

5195

STATE OF MAINE  
DEPARTMENT OF HUMAN SERVICES  
DIVISION OF HEALTH ENGINEERING  
11 STATE HOUSE STATION  
OFFICE: 161 CAPITOL STREET  
AUGUSTA, MAINE  
04333-0011

Bill Noble  
#547-3259  
#287-7748

November 25, 2003

ELIAS BALDACCI  
GOVERNOR

Harvey J Versteeg  
81 Church Hill Road  
Augusta ME 04330

Subject: Approval, First Time System Variance Request, Versteeg property, Church Hill Road, Augusta

Dear Mr. Versteeg:

The Division has reviewed a First Time System Variance Request for the subject property. The proposal is to install a subsurface wastewater disposal system to serve a three-bedroom single-family dwelling. The state variance requested is to allow the installation of the system with a setback distance reduction from a property line to the disposal field of 10 feet requiring the fill extension to fall onto neighboring property. The system design, prepared by William Noble, SE, dated May 3, 2003, is found to be in compliance with the Maine Subsurface Wastewater Disposal Rules.

An easement has been obtained and filed at the Registry of Deeds allowing the fill extension to be installed on the abutting property. We approve the requested variance with the following requirements:

1. A permit for system installation is to be obtained from the Local Plumbing Inspector in advance of the start of system construction.
2. The system is to be installed in accordance with the submitted and approved system design. Should alterations be required at the time of system installation, the system designer must be notified prior to making any changes.
3. The variance approval is based only on the rules administered by this department. The approval of the variance request does not relieve the property owner from compliance with all other state and local requirements pertaining to the installation, use, and operation of the wastewater disposal system.

By accepting this approval and the associated plumbing permit, the owner agrees to comply fully with the conditions of approval and the Subsurface Wastewater Disposal Rules.

Because installation and owner maintenance has a significant effect on the working order of onsite sewage disposal systems, including their components, the Division makes no representation or guarantee as to the efficiency and/or operation of the system.

Should you or others have any questions regarding this review and/or approval, please feel free to contact me at 287-5687.

Sincerely,

*Linda S. Robinson*

Linda S. Robinson, Environmental Specialist II  
Wastewater & Plumbing Control Program  
Division of Health Engineering  
mail: linda.robinson@maine.gov



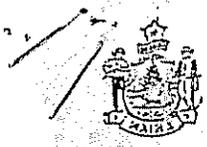
PRINTED ON RECYCLED PAPER

cc: Gary Fuller, LPI  
William Noble, SE

PHONE: (207) 287-5338

TTY: 207-287-2070

FAX: (207) 287-4173



**FIRST TIME SYSTEM VARIANCE REQUEST**

This form shall accompany an Application (HHE-200) for a proposed first time system which requires a Variance to provisions of the Subsurface Wastewater Disposal Rules.  
 The local plumbing inspector shall not issue a permit for the installation of a first time subsurface wastewater disposal system requiring a variance from the Department of Human Services until approval has been received from them.

<b>GENERAL INFORMATION</b>		Town of <u>Augusta</u>
Permit No. _____		Date Permit Issued _____
Property Owner's Name: <u>Harvey J. Versteeg</u>		Tel. No.: <u>(207) 623-3793</u>
System's Location: <u>Church Hill Road, Augusta</u>		
Property Owner's Address: <u>81 Church Hill Road</u>		
(if different from above) <u>Augusta, Maine 04330</u>		

**VARIANCE CONDITIONS**

The Department has the authority to vary the requirements of the Rules in accordance with Section 105.2 of the Rules CMR 241 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.

**SOIL, SITE AND ENGINEERING FACTORS FOR NEW SYSTEM VARIANCE ASSESSMENT**  
 (SEE TABLES 1900.1-1900.11)

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile	<i>N/A</i>	<i>N/A</i>
Depth to Groundwater/Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Adjustment		
Additional Treatment		
<b>TOTAL POINT ASSESSMENT (Sec. 1904.5)</b>		

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

<b>SPECIFIC VARIANCE REQUESTED</b> (To be filled in by Site Evaluator)	<b>SECTION OF RULE</b>
1. <u>Reduce setback from disposal field to property line</u>	<u>Table 700.2</u>
2. _____	_____
3. _____	_____

**SITE EVALUATOR**

When a property is found to be unsuitable for subsurface wastewater disposal for a First Time System Variance 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.  
 (Use Additional Sheets, if needed)

Disposal field location as shown is necessary to achieve a 100-foot setback distance from neighbor's drilled well. An easement must be obtained in accordance with Section 400.7 of the Subsurface Wastewater Disposal Rules.

William T. Noble, 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.

*William T. Noble*  
 SIGNATURE OF SITE EVALUATOR

5-3-03  
 DATE

547-3252

First Time System Variance Request

PROPERTY OWNER

I, J. HARVEY VERSTEEG, am the  owner  agent for the owner of the subject property. I understand that the installation on the Application is not in total compliance with the Rules. Should the proposed system malfunction, I release all concerned provided they have performed their duties in a reasonable and proper manner, and I will promptly notify the Local Plumbing Inspector and make any corrections required by the Rules. By signing the variance request form, I acknowledge permission for representatives of the Department to enter onto the property to perform such duties as may be necessary to evaluate the variance request.

J. Harvey Versteege 10-10-03  
 SIGNATURE OF OWNER DATE  
 AGENT FOR THE OWNER

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

We, the Municipal Officer(s) of Andover have reviewed this application and are aware that the applicant is applying for a First Time System 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] City Manager 11/17/03  
SIGNATURE FOR THE MUNICIPALITY TITLE DATE

LOCAL PLUMBING INSPECTOR - Approval at local level

The local plumbing inspector shall review all First Time System 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 First Time System Variance requests prior to forwarding to the Division of Health Engineering. 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.

[Signature] 11/17/03  
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

- Note: 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 1902.0 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 1901.0 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

called 12/2 1:05

03007A

Maine Department of Human Services  
Division of Health Engineering, SHS 10  
(207) 287-5672 Fax (207) 287-3165

# SURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

## PROPERTY LOCATION

>> Caution Permit Required -- Attach in Space Below <<

City, Town, Station: Augusta

or Road: Church Hill Road

Subdivision, Lot #: \_\_\_\_\_

AUGUSTA Date Permit Issued: 12/2/03 5195 TOWN COPY \$ 120.00  If Double Fee Charged

Walter R. Versteeg Local Plumbing Inspector Signature L.P.I. # 850

### OWNER/APPLICANT INFORMATION

Name (last, first, MI): Versteeg, Harvey J.  Owner  Applicant

Mailing Address of Owner/Applicant: 81 Church Hill Road  
Augusta, Maine 04330

Daytime Tel. #: (207) 623-3793

Municipal Tax Map # 11 Lot # 26

### 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.

Harvey Versteeg Signature of Owner or Applicant Date: 10-10-03

### Caution: Inspection Required

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

Walter R. Versteeg Local Plumbing Inspector Signature (1st) Date Approved: 10/11/04  
(2nd) Date Approved: \_\_\_\_\_

## PERMIT INFORMATION

<h3>TYPE OF APPLICATION</h3> <input checked="" type="checkbox"/> 1. First Time System <input type="checkbox"/> 2. Replacement System Type Replaced: _____ Year Installed: _____ <input type="checkbox"/> 3. Expanded System <input type="checkbox"/> a. Minor Expansion <input type="checkbox"/> b. Major Expansion <input type="checkbox"/> 4. Experimental System <input type="checkbox"/> 5. Seasonal Conversion	<h3>THIS APPLICATION REQUIRES</h3> <input type="checkbox"/> 1. No Rule Variance <input checked="" type="checkbox"/> 2. First Time System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input checked="" type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 3. Replacement System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input checked="" type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Approval	<h3>DISPOSAL SYSTEM COMPONENTS</h3> <input checked="" type="checkbox"/> 1. Complete Non-engineered System <input type="checkbox"/> 2. Primitive System (graywater & alt. toilet) <input type="checkbox"/> 3. Alternative Toilet, specify: _____ <input type="checkbox"/> 4. Non-engineered Treatment Tank (only) <input type="checkbox"/> 5. Holding Tank, _____ gallons <input type="checkbox"/> 6. Non-engineered Disposal Field (only) <input type="checkbox"/> 7. Separated Laundry System <input type="checkbox"/> 8. Complete Engineered System (2000 gpd or more) <input type="checkbox"/> 9. Engineered Treatment Tank (only) <input type="checkbox"/> 10. Engineered Disposal Field (only) <input type="checkbox"/> 11. Pre-treatment, specify: _____ <input type="checkbox"/> 12. Miscellaneous Components
<h3>SIZE OF PROPERTY</h3> <u>0.38 ±</u> <input type="checkbox"/> sq. ft. <input checked="" type="checkbox"/> acres	<h3>DISPOSAL SYSTEM TO SERVE</h3> <input checked="" type="checkbox"/> 1. Single Family Dwelling Unit, No. of bedrooms: <u>3</u> <input type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: _____ <input type="checkbox"/> 3. Other: _____ (specify) Current Use: <input type="checkbox"/> Seasonal <input type="checkbox"/> Year Round <input checked="" type="checkbox"/> Undeveloped	<h3>TYPE OF WATER SUPPLY</h3> <input checked="" type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other: _____
<h3>SHORELAND ZONING</h3> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

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

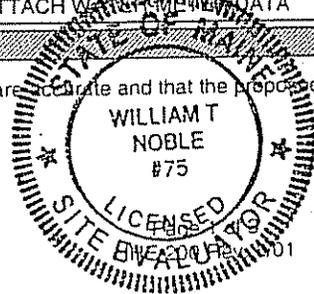
<h3>TREATMENT TANK</h3> <input checked="" type="checkbox"/> 1. Concrete <input checked="" type="checkbox"/> a. Regular <input type="checkbox"/> b. Low profile <input type="checkbox"/> 2. Plastic <input type="checkbox"/> 3. Other: _____ CAPACITY <u>1000</u> gallons	<h3>DISPOSAL FIELD TYPE &amp; SIZE</h3> <input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench <input checked="" type="checkbox"/> 3. Proprietary Device <input type="checkbox"/> a. Cluster array <input checked="" type="checkbox"/> c. Linear <input checked="" type="checkbox"/> b. Regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: _____ SIZE <u>180</u> <input type="checkbox"/> sq. ft. <input checked="" type="checkbox"/> lin. ft.	<h3>GARBAGE DISPOSAL UNIT</h3> <input checked="" type="checkbox"/> 1. No <input type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe If Yes or Maybe, specify one below: <input type="checkbox"/> a. Multi-compartment Tank <input type="checkbox"/> b. _____ Tanks in Series <input type="checkbox"/> c. Increase in Tank Capacity <input checked="" type="checkbox"/> d. Filter on Tank Outlet	<h3>DESIGN FLOW</h3> <u>270</u> gallons per day BASED ON: <input checked="" type="checkbox"/> 1. Table 501.1 (dwelling unit(s)) <input type="checkbox"/> 2. Table 502.2 (other facilities) SHOW CALCULATIONS -- for other facilities --
<h3>SOIL DATA &amp; DESIGN CLASS</h3> PROFILE <u>3</u> / CONDITION <u>D</u> / DESIGN <u>3</u> at Observation Hole # <u>3</u> Depth <u>13</u> " Elevation <u>-75</u> " OF MOST LIMITING SOIL FACTOR	<h3>DISPOSAL FIELD SIZING</h3> <input type="checkbox"/> 1. Small -- 2.0 sq. ft./gpd <input type="checkbox"/> 2. Medium -- 2.6 sq. ft./gpd <input checked="" type="checkbox"/> 3. Medium-Large -- 3.3 sq. ft./gpd <input type="checkbox"/> 4. Large -- 4.1 sq. ft./gpd <input type="checkbox"/> 5. Extra-Large -- 5.0 sq. ft./gpd	<h3>EFFLUENT/EJECTOR PUMP</h3> <input checked="" type="checkbox"/> 1. Not Required <input type="checkbox"/> 2. May Be Required <input type="checkbox"/> 3. Required Specify only for engineered systems: DOSE: _____ gallons	<input type="checkbox"/> 3. Section 503.0 (meter readings) ATTACH WATER METER DATA

## SITE EVALUATOR STATEMENT

I certify that on 4-21-03 (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).

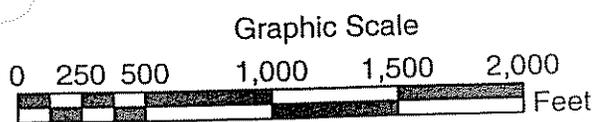
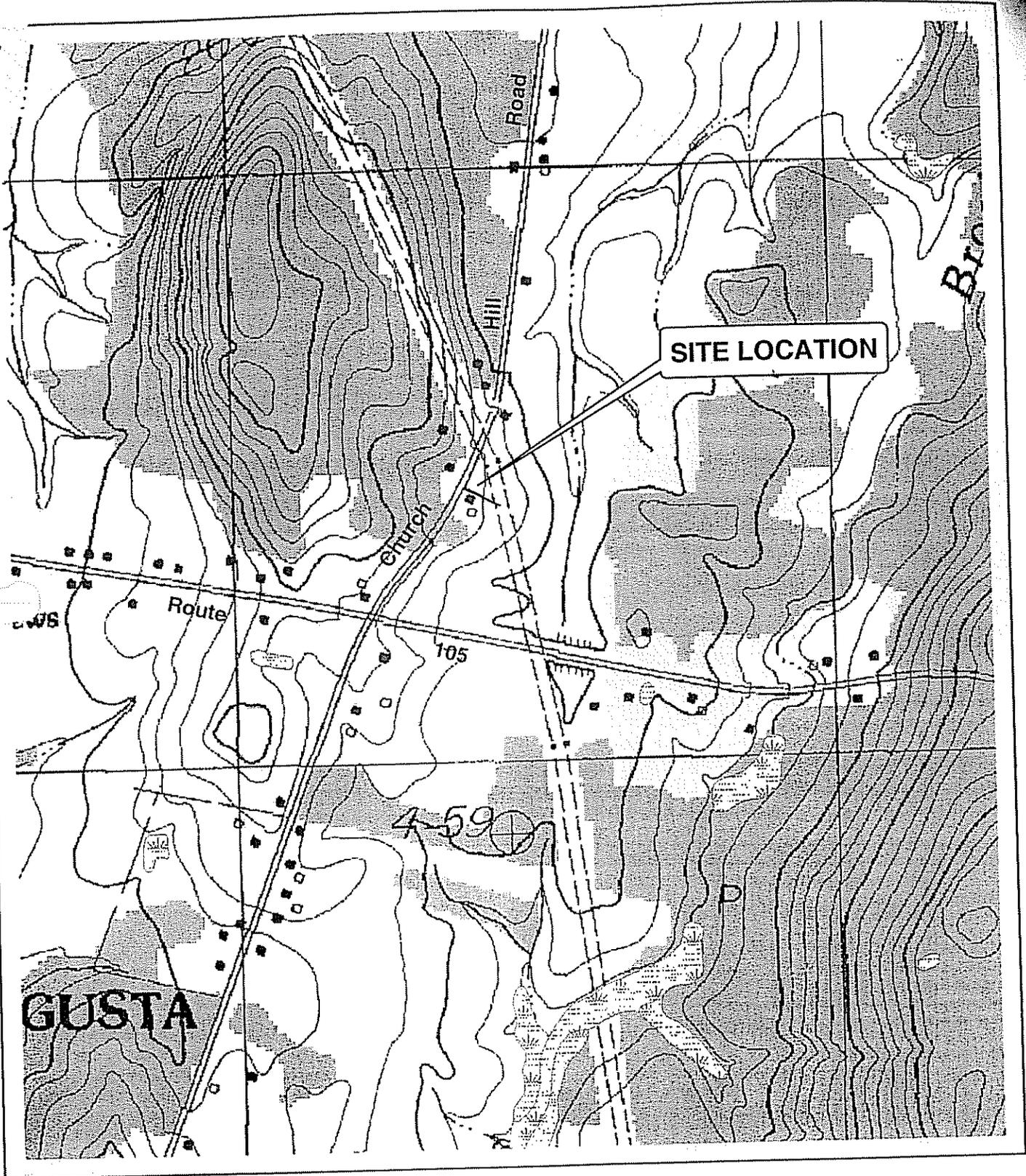
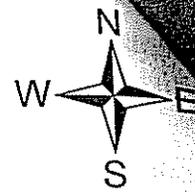
William T. Noble Site Evaluator Signature SE # 75 Date 5-3-03

William T. Noble Site Evaluator Name Printed Telephone # (207) 547-3252



Note: Changes to or deviations from the design should be confirmed with the Site Evaluator.

Versteeg Property  
Church Hill Road  
Augusta, Maine



Source:  
USGS Togus Pond Quadrangle  
7.5 Minute Series (topographic)  
Revised 1982

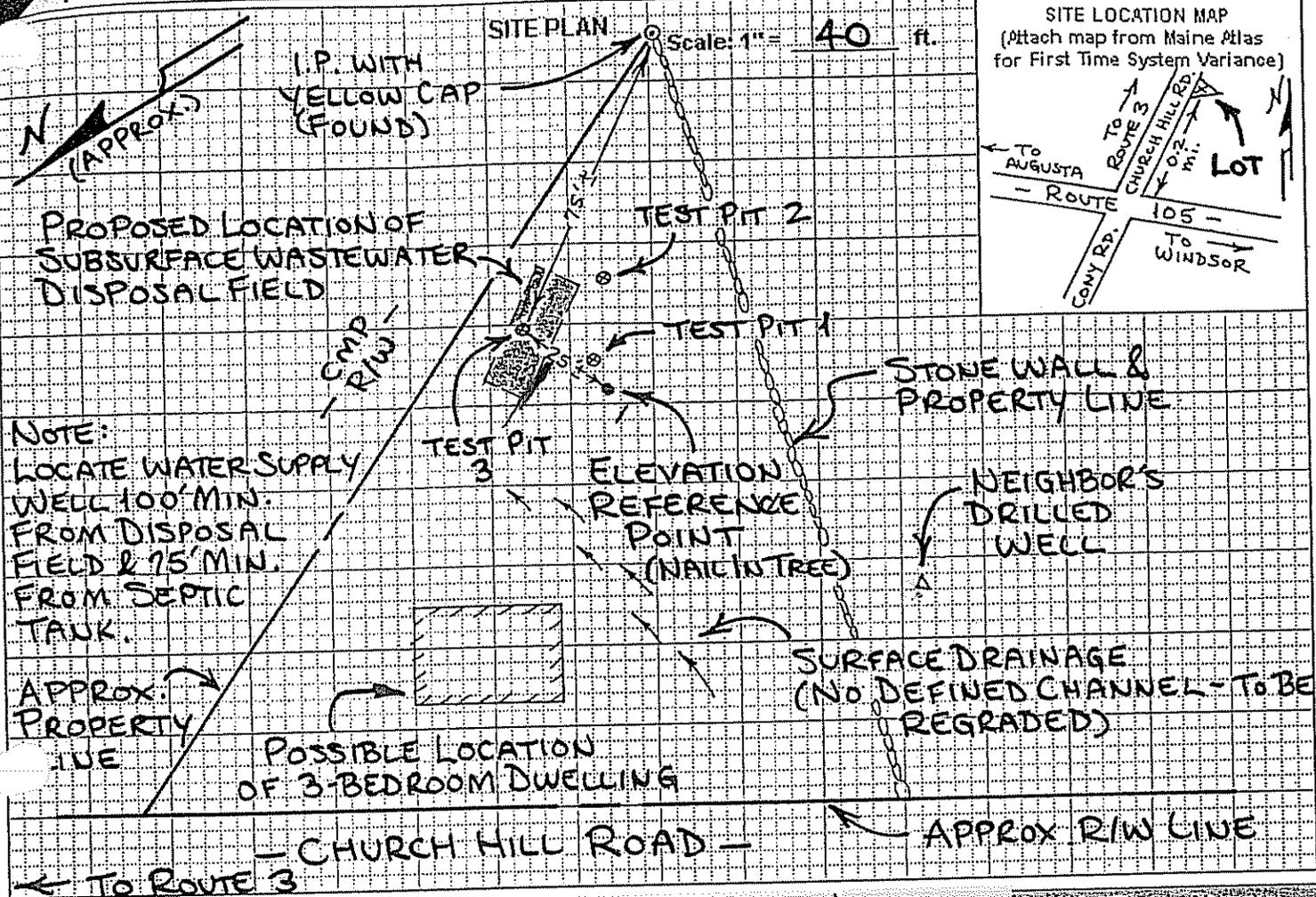
# SURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
 Division of Health Engineering, Station 10  
 (207) 287-5672 FAX (207) 287-3165

City, Plantation  
**AUGUSTA**

Street, Road, Subdivision  
**CHURCH HILL ROAD**

Owner or Applicant Name  
**J. HARVEY VERSTEEG**



SOIL PROFILE	
Observation 1	1 ±
Tex	
0	STO FS
6	FIN SAI LOP
12	
18	VER FIN SAI LOP
24	
30	
36	TEI
42	WI
48	12" DEPTH (3-D SOIL)
Soil Profile	3
Classification Condition	C
Slope Percent	5 ±
Limiting Factor Depth	17
<input type="checkbox"/> Groundwater	
<input type="checkbox"/> Restrictive Layer	
<input type="checkbox"/> Bedrock	

Soil Holes Shown Above	
<input checked="" type="checkbox"/> Test Pit	<input type="checkbox"/> Boring
Organic horizon above mineral soil	
Color	Mottling
DARK BROWN	
DK. YEL. BN.	
OL. BROWN	
OLIVE	COMMON DISTINCT
Soil Profile	3
Classification Condition	D
Slope Percent	5 ±
Limiting Factor Depth	13
<input checked="" type="checkbox"/> Groundwater	
<input type="checkbox"/> Restrictive Layer	
<input type="checkbox"/> Bedrock	

*William J. Noble*  
 Site Evaluator Signature

75  
 SE #

5-3-03  
 Date

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Health  
Division of Health Engineering  
(207) 287-5672 FAX (207) 287-5673

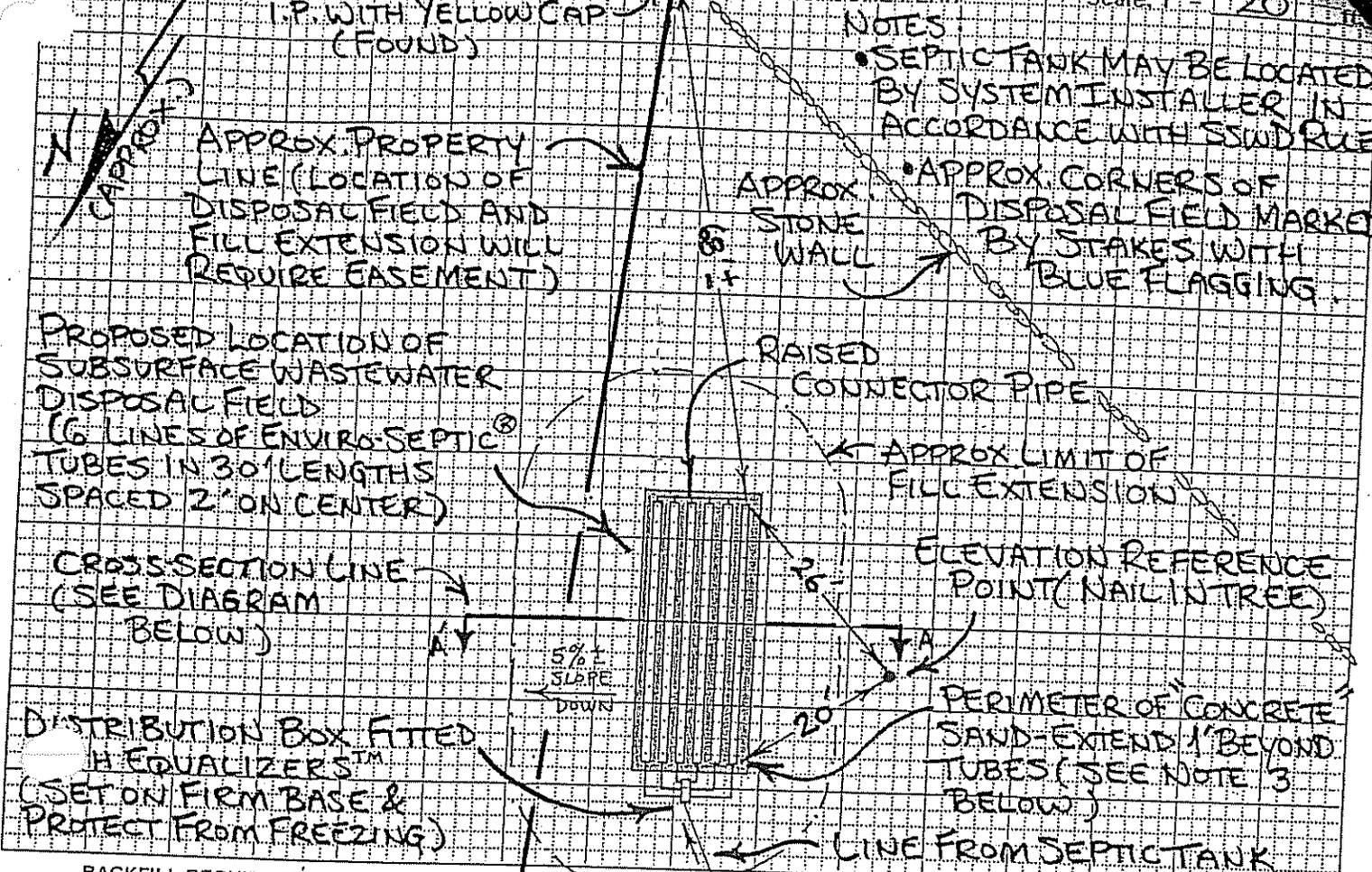
Town, City, Plantation  
**AUGUSTA**

Street, Road, Subdivision  
**CHURCH HILL ROAD**

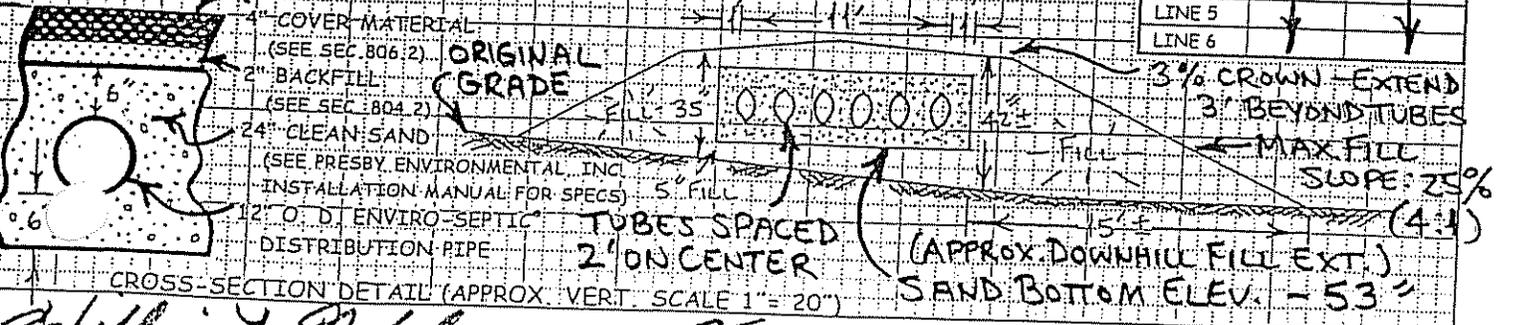
Owner or Applicant Name  
**HARVEY J. VERSTEEG**

## SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale: 1" = 20' ft.



- NOTES:**
1. INSTALL ENVIRO-SEPTIC® LEACHING SYSTEM AS DIRECTED BY DISTRIBUTOR.
  2. REMOVE ORGANIC LAYER & RAKE THE SOIL SURFACE BEFORE INSTALLING BACKFILL.
  3. PLACE 6" OF CLEAN MEDIUM TO COARSE SAND WITH 5% FINES OR LESS AROUND ENVIRO-SEPTIC® PIPE.
  4. FILL & BACKFILL EXTENSIONS TO BE COARSE SAND TO GRAVELLY COARSE SAND WITH 4 TO 8% FINES, PER SEC. 804.2 OF THE SSWD RULES.
  5. GRADE LAND AROUND DISPOSAL FIELD TO DIVERT WATER AWAY FROM THE AREA.
  6. REQUIRED FILL DEPTHS MAY VARY DUE TO IRREGULARITIES IN SOIL SURFACE.
  7. MAXIMUM CUT-FILL TO BE VARIES AT UPHILL EDGE OF EACH LINE OF PIPE.
  8. MULCH & SEED FINAL GRADE PER SEC. 806.4 OF THE SSWD RULES.



*William J. Noble*  
Site Evaluator Signature

**75**  
SE #

**5-3-03**  
Date

BK 7373PG222

QUIT-CLAIM DEED  
EASEMENT  
012988

001 31 2003

CENTRAL MAINE POWER COMPANY, a Maine corporation with a mailing address of 3 Edison Drive, Augusta, Maine 04336, hereinafter "Grantor", does hereby quit-claim without covenant unto J. HARVEY VERSTEEG and MELICENT B. VERSTEEG, whose mailing address is 81 Church Hill Road, Augusta, Maine 04330, hereinafter the "Grantees", for consideration paid, an easement (hereinafter "Easement") on a strip of land described below and situated in Augusta, Kennebec County, Maine (hereinafter "Easement Area").

Easement

The perpetual right, easement and consent to install, maintain or remove earth fill associated with the construction of a septic system on land of the Grantees westerly of land of the Grantor. Said fill will be located along the westerly sideline of the Grantor's land described below.

Easement Area

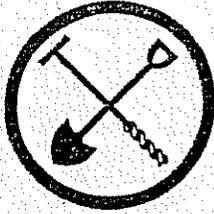
A strip of land 10 feet in width situated southerly of but not adjacent to the Church Hill Road along the westerly edge of a certain 190 foot strip of land maintained as a corridor for electrical transmission lines designated Sections 88 and 19, conveyed to Central Maine Power Company by Harold S. Chapman, et al. by a deed dated February 20, 1958, recorded in the Kennebec County Registry of Deeds in Book 1107, Page 350. Said 10 foot strip to extend from the southerly edge of a right-of-way conveyed by the Grantor to the Grantees herein dated September 13, 1999, recorded in said Registry of Deeds in Book 6088, Page 249; in a southerly direction, parallel to the Grantor's westerly boundary to the Grantee's most southerly boundary

The Easement is hereby conveyed subject to the following terms and conditions:

1. Grantees will notify the Grantor following completion of the constructing and installation of said fill.
2. The Grantees will take any steps necessary to insure that erosion does not occur and will, at their sole expense, repair any erosion which may occur as a result of the exercise of the rights herein granted.
3. The Grantees will promptly obtain and comply with, at its sole expense, all local, state and federal permits, and will comply with all laws, ordinances, rules, regulation and requirements of all federal, state and local governments and appropriate departments, commissions, boards and officers thereof which now or in the future may be applicable to the exercise of the rights herein granted.
4. The Grantees shall pay any and all costs for repairs for damage caused to Grantor's property or equipment located on the Easement Area or connected thereto, resulting from the exercise of the rights herein granted.

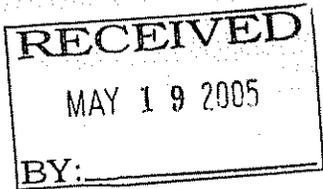
The rights herein granted shall not limit or restrict, nor shall liability arise from, Grantor's use of its property.

FRAN. CMP. 2



**William T. Noble**  
*Soil & Site Evaluations*  
2111 West River Road  
Sidney, Maine 04330  
Tel. (207) 547-3252

Licensed Site Evaluator  
Certified Soil Scientist  
Certified Geologist



6 August 2004

Fred Merrick  
25 Church Hill Road  
Augusta, Maine 04330

Dear Mr. Merrick,

This letter is in response to your question about the setback distance between your water supply well, and the disposal field of the septic system on the adjacent lot to the north of your property, formerly owned by Harvey Versteeg.

The disposal field was designed by me to be at least 100 feet away from your water supply well. In a recent phone conversation with Mr. Versteeg, he said that he also had a surveyor check the setback distance before the disposal field was constructed.

Based on the soil and geology of the area, and considering the depth of your well and the well casing, the risk of your well water being unsafe to drink, due to the disposal system, is negligible.

If you have any other questions or comments, please don't hesitate to contact me.

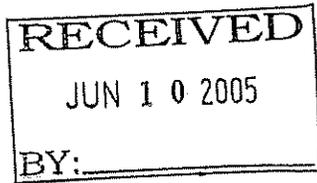
Sincerely,

William T. Noble, C.G., S.E.

193 WATER STREET  
HALLOWELL, MAINE 04347

Mark E. Susi  
ATTORNEY AT LAW

PHONE 207-622-0899  
FAX 207-622-5572



June 9, 2005

Gary Fuller  
Code Enforcement Officer  
16 Cony Street  
Augusta, ME 04330

Re: Fred Merrick  
25 Church Hill Road  
My File 05068

Dear Mr. Fuller:

I have been contacted by Mr. Fred Merrick who owns property at 25 Church Hill Road in Augusta. Mr. Merrick is concerned because while he was away this winter, a house was apparently put up on the lot next to him which had belonged to a Mr. Versteeg and now apparently belongs to Habitat For Humanity. Mr. Merrick's concern is over the fact that the septic system for this house is located less than 90 feet away from the well on his property. It is his understanding and mine that a septic system should be located at a minimum of 100 feet from a well providing water for human consumption. We are requesting that you investigate this situation and if necessary require appropriate remedial action.

Please feel free to contact me if you want to discuss this matter further. We would appreciate receiving a reply as to when you may be inspecting this property and what other action you anticipate.

Thank you for your cooperation. I look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "Mark E. Susi".

Mark E. Susi

MES/mjc

cc: George Diplock, Habitat For Humanity  
Fred Merrick

# City of Augusta, Maine

## DEPARTMENT OF CITY SERVICES

(207) 626-2365

### BUREAUS:

Code Enforcement (207) 626-2368  
Facilities & Buildings (207) 626-2365



### BUREAUS:

Engineering (207) 626-2367  
Planning (207) 626-2366

June 10, 2005

Mark E. Susi  
Attorney at Law  
193 Water Street  
Hallowell, Maine 04347

Re: Fred Merrick  
25 Churchill Road

Dear Mr. Susi,

The City of Augusta sends this letter regarding the septic system, which was installed on property adjacent to Fred Merrick's property on Churchill Road.

Back in the fall of 2004 a septic system was installed on the property, which is owned by Habitat for Humanity.

Mr. Merrick questioned the placement of this system with respect to his well back then. The system was designed by William Noble and was installed according to his plan, which shows a 100-foot setback to Mr. Merrick's well.

When Mr. Merrick questioned the distance from this system to his well I spoke with Mr. Versteeg who explained that he has had two different people from DOT strike a 100 foot mark from the system to the well and verified that the 100 foot distance had been met.

Mr. Versteeg claims that Mr. Merrick cannot accurately measure with a 100-foot tape from his well to the system due to the fact that the well is under his deck and the house is between the two.

Since this time I have asked Mr. Noble the designer to meet me out on the site so we could resolve this issue. Mr. Noble claims that he has verified this 100-foot setback on three different occasions based on Mr. Merrick's concerns and refuses to inspect this site again.

Hopefully this explains this situation for you.

Should you have any further questions please feel free to contact me @ 626-2368.

Sincerely,

Gary R. Fuller

Code Enforcement Officer

193 WATER STREET  
HALLOWELL, MAINE 04347

Mark E. Susi  
ATTORNEY AT LAW

PHONE 207-622-0899  
FAX 207-622-5572

RECEIVED

AUG 16 2005

BY: \_\_\_\_\_

August 15, 2005

Gary Fuller  
Code Enforcement Officer  
16 Cony Street  
Augusta, ME 04330

Re: Fred Merrick  
25 Church Hill Road  
My File 05068

Dear Mr. Fuller:

I've had an opportunity to review your earlier letter with Mr. Merrick. Mr. Merrick's concern is that on none of these occasions has he ever given anyone permission to enter on his land to do these measurements and he has never been present when any of these measurements were "verified". His real concern is that as you note, the septic system is under the porch on his house and he does not believe that anyone who has measured actually knows where his well is located. Mr. Merrick is equally sure that the method he used to measure his well to the septic system is accurate and on all occasions has come up to less than 93 feet. Measurement with a tape would if anything result in a longer distance, not a shorter one. It appears that the City should be concerned enough about issues such as this to do an independent verification when an issue like this arises, rather than merely relying upon the statements of the designer and the land owner. Perhaps you should meet with Mr. Merrick at the property even if Mr. Noble will not meet there so that Mr. Merrick can show you what he has done and what his concerns are.

I look forward to hearing from you.

Sincerely,  


Mark E. Susi

MES/mjc

cc: Fred Merrick

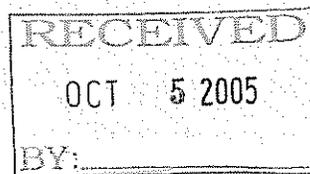


STATE OF MAINE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF ENVIRONMENTAL HEALTH  
286 WATER STREET  
AUGUSTA, MAINE  
04333-0011

John Elias Baldacci  
Governor

John R. Nicholas  
Commissioner

October 3, 2005



Gary Fuller  
16 Cony Street  
Augusta, Maine 04330

**Subject: Harvey Versteeg Property**

Mr. Fuller:

On October 3, 2005, you and I visited the property of Harvey Versteeg located on Church Hill Road in Augusta about a complaint from the abutter Fred & Lucille Merrick who are located at 25 Church Hill Road.

The complaint was that the newly installed septic system was too close to the well which is located under the front porch of Mr. Merrick's dwelling. After we both measured the distance to the well and the septic leachfield, the distance was 89 feet, and from the footprint to the IP with yellow cap located at the end of Mr. Merrick's rock wall as shown on the HHE-200 form was 57 feet.

Together, we have come to the conclusion that the septic system was installed in the wrong location, therefore shall be moved in accordance with the HHE-200 form designed by Mr. William Noble on May 3, 2003 and relocated 100 feet from Mr. Merrick's well.

If I can be of any further assistance, please contact me at 287-5670.

Sincerely,

Brent Lawson, State Plumbing Inspector  
Division of Environmental Health Engineering  
286 Water Street  
Augusta, Maine 04330

CC: Fred & Lucille Merrick  
Abutters

# City of Augusta, Maine

## DEPARTMENT OF CITY SERVICES

(207) 626-2365

### BUREAUS:

Code Enforcement (207) 626-2368  
Facilities & Buildings (207) 626-2365

### BUREAUS:

Engineering (207) 626-2367  
Planning (207) 626-2366



Harvey Versteeg  
81 Church Hill Road  
Augusta, Maine 04330

Re: septic system Habitat for Humanity House

Dear Mr. Versteeg,

The City of Augusta sends this letter regarding the septic system, which was installed on your property, which serves the Habitat for Humanity House on Church Hill Road.

On October 3, 2005 I revisited this property with Brent Lawson the State Plumbing Inspector.

As you know the Merrick's who reside next door have repeatedly claimed that this septic system was installed too close to their well.

After measuring the system to the Merricks well and several other points on the property we have found that this system was actually pivoted on one end, which resulted in a well setback of less than 100 feet.

Enclosed you will find the letter from Brent Lawson as a result of this visit.

At this time we must request that you notify us of your intentions to correct this situation.

Your cooperation will be greatly appreciated in dealing with this issue in a timely manner.

Sincerely

Gary R. Fuller  
Code Enforcement Officer