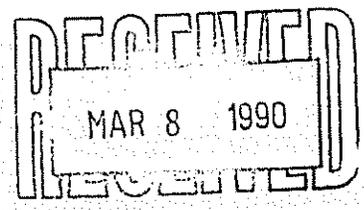


John R. McKernan, Jr.  
Governor



STATE OF MAINE  
DEPARTMENT OF HUMAN SERVICES  
AUGUSTA, MAINE 04333

March 7, 1990



Rollin Ives  
Commissioner

*Allen*  
*Bocque*

Michael Rocque  
RFD 1 Box 248B  
Gardiner ME 04345

SUBJECT: Denial of New System Variance Request, Allen property, Burns Road,  
Augusta

Dear Mr. Rocque:

Our review of your Application for a New System Variance indicates that a new disposal system cannot be installed on your property in full compliance with the Rules. You have requested the following:

To allow a disposal system to be installed on soils that do not meet the minimum criteria. Specifically, the seasonal high groundwater table is located 12 inches below grade.

The Division does not approve of the application and prohibits Gary Fuller, the Local Plumbing Inspector, from issuing a permit to install a subsurface wastewater disposal system. Our denial is for the following reason(s):

On October 31, 1980 a variance to the Rules was granted to Mr. Pamphile Dostie. The variance approval was based upon the points that were awarded for the property size. Your proposal is to subdivide the lot which would in effect, nullify the original variance approval.

The 3.3 acre lot cannot be subdivided and will be limited to one-single family residence.

Yours very truly,

*Brent L. McCarthy*

Brent L. McCarthy  
Wastewater & Plumbing Control  
Division of Health Engineering

BLM/ld

cc: Gary Fuller, LPI  
John Archard, SE

# NEW SYSTEM VARIANCE REQUEST

This form shall accompany an Application for a proposed new system which requires a Variance to certain provisions of the Subsurface Wastewater Disposal Rules. A check or money order for \$20.00 payable to the Treasurer of the State shall accompany this request form. The local plumbing inspector shall not issue a Permit for the installation of a subsurface wastewater disposal system until approval has been received from the Department.

## GENERAL INFORMATION

Town of AUGUSTA

Property Owner's Name: JOSEPH F. CYNTHIA ALLEN - APPLICANT - MICHAEL ROCQUE

System's Location: BURNS RD.

Property Owner's Address: 1/2 APPLICANT - RD #1 Box 249B  
(if different from above) GARDINER, ME 04345

## VARIANCE CONDITIONS

The Department has the authority to vary the requirements of the Rules in accordance with CMR 241.16 of the Rules if all the following criteria are satisfied:

- a. The variance request has the approval of the LPI.
- b. The Municipal Officials have indicated that the variance does not conflict with any local wastewater disposal ordinances.
- c. The variance request demonstrates that there is no practical alternative for wastewater disposal, such as access to public sewer or the potential for an easement.
- d. The proposed system does not conflict with any provision controlling subsurface wastewater disposal in the Shoreland Zone.
- e. The site offers potential for a system which will dispose of the wastewater with minimal threat to public health, safety, or welfare.
- f. The property owner has indicated an awareness of the variance and any limitations or added costs the proposed system may require.

## SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator)

SECTION OF CODE

1. LESS THAN 15" TO LIMITING FACTOR 6B3a
2. \_\_\_\_\_
3. \_\_\_\_\_

IF VARIANCE REQUEST IS FOR SEC. 6.B.3 SUITABLE SOIL CONDITIONS, FILL IN TABLE BELOW.

## SOIL, SITE AND ENGINEERING FACTORS FOR ASSESSING NEW SYSTEM VARIANCE POTENTIAL

(SEE TABLE 16-1)

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile	<u>8</u>	<u>10</u>
Depth to Groundwater	<u>12"</u>	<u>9</u>
Size of Property	<u>1 ACRE</u>	<u>2</u>
Terrain	<u>SIDE SLOPE</u>	<u>3</u>
Waterbody Setback	<u>165'</u>	<u>3</u>
Water Supply	<u>DRILLED</u>	<u>3</u>
Type of Development	<u>SINGLE FAMILY</u>	<u>0</u>
Design Flow	<u>MIN + 66%</u>	<u>10</u>
Separation Distance	<u>MIN + 100%</u>	<u>10</u>
Additional Treatment		
<b>TOTAL POINT ASSESSMENT</b>		<u>50</u>

## LOCAL PLUMBING INSPECTOR

The local plumbing inspector shall review all New System Variance requests prior to submission to the Division of Health Engineering. The LPI shall inform the Division of Health Engineering of any factors relative to the variance request not specifically noted by the property owner or the site evaluator.

The proposed system ( does  does not) conflict with any provision controlling subsurface wastewater disposal systems in the Shoreland Zone.

CONCLUSIONS: I, \_\_\_\_\_, the undersigned, have visited the above property and find that it is not possible to conform to certain provisions of the Rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property.

Therefore, I recommend the issuance of a permit for the system's installation as proposed by the application.

SIGNATURE OF LPI

DATE

STATEMENTS, JUSTIFICATIONS AND RESPONSIBILITIES

PROPERTY OWNER (PROSPECTIVE PURCHASER)

The property owner shall provide accurate information to the Site Evaluator, the LPI, and the Department and elaborate below the reasons for requesting the variance(s).

(ATTACH ADDITIONAL SHEETS, IF NEEDED)

I, Michael Rogue, am the owner prospective owner of the subject property. I understand that the installation on the Application is not in total compliance with the Rules. I have indicated my reasons for requesting the variance(s). 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.

Michael Rogue

SIGNATURE OF OWNER
SIGNATURE OF PROSPECTIVE PURCHASER

2-28-90

DATE

HAS REVIEW FEE BEEN ENCLOSED

SITE EVALUATOR

When an undeveloped 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 requirements of the Rules, and the Evaluator in his professional opinion feels the variance request is justified and that 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.

THE SYSTEM DESIGN USES INCREASED DESIGN FLOW AND SEPERATION DISTANCE TO OVERCOME THE ELEVATED SEASONAL WATER TABLE EVIDENT AT 12". THE PROSPECTIVE PURCHASER WISHES TO DEVELOP A ONE ACRE LOT AND RETAIN THE BALANCE OF THIS PARCEL AND UNDERSTANDS THIS CAN ONLY OBTAIN THE MINIMUM 50 POINTS. THE WETLAND SHOWN IS A NATURAL SWALE WHICH MAY OR MAY NOT BE CLASSIFIED AS A WATERBODY. FOR THE PURPOSES OF THIS APPLICATION IT HAS BEEN CONSERVATIVELY DESIGNATED AS A WATER BODY.

(ATTACH ADDITIONAL SHEETS, IF NEEDED)

I, JOHN ARCHARD, 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 judgement, 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.

John Archard

SIGNATURE OF SITE EVALUATOR

2-16-90

DATE

MUNICIPAL OFFICER(s) (Selectman, Councilman, Alderman, Mayor, Town Manager)

We the municipal Officer(s) of have reviewed this application and are aware that the applicant is applying to the Division of Health Engineering for a variance to the Subsurface Wastewater Disposal Rules because the proposed system does not meet all requirements of the Rules. The proposed variance request does does not comply with all Municipal Ordinances relating to subsurface wastewater disposal.

SIGNATURE FOR THE MUNICIPALITY

TITLE

DATE



# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering  
(207)289-3826

PROPERTY ADDRESS	
Town Or Plantation	AUGUSTA
Street Subdivision Lot #	BURNS RD.
PROPERTY OWNERS NAME	
Last: ALLEN	First: JOSEPH & CYNTHIA
Applicant Name:	MICHAEL ROCQUE
Mailing Address of Owner/Applicant (if Different)	RD #1 BOX 248 B GARDINER, ME 04345

**Caution: Permit Required**

The Subsurface Wastewater Disposal System shall not be installed until a Permit is attached here 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.

**Owner/Applicant Statement**

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector to deny a Permit.

*Michael Rocque*  
Signature of Owner/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.

\_\_\_\_\_  
Local Plumbing Inspector Signature \_\_\_\_\_ Date Approved \_\_\_\_\_

## PERMIT INFORMATION

**THIS APPLICATION IS FOR:**

- NEW SYSTEM
- REPLACEMENT SYSTEM
- EXPANDED SYSTEM
- EXPERIMENTAL SYSTEM

**THIS APPLICATION REQUIRES:**

- NO RULE VARIANCE
- NEW SYSTEM VARIANCE  
Attach New System Variance Form
- REPLACEMENT SYSTEM VARIANCE  
Attach Replacement System Variance Form
- MINIMUM LOT SIZE VARIANCE

**INSTALLATION IS:**

COMPLETE SYSTEM

- NON-ENGINEERED SYSTEM
- PRIMITIVE SYSTEM  
(Includes Alternative Toilet)
- ENGINEERED (+ 2000 gpd)

**SEASONAL CONVERSION**  
to be completed by the LPI

- SYSTEM COMPLIES WITH RULES
- CONNECTED TO SANITARY SEWER
- SYSTEM INSTALLED - P# \_\_\_\_\_
- SYSTEM DESIGN RECORDED AND ATTACHED

**DISPOSAL SYSTEM TO SERVE:**

- SINGLE FAMILY DWELLING
- MODULAR OR MOBILE HOME
- MULTIPLE FAMILY DWELLING
- OTHER \_\_\_\_\_ SPECIFY \_\_\_\_\_

INDIVIDUALLY INSTALLED COMPONENTS:

- TREATMENT TANK (ONLY)
- HOLDING TANK \_\_\_\_\_ GAL
- ALTERNATIVE TOILET (ONLY)
- NON-ENGINEERED DISPOSAL AREA (ONLY)
- ENGINEERED DISPOSAL AREA (ONLY)
- SEPARATED LAUNDRY SYSTEM

**IF REPLACEMENT SYSTEM:**

YEAR FAILING SYSTEM INSTALLED 1/11

THE FAILING SYSTEM IS:

- BED
- CHAMBER
- TRENCH
- OTHER: \_\_\_\_\_

SIZE OF PROPERTY: 1 ACRE ZONING: RESIDENTIAL

**TYPE OF WATER SUPPLY**

PROPOSED DRILLED WELL

## DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

**TREATMENT TANK**

- SEPTIC:  Regular  Low Profile
- AEROBIC

SIZE: 1000 GALS.

**WATER CONSERVATION**

- NONE
- LOW VOLUME TOILET
- SEPARATED LAUNDRY SYSTEM
- ALTERNATIVE TOILET

SPECIFY: \_\_\_\_\_

**PUMPING**

- NOT REQUIRED
- MAY BE REQUIRED  
(DEPENDS ON TREATMENT TANK LOCATION AND ELEVATION)
- REQUIRED

DOSE: \_\_\_\_\_ GALS.

CRITERIA USED FOR DESIGN FLOW (BEDROOMS, SEATING, EMPLOYEES, WATER RECORDS, ETC.)

2 BEDROOM  
180 GPD  
x 1.66  
299 GPD  
- 10% LOW VOL TOILET

DESIGN FLOW: 267  
(GALLONS/DAY)

**SOIL CONDITIONS USED FOR DESIGN PURPOSES**

PROFILE	CONDITION
<u>8</u>	<u>D</u>

DEPTH TO LIMITING FACTOR: 12

**SIZE RATINGS USED FOR DESIGN PURPOSES**

- SMALL
- MEDIUM
- MEDIUM-LARGE
- LARGE
- EXTRA LARGE

**DISPOSAL AREA TYPE/SIZE**

- BED \_\_\_\_\_ Sq. Ft.
- CHAMBER 540 Sq. Ft.  
 REGULAR  H-20
- TRENCH \_\_\_\_\_ Linear Ft.
- OTHER: \_\_\_\_\_

## SITE EVALUATOR STATEMENT

On 2-13-90 (date) I conducted a site evaluation for this project and certify that the data reported is accurate. The system I propose is in accordance with the Subsurface Wastewater Disposal Rules.

*John Richard*  
Site Evaluator Signature \_\_\_\_\_

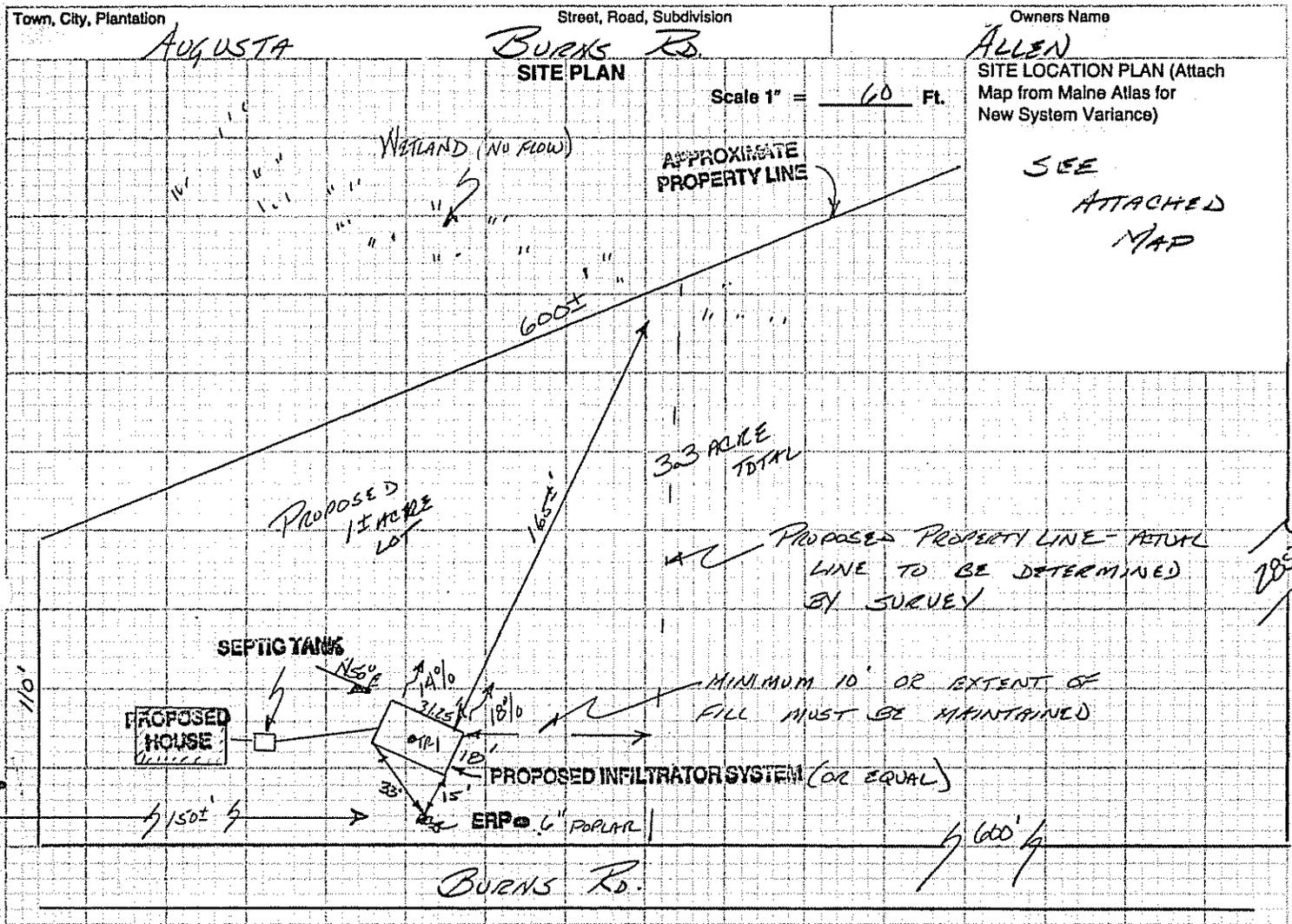
181  
SE# \_\_\_\_\_

2-16-90  
Date \_\_\_\_\_

(Local Plumbing Inspector's Signature if permit is for Seasonal Conversion.)

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering



## SOIL DESCRIPTION AND CLASSIFICATION

(Location of Observation Holes Shown Above)

Observation Hole TP-1  Test Pit  Boring

N/A " Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (Inches)	Texture	Consistency	Color	Mottling
0	SILT	FRIABLE	Brown	NONE
6	LOAM			EVIDENT
10				
15	SILT CLAY	FIRM	OLIVE BROWN	FEW TO COMMON
20	LOAM			
25	w/ sand LEASES		OLIVE	DISTANT
30				
40				
50				

Soil Profile <b>B</b>	Classification <b>D</b>	Slope <b>H</b> %	Limiting Factor <b>12</b>	<input checked="" type="checkbox"/> Ground Water
	Condition			<input type="checkbox"/> Restrictive Layer
				<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				
10				
15				
20				
25				
30				
40				
50				

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

*Richard*  
Site Evaluator Signature

181  
SE#

2-16-90  
Date

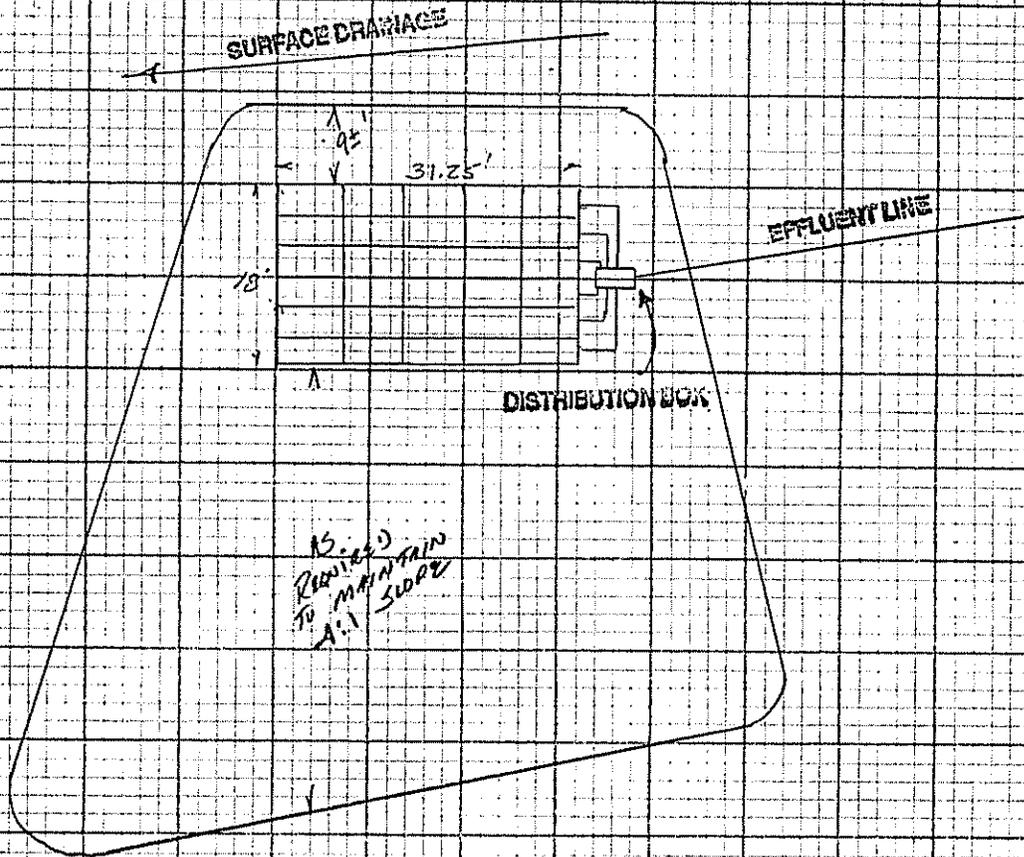
# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services  
Division of Health Engineering

Town, City, Plantation: AUGUSTA Street, Road, Subdivision: BURNS RD Owners Name: ALLEN

## SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale 1" = 20' Ft.



### FILL REQUIREMENTS

Depth of Fill (Upslope) 36"  
Depth of Fill (Downslope) 66 TO 69"

### CONSTRUCTION ELEVATIONS

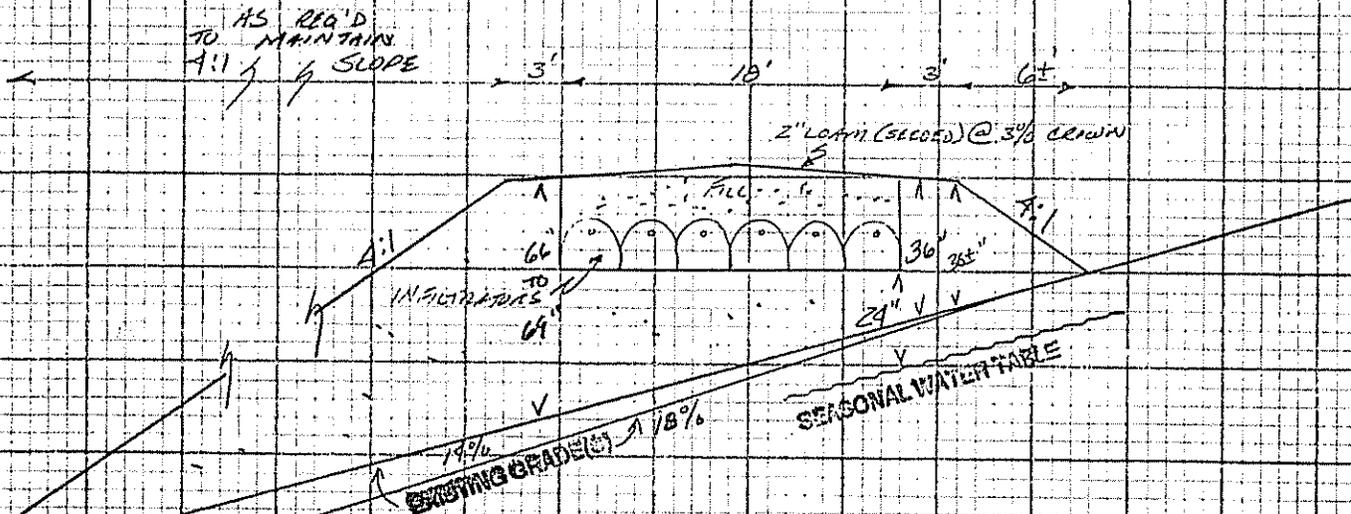
Reference Elevation is 00'  
Bottom of Disposal Area -59"  
Top of Distribution Lines or Chambers -44"

### ELEVATION REFERENCE POINT LOCATION & DESCRIPTION

6" FLAGGED NAIL IN 6"  
44" POPLAR TREE 12" ABOVE GRADE

### DISPOSAL AREA CROSS SECTION

Scale:  
Vertical: 1 inch = 4' Ft.  
Horizontal: 1 inch = 10' Ft.



*[Signature]*  
Site Evaluator Signature

101  
SE#

2-16-96  
Date

NOTES

1. All constructions shall conform to "State of Maine - Subsurface Wastewater Disposal Rules-Chapter 241" latest revision.
2. All fill shall be sandy loam or coarser, with sufficient fines for adequate compaction.
3. Wells shall be located a minimum of 100' from subsurface disposal systems. Systems shall be a minimum of 20' from any structure.
4. Property lines shown are as provided by owner and no guarantee of accuracy is implied. Actual property lines must be confirmed by survey.
5. A septic tank outlet filter is recommended when installing a mechanical garbage disposal.
6. Pump stations, when required, shall be installed watertight to prevent the infiltration of ground and/or surface water. Pumps shall be installed to manufacturers recommendations and sized for actual installed T.D.H.. For uninterrupted service during maintenance or repair, duplex pump systems are required.
7. Force mains and pressure lines shall be flushed of foreign material and pumps shall be checked for proper on/off cycle before being put into service.
8. Applicability of design must be re-evaluated when location of structures are substantially different than those shown on the site plan, or when other structures, additions or appurtenances (I.E. Swimming pools) are considered.
9. Systems put into service prior to establishing proper cover shall be provided with adequate erosion control to prevent damage to the system.
10. Provide low profile septic tank when determined as necessary in the field. Septic tanks may be field located a minimum of 8' from any buildings.
11. A "Minimum Lot Size Variance" is required for any lot less than 20,000 square feet in area (unless grandfathered).
12. Force Mains, Pump Stations, and/or gravity piping subject to freezing shall be adequately insulated.
13. The LPI shall inform the owner and designer of any local ordinance exceeding the rules (Chapt-241) prior to issuing a permit, so that the application may be properly amended to conform to such ordinance.
14. All designs are subject to review by local, State, or Federal authority. Designers liability shall be limited to revisions required by regulatory agency.

Denied! 1990

never Issued!