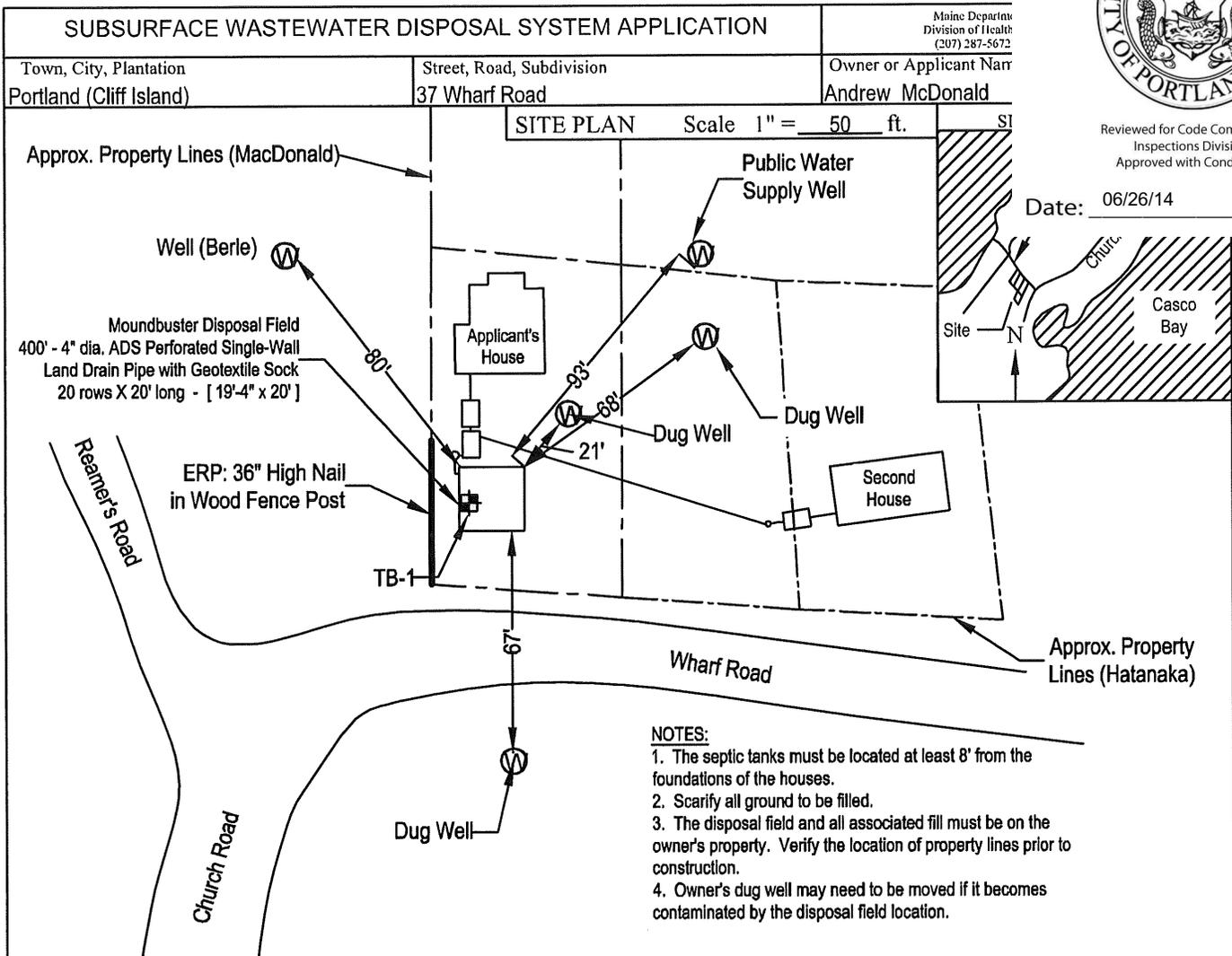
SIGNATURE OF OWNER  
 AGENT FOR THE OWNER

11/28/2012  
DATE



Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

Date: 06/26/14



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

Observation Hole #     TB-1         Test Pit     Boring

\_\_\_\_\_ " Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0				Common/ Prominant
6				
12	Fine Sandy Loam	Friable	Black	
18	Loamy Sand		Olive	
24	Sandy Silt	Firm		
30	Limit of Excavation at 30 inches			
36				
42				
48				

Soil Profile	Classification	Slope	Limiting Factor	<input checked="" type="checkbox"/> Groundwater
<u>7</u>	<u>E</u>	<u>5</u>	<u>0"</u>	<input type="checkbox"/> Restrictive Layer
Percent	Condition	Percent	Depth	<input type="checkbox"/> Bedrock

Observation Hole # \_\_\_\_\_     Test Pit     Boring

\_\_\_\_\_ " Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0				
6				
12				
18				
24				
30				
36				
42				
48				

Soil Profile	Classification	Slope	Limiting Factor	<input type="checkbox"/> Groundwater
_____	_____	_____	_____	<input type="checkbox"/> Restrictive Layer
Percent	Condition	Percent	Depth	<input type="checkbox"/> Bedrock

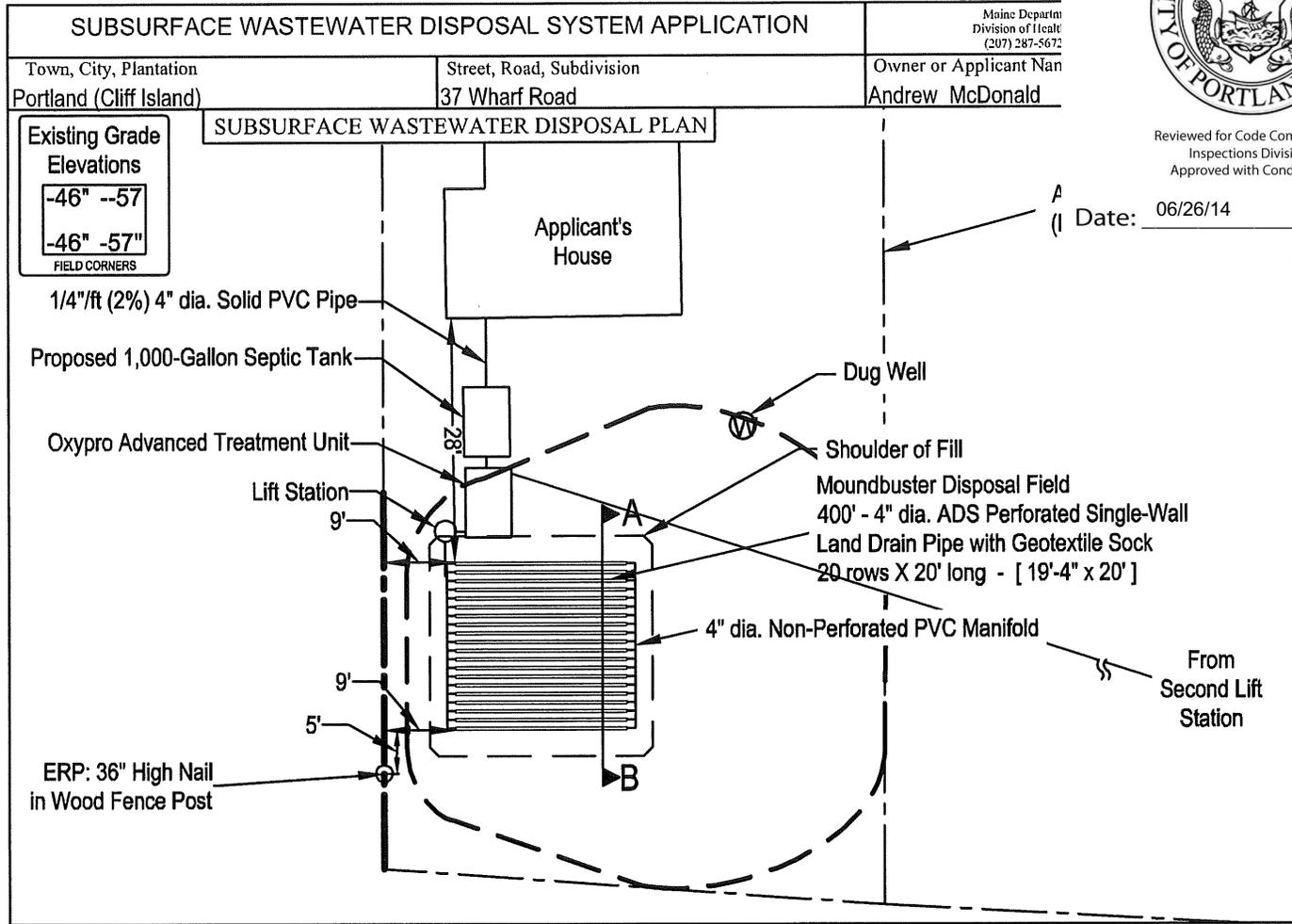
*Richard Stewart*  
Site Evaluator Signature

034  
SE #

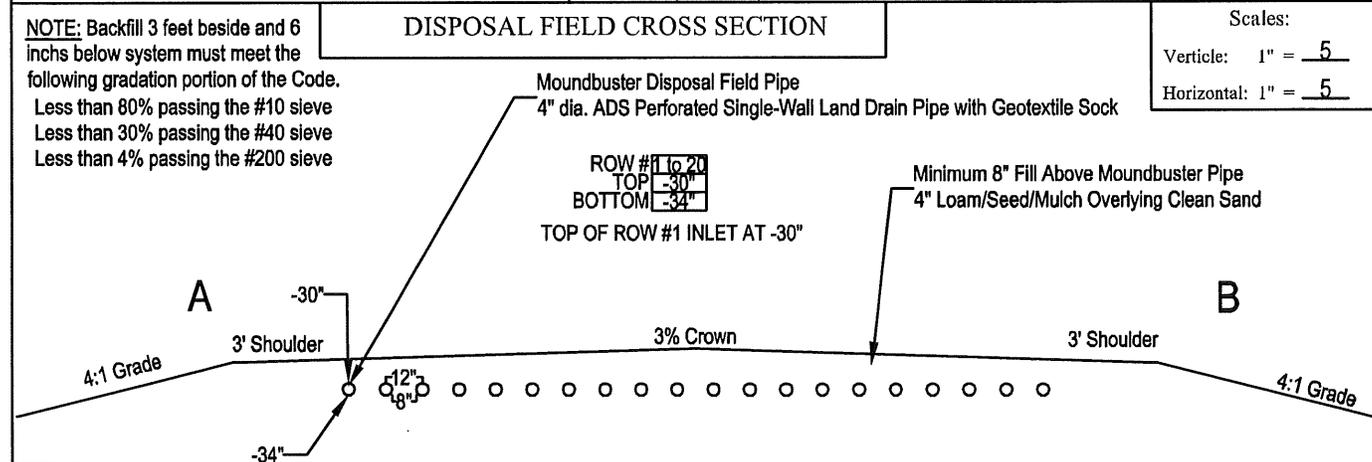
09/11/12  
Date



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<b>BACKFILL REQUIREMENTS</b>	<b>CONSTRUCTION ELEVATIONS</b>	<b>ELEVATION REFERENCE POINT</b>
Depth of Backfill (upslope) <u>24-24"</u> Depth of Backfill (downslope) <u>35-35"</u>	Finished Grade Elevation (at Row 1) <u>-22"</u> Top of Proprietary Device (at Row 1) <u>-30"</u> Bottom of Disposal Field (at Row 1) <u>-34"</u>	Location & Description: <u>36" High Nail in Wood Fence Post</u> Reference Elevation is <u>0.0'</u> or: _____



 Site Evaluator Signature	<u>034</u> SE #	<u>09/11/12</u> Date
	Page 3 of 3 HHE-200 Rev. 2/11	

2012-11-5481



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Inspections Division  
Approved with Conditions

Date: 06/26/14

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION		Mair Divis (207
PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQ
City, Town, or Plantation	Portland (Cliff Island)	Town/City <u>Portland</u>
Street or Road	37 Wharf Road	Date Permit Issued <u>    </u> Fee: \$ <u>250</u>
Subdivision, Lot #		Local Plumbing Inspector Signature _____
OWNER/APPLICANT INFORMATION		<input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State
Name (last, first, MI)	MacDonald, Andrew	The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. This Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.
Mailing Address of Owner/Applicant	398 Sebago Rd Hiram ME 04041	
Daytime Tel. #	(207) 256-7643	
OWNER OR APPLICANT STATEMENT 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.		CAUTION: INSPECTION REQUIRED I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.
Signature of Owner or Applicant <u>[Signature]</u> Date <u>11/28/12</u>		Municipal Tax Map # <u>    </u> Lot # <u>109 BCC0</u>
PERMIT INFORMATION		(1st) date approved _____ (2nd) date approved _____
TYPE OF APPLICATION	THIS APPLICATION REQUIRES	DISPOSAL SYSTEM COMPONENTS
<input type="checkbox"/> 1. First Time System <input checked="" type="checkbox"/> 2. Replacement System Type replaced: <u>OB Discharge</u> Year installed: <u>Unk</u> <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	<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 <input checked="" type="checkbox"/> 3. Replacement System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input checked="" type="checkbox"/> b. State & Local Plumbing Inspector <input type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Permit	<input checked="" type="checkbox"/> 1. Complete Non-engineered System <input type="checkbox"/> 2. Primitive System (graywater & alt. toilet) <input type="checkbox"/> 3. Alternative Toilet, specify: _____ <input 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 (2000 gpd or more) <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
SIZE OF PROPERTY	DISPOSAL SYSTEM TO SERVE	TYPE OF WATER SUPPLY
10,000+/- (MacDonald) <input checked="" type="checkbox"/> SQ. FT. 11,600 +/- (Hatanaka) <input type="checkbox"/> ACRES	<input type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: _____ <input type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: _____ <input checked="" type="checkbox"/> 3. Other: <u>Two 2-bedroom houses</u> (specify) Current Use <input checked="" type="checkbox"/> Seasonal <input type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped	<input type="checkbox"/> 1. Drilled Well <input checked="" type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other
SHORELAND ZONING	DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	TREATMENT TANK	DISPOSAL FIELD TYPE & SIZE
	<input type="checkbox"/> 1. Concrete <input type="checkbox"/> a. Regular <input type="checkbox"/> b. Low Profile <input checked="" type="checkbox"/> 2. Plastic (2 Tanks) <input type="checkbox"/> 3. Other: _____ CAPACITY: <u>1,000</u> GAL	<input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench <input checked="" type="checkbox"/> 3. Proprietary Device <input type="checkbox"/> a. cluster array <input type="checkbox"/> c. Linear <input type="checkbox"/> b. regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: _____ SIZE: <u>400</u> <input type="checkbox"/> sq. ft. <input checked="" type="checkbox"/> lin. ft.
	SOIL DATA	GARBAGE DISPOSAL UNIT
	PROFILE <u>7</u> CONDITION <u>E</u> at Observation Hole # <u>TP-1</u> Depth <u>0</u> " of Most Limiting Soil Factor Groundwater	<input checked="" 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
	DISPOSAL FIELD SIZING	EFFLUENT/EJECTOR PUMP
	<input type="checkbox"/> 1. Medium--2.6 sq. ft. / gpd <input checked="" 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	<input type="checkbox"/> 1. Not Required <input type="checkbox"/> 2. May Be Required <input checked="" type="checkbox"/> 3. Required Specify only for engineered systems: DOSE: _____ gallons
	SITE EVALUATOR STATEMENT	
I certify that on <u>6-21-12</u> (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).		
Signature <u>Richard A. Sweet</u>		SE # <u>034</u>
Site Evaluator Name Printed <u>Richard A. Sweet</u>		Date <u>09/11/12</u>
Telephone Number <u>797-2110</u>		Email Address <u>dick@sweetassociates.com</u>
Designed with SeptiCAD v3		Page 1 of 3
Note: Changes to or deviations from the design should be confirmed with the Site Evaluator.		HHE-200 Rev. 2/11



Reviewed for Code Compliance  
 Inspections Division  
 Approved with Conditions

**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 applicant does not conform with certain provisions of the wastewater disposal rules. 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 does not conform with certain provisions of the wastewater disposal rules. The proposed system (  does  does not) conflict alternative for a subsurface wastewater disposal system on this property. The proposed system (  does  does not) conflict controlling subsurface wastewater disposal in the shoreland zone. Therefore, I (  do  do not) approve the requested variance issue a permit for the system's installation as proposed by the application.

Date: 06/26/14

\_\_\_\_\_  
 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, Jonathan Rioux, 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 does not conform with certain provisions of the wastewater disposal rules. The proposed system (  does  does not) conflict with any provisions 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.

JR  
 LPI Signature

12/03/12  
 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

- 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).**

CHARACTERISTIC	POINT ASSESSMENT
Soil Profile	
Depth to Groundwater/Restrictive Layer	
Terrain	
Size of Property	
Waterbody Setback	
Water Supply	
Type of Development	
Disposal Area Adjustment	
Vertical Separation Distance	
Additional Treatment	
<b>TOTAL POINT ASSESSMENT:</b>	

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

2012-11-5481



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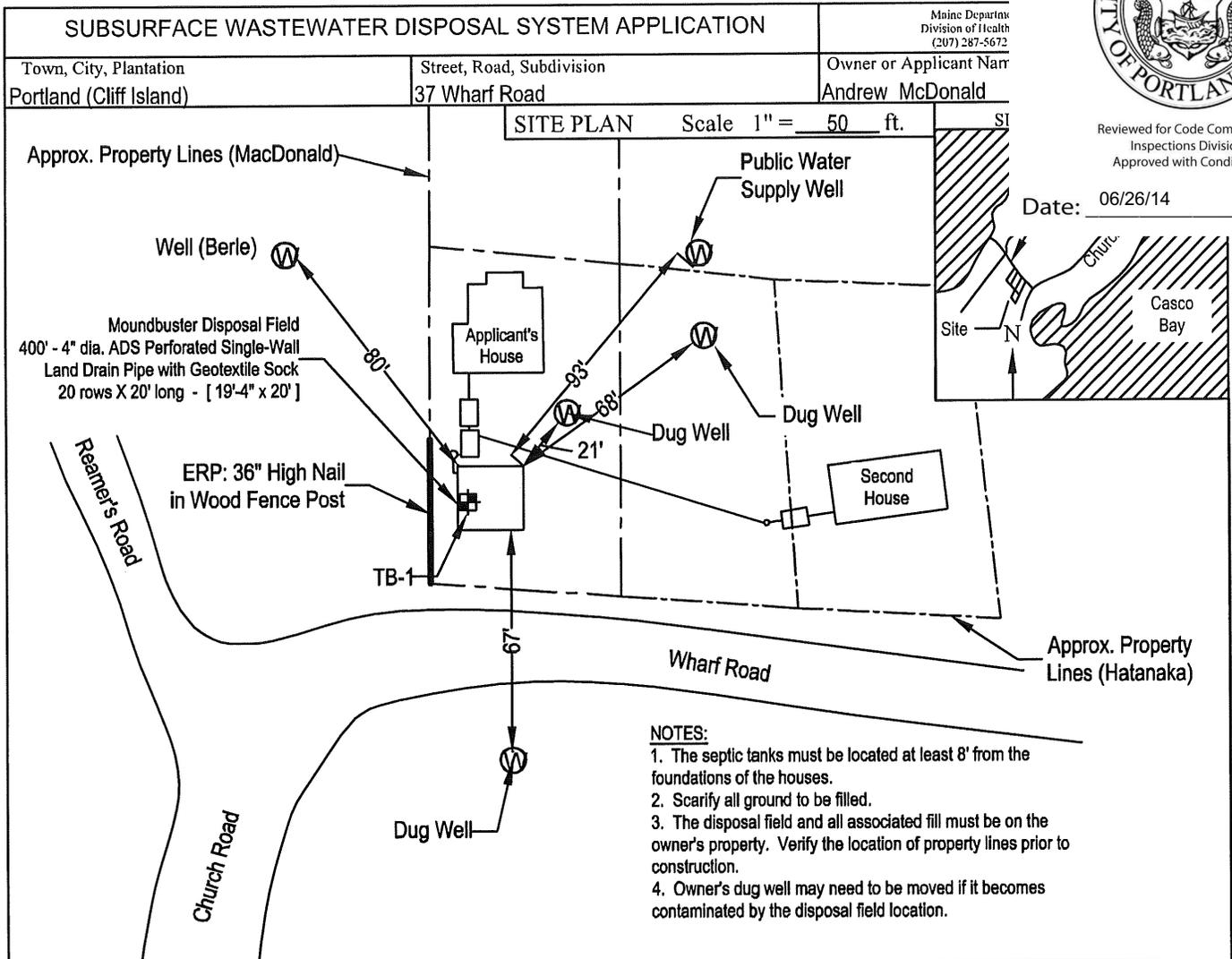
SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION		Maine Division (207)
PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED
City, Town, or Plantation	Portland (Cliff Island)	Town/City <u>Portland</u> Pe
Street or Road	37 Wharf Road	Date Permit Issued <u>11/1</u> Fee: \$ <u>250</u> Date: <u>06/26/14</u>
Subdivision, Lot #		Local Plumbing Inspector Signature _____ L.P.I.# _____
OWNER/APPLICANT INFORMATION		<input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State
Name (last, first, MI)	MacDonald, Andrew	The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. This Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.
Mailing Address of Owner/Applicant	398 Sebago Rd Hiram ME 04041	Municipal Tax Map # _____ Lot # <u>129 BCC6</u>
Daytime Tel. #	(207) 256-7643	CAUTION: INSPECTION REQUIRED I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.
OWNER OR APPLICANT STATEMENT 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.		(1st) date approved _____ Local Plumbing Inspector Signature _____ (2nd) date approved _____
Signature of Owner or Applicant _____ Date <u>11/28/12</u>		
PERMIT INFORMATION		
TYPE OF APPLICATION	THIS APPLICANT	DISPOSAL SYSTEM COMPONENTS
<input type="checkbox"/> 1. First Time System <input checked="" type="checkbox"/> 2. Replacement System Type replaced: <u>OB Discharge</u> Year installed: <u>Unk</u>	<input type="checkbox"/> 1. No Rule Variance <input type="checkbox"/> 2. First Time System Var <input type="checkbox"/> a. Local Plumbing Insp <input type="checkbox"/> b. State & Local Plum <input checked="" type="checkbox"/> 3. Replacement System <input type="checkbox"/> a. Local Plumbing Ins <input checked="" type="checkbox"/> b. State & Local Plurr <input type="checkbox"/> 4. Minimum Lot Size Ve <input type="checkbox"/> 5. Seasonal Conversion	red System water & alt. toilet ify: _____ nent Tank (only) _ gallons sal Field (only) stem System (2000 gpd or more) it Tank (only) Field (only) fy: _____ ponents
SIZE OF PROPERTY	DISPOSAL SYSTEM	APPLY
10,000+/- (MacDonald) <input checked="" type="checkbox"/> SQ. FT. 11,600 +/- (Hatanaka) <input type="checkbox"/> ACRES	<input type="checkbox"/> 1. Single Family Dwelling l <input type="checkbox"/> 2. Multiple Family Dwelling <input checked="" type="checkbox"/> 3. Other: <u>Two 2-bedro</u> (specify) Current Use <input checked="" type="checkbox"/> Seasonal [	Well <input type="checkbox"/> 3. Private
SHORELAND ZONING		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
DESIGN DET/		
TREATMENT TANK	DISPOSAL FIELD TY	DESIGN FLOW
<input type="checkbox"/> 1. Concrete <input type="checkbox"/> a. Regular <input type="checkbox"/> b. Low Profile <input checked="" type="checkbox"/> 2. Plastic (2 Tanks) <input type="checkbox"/> 3. Other: _____ CAPACITY: <u>1,000</u> GAL	<input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stor <input checked="" type="checkbox"/> 3. Proprietary Device <input type="checkbox"/> a. cluster array <input type="checkbox"/> c. Linear <input checked="" type="checkbox"/> b. regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: _____ SIZE: <u>400</u> <input type="checkbox"/> sq. ft. <input checked="" type="checkbox"/> lin. ft.	_____ gallons per day USED ON: <input type="checkbox"/> 1. _____ (dwelling unit(s)) <input type="checkbox"/> 2. Table 4C (other facilities) SHOW CALCULATIONS _____ for other facilities _____
SOIL DATA	DISPOSAL FIELD SIZING	EFFLUENT/EJECTOR PUMP
PROFILE <u>7</u> CONDITION <u>E</u> at Observation Hole # <u>TP-1</u> Depth <u>0</u> " of Most Limiting Soil Factor Groundwater	<input type="checkbox"/> 1. Medium---2.6 sq. ft. / gpd <input checked="" type="checkbox"/> 2. Medium--Large 3.3 sq. f.t / gpd <input type="checkbox"/> 3. Large--4.1 sq. ft. / gpd <input type="checkbox"/> 4. Extra Large--5.0 sq. ft. / gpd	<input type="checkbox"/> 1. Not Required <input type="checkbox"/> 2. May Be Required <input checked="" type="checkbox"/> 3. Required Specify only for engineered systems: DOSE: _____ gallons
SITE EVALUATOR STATEMENT		
I certify that on <u>6-21-12</u> (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).		
<u>Richard A. Sweet</u> Site Evaluator Signature	<u>034</u> SE #	<u>09/11/12</u> Date
<u>Richard A. Sweet</u> Site Evaluator Name Printed	<u>797-2110</u> Telephone Number	<u>dick@sweetassociates.com</u> Email Address
Designed with SeptiCAD v3 Note: Changes to or deviations from the design should be confirmed with the Site Evaluator.		

Pending  
7/31/13  
60



Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

Date: 06/26/14



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

Observation Hole #     TB-1         Test Pit     Boring

\_\_\_\_\_ " Depth of organic horizon above mineral soil

Texture	Consistency	Color	Mottling
0			Common/ Prominent
6			
12	Fine Sandy Loam	Friable	Black
18	Loamy Sand		Olive
24	Sandy Silt	Firm	
30	Limit of Excavation at 30 inches		
36			
42			
48			

Soil Profile: <u>7</u>	Classification: <u>E</u>	Slope: <u>5</u> Percent	Limiting Factor: <u>0</u> " Depth	<input checked="" type="checkbox"/> Groundwater
Condition: _____				<input type="checkbox"/> Restrictive Layer
				<input type="checkbox"/> Bedrock

Observation Hole # \_\_\_\_\_     Test Pit     Boring

\_\_\_\_\_ " Depth of organic horizon above mineral soil

Texture	Consistency	Color	Mottling
0			
6			
12			
18			
24			
30			
36			
42			
48			

Soil Profile: _____	Classification: _____	Slope: _____ Percent	Limiting Factor: _____ Depth	<input type="checkbox"/> Groundwater
Condition: _____				<input type="checkbox"/> Restrictive Layer
				<input type="checkbox"/> Bedrock

*Richard O'Connell*  
Site Evaluator Signature

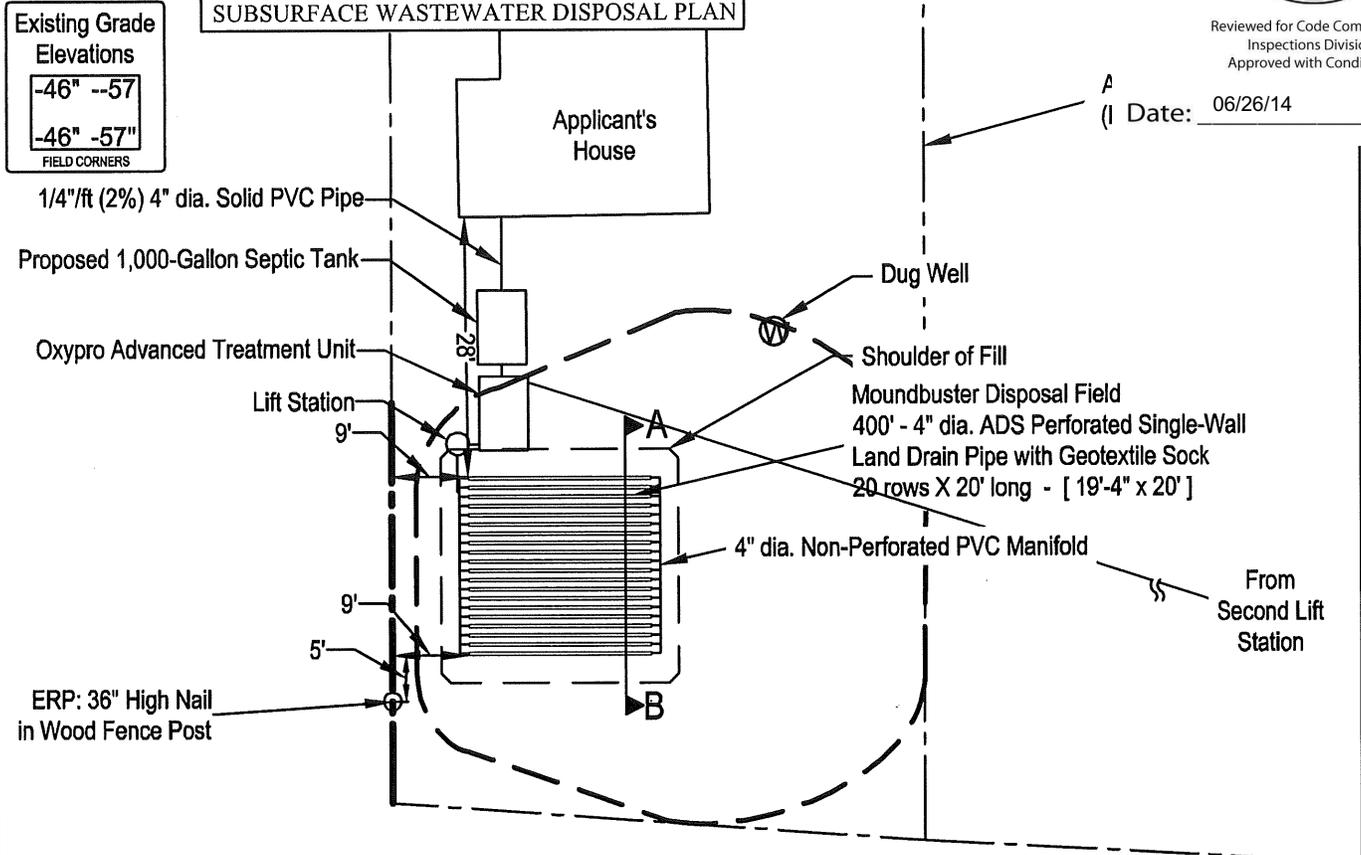
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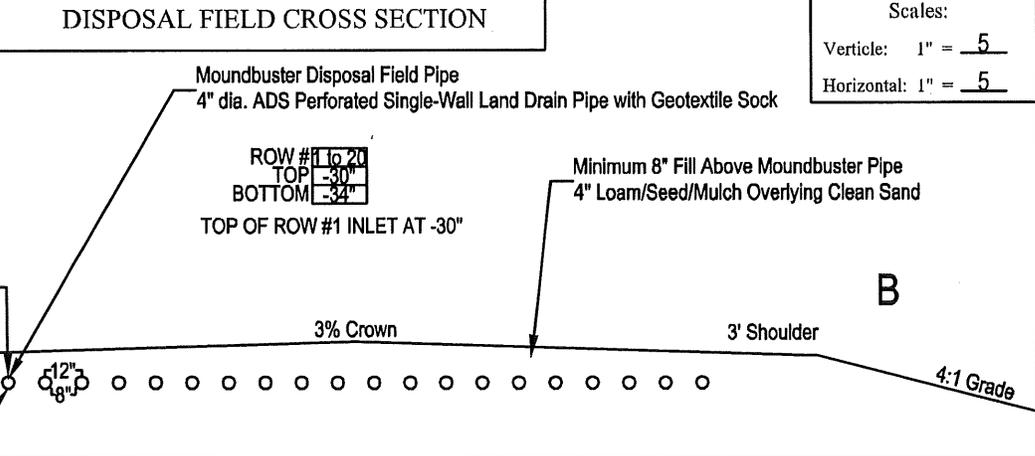
SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION		Maine Depart Division of Health (207) 287-5672
Town, City, Plantation Portland (Cliff Island)	Street, Road, Subdivision 37 Wharf Road	Owner or Applicant Name Andrew McDonald



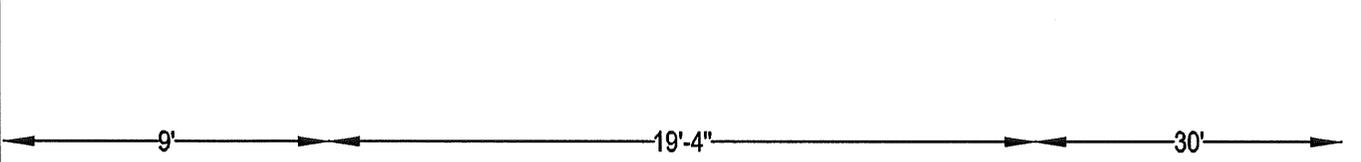
(I Date: 06/26/14

<b>BACKFILL REQUIREMENTS</b>	<b>CONSTRUCTION ELEVATIONS</b>	<b>ELEVATION REFERENCE POINT</b>
Depth of Backfill (upslope) <u>24-24"</u> Depth of Backfill (downslope) <u>35-35"</u>	Finished Grade Elevation (at Row 1) <u>-22"</u> Top of Proprietary Device (at Row 1) <u>-30"</u> Bottom of Disposal Field (at Row 1) <u>-34"</u>	Location & Description: <u>36" High Nail in Wood Fence Post</u> Reference Elevation is <u>0.0"</u> or: _____

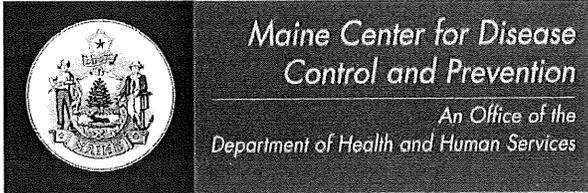
**NOTE:** Backfill 3 feet beside and 6 inches below system must meet the following gradation portion of the Code.  
 Less than 80% passing the #10 sieve  
 Less than 30% passing the #40 sieve  
 Less than 4% passing the #200 sieve



Scales:  
 Vertical: 1" = 5'  
 Horizontal: 1" = 5'



<i>Richard O'Connell</i> Site Evaluator Signature	034 SE #	09/11/12 Date	Page 3 of 3 HHE-200 Rev. 2/11
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Department of Health &  
Maine Center for Disease Control



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# 11  
August

Fax: (207) 287-4172; Date: 06/26/14

## SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE REQUEST

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<b>GENERAL INFORMATION</b>	Town of <u>Portland (Cliff Island)</u>
Property Owner's Name: <u>Andrew MacDonald</u>	Tel. No.: <u>256-7643</u>
System's Location: <u>37 Wharf Road</u>	
Property Owner's Address: <u>37 Wharf Road</u>	Zip Code: <u>04019</u>
e-mail address: <u>andy@macandquacks.com</u>	

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>Reduce setback to public water supply well to 93'</u>	<u>Table 8A</u>
2. <u>Reduce setback to private wells to 21', 67', 68', and 80'. Property line setback at 9'.</u>	<u>Table 8A</u>
3. <u>SHW table mottling at 0''.</u>	<u>Table 4F</u>

### 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.

The system proposed is a removal from a community overboard discharge system. The owner's well at a 21' setback may require relocation to the rear of the lot. The public supply well is not directly downslope from the disposal field and the soil below the Disposal field is silty providing a confining layer separation from the water table serving the public well.

I, Richard A. Sweet, 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.

  
SIGNATURE OF SITE EVALUATOR

09-11-12  
DATE

### PROPERTY OWNER

I, , 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.

SIGNATURE OF OWNER  
 AGENT FOR THE OWNER

11/28/2012  
DATE



Reviewed for Code Compliance  
 Inspections Division  
 Approved with Conditions

**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 applicant does not conform with certain provisions of the wastewater disposal rules. 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 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 issue a permit for the system's installation as proposed by the application.

Date: 06/26/14

\_\_\_\_\_  
 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, Jonathan Rowe, 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 12/03/12

**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

- 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).**

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile		
Depth to Groundwater/Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
<b>TOTAL POINT ASSESSMENT:</b>		

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



\*0599900\*

RET TD

00

MAINE REVENUE SERVICES  
REAL ESTATE TRANSFER TAX  
DECLARATION

TITLE 36, M.R.S.A. SECTIONS 4641-4641N

PLEASE TYPE OR PRINT CLEARLY



Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

Date: 06/26/14

BOOK/PAGE—REGISTRY USE ONLY

1. COUNTY **CUMBERLAND** DO NOT USE RED INK!

2. MUNICIPALITY/TOWNSHIP **PORTLAND**

3. GRANTEE/ PURCHASER	3a) Name (LAST, FIRST, MI) <b>MACDONALD, ANDREW J.</b>	3b) SSN or Federal ID <b>079 58 7227</b>
	3c) Name (LAST, FIRST, MI)	3d) SSN or Federal ID
	3e) Mailing Address <b>398 SEBAGO ROAD</b>	
	3f) City <b>HIRAM</b>	3g) State <b>ME</b>
		3h) Zip Code <b>04041</b>

4. GRANTOR/ SELLER	4a) Name (LAST, FIRST, MI) <b>MACDONALD, HEATHER A</b>	4b) SSN or Federal ID <b>012 60 5524</b>
	4c) Name (LAST, FIRST, MI)	4d) SSN or Federal ID
	4e) Mailing Address <b>398 SEBAGO ROAD</b>	
	4f) City <b>HIRAM</b>	4g) State <b>ME</b>
		4h) Zip Code <b>04041</b>

5. PROPERTY	5a) Map Block Lot Sub-Lot	Check any that apply: <input type="checkbox"/> No tax maps exist <input type="checkbox"/> Multiple parcels <input type="checkbox"/> Portion of parcel	5b) Type of property—Enter the code number that best describes the property being sold. (See instructions)
	5c) Physical Location <b>CBL 109B-C-016-</b>		5d) Acreage:

6. TRANSFER TAX	6a) Purchase Price (If the transfer is a gift, enter "0")	6a \$ <b>0.00</b>
	6b) Fair Market Value (enter a value only if you entered "0" in 6a) or if 6a) was of nominal value)	6b \$ <b>0.00</b>
	6c) Exemption claim - <input type="checkbox"/> Check the box if either grantor or grantee is claiming exemption from transfer tax and explain.	

7. DATE OF TRANSFER (MM-DD-YYYY)

MONTH DAY YEAR

8. WARNING TO BUYER—If the property is classified as Farmland, Open Space or Tree Growth, a Substantial financial penalty could be triggered by development, subdivision, partition or change in use.  CLASSIFIED

9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value?  If yes, check the box and explain:

10. INCOME TAX WITHHELD— Buyer(s) not required to withhold Maine income tax because:

Seller has qualified as a Maine resident

A waiver has been received from the State Tax Assessor

Consideration for the property is less than \$50,000

11. OATH

Aware of penalties as set forth by Title 36 §4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete. Grantees(s) and Grantor(s) or their authorized agent(s) are required to sign below:

Grantee [Signature] Date 6/26/14 Grantor [Signature] Date 6/26/14

12. PREPARER

Name of Preparer Beagle, Steeves & Ridge, LLC Phone Number 207-642-2888

Mailing Address PO Box 1815 E-Mail Address \_\_\_\_\_

Standish, ME 04084-1815



Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

## EXHIBIT A

A certain lot or parcel of land situated on Cliff Island, Portland, County of Cumberland and described as follows:

Date: 06/26/14

Commencing at a point of land now or formerly owned by Eva C. Eaton and Guy C. Eaton running in a South Easterly direction along the line now or formerly of Eva C. Eaton, 58 feet, more or less, to a point; Thence in a South Westerly direction along the line now or formerly of James and Vivian S. MacVane, 67 feet, more or less, to a point; Thence in a North Westerly direction along the line now or formerly of Bessie MacVeigh, 58 feet, more or less, to a point; Thence in a North Easterly direction along the line now or formerly of Guy O. Cobb, 67 feet, more or less, to the point of beginning.

Meaning and intending to convey all of the same land described in the deed of Harry and Sally Wellsman to Heather Macdonald, dated July 15, 2005, and recorded in Book 22981, Page 282 of the Cumberland County Registry of Deeds

Beagle, Steeves & Ridge, LLC

PO Box 1815  
Standish, ME 04084



Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

5/

Date: 06/26/14

Bill To
Heather & Andrew MacDonald

Phone #
(207) 642-2888

Terms	File Number
Net 30	24343

Date	Description	Quantity	Amount
5/23/2014	Office conference with Andrew regarding deeds, division / merger of lots, and easement	0.5	90.00
5/27/2014	Preparation of Easement Deed and Release Deed	2	360.00
5/29/2014	Preparation of Easement Deed and legal descriptions	0.5	90.00
	Registry Recording Services		48.00
	Courtesy discount		-45.00
<b>Total</b>			<b>\$543.00</b>



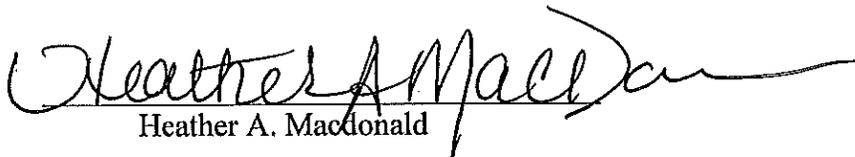
Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

## RELEASE DEED

HEATHER A. MACDONALD of Hiram, Oxford County, Maine, for consideration releases to ANDREW J. MACDONALD of Hiram, Oxford County, Maine, whose mailing address is 398 Sebago Road, Hiram, ME 04041, all of the land on Cliff Island in Portland, Cumberland County, Maine, more particularly bounded and described in Exhibit A attached hereto and incorporated herein by reference.

Date: 06/26/14

WITNESS my hand and seal this 6th day of June, 2014.

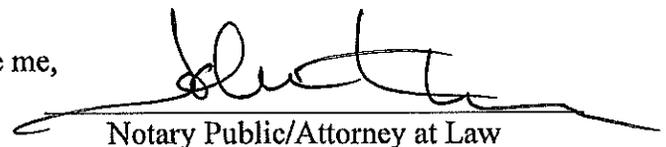
  
Heather A. Macdonald

STATE OF MAINE  
Cumberland, ss.

June 6, 2014

Then personally appeared the above named Heather A. MacDonald who acknowledged the foregoing instrument to be her free act and deed.

Before me,

  
Notary Public/Attorney at Law

Typed or printed name of Notary:  
Commission Expiration:



Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

**EASEMENT DEED**  
(Well)

ANDREW J. MACDONALD of Hiram, Oxford County, Maine, for consideration  
HEATHER A. MACDONALD and ANDREW J. MACDONALD of Hiram, Oxford County,  
Maine, whose mailing address is 398 Sebago Road, Hiram, ME 04041, an appurtenant well  
easement on, over and under land located on Cliff Island in Portland, Cumberland County,  
Maine, described in the deed of Harry and Sally Wellsman to Heather Macdonald, dated July 15,  
2005, and recorded in Book 22981, Page 282 of the Cumberland County Registry of Deeds said well  
easement being more particularly bounded and described in Exhibit A attached hereto and  
incorporated herein by reference.

Date: 06/26/14

WITNESS my hand and seal this 6th day of June, 2014.

Andrew J. Macdonald

STATE OF MAINE  
Cumberland, ss.

June 6, 2014

Then personally appeared the above named Andrew J. MacDonald who acknowledged the  
foregoing instrument to be his free act and deed.

Before me,

  
Notary Public/Attorney at Law

Typed or printed name of Notary:  
Commission Expiration:



Reviewed for Code Compliance  
Inspections Division  
Approved with Conditions

## EXHIBIT A

An appurtenant well easement located on the entire northwesterly half of the parcel in the deed of Harry and Sally Wellsman to Heather MacDonald record in Book 22 and more recently described in the deed to Heather MacDonald to Andrew MacDon soon to be recorded in the Cumberland County Registry of Deeds, said well easement the right to construct, lay pipe, inspect, maintain and replace a well and any appurtenant well equipment for the benefit of abutting land described in a deed recorded in Book 22981, page 281 of the Cumberland County Registry of Deeds.

Date: 06/26/14

Meaning and intending to grant and hereby granting an appurtenant well easement over the land of the Grantor for the benefit of the land belonging to the Grantees herein.