

### STATE VARIANCE FORM

The use of this agreement is to waive certain provisions of the MAINE STATE PLUMBING CODE, PART II on the subject of wastewater disposal systems.

TOWN/CITY CODE <u>11020</u>	LPI NUMBER <u>360</u>	DATE PERMIT ISSUED <u>4-28-82</u> <small>MONTH DAY YEAR</small>	EVALUATOR NUMBER <u>75</u>	PERMIT NUMBER <u>48513ES</u>
ADDRESS OF SYSTEM'S LOCATION				
<u>Lot No. 6, Dostie Bros. subdivision,</u>		<u>Eight Rod Rd.,</u>		<u>Augusta, Me.</u>
<small>ST/LOT NUMBER</small>		<small>STREET, ROAD NAME/SUBDIVISION</small>		<small>ZIP CODE</small>
<u>Gabriel Dostie</u>		<u>RFD 3, Box 19</u>		<u>Augusta, Maine 04330</u>
<small>NAME OF OWNER</small>		<small>MAILING ADDRESS</small>		<small>ZIP CODE</small>

DESCRIPTION OF SPECIFIC WAIVER	SECTION OF CODE
1. <u>Minimum soil conditions requirement - depth to mottling.</u>	<u>4</u> . <u>4</u>
2. <u>Separation requirement - bed bottom to mottling (note 2) Table</u>	<u>9</u> . <u>1</u>
3. <u>New disposal bed installation criteria (note 3). Bed size.</u>	" " . " "

### WAIVER CONDITIONS

- A. **APPLICABILITY.** The Department has authority to waive requirements as stated in Section 3 of the Maine State Plumbing Code, Part II. Submission of this waiver application is to be in no way construed as an automatic approval of the waiver(s) requested. All local ordinances must be complied with. In all other respects, the installation will comply with the Part II, Code and in accordance to the attached HHE-200 FORM.
- B. **SOIL EVALUATOR'S RESPONSIBILITIES.** When an undeveloped property is found to be unsuitable for subsurface wastewater disposal by a licensed soil evaluator, the evaluator shall inform the property owner of such. If the property owner wishes to request a variance to the requirements of applicable 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 a HHE-200 FORM. The evaluator shall list the specific variances necessary plus describe on the back of the State Variance Form, in detail, the proposed system design and location. The evaluator shall further describe in detail how the specific site limitations are to be overcome, and provide any support documentation necessary prior to consideration by the Division of Health Engineering.
- C. **LOCAL PLUMBING INSPECTOR'S RESPONSIBILITIES.** The Local Plumbing Inspector shall review all state variance requests prior to their submission to the Division of Health Engineering. The LPI shall indicate the municipality's position in regards to the variance request. The LPI shall also inform the Division of Health Engineering of any facts relative to the variance request not specifically noted by the property owner or the soil evaluator.
- D. **PROPERTY OWNER'S RESPONSIBILITIES.** The owner of any undeveloped property found unsuitable for subsurface wastewater disposal by a licensed soil evaluator may apply to the Division of Health Engineering for a variance under the requirements of appropriate rules. The property owner is advised that decisions on variance requests are based on a complete review of all pertinent facts by the Division of Health Engineering and that an approval is by no means certain. The property owner shall provide factual information to the soil evaluator, the LPI, and the Division in regards to his past actions and proposed future use of the property.
- E. **RECORDS.** A copy of the waiver request forms and the associated HHE-200 FORMS shall be provided to the homeowner, the soil evaluator, for the municipal files, and other copies determined to be necessary, with the original copy forwarded to the Division with a copy of the plumbing permit.
- F. **LOG OF WAIVERS ISSUED.** The plumbing inspector shall maintain a chronological log of all waivers granted. The total of the waivers granted for each calendar year shall be noted in the annual report which is submitted to the town and to the Division.
- G. Any request for a variance to replace an existing system in excess of specified Replacement Variance tolerance shall be completed on the State Variance Form accompanied by a completed HHE-200 FORM.

### STATEMENTS

**STATEMENT OF OWNER**  
 I, Gabriel Dostie, the undersigned, am the owner of the property indicated in the application and state that the property is not for sale in the foreseeable future. I understand that the installation explained above and illustrated on the HHE-200 Form accompanying this request is not in total compliance with the Maine State Plumbing Code. I have completed the back side of this form, elaborating on my reasons for requesting said waiver(s). Should the proposed system malfunction or create any nuisance or environmental problems or affect my water supply, I release all concerned with this waiver provided they have performed their duties in a reasonable and proper manner. Further, should a malfunction occur, I will take every step possible to correct it. If any defects or inadequacies appear, I will promptly notify the Department of Human Services and subsequently make such corrections as the Department shall find necessary.

Gabriel Dostie 6/11/79  
 Signature of Owner Date

**STATEMENT OF SOIL EVALUATOR**  
 I, William Noble, the undersigned certify that the information I have submitted on the HHE-200 Form accurately represents the conditions that exist on the applicant's property. A waiver to the Maine State Plumbing Code is necessary since no system can be installed which will completely satisfy all Code provisions. In my judgement as a licensed evaluator I certify that the proposed system design on my HHE-200 form is the best alternative available and that the system will function properly as per the justifications outlined on the back side of this waiver application.

William J. Noble 5-7-79  
 Signature of Soil Evaluator Date

**Municipality's Findings**  
 The proposed system (  ) (  ) does not conflict with any municipal or shoreland zoning ordinances, and has been shown to the Code enforcement Officer.

**CONCLUSIONS:**  
 I, Richard Baber, the undersigned, have visited the above property and find that it is not possible to conform to certain provisions of the Plumbing Code. The waiver request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property.

Based upon my conclusions, I (do), (do not) recommend the issuance of a special permit for the installation as proposed and as shown on the HHE-200 Form.

Richard P. Baber 4-27-82  
 Signature of Local Plumbing Inspector Date

### JUSTIFICATIONS

**OWNER:**

The owner must elaborate below the reasons for requesting the waiver(s) on the front side of this form.

LOT NO. 6 ALSO A FINE LOCATION FOR A FINE HOME HAD TO BE GRADED DOWN AND THE INSPECTION BY HEALTH ENGINEERS TO COME UP WITH THE WEIGHT DISPOSAL SYSTEM FOR THIS NICE LOT THAT WILL BE BUILT TO THISE SPES FOR THIS SYSTEM.

NOTE: Please attach another sheet of paper if additional space is required.

**SOIL EVALUATOR:**

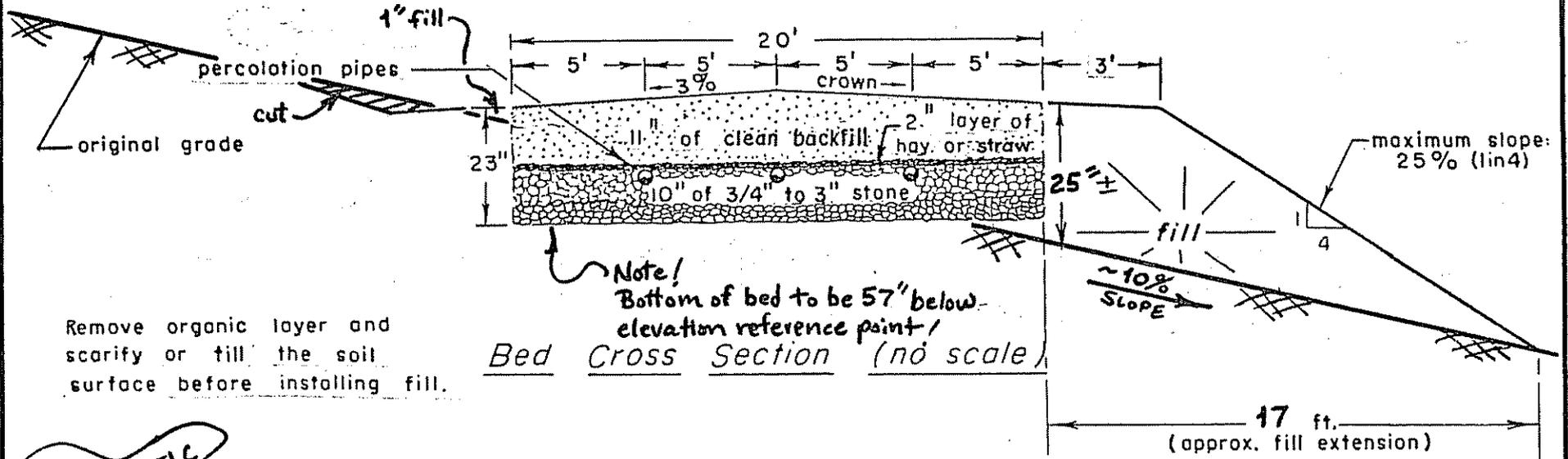
The soil evaluator must state the reasons why the waiver request should be granted and according to professional judgment why the proposed subsurface system design will function properly.

The initial site evaluation at the subject property on 1 October 1978 concluded that a new disposal system could not be designed in full conformance with the Maine Plumbing Code, Part II, due to existing physical site alterations, and presence of mottling throughout the soil, which was within the minimum (15") depth from existing grade required for new construction.

As the property owner desired further consideration at the State level, preliminary site information was submitted to the Division of Health Engineering by the Site Evaluator. Site visits were then conducted by Division personnel in December 1978 and April 1979. The determination was made that the mottling evident in the sandy outwash soil was not a true indication of the seasonal water table level at this site, that the level was lower than what the mottling implied, and that a system could be designed to overcome site limitations. Therefore, a disposal system has been designed for this property, the location and sizing of which has been established in consultation with Health Engineering staff, requiring a waiver to portions of the Code, II, as described on the front of this form. In consideration of the highly permeable soil, and unusual site conditions, the proposed disposal bed exceeds the size required (Table 9-1, Code, II). This larger bed sizing will provide a greater surface area for effluent absorption, and minimize the infiltration rate for a given square foot of soil. The elevation of the disposal bed has been established to meet or exceed the minimum 2 foot separation (Table 9-1, note 2) from the seasonal water table level as determined from site inspections in April and May, 1979. Provided that the site is appropriately graded, the disposal bed is properly elevated and constructed in accordance with the proposed design and Code requirements, and that the system is correctly maintained, the subsurface waste water disposal system as designed should function properly in a healthful and environmentally sound manner.

# • SEWAGE DISPOSAL BED DETAILS •

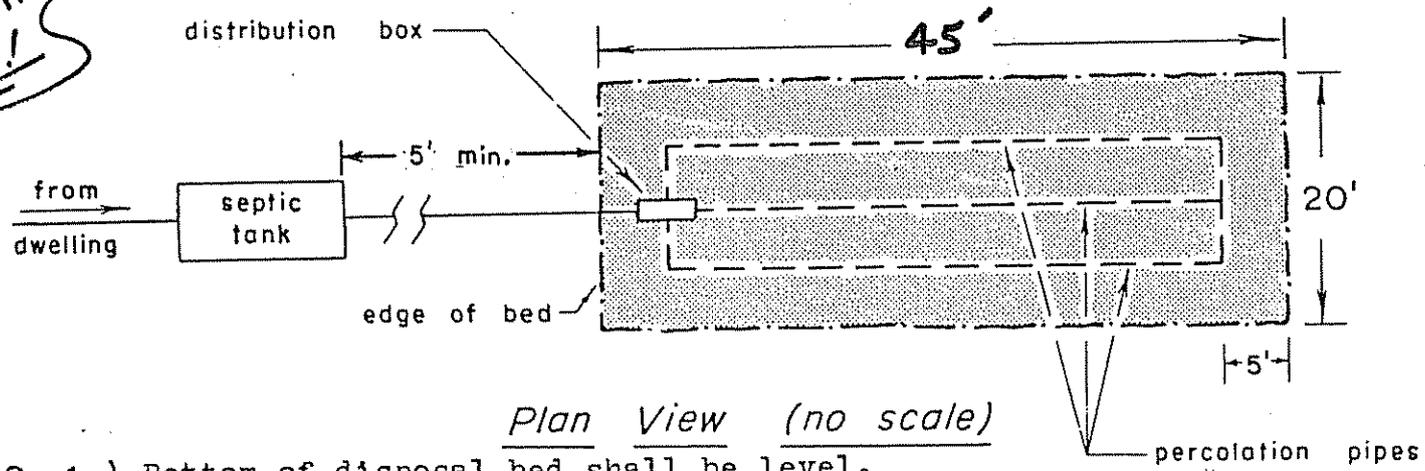
For: GABRIEL DOSTIE, Lot No. 6  
 William W. Noble - Licensed Site Evaluator  
 Job No. 89008  
 By: WJN  
 Date: MAY 7 - 1979



Remove organic layer and scarify or fill the soil surface before installing fill.

Note!  
 Bottom of bed to be 57" below elevation reference point!

**SCHEMATIC ONLY!**



- \* **NOTES:**
- 1.) Bottom of disposal bed shall be level.
  - 2.) 4 inch of fill is required at uphill end of bed.
  - 3.) Texture of backfill and perimeter fill shall be similar to original soil.
  - 4.) If pump is used, the bed should be vented (see Sec. 8.2, Code, II).
  - 5.) Refer to Sections 8.4, 9.3, Table 6-1, and Appendix of the Maine Plumbing Code, Part II, for further details regarding installation requirements.

This Application Is For:  New System  Conversion Permit  Replacement Of Entire System  Disposal Area Only  
 Expanded System  Experimental System

An Application For Subsurface Wastewater Disposal Permit This Is NOT A Permit; This Form When Completed Must Be Presented To The Local Plumbing Inspector To Obtain A Permit

Town: AUGUSTA Street, Road, Etc.: EIGHT ROD ROAD Plumbing Permit No.: 48513 EP Date Of Plumbing Permit: 4-28-82

Owner Of Property: Gabriel Dostie Tel.No.: 622-5284 Name Of Applicant Owner's Agent: [Blank] Tel. No.: [Blank]

Street: RFD 3, Box 19

Town: Augusta State: Maine Zip Code: 04330

Owner's Signature: [Signature] Date: [Blank] Applicants Signature: [Blank] Date: [Blank]

Size Of Lot: 20,000  Sq. Feet  Acres Is Lot Zoned?  Yes  No Type Of Zoning: [Blank] Subdivision Name: Dostie Bros. Lot No.: 6

The Water Supply For This Property Is:  Dug Well, depth \_\_\_\_\_;  Drilled Well, depth \_\_\_\_\_;  Spring, depth \_\_\_\_\_; Surface water  Body  Course— with disinfection,  without disinfection. Public Utility, name \_\_\_\_\_

SITE INVESTIGATION Show Location Of Pits on Site Plan on Page 2

	Soil Profile No. 1 (10-1-78)	Soil Profile No. 2 (10-1-78)	Soil Profile No. 3 (5-6-79)	Soil Profile No.
	<input checked="" type="checkbox"/> Pit <input type="checkbox"/> Boring	<input checked="" type="checkbox"/> Pit <input type="checkbox"/> Boring	<input checked="" type="checkbox"/> Pit <input type="checkbox"/> Boring	<input type="checkbox"/> Pit <input type="checkbox"/> Boring
Thickness and Description of each soil encountered	Organic Strata (topsoil stripped)	1st Strata Olive brown ls(fill)	Organic Strata (orig. soil) Grass mulch 1/2-0	Organic Strata
	1st Strata Gray brown lfs 0-21 Inches	2nd Strata Organic layer 20-21 Inches	1st Strata Dark brown sl 0-6 Inches	1st Strata Inches
	2nd Strata Gray lfs(fragipan) 21-22 Inches	3rd Strata Brown lfs 21-27 Inches	2nd Strata Olive brown ls 6-28 Inches	2nd Strata Inches
	3rd Strata Olive brown ls 22-78 Inches	4th Strata Olive gray ls 27-48 Inches	3rd Strata Olive ls 28-48 Inches	3rd Strata Inches
	4th Strata	5th Strata Blue gray ls 48-62 Inches	4th Strata	4th Strata Inches
Depth from bottom of organic horizon to:	Total Depth of Observation Hole Inches 78	Total Depth of Observation Hole Inches 62	Total Depth of Observation Hole Inches 48	Total Depth of Observation Hole Inches
	Max. Seasonal Water Table Mottling 13 Inches <input type="checkbox"/> None Evident	Max. Seasonal Water Table Mottling 27" from top of fill g/w seepage at 55 inches <input type="checkbox"/> None Evident	Max. Seasonal Water Table Mottling 6" g/w seepage at 46 inches <input type="checkbox"/> None Evident	Max. Seasonal Water Table Mottling <input type="checkbox"/> None Evident
	Impervious Layer Clay, Etc. 21 Inches <input type="checkbox"/> None Evident	Impervious Layer Clay, Etc. 20 Inches <input type="checkbox"/> None Evident	Impervious Layer Clay, Etc. <input checked="" type="checkbox"/> None Evident	Impervious Layer Clay, Etc. <input type="checkbox"/> None Evident
	Bedrock <input checked="" type="checkbox"/> None Evident Type of Bedrock	Bedrock <input checked="" type="checkbox"/> None Evident Type of Bedrock	Bedrock <input checked="" type="checkbox"/> None Evident Type of Bedrock	Bedrock <input type="checkbox"/> None Evident Type of Bedrock
Surface Slope 10 %	Surface Slope 3-8 %	Surface Slope 10 %	Surface Slope %	
Soil Group: 6 Soil Condition: D Per Table 9-1 Code II	Soil Group: 6 Soil Condition: D Per Table 9-1 Code II	Soil Group: 6 Soil Condition: D Per Table 9-1 Code II	Soil Group: Soil Condition: Per Table 9-1 Code II	

On 5-6-79 (date), a site investigation for this project was completed. I conducted this soil evaluation and certify that the results indicated above best represent the soil conditions found. I recommend the following type and size of private sewage disposal system. I also recommend the proposed private sewage disposal system layout and location shown on page 2.

Signature: [Signature] Site Evaluator License Number: 75  
 Date Signed: MAY 7 - 1979

DISPOSAL SYSTEM PROPOSED Show Location of System and Details on Disposal Plan on Page 3

SYSTEM:  Combined System  Separated System

TREATMENT TANK:  Aerobic Tank  Septic Tank  Concrete  Fiberglass  Metal

SUBSURFACE ABSORPTION AREA/TYPE:  Bed System No. of Beds 1 Length 45 ft Width 20 ft

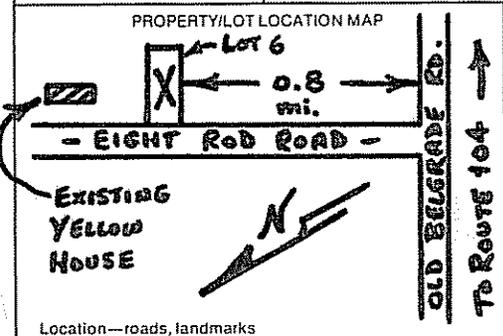
SIZE:  Small  Medium  Med.-Large  Large  Extra-Large

Design Flow: 264 GPD

DETAILS:  A Distribution Box is required Pumping is  required  is not required The dose will be \_\_\_\_\_ Gallons (SUBJECT TO FINAL GRADE)

DISTANCES:  Yes  No: The proposed subsurface absorption area will be located at least 100 feet from any and all wells; springs; surface water bodies and courses (lake, pond, ocean, brook, stream, river); swamps; marshes; and bogs.

Yes  No: The proposed subsurface absorption area will be located at least 300 feet from any and all wells and springs producing 2000 gallons or more of water per day and any public water supplies.



WAIVER  State Variance Required  Replacement Variance Required  None Required

FOR THE USE OF LPI ONLY

Denial: Application is denied for the following reasons; portions of the Code II are cited. Form is incomplete (\_\_\_\_ pg.) as to  General info.,  Site Investigation,  System Proposed,  Site Plan,  Disposal System Plan,  Cross-Section,  Statement. See section 4.1

Site Investigation indicates site is  unsuitable for disposal system.  Unsuitable for system proposed.

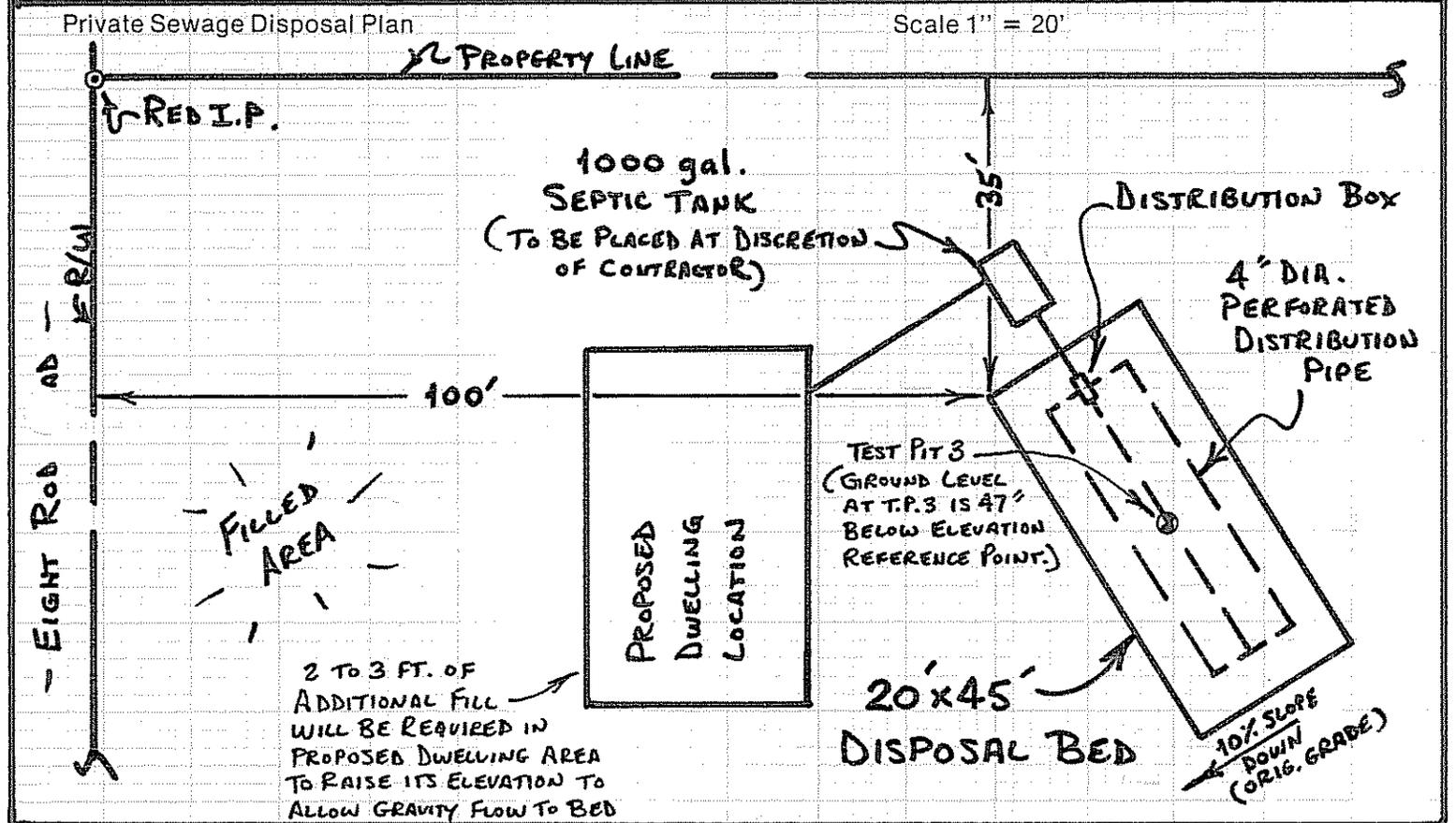
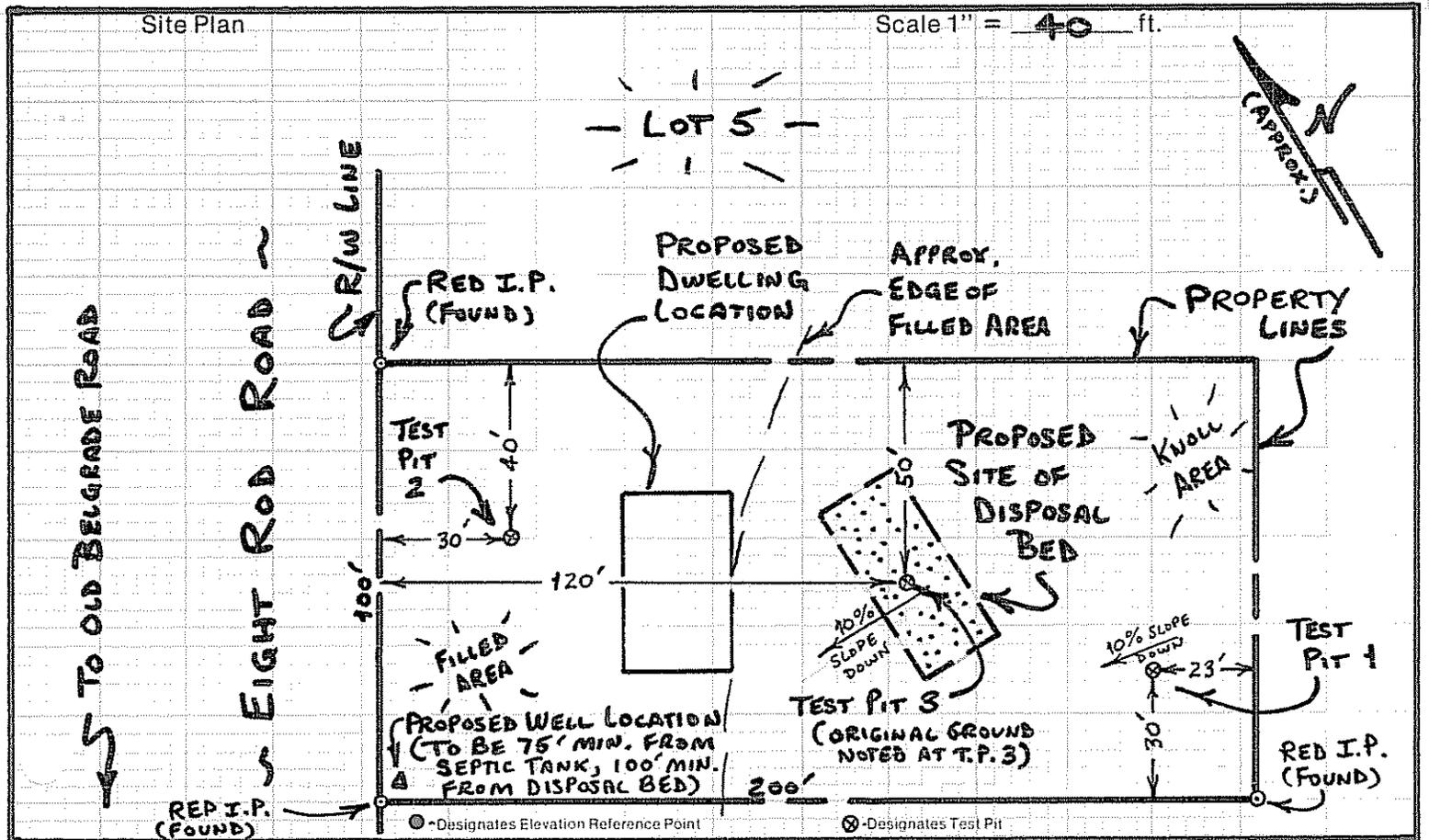
System Proposed does not conform to Code.

Site Investigation indicates site modifications are necessary.

Acceptance: Application for permit is approved  with condition specified, comply with Section 9.1-4.4  without condition.

Signed LPI: [Signature] Date: 4-27-82 HHE-200 1/78

Town: **AUGUSTA** Street, Road, etc.: **8 ROD ROAD** Owner of Property: **GABRIEL DOSTIE**



Subsurface Absorption Area Cross-section

**SEE ATTACHED DISPOSAL SYSTEM DIAGRAM**

**\* NOTES:**

- MANY AREAS OF THIS LOT HAVE BEEN REWORKED (CUT AND FILL). TEST PIT 3 TAKEN IN UNDISTURBED AREA OF SOIL.
- ELEVATION OF DISPOSAL BED BASED ON ACTUAL GROUND WATER LEVEL OBSERVED IN TEST PIT 3 ON 6 MAY 1979 (46" BELOW ORIGINAL GROUND LEVEL).
- DISPOSAL BED BOTTOM TO BE 24" MIN. ABOVE OBSERVED GROUND WATER LEVEL, OR 57" BELOW ERP.
- FINAL GRADE OF DISPOSAL BED CROWN AT CENTERLINE WILL BE 30.5" BELOW ERP (SILL OF YELLOW HOUSE).

Dostie, Gabriel  
66

October 3, 1979

Mr. Gabriel Dostie  
RFD 3, Box 19  
Augusta, ME 04330

Subject: Variance to the Maine Plumbing Code, Part II, Gabriel Dostie property,  
Lot #6, Dostie Bros. Subdivision, Eight Rod Road, Augusta

Dear Sir:

This is to acknowledge receipt of the following items:

A completed HHE-200 Form by William Noble, SE.; a completed HHE-215 Form signed by Gabriel Dostie, property owner; William Noble, SE., and Richard Baker, LPI. The above is accepted as a complete application for variance to the Maine Plumbing Code, Part II. A new subsurface disposal system cannot be installed on the subject property in full compliance with the Maine Plumbing Code, Part II, because of the installation of a 45'x20' bed system on category 6D soil with seasonal high water table ranging from the surface to 6-13 inches below the existing ground, the reasons for the variance request.

An on-site inspection was made in April, 1978 to the subject lot by Mr. Albert Frick, Soil Scientist, and Mr. David Breau, Assistant Engineer for this office. During the on-site, Mr. Noble's soils report was verified, and it was the determination of this office that the mottling observed was not a true indication of the seasonal high water table and that a system could be placed on the property provided a two foot separation was maintained above the elevation of the flattened area at the base of the hill to the rear of the property and the bottom of the disposal area.

In consideration of the HHE-200 Form dated May 7, 1979, along with the recommendations and justifications noted on the HHE-215 Form, this office hereby grants the responsible local plumbing inspector the authority to waive certain provisions of the Maine Plumbing Code, Part II, for the following new disposal system under the authority of Section 3.6 of the Code.

The installation of a 1000 gallon septic tank followed by a 45'x20' bed system.

At least 1 inches and 25 inches of fill shall be applied on the uphill and downhill sides of the disposal field, respectively. The fill shall be of a texture similar to the original soil and will provide a 24 inch separation between the bottom of the disposal bed and the seasonal high water table and impervious layer. The fill must be extended in all directions as required by Chapter 9 of the Maine Plumbing Code, Part II.

Mr. Gabriel Dostie  
October 3, 1979  
Page 2

In all other respects the installation is to comply with the Maine Plumbing Code, Part II, Private Sewage Disposal Regulations and follow the plan submitted with this proposal.

Please be advised that this approval is in no way to be construed as a guarantee of the system's performance. You are reminded that the correction of any future nuisance conditions is the responsibility of the property owner.

Final approval of the sewage portion is subject to permit by the Local Plumbing Inspector before the construction of this system. A completed HHE-200 Form must be submitted to him for processing. The inspector is to be notified before covering the work, and the work is to be left uncovered until his inspection. He shall be supplied with copies of approved plans for his reference at inspection. Approval is also subject to any local ordinances and state laws.

Very truly yours,



David P. Breat  
Plans & Standards Review  
Division of Health Engineering

DPB/lh

cc: William Noble, S.E.  
Richard Baker, LPI

October 3, 1979

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RFD 3, Box 19  
Augusta, ME 04330

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Very truly yours,



David P. Breau  
Plans & Standards Review  
Division of Health Engineering

DPB/ih

cc: William Noble, S.E. ✓  
Richard Baker, LPI ✓