SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services
Division of Health Engineering, Station 10
(207) 287-5671 FAX (207) 287-4172

>> Caution: Permit Required – Attach in Space Below <<

AUGUSTA 5360 TOWN COPY

Date Permit Issued: 8/23/04 $ 150.00 ☐ If Double Fee FEE Charged

L.P.I. # 8/04

Local Plumbing Inspector Signature

PROPERTY LOCATION

City, Town, or Plantation: Augusta

Street or Road: Hesseltine Road

Subdivision, Lot #:

OWNER/APPLICANT INFORMATION

Name (last, first, MI): Hoar, Robert Winthrop (Owner / Applicant)

Mailing Address of ☑ Owner ☐ Applicant: 6301 S West Shore Blvd, Tampa, FL 33616

Daytime Tel #: 813-831-8288 Ext. 5194

Municipal Tax Map # 62 Lot # 20

Owner or Applicant Statement

I state 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 19 Aug 2004

Caution: Inspections Required

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

Local Plumbing Inspector Signature — (1st) Date Approved — (2nd) Date Approved

PERMIT INFORMATION

TYPE OF APPLICATION

1. ☐ First Time System
2. ☐ Replacement System
   Type Replaced: _____
   Year Installed: _____
3. ☐ Expanded System
   a. ☐ One-time exempted
   b. ☐ Non-exempted
4. ☐ Experimental System
6. ☑ 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 Approval

DISPOSAL SYSTEM COMPONENT(S)

1. ☐ Complete Non-engineered System
2. ☐ Primitive System (graywater & pit 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:
12. ☐ Miscellaneous components

SIZE OF PROPERTY

☐ 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

TYPE OF WATER SUPPLY

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

DESIGN DETAILS (SYSTEM LAYOUT BEGINS ON PAGE 3)

TREATMENT TANK

1. ☑ Concrete
   a. ☐ Regular
   b. ☑ Low Profile
2. ☐ Fiberglass
3. ☐ Other: _____

CAPACITY 1000 gallons

DISPOSAL FIELD TYPE & SIZE

1. ☐ Stone Bed 2. ☐ Stone Trench
3. ☐ Proprietary Device
   a. ☐ Cluster array c. ☐ Linear
   b. ☐ Regular load d. ☐ Hi-20 load
4. ☐ Other: _____

SIZE _____ ☐ sq. ft. ☐ lin. ft

GARBAGE DISPOSAL UNIT

1. ☑ No 3. ☐ Maybe
2. ☐ Yes >> Specify one below:
   a. ☐ Multi-compartment Tank
   b. ☐ Tanks in Series
   c. ☐ Increase in Tank Capacity
   d. ☐ Filter on Tank Outlet

DESIGN FLOW

_____ gallons per day

BASED ON:

1. ☐ Table 501.1 (dwelling unit(s))
2. ☐ Table 501.2 (other facilities)
   SHOW CALCULATIONS – for other facilities –
3. ☐ Section 503.0 (meter readings)
   ATTACH WATER-METER DATA

SOIL DATA & DESIGN CLASS

PROFILE CONDITION DESIGN

_____ / _____ / _____

at Observation Hole # _____

Depth _____ Elevation _____

OF MOST LIMITING SOIL FACTOR

DISPOSAL FIELD SIZING

1. ☐ Small – 2.0 sq. ft./gpd
2. ☐ Medium – 2.6 sq. ft./gpd
3. ☐ Medium-Large – 3.3 sq. ft./gpd
4. ☐ Large – 4.1 sq. ft./gpd
5. ☐ Extra Large – 5.0 sq. ft./gpd

PUMPING

1. ☐ Not Required
2. ☐ May Be Required
3. ☐ Required >> Specify only for engineered or experimental systems:
   DOSE _____ gallons

SITE EVALUATOR STATEMENT

I Certify that on _____ (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).

Site Evaluator Signature — SE # — Date

Site Evaluator Name Printed — Telephone #

REPLACEMENT SYSTEM VARIANCE REQUEST

THE LIMITATIONS OF THE REPLACEMENT SYSTEM VARIANCE REQUEST

This form shall be attached to an application (HHE-200) for the proposed replacement system which requires a variance to the Rules. The LPI shall review the Replacement System Variance Request an HHE-200 and may approve the Request if all of the following requirements can be met, and the variance(s) requested fall within the limits of LPI's authority.

1. The proposed design meets the definition of a Replacement System as defined in the Rules (Sec. 2006)
2. There will be no change in use of the structure except as authorized for minor expansions outside the shoreland zone of major waterbodies/courses.
3. The replacement system is determined by the Site Evaluator and LPI to be the most practical method to treat and dispose of the wastewater.
4. The BOD5 plus S.S. content of the wastewater is no greater than that of normal domestic effluent.

GENERAL INFORMATION Town of AUGUSTA

Permit No. #5214 Date Permit Issued 1/15/04

Property Owner's Name: ROBERTA JOLDA Tel. No.: 934-3030

System's Location: TASKER ROAD

Property Owner's Address: 4 PATRIOT WAY

(if different from above) OLD ORCHARD BEACH, ME 04064

SPECIFIC INSTRUCTIONS TO THE:

LOCAL PLUMBING INSPECTOR (LPI):
If any of the variances exceed your approval authority and/or do not meet all of the requirements listed under the Limitations Section above, then you are to send this Replacement System Variance Request, along with the Application, to the Department for review and approval consideration before issuing a Permit. (See reverse side for Comments Section and your signature.)

SITE EVALUATOR:
If after completing the Application, you find that a variance for the proposed replacement system is needed, complete the Replacement Variance Request with your signature on reverse side of form.

PROPERTY OWNER:
If has been determined by the Site Evaluator that a variance to the Rules is required for the proposed replacement system. This variance request is due to physical limitations of the site and/or soil conditions. Both the Site Evaluator and the LPI have considered the site/soil restrictions and have concluded that a replacement system in total compliance with the Rules is not possible.

PROPERTY OWNER
I understand that the proposed system requires a variance to 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.

Roberta Ann Jolda — SIGNATURE OF OWNER — 11/3/03 — DATE

LOCAL PLUMBING INSPECTOR
I, George Lunt Jr., the undersigned, have visited the above property and have determined to the best of my knowledge that it cannot be installed in compliance with the Rules. As a result of my review of the Replacement Variance Request, the Application, and my on-site investigation, I **(check and complete either a or b)**:

a. (approve, disapprove) the variance request based on my authority to grant this variance. Note: If the LPI does not give his approval, he shall list his reasons for denial in Comments Section below and return to the applicant. --OR--

b. find that one or more of the requested Variances exceeds my approval authority as LPI. I (recommend, do not recommend) the Department's approval of the variances. Note: If the LPI does not recommend the Department's approval she shall state his reasons in Comments Section below as to why the proposed replacement system is not being recommended.

Comments: [illegible]

George Lunt Jr. — LPI SIGNATURE — 1/15/04 — DATE

HHE-204 Rev 6/00

Note: Seasonal conversion permit will need to be applied for if year round usage is requested. RJ

1-10-04

After a lengthy conversation with Jay Hardwick of Health, Housing and Parks Regarding Water Conservation I'm issuing this permit. Jay has confirmed the site conditions information and title and agrees with the proposal.

Spoke to Jay Davidson 1/14/04 about conversation

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services
Division of Health Engineering, Station 10
(207) 287-5672 FAX (207) 287-4172

PROPERTY LOCATION	
City, Town, or Plantation	AUGUSTA
Street or Road	TASKER ROAD
Subdivision, Lot #	

>> Caution: Permit Required – Attach in Space Below <<

AUGUSTA 2214 TOWN COPY

Date Permit Issued: 7/15/04 $ 120.00 FEE ☐ If Double Fee Charged

Local Plumbing Inspector Signature L.P.I. # 1

OWNER/APPLICANT INFORMATION	
Name (last, first, MI)	JOLDA, ROBERTA ☒ Owner ☐ Applicant
Mailing Address of ☒ Owner ☐ Applicant	4 PATRIOT WAY OLD ORCHARD BEACH, ME 04064
Daytime Tel. #	934-3030

Municipal Tax Map # 66 Lot # 9+10

Owner or Applicant Statement

I state 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 1/12/04

Caution: Inspection Required

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

Local Plumbing Inspector Signature — (1st) Date Approved 6/23/04 — (2nd) Date Approved

PERMIT INFORMATION

TYPE OF APPLICATION

1. ☐ First Time System
2. ☒ Replacement System
   Type Replaced: HOLDING TANKS
   Year Installed: < 5 YRS
3. ☐ Expanded System
   a. ☐ Minor Expansion
   b. ☐ Major 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. ☐ Experimental System
5. ☐ Seasonal Conversion Approval

DISPOSAL SYSTEM COMPONENT(S)

1. ☒ Complete Non-engineered System
2. ☐ Primitive System (graywater & alternative toilet)
3. ☐ Alternative Toilet, specify: _____
4. ☐ Non-engineered Treatment Tank (only)
5. ☐ Holding Tank, capacity: _____ 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: BK-2000 (2)
12. ☒ Miscellaneous components PUMP STATIONS (2)

SIZE OF PROPERTY

2 LOTS TOTAL +/- .82 ☐ sq. ft. ☒ acres

SHORELAND ZONING

☒ Yes ☐ No

DISPOSAL SYSTEM TO SERVE

1. ☐ Single Family Dwelling Unit, No. of Bedrooms: ____
2. ☐ Multiple Family Dwelling, No. of Units: ____
3. ☒ Other: 2-2 BEDROOM HOMES (SPECIFY)

TYPE OF WATER SUPPLY

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

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANKS

1. ☒ Concrete
   a. ☐ Regular
   b. ☒ Low Profile 4' REQ.
2. ☐ Plastic
3. ☐ Other: _____

CAPACITY: 2-1000 gallons

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: 240 ☐ sq. ft. ☒ lin. ft.

GARBAGE DISPOSAL UNIT

1. ☒ No 2. ☐ Yes 3. ☐ Maybe

>> If yes/maybe, specify one below:

a. ☐ Multi-Compartment Tank
b. ☐ Tanks in Series
c. ☐ Increase inTank Capacity
d. ☐ Filter on Tank Outlet

DESIGN FLOW

288 gallons-per-day (gpd)

BASED ON:

1. ☒ Table 501.1 (dwelling unit(s)
2. ☐ Table 501.2 (other facilities)

SHOW CALCULATIONS -- for other facilities --

2x2 BDRMS 360

BK-2000 -20%

3. ☐ Section 503.0 (meter readings)

ATTACH WATER-METER DATA

SOIL DATA & DESIGN CLASS

PROFILE	CONDITION	DESIGN
8	D	3

at Observation Hole # 1

Depth 10" Elevation -63"

OF MOST LIMITING SOIL FACTOR

DISPOSAL FIELD SIZING

1. ☐ Small -- 2.0 sq. ft./gpd
2. ☐ Medium -- 2.6 sq. ft./gpd
3. ☐ Medium-Large -- 3.3 sq. ft./gpd
4. ☒ Large -- 4.1 sq. ft./gpd
5. ☐ Extra Large -- 5.0 sq. ft./gpd

EFFLUENT/EJECTOR PUMP

1. ☐ Not Required
2. ☐ May Be Required
3. ☒ Required >> Specify dose for engineered & experimental systems

DOSE: gallons

SITE EVALUATOR STATEMENT

I certify that on 29AUG03 (date) I completed a site evaluation on this property and state that the data reported herein are accurate and that the proposed system is in compliance with the Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

Site Evaluator Signature — SE # 301 — Date 4 SEP 03

Site Evaluator Name Printed — Telephone # 377-6707 — E-Mail Address NARROWSPD@AOL.COM

STEPHEN P. ROBBINS
BOX 271
EAST WINTHROP, ME 04343

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering
(207) 287-5672 FAX (207) 287-6172

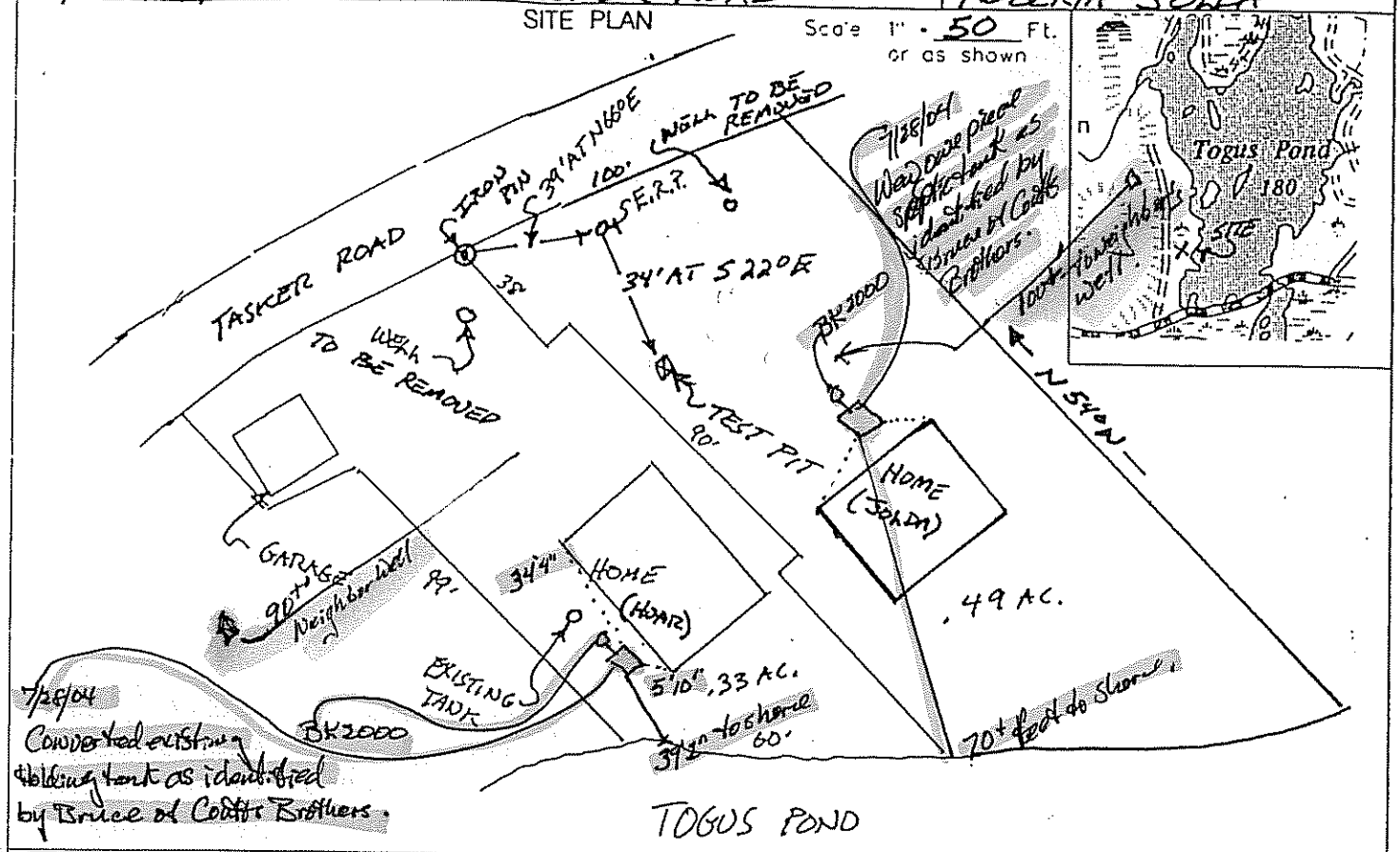
Town, City, Plantation: AUGUSTA

Street, Road Subdivision: TASKER ROAD

Owner's Name: ROBERTA JOLDA

SITE PLAN

Scale 1" = 50 Ft. or as shown



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

Observation Hole #1 ☒ Test Pit ☐ Boring

1" Depth of Organic Horizon Above Mineral Soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0	SILT LOAM	FRIABLE	BROWN	
			YELLOW BROWN	
10			OLIVE YELLOW	FEW
20	SILT	FIRM		
40				
50				

Soil Classification: Profile	Condition	Slope	Limiting Factor	
8	P	7	10"	☒ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

Observation Hole _____ ☐ Test Pit ☐ Boring

" Depth of Organic Horizon Above Mineral Soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0				
10				
20				
40				
50				

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

Site Evaluator Signature: [signature]

SE #: 301

Date: 4AUG03

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

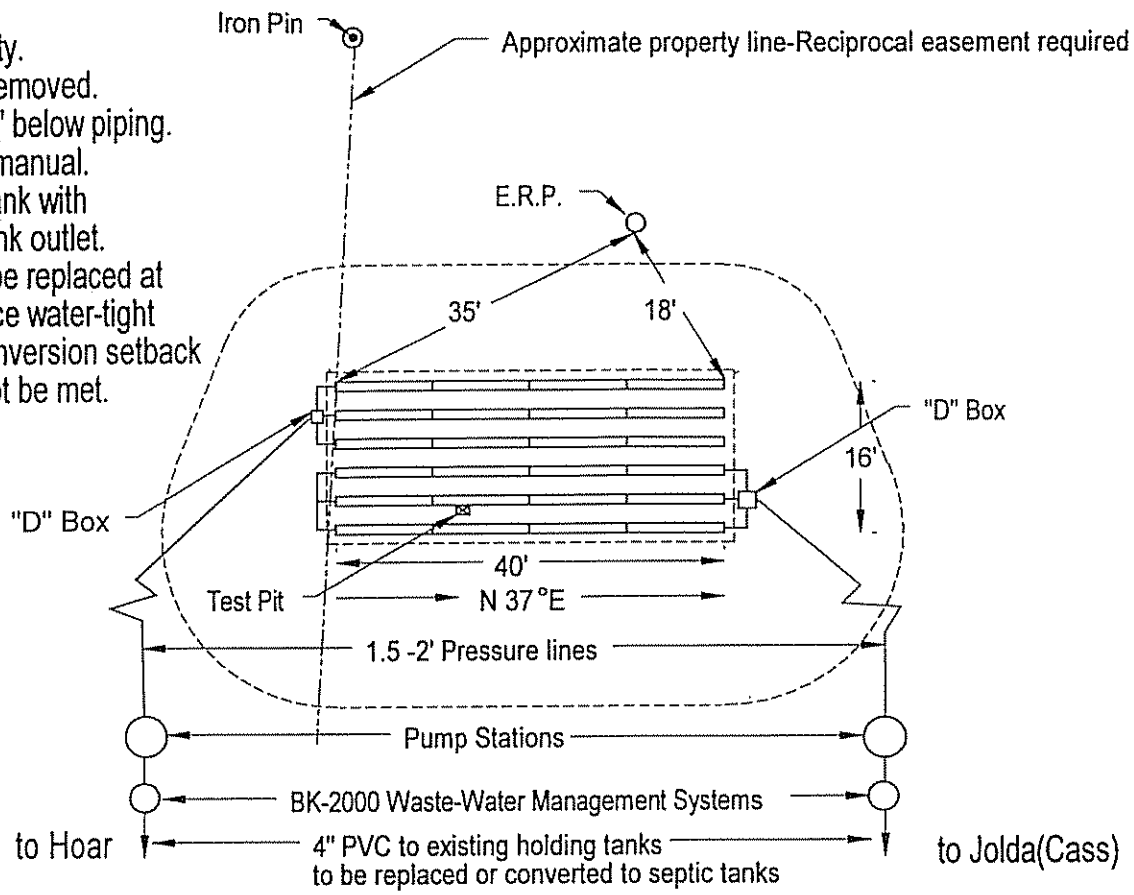
Town, City, Plantation	Street, Road, Subdivision	Owner or Applicant Name
AUGUSTA	TASKER ROAD	ROBERTA JOLDA

SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale: 1" = 20 ft.

otes:

1. Combined system to also serve abutting "Hoar" property.
2. Both existing wells to be removed.
3. Remove large rocks to 24" below piping.
4. Use BK-2000 installation manual.
5. Install BK-2000 close to tank with inlet at same elevation as tank outlet.
6. Existing holding tanks to be replaced at least 40' to shore, with 1 piece water-tight septic tanks, if Seasonal Conversion setback requirements Table 4, cannot be met.

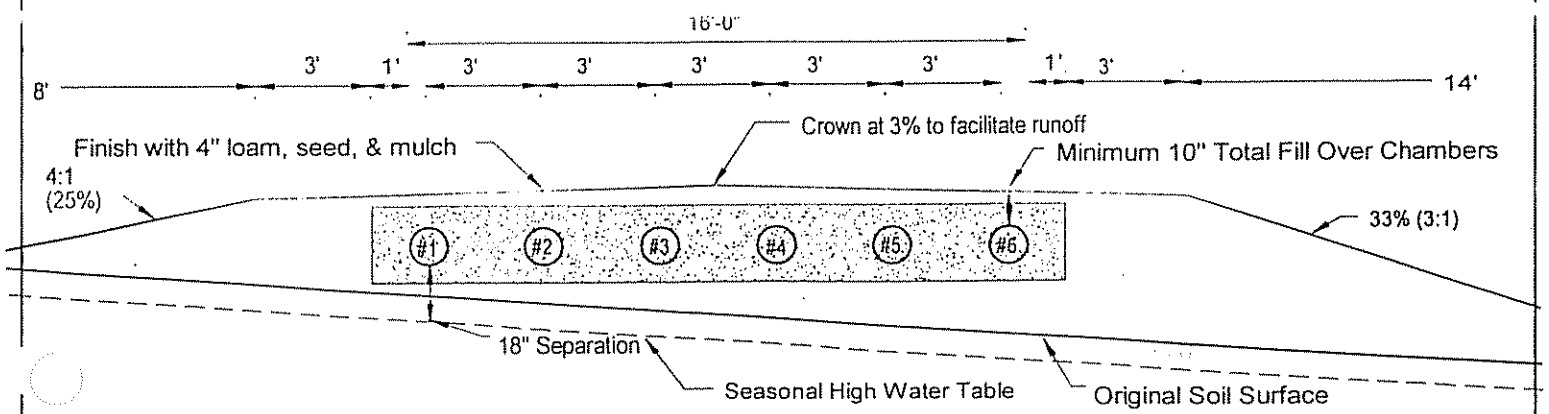


BACKFILL REQUIREMENTS		CONSTRUCTION ELEVATIONS		ELEVATION REFERENCE POINT
Depth of Backfill (upslope)	30 "	Finished Grade Elevation	-16 "	Location & Description: NAIL IN 7"
Depth of Backfill (downslope)	43 "	Top of Distribution Pipe or Proprietary Device	-26 "	HEMLOCK, 43" FROM GROUND
DEPTHS AT CROSS-SECTION (shown below)		Bottom of Disposal Field	-38 "	Reference Elevation is: 0.0" or:

DISPOSAL FIELD CROSS-SECTION

Scales:
Vertical: 1" = 5 ft.
Horizontal: 1" = 5 ft.

Note: System will require 240' of Geo-Flow or Enviro-Septic type drainage pipe.
Pipe to be set in bed of sand 6" above and below, and 1' around outside of pipe.
Sand to be medium to coarse textured, with an effective particle size of 0.25 to 2.0 mm, with no greater than 5% passing a #200 sieve, and no particles larger than 3/4.
Use manufacturer installation manual.



Stuart P Robbins S.E. #301 4 SEP 03

Town	Address	Owner
AUGUSTA	TASKER ROAD	ROBERTA JOLDA

ATTACHMENT TO HHE-200

notes:

1. Construction to conform with "State of Maine Subsurface Wastewater Disposal Rules".
2. Property lines shown are as provided by owner, agent, or municipality. No guarantee of accuracy is implied. Actual property lines must be confirmed by survey.
3. Remove organic material and ~~scarify~~/rototill/~~furrow~~ area under drainfield and fill extensions.
4. Unless otherwise specified, all fill will be coarse sand to a gravely coarse sand. See Sec. 804.0 in the Maine State Plumbing Code for further clarification of fill requirements. In 8" lifts, compacted as placed. First lift to be thoroughly mixed with original soil.
5. Septic tanks and pump stations shall be installed watertight to prevent infiltration of ground and surface water.
6. Force mains, pump stations, and or gravity piping subject to freezing shall be adequately insulated.
7. Unless otherwise specified, **septic tank** to be located by contractor; at minimum; 8' to proposed or existing home and or buildings, 10' to property line & water supply line, 100' to all wells and shoreline. Owners well setback can be reduced to 50' if a 1 piece water-tight tank is used.
8. A septic tank outlet filter is recommended.
9. If replacement system with new tank, existing tank or cesspool to be filled with soil or removed. If existing tank is to be utilized, tank is to be thoroughly inspected for condition.
10. Unless otherwise specified, this plan does not allow the placement of pumps between the wastewater source and the septic tank.
11. Unless otherwise specified, disposal area to existing or proposed buildings setback is 20'.
12. Water from gutters, driveways, walks, and other surface water to be diverted away from system.
13. Loam, seed and mulch all disturbed areas to prevent erosion and facilitate runoff.
14. Unless otherwise specified, keep traffic heavier than lawn tractor away from all components of system.
15. Keep sanitary napkins, cigarette butts, coffee grounds, paper towels, grease, and nonbiodegradables out of system.
16. Many times it is impossible to locate water supplies. Property owner assumes responsibility of proper setback to any unknown water supplies.
17. Discharge from water treatment equipment and residential floor drains is not considered wastewater and must not be plumbed into septic system. This flow should be diverted into a separate drywell (Disposal area that does not require design or permit).
18. Plumbing fixtures must be strictly maintained to insure excess water does not enter septic system. Excess water can lead to premature clogging and total failure of disposal area.
19. Venting of disposal area is not required, but can facilitate biological action in disposal area.
20. Pumped systems will be equipped with audible high water alarm, wired to separate circuit as pump.
21. If a BK2000 Water Water Management system or any other Norweco products are included in this design, the designer has a finacial interest in the sale of these products. Owner is encouraged to research comparable products and make final choice. If owner chooses a competitors product, design will be revised to note said change at no charge.
22. Take 3 copies of the plan to your local plumbing inspector for required permit.

Stephen P. Robbins S.E.#301 Date 4 SEP 03 Page 4 of 4

S.R.

LEACH FIELD MAINTENANCE/EASEMENT AGREEMENT

THIS AGREEMENT is entered into by and between ROBERTA CASS JOLDA, of Old Orchard Beach, Maine (hereinafter "Jolda") and ROBERT W. HOAR and ALISON A. HOAR, both of Tampa, Florida (hereinafter "Hoar").

WITNESSETH:

WHEREAS, Jolda is the owner of certain property located at ____ Tasker Road in Augusta, Kennebec County, Maine as more particularly described in the deed from Robert P. Kasporwitz and Lillian G. Kasporwitz to Daniel R. Simpson and Roberta A. Simpson n/k/a Roberta C. Jolda, which deed is recorded in the Kennebec County Registry of Deeds in Book 3809, Page 31. Further reference being made to an abstract of divorce decree between Roberta A. Simpson and Daniel R. Simpson recorded in said Registry in Book 4724, Page 257; and

WHEREAS, Hoar is the owner of certain property located at 1077 Tasker Road in Augusta, Kennebec County, Maine which abuts the property of Jolda which property is described in a deed from James and Cindy Elliott to Hoar dated August 8, 1988 and recorded in said Registry in Book 3406, Page 192; and

WHEREAS, both Hoar and Jolda are in need of a leach field for their respective subsurface waste water disposal systems on their abutting properties; and

WHEREAS, Jolda and Hoar have had a leach field system designed which is on both of their properties which can serve as part of the subsurface waste water disposal systems of both Jolda and Hoar; and

WHEREAS, Jolda and Hoar are desirous of conveying to each other an easement for the installation of a leach field on the Jolda and Hoar properties to be utilized by both Jolda and Hoar provided that both parties agree to share in the cost of installing, maintaining and replacing that system if it ever becomes necessary to do so;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Jolda hereby transfers, conveys and grants to Hoar and Hoar hereby transfers, conveys and grants to Jolda an easement benefiting the above-referenced land of Hoar and Jolda and burdening the land of Jolda and Hoar, which easements are intended for the purpose of installing, maintaining and replacing a leach field, which leach field will be utilized by both Hoar and Jolda, their heirs and assigns forever. This easement is intended to run with the land, burdening the land of Jolda and Hoar and benefiting both the land of Hoar and the land of Jolda, said easement area being bounded and described as follows:

"Beginning at a point and corner on the common boundary line between Hoar and Jolda, which point and corner is located southeasterly a distance

of 20 feet as measured along said common boundary line from an iron pin set in the ground at the northerly corner of said land of Hoar on the easterly sideline of said Tasker Road; thence, northeasterly in a line parallel with the easterly sideline of Tasker Road a distance of 70 feet over land of Jolda to a point and corner; thence, turning and running in a southeasterly direction in a line perpendicular to the last course over land of Jolda a distance of 45 feet to a point and corner; thence, turning and running southwesterly over land of Jolda and Hoar in a line parallel with the first described course set forth above a distance of 70 feet to a point and corner; thence, turning and running in a northwesterly direction over land of Hoar on a line parallel with the second course described above a distance of 45 feet to the point of beginning."

The easement area shall be utilized for the installation of the leach field to be used by both Hoar and Jolda, provided, however, that Jolda and Hoar may use the portions of their underlying fee owned property encumbered by the easement area for all other purposes permitted by law which do not interfere with the installation of said leach field.

2. Pursuant to the terms of this Agreement Jolda and Hoar agree to maintain a shared leach field for their respective subsurface waste water disposal systems on the area described above and both agree not to obstruct or otherwise interfere with the use of said leach field by the other party, their personal representatives, heirs and assigns.

3. The parties acknowledge that the total area described above constitutes an easement appurtenant to both of their properties to run with the land of the respective parties hereto and benefit their heirs and assigns forever.

4. The shared leach field within the above-described leach field within the above-described easement area shall be installed and maintained by the parties hereto with each party paying an equal amount for the installation, maintenance, repair and replacement of said leach field; provided, however, that if either party, their heirs or assigns does damage to said leach field, then the party causing the damage must repair said damage at their sole expense.

5. Decisions relating to the usual and ordinary maintenance of the leach field shall be determined by a unanimous vote of the parties hereto. If the parties cannot reach an agreement regarding usual and ordinary maintenance, then said dispute shall be resolved by binding arbitration with the substantially prevailing party being reimbursed for all costs associated with said arbitration, including reasonable attorney's fees.

6. The parties hereto shall meet as often as necessary to determine what maintenance, repair or replacement expenses may be necessary and to determine the budget for such work. The parties hereto shall further establish a replacement reserve for the subject leach field so appropriate funds are set aside annually to replace the leach field. The resulting monetary liability of each of the parties hereto shall be paid into an account established for that purpose within sixty (60) days after a budget being established or a determination is made regarding expenses to be paid.

7. Either of the parties hereto may bring an action in a court of competent jurisdiction against any delinquent party failing to timely pay his, her or their share of any expenses required to be paid hereunder. The party failing to pay those expenses shall be further liable for all costs of bringing and maintaining that action, including reasonable attorney's fees. Each party agrees to contribute any addition sums required for the maintenance of the leach field over and above what might be the ordinary budgeted amount in any one particular year.

8. The parties hereto agree that all mortgagees of the property of Jolda or Hoar, and their successors, administrators and assigns of said mortgagees, including, but not limited to, all FHA and VA insured mortgage interests related to said properties shall be considered third-party beneficiaries of this Leach Field Maintenance/Easement Agreement.

9. Jolda and Hoar hereby represent that they have carefully read the foregoing Leach Field Maintenance/Easement Agreement and know and understand the contents hereof and specifically acknowledge that the terms hereof are contractual and not a mere recital.

IN WITNESS WHEREOF, the party hereto has set her hand and seal as of the date first above set forth.

Witness

ROBERTA CASS JOLDA

STATE OF MAINE

11/3, 2003

CUMBERLAND ~~YORK~~, ss.:

Personally appeared before me the above-named Roberta Cass Jolda and acknowledged the foregoing instrument to be her free act and deed.

TERRI L. MINGO
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES
NOVEMBER 9, 2008

Notary Public/Attorney-at-Law

TERRI L MINGO
Print Name

Witness

Robert W. Hoar by POA
ROBERT W. HOAR

Witness

ALISON A. HOAR

6301 S. West Shore Boulevard
Apt. 5190
Tampa, Florida 33616

STATE OF FLORIDA
Hillsborough (County), ss.:

October 25, 2003

Personally appeared before me the above-named Robert W. Hoar and Alison A. Hoar and acknowledged the foregoing instrument to be their free act and deed.

APRIL D. BUHLER
Notary Public, State of Florida
My comm. exp. Jan. 12, 2007
Comm. No. DD 176982

Notary Public/Attorney-at-Law

April D. Buhler
Print Name

RULES FOR CONVERSION OF SEASONAL DWELLING UNITS INTO YEAR-ROUND RESIDENCES IN THE SHORELAND ZONE

144A CMR 242

SUMMARY

These rules describe the requirements for conversion of seasonal dwelling units into year-round residences if the system serving the structure is within the shoreland zone areas of major waterbodies/courses.

BASIS STATEMENT: These Rules provide minimum State requirements for conversion of seasonal residences using onsite subsurface wastewater disposal into year-round to assure environmental sanitation and safety. These Rules are intended to complement municipal planning, zoning, and land use control.

EFFECTIVE DATE: June 1, *2001*

AUTHORITY: Title 22 MRSA § 42

Department of Human Services
Bureau of Health
Division of Health Engineering
10 State House Station
Augusta, Maine 04333-0010
Telephone (207) 287-5689

Appropriation 014-10A-2426-012-2658

Nondiscrimination Notice
In accordance with Title VI of the Civil Rights Act of 1964, as amended by the civil Rights Restoration Act of 1991 (42 U.S.C. 1981, 2000e et seq.) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.), Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and Title IX of the Education Amendments of 1972, the Maine Department of Human Services does not discriminate on the basis of sex, color, national origin, disability or age in admission or access to or treatment or employment in its programs and activities

Replacement System Variance Request

VARIANCE CATEGORY	LIMIT OF LPI'S APPROVAL AUTHORITY						VARIANCE REQUESTED TO:	
.LS				to 7"			10" inches	
Soil Profile	Ground Water Table			to 7"			inches	
Soil Condition	Restrictive Layer			to 12"			inches	
from HHE-200	Bedrock							
SETBACK DISTANCES (in feet)	Disposal Fields			Septic Tanks			Disposal Fields	Septic Tanks
From	Less than 1000 gpd	1000 to 2000 gpd	Over 2000 gpd	Less than 1000 gpd	1000 to 2000 gpd	Over 2000 gpd	To	To
Wells with water usage of 2000 or more gpd or public water supply wells	300 ft [a]	300 ft [a]	300 ft [a]	100 ft [a]	100 ft [a]	100 ft [a]		
Owner's wells	100 down to 60 ft	200 down to 100 ft	300 down to 150 ft	100 down to 50 ft [b]	100 down to 50 ft	100 down to 50 ft		
Neighbor's wells	100 down to 60 ft [b]	200 down to 120 ft [b]	300 down to 180 ft [b]	100 down to 50 ft [b]	100 down to 75 ft [b]	100 down to 75 ft [b]		
Water supply line	10 ft [a]	20 ft [a]	25 ft [a]	10 ft [a]	10 ft [a]	10 ft [a]		
Water course, major - for replacements only, see Table 400.4 for major expansions	100 down to 60 ft	200 down to 120 ft	300 down to 180 ft	100 down to 50 ft	100 down to 50 ft	100 down to 50 ft		40'
Water course, minor	50 down to 25 ft	100 down to 50 ft	150 down to 75 ft	50 down to 25 ft	50 down to 25 ft	50 down to 25 ft		
Drainage ditches	25 down to 12 ft	50 down to 25 ft	75 down to 35 ft	25 down to 12 ft	25 down to 12 ft	25 down to 12 ft		
Edge of fill extension – Coastal wetlands, special freshwater wetlands, great ponds, rivers, streams	25 ft [d]	25 ft [d]	25 ft [d]	25 ft [d]	25 ft [d]	25 ft [d]		
Slopes greater than 3:1	10 ft	18 ft	25 ft	N/A	N/A	N/A		
No full basement [e.g. slab, frost wall, columns]	15 down to 7 ft	30 down to 15 ft	40 down to 20 ft	8 down to 5 ft	14 down to 7 ft	20 down to 10 ft		
Full basement [below grade foundation]	20 down to 10 ft	30 down to 15 ft	40 down to 20 ft	8 down to 5 ft	14 down to 7 ft	20 down to 10 ft		
Property lines	10 down to 5 ft [c]	18 down to 9 ft [c]	20 down to 10 ft [c]	10 down to 4 ft [c]	15 down to 7 ft [c]	20 down to 10 ft [c]		
Burial sites or graveyards, measured from the down toe of the fill extension	25 ft	25 ft	25 ft	25 ft	25 ft	25 ft		

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IF REQUIRED

Drain 40' down 35' down if variance is needed to reduce depth to 40' [illegible]

OTHER

1. Fill extension Grade - to 3:1

2.

3.

Footnotes:
a. This setback distance cannot be reduced by the LPI, but may be considered for reduction by State variance.
b. May not be any closer to neighbor's well than the existing disposal field or septic tank unless written permission is granted by the neighbor.
c. Sufficient distance shall be maintained to assure that the toe of the fill does not extend to the 3:1 slope or property line.
d. Natural Resources Protection Act requires a 25 foot setback on slopes with less than 20% from the edge of disturbance and 100 feet on slopes greater than 20% except for the repair or installation of a replacement system when no practical alternative exists.

Stephen P. Albert — 4 SEP 03

SITE EVALUATOR'S 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

Parties have twenty (20) days to file written exceptions and responses with the Office of the Commissioner. The Commissioner may reserve jurisdiction to issue the final decision.

1003.8 Judicial review: Any person or party dissatisfied with the hearing officer's decision has the right of judicial review under the Maine Rules of Civil Procedure, Rule 80C.

TABLE 1
MINIMUM DISPOSAL SYSTEM DESIGN REQUIREMENTS FOR SEASONAL CONVERSIONS WITHIN THE SHORELAND ZONE OF MAJOR WATERBODIES/COURSES

Minimum Requirements vs. Design Class					
Design Factors	**Design Class as determined from C.M.R. 241,Table 600.1**				
	1	2	3	4	5
DESIGN FLOWS: Systems with design flows of less than 2,000 gallons per day.	Allowed.		Allowed if the seasonal high water table and restrictive layer is at 10 inches or greater. Not allowed if less than 10".	Not allowed.	Not allowed
DESIGN FLOWS: Systems with design flows of greater than 2,000 gallons per day.	Allowed with Department approval.		Allowed, if seasonal water table and the hydraulically restrictive horizon is at 10 inches or greater. Not allowed if <10 inches.	Not allowed.	Not allowed
WETLAND PERMIT: No wetland permit required if in accordance with applicable DEP standards.	No Department of Environmental Protection (DEP) permit is required if in compliance with applicable DEP standards.			Not allowed	
SEASONAL GROUND WATER TABLE: Separation distance (original soil and fill) between bottom of disposal field and seasonal high ground water table.	12 inch minimum	24 inch minimum for Profiles [a] 5 and 6 and sandy textured Profile 11. 18 inch minimum for all other profiles.		Not allowed	Not allowed
HYDRAULICALLY RESTRICTIVE HORIZON: Separation distance (original soil and fill) between bottom of disposal field and hydraulically restrictive horizon.	12 inch minimum	24 inch minimum for Profiles [a] 5 and 6 and sandy textured Profile 11. 18 inch minimum for all other profiles.		Not allowed	Not allowed
BEDROCK: Separation distance (original soil and fill) between bottom of disposal field and bedrock.	Must be 24 inches			Not allowed	Not allowed
FILL MATERIAL SHOULDER WIDTHS (berms):	3 foot minimum			Not allowed	Not allowed
FILL EXTENSIONS: Slope fill extensions beyond the edge of the shoulder (berm) are specified in the number of horizontal feet for each vertical foot of drop.	The fill extension must be at least 4 horizontal feet for each vertical foot drop.			Not allowed	Not allowed
PRE-TREATMENT: Pre-treatment (sand filters, peat liners, etc.) as set forth in Appendix B.	Not required			Not allowed	Not allowed
LINED DISPOSAL FIELDS:	Required for any disposal field located on Soil Profile 6 soils [a] in Shoreland Zoned Areas of Major Waterbodies/courses			Not allowed	Not allowed
MOUNDING ANALYSIS:	Required for systems with design flows greater than or equal to 2,000 gallons per day.			Not allowed	Not allowed

[a] As defined under provisions of CMR 241.

TABLE 2
DWELLING UNIT SEPTIC TANK CAPACITY

Number of bedrooms	Minimum septic tank liquid capacity
1 Bedroom	750 gallons
2 Bedrooms	750 gallons
3 Bedrooms	1,000 gallons
4 Bedrooms	1,000 gallons
5 Bedrooms	1,250 gallons or greater
For each additional bedroom	250 gallons per bedroom

TABLE 3
SITE CONDITIONS

Depth to restrictive layer/bedrock	*15* inches
Depth to Seasonal High Groundwater Table	*15* inches
Maximum slope	20 % grade

TABLE 4
ALLOWED SETBACKS FOR SEASONAL CONVERSIONS WITHIN THE SHORELAND ZONE OF MAJOR WATERBODIES/COURSES

Site features vs disposal system components of various sizes	Disposal Fields			Septic Tanks		
	Less than 1000 gpd	1000 to 2000 gpd	Over 2000 gpd	Less than 1000 gpd	1000 to 2000 gpd	Over 2000 gpd
Wells with water usage of 2000 or more gpd or public water supply well	300 ft	300 ft	300 ft	100 ft	100 ft	100 ft
Owner's well Pond Water Ok.	100 down to 60 ft [a]	200 down to 100 ft	300 down to 150 ft	100 down to 50 ft [b]	100 down to 50 ft	100 down to 50 ft
Neighbor's wells (f) None Ok.	100 down to 60 ft [f]	200 down to 120 ft [f]	300 down to 180 ft [f]	100 down to 50 ft [f]	100 down to 75 ft [f]	100 down to 75 ft [f]
Water supply line N/A	10 ft [h]	20 ft [h]	25 ft [h]	10 ft [h]	10 ft [h]	10 ft [h]
Water course, major- for replacement see Table 700.3	100 down to 80 ft [d]	200 down to 160 ft [d]	300 down to 240 ft [d]	100 down to 80 ft [b]	100 down to 80 ft	100 down to 80 ft
Water course, minor (e) N/A	50 down to 35 ft [e]	100 down to 70 ft [e]	150 down to 105 ft [e]	50 down to 35 ft [e]	50 down to 35 ft [e]	50 down to 35 ft [e]
Drainage ditches N/A	25 down to 12 ft	50 down to 25 ft	75 down to 35 ft	25 down to 12 ft	25 down to 12 ft	25 down to 12 ft
Edge of fill extension– Coastal wetlands, special freshwater wetlands, great ponds, rivers, streams (e) OK.	25 ft [e]	25 ft [e]	25 ft [e]	25 ft [e]	25 ft [e]	25 ft [e]
Slopes greater than 3:1 OK	10 ft [g]	18 ft [g]	25 ft [g]	N/A	N/A	N/A
No full basement [e.g. slab, frost wall, columns] OK	15 down to 7 ft	30 down to 15 ft	40 down to 20 ft	8 down to 5 ft	14 down to 7 ft	20 down to 10 ft
Full basement [below grade foundation] NA	20 down to 10 ft	30 down to 15 ft	40 down to 20 ft	8 down to 5 ft	14 down to 7 ft	20 down to 10 ft
Property lines OK.	10 down to 5 ft [c	18 down to 9 ft [c]	20 down to 10 ft [c]	10 down to 4 ft [c]	15 down to 7 ft [c]	20 down to 10 ft [c]
Burial sites or graveyards, measured from the toe of the fill extension N/A	25 ft	25 ft	25 ft	25 ft	25 ft	25 ft

Notes: [a.] Single-family well setbacks may be reduced as prescribed in Section 703.0 *of CMR 241 Subsurface Wastewater Disposal Rules.*
[b.] This distance may be reduced to 25 feet, without variance, if the septic or holding tank is tested in the plumbing inspector's presence and shown to be watertight or of monolithic construction.
[c.] Additional setbacks may be needed to prevent fill material extensions from encroaching onto abutting property.
[d.] Additional setbacks may be required by local Shoreland zoning.
[e.] Natural Resource Protection Act requires a 25 feet setback, on slopes of less than 20%, from the edge of soil disturbance and 100 feet on slopes greater than 20%. See Chapter 15 *of CMR 241 Subsurface Wastewater Disposal Rules.*.
[f.] May not be any closer to neighbors well than the existing disposal field or septic tank unless written permission is granted by the neighbor. This setback may be reduced for single family houses with Department approval. See Section 701.4 *of CMR 241 Subsurface Wastewater Disposal Rules.*
[g.] The fill extension shall reach the existing ground before the 3:1 slope or within 100 feet of the disposal field.
[h.] See Section 1402.10 *of CMR 241 Subsurface Wastewater Disposal Rules* for special procedures when these minimum setbacks cannot be achieved.