

**Town of Kittery
Planning Board Meeting
May 11, 2023**

ITEM 1 – 6 Goodwin Road– Shoreland Development Plan Review

Action: Accept or deny application. Approve or deny plan: Pursuant to §16.9.3 Shoreland Development Review of the Town of Kittery Land Use and Development Code, engineer Ryan McCarthy, on behalf of owner/applicants John and Laurel Gourville, request approval for the replacement of an existing non-conforming septic system and wastewater disposal field and replacement of a granite stairway leading to a pier. The project would include removing and rebuilding a pre-existing 12' x 20' deck, on top of a new retaining wall, within the base zone setback of the Shoreland Overlay Zone located on the property of 6 Goodwin Road, Tax Map 58. Lot 11, in the Residential-Rural Conservation (R-RC) and Shoreland Overlay Zone (OZ-SL-250').

PROCESS SUMMARY

REQUIRED	ACTION	COMMENTS	STATUS
Yes	Determination of Completeness	Pending	Pending
No	Site Visit	Optional	Optional
No	Public Hearing	Optional	Optional
Yes	Plan Review	TBD	TBD

PROJECT INTRODUCTION

6 Goodwin Road is located on the northern shore of Gerrish Island along Chauncey Creek within the Residential – Rural Conservation Zone (R-RC) and entirely within the Shoreland Overlay Zone (OZ-SL-250'). The property is a legally non-conforming lot of 23,976 sq ft. containing a legally non-conforming single-family household located 36.2' from the highest astronomical tide line. The house is 2,069 sq ft and 36.4' ft tall, with a dual porch and deck of 502 sq ft. Adjacent to the house sit a septic system approximately 38.8' from the HAT line and a leach field 32.7' from the HAT. There is also a pump station along the slope of the shoreline, 22' from the HAT line.

The proposed plan includes abandoning the existing septic tank and pump station to install a Fuji Clean Alternative Treatment Unit and a 1000-gallon septic tank further back from the high-water line. The new septic tank will be approximately 65' from the waterbody, and the fuji system will be 76' from the waterbody. The current leach field will be backfilled with gravely coarse sand and replaced by a 10'x25' wastewater disposal field 56.5' feet from the waterbody, along with a 24" retaining wall to prevent erosion. The plan also includes replacing a set of granite steps leading to an existing pier on the shoreline.

Planning board review of this project is required by **§16.4.28(3)a** shoreland development review, because the septic system installation includes alteration of a deck within the 100-foot setback in the Shoreland Overlay Zone. To re-route internal plumbing to the new system, the house's deck

and porch will be removed to allow the installation of new sewer piping. The deck will then be rebuilt with the same dimensions at a height of 36.5' (up from 35.2') over the piping on top of a new retaining wall of dimensions 12' x 20,' meant to provide fill to prevent the pipes from freezing.

APPLICATION & PLAN REVIEW

Staff reviewed the submitted application and plan and have the following comments:

1. The current septic and pump systems will be at minimum drained of all contents, the tops removed, and the remaining portion of the tanks backfilled with granular backfill. All pipes will be plugged with mortar, all electrical and mechanical components of the pump station shall be removed before backfilling. A temporary erosion control barrier will be placed around the installation site for the duration of the project.
2. The Shoreland Overlay Zone Ordinance §16.4.28E(3)a requires new principal and accessory structures to be set back at least 100 feet, horizontal distance, from the normal high-water line of any water bodies, tributary streams, the upland edge of a coastal wetland, or the upland edge of a freshwater wetlands. As stated above, alteration of the deck is necessary to allow installation of plumbing to the new septic system. The deck will not be rebuilt closer to the waterbody and will retain the same dimensions as before.
3. §16.4.28.E(2) allows 20% of total lot area in the shoreland zoning overlay to be comprised of non-vegetated surfaces or structures. With a lot size of 23,976 sq ft, current devegetation sits at 6,037, or 25.2%. The property is a legally non-conforming lot, and the proposed plan will not increase the percentage of devegetated area on the property. The only increase in devegetated area comes from building the leach field retaining wall, which the plan compensates for by removing and re-vegetating 20 sq ft. of the existing driveway.

DISCUSSION, NEXT STEPS, AND RECOMMENDATIONS

By moving septic systems further from the waterbody resource, the proposed plan improves the conformity of the structure, and will reduce contamination risk of human waste into Chauncey Creek. Staff suggest acceptance of the plan and to allow the application to move to final plan approval through the code enforcement office. The Planning Board should discuss the plan and determine if it meets the requirements to accept the plan, and/or direct the applicant to make any changes that are necessary.

RECOMMENDED MOTIONS

Below are motions for the Planning Board's consideration:

Motion to accept the application

Move to accept the plan for a shoreland development application from owner/applicants John and Laurel Gourville and agent Ryan McCarthy requesting to replace an existing septic system and install associated retaining walls on a legally non-conforming lot within the base zone setback of the Shoreland Overlay Zone located on real property with the address of 6 Goodwin Road, Tax Map 58, Lot 11, in the Residential – Rural Conservation (R-RC), and Shoreland Overlay Zone (OZ-SL-250').

Kittery Planning Board
Findings of Fact
For 6 Goodwin Road
Shoreland Development Plan Review

DRAFT
M 58 L 11

WHEREAS: Engineer Ryan McCarthy, on behalf of owner/applicants John and Laurel Gourville, request approval for the replacement of an existing non-conforming septic system and wastewater disposal field and replacement of a granite stairway leading to a pier, as well as removing and rebuilding a pre-existing 12' x 20' deck on top of a new retaining wall, within the base zone setback of the Shoreland Overlay Zone located on the property of 6 Goodwin Road, Tax Map 58. Lot 11, in the Residential-Rural Conservation (R-RC) and Shoreland Overlay Zone (OZ-SL-250').

Pursuant to the Plan Review meetings conducted by the Planning Board as noted in the plan review notes prepared for 5/11/2023.

Shoreland Development Plan Review	May 11 th 2023
Site Walk	None
Public Hearing	None
Approval	May 11 th 2023

Pursuant to the application and plan and other documents considered to be a part of a plan review decision by the Planning Board in this Finding of Fact consisting of the following (hereinafter the "Plan"):

1. Shoreland development plan application received 4/20/2023 from Ryan McCarthy of Tidewater Engineering & Surveying.
2. Subsurface wastewater disposal system application dated 4/16/2023 from site evaluator Joseph W. Noel.

NOW THEREFORE, based on the entire record before the Planning Board and pursuant to the applicable standards in the Land Use and Development Code, the Planning Board makes the following factual findings and conclusions:

FINDINGS OF FACT

Chapter 16.4 LAND USE ZONE REGULATIONS

16.4.28.E. Shoreland Overlay Zone

(2) The total footprints of the areas devegetated for structures, parking lots and other impervious surfaces, must not exceed twenty (20) percent of the lot area, including existing development, except in the following zones:

Finding: The property is legally non-conforming with a devegetated area of 25.2%. The proposed plan will not increase current devegetation.

Conclusion: The requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

Chapter 9 MARITIME AND SHORELAND RELATED DEVELOPMENT

35

Article III Planning Board Shoreland Development Review

16.9.3.F. Findings of Fact
<i>(2) An application will be approved or approved with conditions if the reviewing authority makes a positive finding based on the information presented. It must be demonstrated the proposed use will:</i>
<i>(a). Maintain safe and healthful conditions:</i>
<u>Finding:</u> The proposed septic system as represented in the plans will maintain healthful conditions and application does not appear to have an adverse impact on public health and safety.
<u>Conclusion:</u> This requirement appears to be met.
Vote: ___ in favor ___ against ___ abstaining
<i>(b) Not result in water pollution, erosion or sedimentation to surface waters:</i>
<u>Finding:</u> The proposed development as represented in the plans and application will reduce the risk of water pollution, and best practices for erosion and sedimentation will be observed in development.
<u>Conclusion:</u> This requirement appears to be met.
Vote: ___ in favor ___ against ___ abstaining
<i>(c) Adequately provide for the disposal of all wastewater:</i>
<u>Finding:</u> The proposed development adequately provides for the disposal and treatment of the property's wastewater
<u>Conclusion:</u> This requirement appears to have been met.
Vote: ___ in favor ___ against ___ abstaining
<i>(d) Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat:</i>
<u>Finding:</u> The proposed development as represented in the plans appears to reduce the risk of adverse impact on nearby natural resources.
<u>Conclusion:</u> The requirement appears to be met.
Vote: ___ in favor ___ against ___ abstaining
<i>(e) Conserve shore cover and visual, as well as actual, points of access to inland and coastal waters:</i>
<u>Finding:</u> Shore cover is conserved in accordance with the Code. There are no adverse impacts to visual or actual points of access to waters.
<u>Conclusion:</u> This requirement appears to be met.
Vote: ___ in favor ___ against ___ abstaining
<i>(f) Protect archaeological and historic resources:</i>
<u>Finding:</u> There appear to be neither archaeological nor historic resources impacted.
<u>Conclusion:</u> This requirement appears to be met.
Vote: ___ in favor ___ against ___ abstaining

(g) Not adversely affect existing commercial fishing or maritime activities in a commercial fisheries/maritime activities district.

Finding: The property is not located in the Commercial Fisheries / Maritime Use Zone and will have no adverse effect on commercial fishing nor maritime activities.

Conclusion: This requirement is not applicable.

Vote: ___ in favor ___ against ___ abstaining

(h) Avoid problems associated with floodplain development and use.

Finding: The proposed septic system will be placed in the optimal location on the property.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

(i) Is in conformance with the provisions of this code.

Finding: The proposed project is an existing non-conforming system, and proposed improvements will improve the property's conformity to the provisions of Title 16.

Conclusion: This requirement appears to be met.

Vote: ___ in favor ___ against ___ abstaining

(j) Be recorded with the York County Registry of Deeds.

Finding: A plan suitable for recording once the Surveyor's stamp is added has been prepared by Tidewater Engineering & Surveying.

Conclusion: As stated in the Notices to Applicant contained herein, a Shoreland Development Plan must be recorded with the York County Registry of Deeds prior to the issuance of a building permit.

Vote: ___ in favor ___ against ___ abstaining

Based on the foregoing Findings, the Planning Board finds the applicant has satisfied each of the review standards for approval and, therefore, the Planning Board approves the Shoreland Development Plan Application subject to any conditions or waivers, as follows:

Waivers: None

Conditions of Approval (to be depicted on final plan to be recorded):

1. No changes, erasures, modifications or revisions may be made to any Planning Board approved final plan per Title 16.9.3.I.
2. Applicant/contractor will follow Maine DEP *Best Management Practices* for all work associated with site and construction to ensure adequate erosion control and slope stabilization.
3. All Notices to Applicant contained herein (Findings of Fact dated 5/11/2023).

Conditions of Approval (not to be depicted on final plan):

1. Incorporate any plan revisions on the final plan as recommended by Staff, Planning Board or Peer Review Engineer, and submit for Staff review prior to presentation on final plan.

2. Surveyor's stamp must be on the final plan.

Notices to Applicant:

1. Incorporate any plan revisions on the final plan as required by Planning Board and submit for Staff review prior to presentation of final plan.

2. Prior to the release of the signed plans, the applicant must pay all outstanding fees associated with the permitting, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification.

3. One (1) copy of the final plan and any and all related state/federal permits or legal documents that may be required, must be submitted to the Town Planning Department for signing. Date of Planning Board approval shall be included on the final plan in the Signature Block. After the signed plan is recorded with the York County Registry of Deeds, a copy of the signed and recorded original must be submitted to the Town Planning Department.

4. This approval by the Town Planning Board constitutes an agreement between the Town and the Developer, incorporating as elements the Development Plan and supporting documentation, the Findings of Fact, and any Conditions of Approval.

5. Prior to construction, applicant shall obtain any and all permits required by the code enforcement office to complete proposed work.

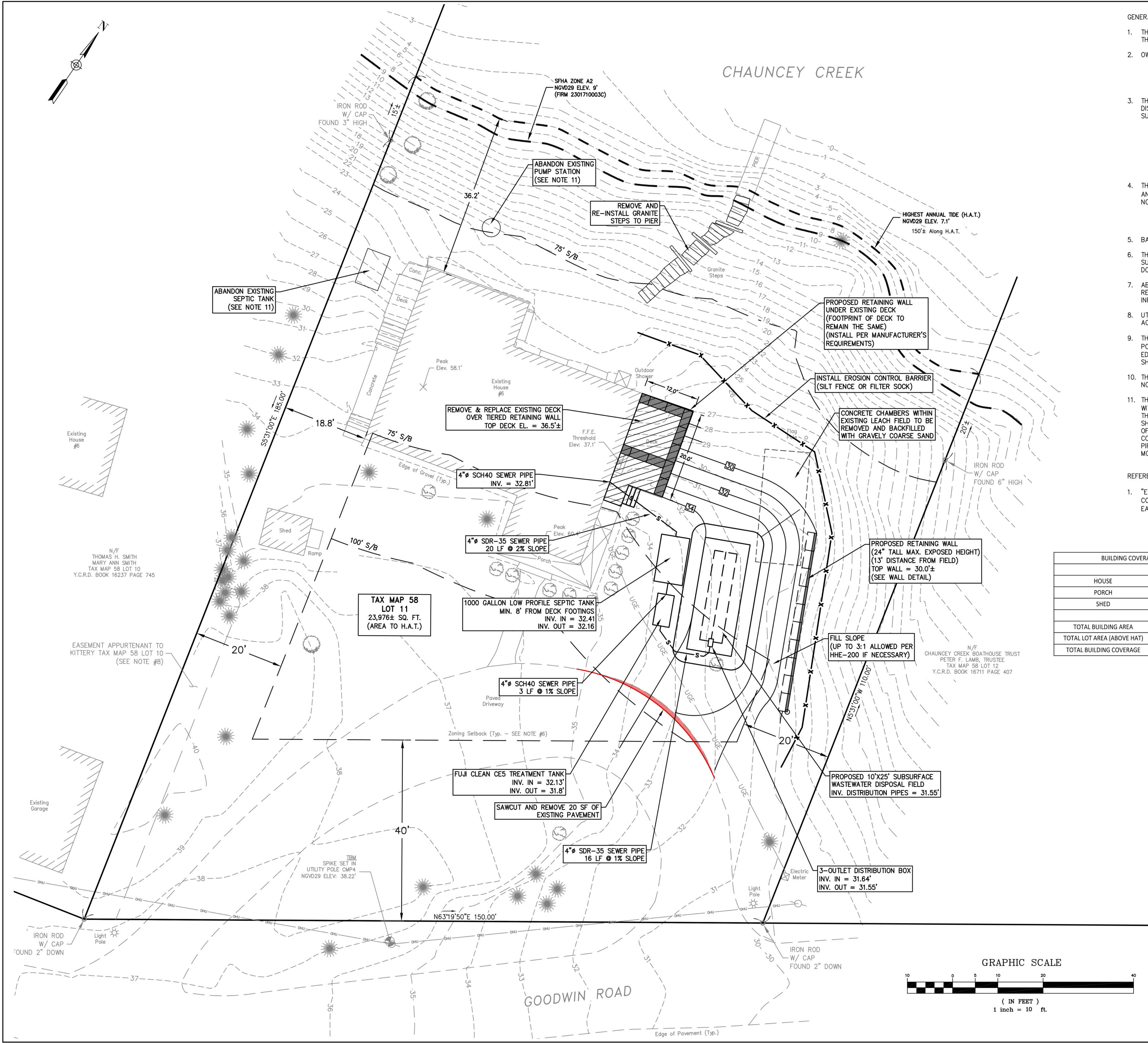
The Planning Board authorizes the Planning Board Chair or Vice chair to sign the Final Plan and the Findings of Fact upon confirmation of required plan changes.

Vote: ___ in favor ___ against ___ abstaining

APPROVED BY THE KITTELY PLANNING BOARD ON _____

Dutch Dunkelberger, Planning Board Chair

Per Title 16.2.12. - An aggrieved party with legal standing may appeal a final decision of the Planning Board to the York County Superior Court in accordance with Maine Rules of Civil Procedures Section 80B, within forty-five (45) days from the date the decision by the Planning Board was rendered.



- GENERAL NOTES:
- THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED IMPROVEMENTS LOCATED WITHIN THE SHORELAND ZONE ON TAX MAP 58 LOT 11 IN THE TOWN OF KITTERY, MAINE.
 - OWNER OF RECORD:
JOHN T. & LAUREL S. GOURVILLE
33 REYNOLDS ROAD
WAKEFIELD, MA 01880-3824
Y.C.R.D. BOOK 16649 PAGE 564
 - THE PROPERTY IS LOCATED WITHIN THE RESIDENTIAL-RURAL CONSERVATION (R-RC) ZONING DISTRICT. THE FOLLOWING DIMENSIONAL REGULATIONS ARE IN EFFECT AT THE TIME OF THIS SURVEY AND ARE SUBJECT TO THE REVIEW BY THE TOWN OF KITTERY.

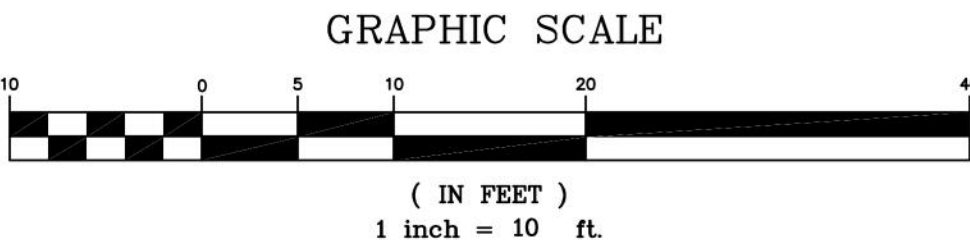
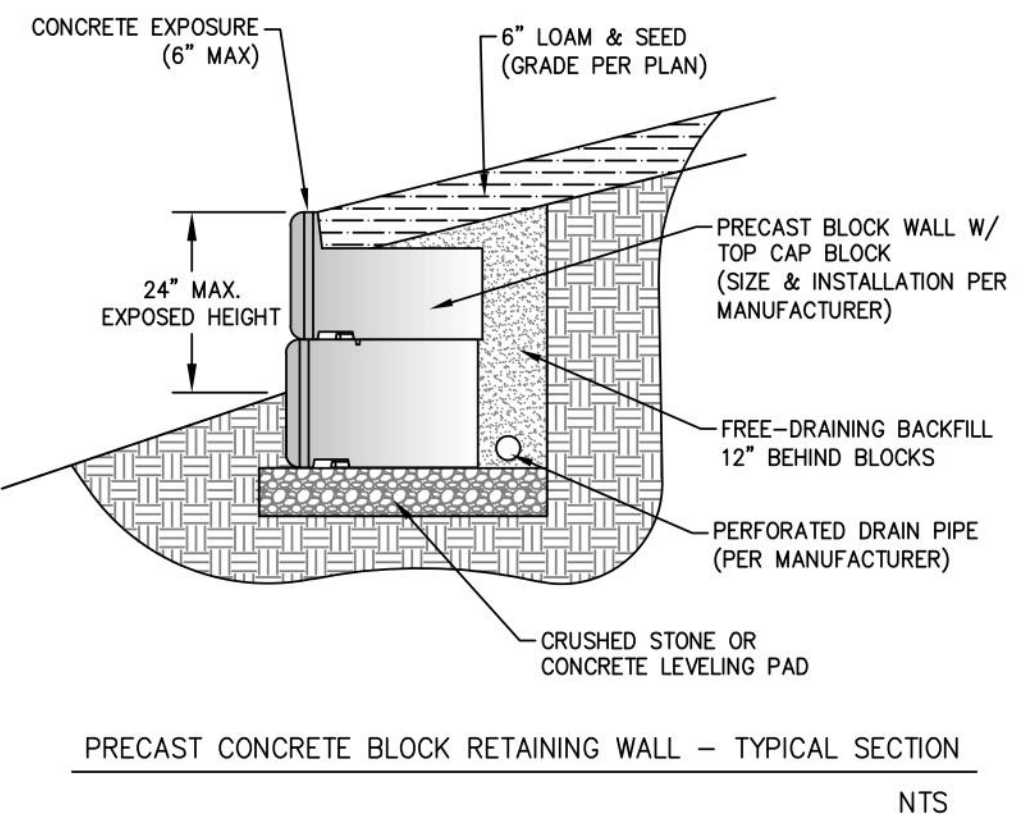
MINIMUM LAND AREA:	80,000 SF
MINIMUM STREET FRONTAGE:	200 FEET
MINIMUM FRONT YARD SETBACK:	40 FEET
MINIMUM SIDE/REAR YARD SETBACK:	20 FEET
MAXIMUM BUILDING COVERAGE:	6%
MAXIMUM BUILDING HEIGHT:	35 FEET
 - THIS PROPERTY IS LOCATED ENTIRELY WITHIN THE SHORELAND OVERLAY ZONE (OZ-SL). ANY DEVELOPMENT SHALL COMPLY WITH §16.3.2.17 OF THE KITTERY CODE INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING REGULATIONS.

MAX. DEVEGETATED AREA	20%
SHORELAND STRUCTURE SETBACK	100 FEET
 - BASIS OF BEARING IS PER REFERENCE PLAN 1. ELEVATIONS CORRESPOND TO NGVD29.
 - THE BOUNDARY SHOWN HEREON IS PER REFERENCE PLAN 1. TIDEWATER ENGINEERING & SURVEYING, INC HAS NOT COMPLETED A BOUNDARY SURVEY OF THE SUBJECT PARCEL AND DOES NOT CERTIFY TO THE ACCURACY OF THE BOUNDARY ON REFERENCE PLAN 1.
 - ABUTTER LINES SHOWN HEREON SHALL BE CONSIDERED APPROXIMATE AND ARE FOR REFERENCE PURPOSES ONLY. ABUTTER LINES SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
 - UTILITY LOCATIONS SHOWN ON THESE PLANS ARE APPROXIMATE AND MAY NOT BE ENTIRELY ACCURATE OR COMPLETE.
 - THE 2018 HIGHEST ANNUAL TIDE (H.A.T.) ELEVATION PUBLISHED BY MAINE DEP FOR KITTERY POINT IS ELEV. = 7.1' (NGVD29). THE H.A.T. ELEVATION IS USED TO DELINEATE THE UPLAND EDGE OF THE COASTAL RESOURCE FOR REGULATORY PURPOSES UNDER THE MANDATORY SHORELAND ZONING ACT.
 - THE REPLACEMENT SUBSURFACE WASTEWATER DISPOSAL SYSTEM WAS DESIGNED BY JOSEPH NOEL. SEE ASSOCIATED HHE-200 FORM FOR MORE INFORMATION.
 - THE EXISTING SEPTIC TANK AND PUMP CHAMBER SHALL BE ABANDONED IN ACCORDANCE WITH THE STATE OF MAINE SUBSURFACE WASTEWATER DISPOSAL RULES (CHAPTER 241) AND THE LOCAL MUNICIPAL REGULATIONS. AT MINIMUM, THE STRUCTURES TO BE ABANDONED SHALL BE PUMPED OF ALL CONTENTS, THE TOPS REMOVED AND THE REMAINING PORTION OF THE TANK MUST BACKFILLED WITH GRANULAR BACKFILL. ALL ELECTRICAL AND MECHANIC COMPONENTS OF THE PUMP STATIONS SHALL BE REMOVED PRIOR TO BACKFILLING. ALL PIPES ENTERING AND EXITING THE STRUCTURES SHALL BE CAPPED OR PLUGGED WITH MORTAR.

- REFERENCE PLANS:
- "EXISTING CONDITIONS PLAN FOR PROPERTY AT 6 GOODWIN ROAD KITTERY POINT, YORK COUNTY, MAINE OWNED BY JOHN T. GOURVILLE LAUREL S. GOURVILLE" PREPARED BY NORTH EASTERLY SURVEYING, INC. DATED 2/19/2020.

BUILDING COVERAGE	
	EXISTING
HOUSE	2,069 SF
PORCH	129 SF
SHED	85 SF
TOTAL BUILDING AREA	2,283 SF
TOTAL LOT AREA (ABOVE HAT)	23,976 SF
TOTAL BUILDING COVERAGE	9.5%

SHORELAND (DEVEGETATED) COVERAGE CALCULATION		
	EXISTING	PROPOSED
HOUSE	2,069 SF	2,069 SF
PORCH/DECK	502 SF	502 SF
SHED	85 SF	85 SF
PAVED DRIVEWAY	2,788 SF	2,768 SF
WALKWAYS/STEPS/CONCRETE	391 SF	411 SF
GRAVEL	196 SF	196 SF
DOCK (ABOVE H.A.T.)	6 SF	6 SF
TOTAL DEVEGETATED AREA	6,037 SF	6,037 SF
TOTAL LOT AREA (ABOVE HAT)	23,976 SF	23,976 SF
TOTAL DEVEGETATED AREA COVERAGE	25.2%	25.2%



APPROVED BY THE TOWN OF KITTERY
PLANNING BOARD ON: _____, 2023
PLANNING BOARD CHAIR _____ DATE _____

MAP 58
LOT 11

STATE OF MAINE
RYAN M. MCCARTHY
#12895
LICENSED PROFESSIONAL ENGINEER
APRIL 20, 2023
NOT VALID UNLESS
SIGNED AND STAMPED

DATE: _____
NO. _____

TIDEWATER
ENGINEERING & SURVEYING, INC.
1021 Goodwin Rd. Unit 1, Eliot, ME 03903
(207)499-2222 • www.tidewatercivil.com

SHORELAND DEVELOPMENT PLAN
OF LAND LOCATED AT
6 GOODWIN ROAD
KITTERY POINT, YORK COUNTY, MAINE
RECORD OWNER:
JOHN T. & LAUREL S. GOURVILLE
33 REYNOLDS ROAD
WAKEFIELD, MA 01880-3824

JOB #:
DATE:
SCALE:
SHEET:

22-101
4/20/2023
1" = 10'
1 OF 1

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
Div. of Environmental Health, 11 SHS
(207) 287-2070 Fax: (207) 287-4172

PROPERTY LOCATION

City, Town,
or Plantation

KITTERY POINT

Street or Road

6 GOODWIN ROAD(GERRISH ISLAND)

Subdivision, Lot #

>> CAUTION: LPI APPROVAL REQUIRED <<

Town/City

Permit #

Date Permit Issued

Fee: \$

Double Fee Charged []

Local Plumbing Inspector Signature

L.P.I. #

Fee \$ state min fee/S Locally adopted

Fee Copy [] Owner [] Town [] State

OWNER/APPLICANT INFORMATION

Name (last, first, MI)

Owner

GOURVILLE, JOHN & LAUREL

Applicant

Mailing Address
of

33 REYNOLDS ROAD

Owner/Applicant

WAKEFIELD, MA 01880-3824

Daytime Tel. #

617-957-9051 (JOHN)

The Subsurface Wastewater Disposal System **shall not** be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Municipal Tax Map # 58 Lot # 11

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.

Signature of Owner or Applicant

Date

CAUTION: INSPECTION REQUIRED

I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.

(1st) date approved

Local Plumbing Inspector Signature

(2nd) date approved

PERMIT INFORMATION

TYPE OF APPLICATION

☐ 1. First Time System☒ 2. Replacement System

Type replaced: Chamber

Year installed: 1988

☐ 3. Expanded System☐ a. <25% Expansion☐ b. >25% Expansion☐ 4. Experimental System☐ 5. Seasonal Conversion

THIS APPLICATION REQUIRES

☐ 1. No Rule Variance☐ 2. First Time System Variance☐ a. Local Plumbing Inspector Approval☐ b. State & Local Plumbing Inspector Approval☒ 3. Replacement System Variance☐ a. Local Plumbing Inspector Approval☐ b. State & Local Plumbing Inspector Approval☐ 4. Minimum Lot Size Variance☐ 5. Seasonal Conversion Permit

DISPOSAL SYSTEM COMPONENTS

☒ 1. Complete Non-engineered System☐ 2. Primitive System (graywater & alt. toilet)☐ 3. Alternative Toilet, specify:☐ 4. Non-engineered Treatment Tank (only)☐ 5. Holding Tank, gallons☐ 6. Non-engineered Disposal Field (only)☐ 7. Separated Laundry System☐ 8. Complete Engineered System (2000 gpd or more)☐ 9. Engineered Treatment Tank (only)☐ 10. Engineered Disposal Field (only)☐ 11. Pre-treatment, specify: refer to back of page 1 for pretreatment info☐ 12. Miscellaneous Components

TYPE OF WATER SUPPLY

☐ 1. Drilled Well ☐ 2. Dug Well ☐ 3. Private☒ 4. Public ☐ 5. Other

SIZE OF PROPERTY

23,976 ☒ SQ. FT.☐ ACRES

SHORELAND ZONING

☒ Yes ☐ No

DISPOSAL SYSTEM TO SERVE

☒ 1. Single Family Dwelling Unit, No. of Bedrooms: 3☐ 2. Multiple Family Dwelling, No. of Units:☐ 3. Other:

(specify)

Current Use ☐ Seasonal ☒ Year Round ☐ Undeveloped

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK

☒ 1. Concrete☐ a. Regular☒ b. Low Profile☐ 2. Plastic☐ 3. Other:

CAPACITY: 1000 GAL.

DISPOSAL FIELD TYPE & SIZE

☒ 1. Stone Bed ☐ 2. Stone Trench☐ 3. Proprietary Device☐ a. cluster array ☐ c. Linear☐ b. regular load ☐ d. H-20 load☐ 4. Other:SIZE: 250 sq. ft. ☐ sq. ft. ☐ lin. ft.

10' x 25' Stone Bed with Fuji Clean CE5 Pretreatment Tank (refer to back of page 1)

DISPOSAL FIELD SIZING

☐ 1. Medium---2.6 sq. ft. / gpd☒ 2. Medium---Large 3.3 sq. ft. / gpd☐ 3. Large---4.1 sq. ft. / gpd☐ 4. Extra Large---5.0 sq. ft. / gpd

GARBAGE DISPOSAL UNIT

☒ 1. No ☐ 2. Yes ☐ 3. Maybe

If Yes or Maybe, specify one below:

☐ a. multi-compartment tank☐ b. tanks in series☐ c. increase in tank capacity☐ d. Filter on Tank Outlet

EFFLUENT/EJECTOR PUMP

internal plumbing to be re-routed and raised to avoid a pump - if pumping is required use 100 gal or larger pump chamber

Specify only for engineered systems:

DOSE: gallons

DESIGN FLOW

270 gallons per day

BASED ON:

☒ 1. Table 4A (dwelling unit(s))☐ 2. Table 4C (other facilities)

SHOW CALCULATIONS for other facilities

Do not hook any component of a water softener unit to the wastewater disposal system.

☐ 3. Section 4G (meter readings)

ATTACH WATER METER DATA

LATITUDE AND LONGITUDE

at center of disposal area

Lat. 43 d 05 m 05 s

Lon. 70 d 40 m 49 s

if g.p.s. state margin of error. 30' +/-

SITE EVALUATOR STATEMENT

I certify that on 5/7/21 & 5/25/21 (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 (10-1444, 10-1445, 10-1446, 10-1447, 10-1448, 10-1449, 10-1450, 10-1451, 10-1452, 10-1453, 10-1454, 10-1455, 10-1456, 10-1457, 10-1458, 10-1459, 10-1460, 10-1461, 10-1462, 10-1463, 10-1464, 10-1465, 10-1466, 10-1467, 10-1468, 10-1469, 10-1470, 10-1471, 10-1472, 10-1473, 10-1474, 10-1475, 10-1476, 10-1477, 10-1478, 10-1479, 10-1480, 10-1481, 10-1482, 10-1483, 10-1484, 10-1485, 10-1486, 10-1487, 10-1488, 10-1489, 10-1490, 10-1491, 10-1492, 10-1493, 10-1494, 10-1495, 10-1496, 10-1497, 10-1498, 10-1499, 10-1500, 10-1501, 10-1502, 10-1503, 10-1504, 10-1505, 10-1506, 10-1507, 10-1508, 10-1509, 10-1510, 10-1511, 10-1512, 10-1513, 10-1514, 10-1515, 10-1516, 10-1517, 10-1518, 10-1519, 10-1520, 10-1521, 10-1522, 10-1523, 10-1524, 10-1525, 10-1526, 10-1527, 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- The existing chamber system (1988) was placed in a gravelly fine sandy loam fill material (fill from ~1980) with bedrock depths ranging from 36" to 62" (per Mike Cuomo's design dated 4/6/88). The chambers and unsuitable fill are to be removed and replaced with clean gravelly coarse sand.
- The replacement bed has been shifted to get further away from the steep slope and Chauncey Creek.
- If necessary, the ERP referenced on page 2 of this HHE-200 can be transferred to a new fixed reference point (transfer at same elevation). Call the designer prior to disturbing the original ERP at 207-384-5587.

FUJI CLEAN ALTERNATIVE TREATMENT UNIT

1. The installer of this system shall be familiar with the latest version of FUJI Clean Contractor Installation Manual.

FUJI Clean Distributor:

Maine Septic Solutions, LLC
23 Abbie Lane
Damariscotta, ME 04543
Matt Page
Matt@mainesepticsolution.com
Tel: 207-380-4662

2. The owner shall have the Fuji Clean Owner's Manual – Residential Systems. Follow the service plan.
3. Disposal systems utilizing Fuji Clean units do not require a septic tank, however, a new 1000 gallon tank is being specified to improve treatment prior to the Fuji tank.
4. Maintenance agreement contracts must be included with all system installations. Terms and duration of the contracts shall be in accordance with Fuji Clean's company policies.
5. This treatment system is a living system with billions of living microbes that consume pollutants from the wastewater. Excessive fats, oils, and greases can smother living microbes. Toxic substances can poison them. Please refrain from introducing such items into your system.
6. This system is not designed for the use of a garbage disposal. Garbage disposal devices inject heavy and inconsistent organic loads into the system, which can interfere with normal processing.
7. This system is not designed for backwash from a water softener.
8. Installer shall take measures to assure there will be adequate tank uplift restraint. Options to consider are outlined in the Contractor Installation Manual. Measures to check for watertight conditions are outlined as well.
9. The inlet and outlet elevations on both tanks & pump chamber (if needed) are to be determined by installer.

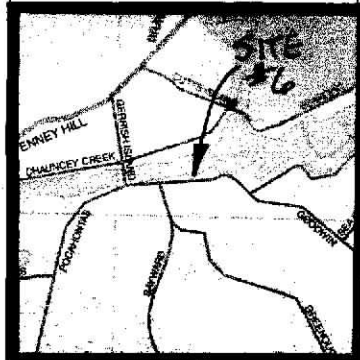
DEPARTMENT OF HUMAN SERVICES
DIVISION OF HEALTH ENGINEERING
(207) 287-3672 FAX (207) 287-4172

Owner or Applicant Name

GOURVILLE

SITE LOCATION MAP

INFORMATION PROVIDED BY THE CLIENT OR THE CLIENT'S REPRESENTATIVE CONCERNING PROPERTY LINES, WELLS, EXISTING UNDERGROUND UTILITIES, ZONING INFORMATION, ETC. IS ACCEPTED IN GOOD FAITH AS BEING CORRECT BY THE SITE EVALUATOR. THE SITE EVALUATOR ACCEPTS NO RESPONSIBILITY FOR THE VERACITY OF SUCH INFORMATION. UNLESS SPECIFICALLY NOTED ON PAGE 1, THIS HHM-200 IS NOT DESIGNED TO ACCOMMODATE APARTMENTS, BOARDING ROOMS, AIRBNB RENTALS, ETC.



REFER TO TIDEWATER
ENGINEERING & SURVEYING
PLAN FOR ADDITIONAL
TANK ELEVATIONS, DISPOSAL
FIELD ELEVATIONS, & TIES TO
FEATURES

(Location of Observation Holes Shown Above)

 I " Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (feet)	Texture	Consistency	Color	Mottling
0			DARK	
10	GRAVELLY		BROWN	
20	SANDY	FRIABLE	DARK	NONE
30	LOAM		YELLOWISH	
32	BEDROCK @ 32'			
40	SOME DISTURBED MATERIAL IN PROFILE			
50				

Soil Classification	Slope	Limiting Factor	<input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input checked="" type="checkbox"/> Bedrock <input type="checkbox"/> Pit Depth
2 Profile	AIII Condition	~14 %	32 "

Page 2 of 3
HHE-200 Rev. 10/02

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

DEPARTMENT OF HUMAN SERVICES
DIVISION OF HEALTH ENGINEERING
(207) 287-5672 FAX (207) 287-3165

Town, City, Plantation
KITTERY POINT

Street, Road, Subdivision
6 GOODWIN ROAD

Owner's Name
GOURVILLE

RULES SECTION 5(A)(4)

SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE 1" = 20' Ft.

ORIGINAL GROUND ELEVATIONS & DEPTH OF FILL FROM EXISTING SURFACE AT EACH CORNER (REFERENCED TO ERP)

ORIGINAL GROUND	DEPTH OF FILL
A -41"	24"
B -31"	14"
C -46"	29"
D -46"	29"

PLACE EROSION CONTROL STRUCTURE AT EDGE OF SOIL DISTURBANCE.

REMOVE EXISTING CHAMBERS AND UNSUITABLE FILL. REPLACE WITH GRAVELLY COARSE SAND.

APPROXIMATE LIMITS OF FILL. EXTENSION - 25% SLOPE (I.E., FILL. REMOVAL & REPLACEMENT)

PROPOSED 24" RETAINING WALL REFER TO SITE PLAN BY TIDEWATER ENGINEERING & SURVEYING FOR DETAILS

CROSS-SECTION (SEE BELOW)

SEE REVERSE SIDE FOR MORE INFORMATION

BOTH TANKS MUST BE WATERTIGHT

APPROXIMATE LOCATION OF NEW 1,000 GALLON TANK. ADD WATERTIGHT RISERS TO WITHIN 6" OF GRADE ON ALL ACCESS OPENINGS (PER MAINE RULES)

APPROX. LOCATION OF FUJI CLEAN CES PRETREATMENT TANK

CONTRACTOR/INSTALLER SHALL PROVIDE AS-BUILT MEASUREMENTS OF TANK CLEAN-OUTS AND D-BOX COVER TO THE HOMEOWNER TO FACILITATE SERVICE AND/OR INSPECTION

4" SCH 35 PVC (ASSUME GRAVITY)

4" DIAMETER PERFORATED PVC PIPE EQUALLY SPACED 2.5' APART AND 2.5' FROM EDGE OF STONE

D-BOX LAID LEVEL & BEDDED FIRMLY IF PUMPING, OVERSIZED, INSULATED & BOTTOM FED

BACKFILL REQUIREMENTS

Depth of Backfill (Upslope)	14" TO 24"
Depth of Backfill (Downslope)	29"
APPROX. DEPTHS AT CROSS-SECTION (shown below)	

CONSTRUCTION ELEVATIONS

Finished Grade Elevation	-17"
Top of Distribution Pipe or Proprietary Device	-30"
Bottom of Disposal Area (STONE)	-41"

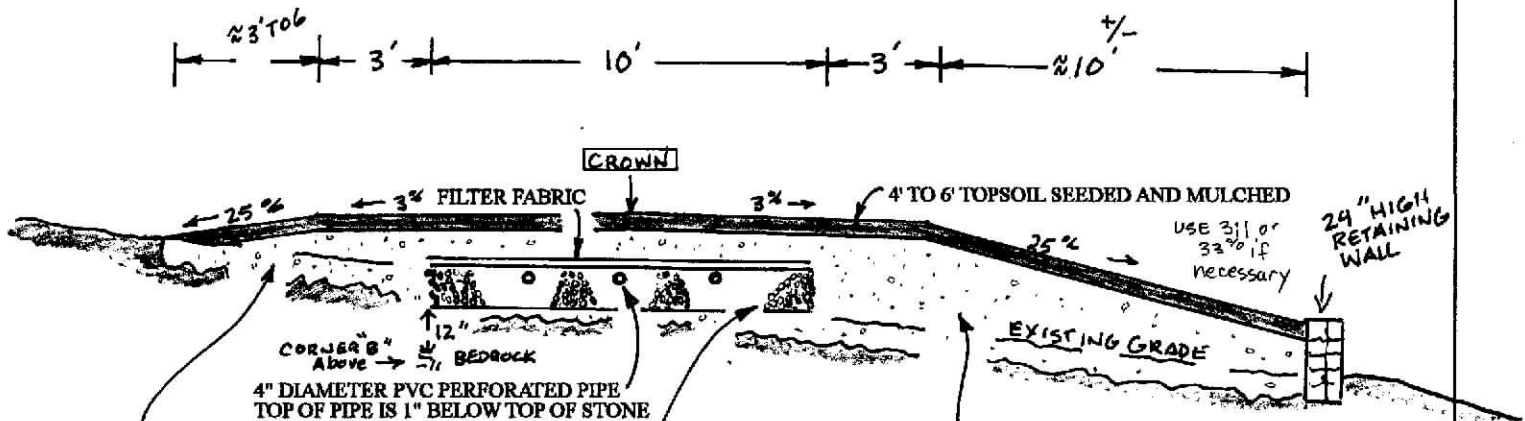
ELEVATION REFERENCE POINT SHOWN ABOVE

Location & Description	TOP OF DECK AT CORNER
Reference Elevation:	0.0"

DO NOT DRIVE OVER PVC PIPE WHEN BACKFILLING

DISPOSAL AREA CROSS SECTION SECTION A-A'

SCALE
VERTICAL: 1" = 5'
HORIZONTAL: 1" = 5'



REMOVE VEGETATION AND ORGANIC TOPSOIL AND SCARIFY SURFACE BEFORE PLACING FILL. CREATE A TRANSITION HORIZON BY DISKING/ PLOWING 4" OF BACKFILL INTO THE NATURAL SOIL (PER MAINE RULES)

12" CLEAN WASHED STONE FREE OF FINE DUST AND UNIFORM SIZE (1 1/2" DIA.)

CLEAN GRAVELLY COARSE SAND BACKFILL MATERIAL PLACED IN 8" LIFTS MINIMUM OF 8" FILL OVER DISPOSAL AREA

John W. Nail
Site Evaluator Signature

221
SE #

Revised 4/16/23
Date

Page 3 of 3
HHE-200 Rev. 10/02

The most recent revision of the Maine Subsurface Wastewater Disposal Rules ("this code") is hereby made a part of this HHE-200 Form and shall be consulted by the disposal system installer for further construction details, material specifications, cautions, and other related details pertinent to the installation of the disposal system.

As this application pertains only to "this code" referenced above, the owner/applicant must check both local and state ordinances and regulations regarding other building regulations (i.e., zoning, wetlands, building codes, minimum lot size, etc.) before considering this an approved suitable site.

All information shown on this application relating to property lines and subsurface structures (such as but not limited to: water lines, septic tanks, cesspools, cellar drains, utility lines, etc.) are noted, plotted or left off as not affecting the system based on information provided by the owner or his agent. It is the responsibility of the owner or his agent to confirm BEFORE CONSTRUCTION BEGINS, the above and/or any other feature that may affect (or be adversely affected by) the installation of this system.

All construction shall be inspected by the local plumbing inspector (LPI) as required in "this code". Backfill materials shall comply with Section 11 of "this code". Do not work soils when wet. Construction techniques Section 11 of "this code" shall be consulted and include: (A) The vegetation, organic and dark brown topsoil layers in the proposed disposal area and fill extensions shall be removed and the ground surface scarified (rototilled with backfill material) to minimize glazing of the original soil; (B) The bottom of the disposal area and distribution line shall be level with a maximum grade tolerance of 2 inches per 100 feet; (C) Fill shall be clean, gravelly coarse sand, free of foreign material, placed in 8-inch lifts; (D) The finish grade of the backfill over the disposal area shall extend 3 to 5 feet beyond the edge of the disposal area. At that point, the fill shall be sloped at a uniform grade of no greater than 25% (4:1) to the original ground; (E) The land adjacent to the disposal area shall be graded to prevent both the accumulation of surface water on the disposal area and the flow of surface water across the disposal area; and (F) The finished disposal area and fill extensions shall be seeded to prevent erosion: grass, clover, trefoil, vetch, perennial wildflowers, or other herbaceous perennials may be utilized for the disposal area surfaces. Woody shrubs are unacceptable. Woody shrubs in conjunction with hardy perennial ground clover may be used on the fill extensions only.

When a gravity system is proposed BEFORE CONSTRUCTION BEGINS, the disposal system installer and building contractor shall review the relative elevation of all points given on the HHE-200 Form and the elevation of the existing or proposed building drain and septic tank openings for compatibility to the minimum code pitch requirements. Any questions that arise should be directed to the local plumbing inspector or myself. When a pump system is installed, provisions shall be made to keep the tank and lift station outlets above the high water table. An alarm device warning of pump failure is required. Refer to the code for additional pumping requirements.

If the use of a laundry machine becomes excessive, a separate laundry bed should be designed and installed. A distribution box has been shown in the design and is intended to offer an inspection port whereby the owner can check for excessive lint or grease build-up before damage to the system is done. Inspection should be frequent. This system has not been designed or sized to accommodate a garbage disposal. If one is used, you must first notify me so that I can increase the disposal size and septic tank capacity. Pump tank every year if you have a garbage disposal.

The setback distance between a well and disposal area serving a single-family residence (<1,000 gpd) is 100 feet (50 feet for septic tanks). The location of a new well that is within 100 feet of the proposed disposal area may void this design. For additional setback information and variances to these setbacks, refer to Section 7 of "this code".

THE SEPTIC TANK SHALL BE PUMPED WITHIN TWO YEARS OF INSTALLATION and subsequently as recommended by the pump service, but in no case shall the septic tank be pumped less often than once every three years (the tank should be pumped when the sludge or scum occupies one-third of the tank's liquid capacity – refer to Section 6 of "this code"). If town regulations are more stringent for pumping frequency, pump tank according to the local requirements. Two-compartment tanks should have both compartments of the tank pumped. Make sure your pumper knows there are 2 compartments and to pump-out both. Outlet filters should be cleaned when the septic tank is pumped (if part of the septic system). Avoid introducing kitchen grease into the septic system. No septic tank degreasers or cleaners, chlorine, water softening system chemicals/backwash, paints, hazardous or controlled substances shall be disposed of in the system. No chemicals other than normal household cleaners shall be disposed of in the disposal field (refer to Section 1 page 2 of "this code"). No hot tubs may discharge into this system (requires separate gray water system).

If the owner and/or installer have any questions, please do not hesitate to call at 207-384-5587.

Revised 4/22



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.

GENERAL INFORMATION		Town of <u>KITTERY POINT</u>
Property Owner's Name: <u>JOHN & LAUREL GOURVILLE</u>	Tel. No.: <u>617-957-9051 (JOHN)</u>	
System's Location: <u>6 GOODWIN ROAD</u>		
Property Owner's Address: <u>33 REYNOLDS ROAD - WAKEFIELD, MA</u>	Zip Code <u>01880-3824</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.

SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator. Use additional sheets if needed.)	SECTION OF RULE
1. <u>DISPOSAL FIELD TO BE 56.5' FROM WATERBODY MAJOR</u>	<u>SECTION 8, TABLE 8A</u>
2. <u>NEW WATERTIGHT 1000 GALLON TANK TO BE ~65' FROM WATERBODY MAJOR</u>	<u>SECTION 8, TABLE 8A</u>
3. <u>WATERTIGHT FUJI CLEAN CE5 PRETREATMENT TANK TO BE 76' FROM WATERBODY MAJOR</u>	<u>SECTION 8, TABLE 8A</u>
4. <u>FILL SLOPE WILL BE NO GREATER THAN 3:1 OR 33 PERCENT ON THE DOWNSLOPE SIDE</u>	<u>SECTION 8 (D)(1C)</u>
SITE EVALUATOR	
<p>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.</p> <p><u>TO CORRECT A MALFUNCTIONING WASTEWATER DISPOSAL SYSTEM, A NEW 1000 GALLON TANK, NEW FUJI CLEAN CE5 PRETREATMENT TANK AND STONE BED LEACHFIELD ARE PROPOSED. THE SYSTEM IS AS FAR AS REASONABLY POSSIBLE DUE TO THE SMALL LOT SIZE, WATERBODY MAJOR AND SHALLOW TO BEDROCK SOILS.</u></p>	
<p>I, <u>JOSEPH W. NOEL</u>, 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.</p> <p><u><i>Joseph W. Noel</i></u> <u>Revised 4/16/23</u> SIGNATURE OF SITE EVALUATOR DATE</p>	

PROPERTY OWNER	
<p>I, _____, am the <input type="checkbox"/> owner <input type="checkbox"/> 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.</p>	
<input type="checkbox"/> SIGNATURE OF OWNER <input type="checkbox"/> AGENT FOR THE OWNER	DATE _____

LOCAL PLUMBING INSPECTOR - Approval at local level

The local plumbing inspector shall review all variance requests prior to rendering a decision.

I, _____, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system (☐ does ☐ does not) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone. Therefore, I (☐ do ☐ do not) approve the requested variance. I (☐ will ☐ will not) issue a permit for the system's installation as proposed by the application.

LPI Signature

Date

LOCAL PLUMBING INSPECTOR - Referral to the Department

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

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

LPI Signature

Date

FOR USE BY THE DEPARTMENT ONLY

The Department has reviewed the variance(s) and (☐ does ☐ does not) give its approval. Any additional requirements, recommendations, or reasons for the Variance denial, are given in the attached letter.

SIGNATURE OF THE DEPARTMENT

DATE

- 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		
TOTAL POINT ASSESSMENT:		

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