

Public Hearing

Town of Kennebunkport Sewer Use Ordinance Appeal

The Town of Kennebunkport Board of Selectmen will conduct a public hearing on an appeal of the Sewer Use Ordinance for 3 Maplewood Drive, appeal of Article III Sec. 5 of the Sewer Use Ordinance which requires a property owner within 200 feet of public sanitary sewer to connect the suitable sanitary facilities directly with such public sanitary sewer, at their own expense, as described in Article III and in accordance with this Ordinance.

The hearing will be held on January 4, 2018, at 4:00 PM at the Town Office at 6 Elm Street.



December 18, 2017

Board of Selectmen
Town of Kennebunkport
6 Elm Street
Kennebunkport, ME 04046

Re: Variance request for sewer connection to 3 Maplewood Drive

Dear Good People,

I am submitting a variance appeal on behalf of John Stead of 3 Maplewood Drive, to allow a replacement septic system to be installed instead of being required to connect to the Town's sewer system.

The basis of this request is that connection costs exceed, by more than the required 15%, of the applicant's dwelling's assessed value. As evidence of this, I am enclosing:

1. Completed Appeal Form
2. Copy of the Town's GIS parcel map indicating a sewer main within Wildes District Road
3. Two estimates from reputable local contractors versed in this type of work, and
4. A copy of a Subsurface Wastewater Disposal Application (form HHE-200) prepared for the property (this alternative resulted in an estimate for installation of around \$15,000.00)

I trust you will find this and the enclosed information sufficient to obtain favorable consideration of the variance appeal request.

I look forward to the opportunity to be present for the soonest available meeting of your board in order to further the proposal and to be available to answer questions you may have regarding the site. I await confirmation of a date and time.

Sincerely,

James Logan
Longview Partners, LLC
Certified Soil Scientist # 213
Licensed Site Evaluator # 237
USACE Certified Wetland Delineator

KENNEBUNKPORT SEWER USE ORDINANCE
APPEAL FORM

Appellant's Name: JOHN STEAD Date: 12/18/17

Property Location: 3 MAPLEWOOD DRIVE

Map 9 Block 10 Lot 17

Mailing Address (if different than location): _____

Article & Section that is being appealed: ARTICLE III-USE OF PUBLIC SEWERS
REQUIRED Section 5, G.B.

Grounds for the appeal: EXISTING SEPTIC SYSTEM FAILING, VARIANCE
REQUESTED UNDER ARTICLE XVII SECTION 1(B) SINCE
QUOTED COSTS TO CONNECT TO PUBLIC SEWER EXCEED
15% OF TOWN'S ASSESSED VALUE OF DWELLING
STRUCTURE. THIS, AND THE ENCLOSED SUPPORTING
DOCUMENTATION SHOULD BE SUFFICIENT TO PROVE
UNDUE HARDSHIP PER ARTICLE XVII Sec. 1.B.

Signature of Appellant: John Stead

Longview Partners, LLC
6 Second Street
Buxton, ME 04093
207-693-8799

AUTHORIZATION TO ACT AS AGENT

I, JOHN STEAD, by virtue of my signature below hereby authorize James Logan of Longview Partners, LLC to act on my behalf as my authorized agent in matters relating to:

☐ Maine Department of Environmental Protection permitting and communications

☒ Representation before Municipal ^{Selectmen} ~~Planning~~ Board in the Town of KENNEBUNK PORT

Signed:

John Stead

Date:

12-18-17

The following must be supplied as part of the appeal process.

- * Name and mailing address of all the property owners within 200-feet of the property.
- * A check for \$25.00.
- * Appellant must pay for postage for the notice's that are sent to property owners (certified and return receipt requested).

Date received: _____

Received by: _____





200 foot Abutters List Report

Kennebunkport, ME
December 17, 2017

Subject Property:

Parcel Number: 9-10-17
CAMA Number: 9-10-17
Property Address: 3 MAPLEWOOD DRIVE

Mailing Address: STEAD, JOHN & ELAINE
PO BOX 7047
CAPE PORPOISE, ME 04014

Abutters:

Parcel Number: 21-1-8B
CAMA Number: 21-1-8B
Property Address: 5 LYNNSEY HOLLOW

Mailing Address: SPOTTISWOODE, JOHN P
23 LYNNSEY HOLLOW
KENNEBUNKPORT, ME 04046

Parcel Number: 21-1-9
CAMA Number: 21-1-9
Property Address: 55 WILDES DISTRICT ROAD

Mailing Address: MANIKIAN, REBECCA D & MAXWELL R
60 REMINGTON WAY
KENNEBUNK, ME 04043

Parcel Number: 9-10-1
CAMA Number: 9-10-1
Property Address: MAPLEWOOD DRIVE

Mailing Address: FIRTH IRREVOCABLE TRUST
30 HACKENSACK RD
CHESTNUT HILL, MA 02467-3210

Parcel Number: 9-10-11
CAMA Number: 9-10-11
Property Address: 11 DAISY LANE

Mailing Address: JODOIN, RICHARD W & JANET S
PO BOX 5432, LYME ROAD
HANOVER, NH 03755

Parcel Number: 9-10-12
CAMA Number: 9-10-12
Property Address: 5 MAPLEWOOD DRIVE

Mailing Address: HALL, ANTHONY J & TRACY L
5 MAPLEWOOD DRIVE
KENNEBUNKPORT, ME 04046

Parcel Number: 9-10-16
CAMA Number: 9-10-16
Property Address: WILDES DISTRICT ROAD

Mailing Address: THIBODEAU, ROBERT
PO BOX 1805
KENNEBUNKPORT, ME 04046

Parcel Number: 9-10-19
CAMA Number: 9-10-19
Property Address: 49 WILDES DISTRICT ROAD

Mailing Address: THIBODEAU, MARGUERITE E
PO BOX 1805
KENNEBUNKPORT, ME 04046

Parcel Number: 9-10-2
CAMA Number: 9-10-2
Property Address: 4 MAPLEWOOD DRIVE

Mailing Address: WILEY, BRUCE E & CAROLYN B
TRUSTEES
PO BOX 1141
KENNEBUNKPORT, ME 04046

Parcel Number: 9-10-20
CAMA Number: 9-10-20
Property Address: 47 WILDES DISTRICT ROAD

Mailing Address: VASENKA, JAMES P & GWENDOLYN D
47 WILDES DISTRICT ROAD
KENNEBUNKPORT, ME 04046

Parcel Number: 9-10-3
CAMA Number: 9-10-3
Property Address: 6 MAPLEWOOD DRIVE

Mailing Address: SCOTT, DENIS & PATRICIA
PO BOX 1762
KENNEBUNKPORT, ME 04046-1762



www.cai-tech.com

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12/17/2017

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200 foot Abutters List Report

Kennebunkport, ME

December 17, 2017

Parcel Number: 9-10-4
CAMA Number: 9-10-4
Property Address: 8 MAPLEWOOD DRIVE

Mailing Address: OTTMAN, MARK S
PO BOX 3064
KENNEBUNKPORT, ME 04046

Parcel Number: 9-10-9
CAMA Number: 9-10-9
Property Address: 6 DAISY LANE

Mailing Address: RAYWORTH, DOUGLAS W & LINDA L
3 REGAN CIRCLE
WEST BOYLSTON, MA 01583

Parcel Number: 9-4-25
CAMA Number: 9-4-25
Property Address: 46 WILDES DISTRICT ROAD

Mailing Address: PERKINS, DONALD F & JEAN M
PO BOX 2656
KENNEBUNKPORT, ME 04046-2656

Parcel Number: 9-4-26
CAMA Number: 9-4-26
Property Address: 50 WILDES DISTRICT ROAD

Mailing Address: AMES, NANCY I & TIMOTHY
50 WILDES DISTRICT ROAD
KENNEBUNKPORT, ME 04046

Parcel Number: 9-4-26A
CAMA Number: 9-4-26A
Property Address: 52 WILDES DISTRICT ROAD

Mailing Address: NOYES, JONATHAN E & MONICA B L
52 WILDES DISTRICT ROAD
KENNEBUNKPORT, ME 04046

Parcel Number: 9-4-27
CAMA Number: 9-4-27
Property Address: 54 WILDES DISTRICT ROAD

Mailing Address: ROSS, STEPHEN J & HOLLY C
PO BOX 303
KENNEBUNKPORT, ME 04046

Parcel Number: 9-4-28
CAMA Number: 9-4-28
Property Address: 4 PORT FARM ROAD

Mailing Address: SEVERANCE, MICHAEL O & SANDRA K
PO BOX D
KENNEBUNKPORT, ME 04046



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12/17/2017

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----- Forwarded message -----

From: "Jeffrey Nest" <nestseptic@gwi.net>

Date: Dec 14, 2017 9:51 AM

Subject: sewer line installion at 3 Maplewood Drive

To: <longviewpartners213@gmail.com>

Cc:

December 10, 2017

John Stead

3 Maplewood Drive

[Kennebunkport, Me](#)

Installing 8" sewer line from stub in road to new manhole; installing sewer manhole to grade; installing sewer line from new manhole to 3 Maplewood;
removal of ledge to install sewer line at correct elevation; fill and material; loam and seed

Price excludes.....permits, roadway paving and interior plumbing

Total bid.....\$38,245

Assuming gravity flow is possible

Please sign and return a copy of this proposal if you would like us to do the job. Quote is good for 30 days.

A 50% deposit is required before job begins, and balance is due in full within 10 days after completion. If paying by Credit Card, please add (3%) to the above price.

Thank you.

I agree to have Nest & Sons do work as above indicated.

Signature

Date

Sincerely,

Jeffrey C. Nest
Nest & Sons, Inc.

FOGLIO INC.
Highway Const./Sitework/Residential
P.O. Box 308
Waterboro, ME 04087

December 12, 2017

Proposal Submitted to: John Stead
#3 Maplewood Drive
Kennebunkport, ME 04046

RE: PROPOSAL FOR SEWER SONNECTION

Scope of Work:

- Install approximately 175 l.f. of 8" SDR 35 PVC sewer main
 - Connect to existing 8" stub outside of roadway pavement at Wildes District Road
 - Excavate for pipe installation assuming 1% slope
 - Provide ledge removal with hydraulic hammer due to water main proximity
 - Provide stone pipe bedding and select backfill
 - Place 15" subbase gravel trench cap
- Install 1 - 4' diameter sewer manhole at pipe terminus
 - Provide stone bedding and select backfill
 - Provide complete SMH with pre-cast channel
 - Adjust casting to grade
- Install approximately 65 l.f. of 6" SDR 35 PVC sewer service connection
 - Install 8"x6" wye at main
 - Provide ledge removal with hydraulic hammer
 - Install 6" PVC from main to a point 10' from house foundation
 - Install 6"x4" reducer and 4" SCHED 40 PVC to foundation wall
 - Provide stone pipe bedding and select backfill
- Clean-up
 - Place 3" of crushed gravel over disturbed gravel roadway
 - Place 4" screened loam and seed over disturbed lawn areas

NOTES:

- 1) All permits and fees are to be obtained and paid for by others.
- 2) Interior plumbing and wall penetration by others

We propose to furnish labor and material in accordance with the above Scope of Work for the sum of:

Thirty-five thousand seven hundred ninety-nine dollars and no cents.....{\$35,799.00}

This proposal may be withdrawn if not accepted within 30 days.

Phone: (207) 247-4186, 247-4461 Fax: (207) 247-6910

12/15/17

STEAD PROPERTY
KENNEBUNKPORT

WE DID NOT INCLUDE:

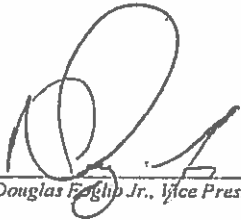
COST FOR REDIRECTING PLUMBING

SEWER HOOK-UP FEES AT SEWER DISTRICT
(call Ronnie)

LEGAL COSTS TO ESTABLISH LEGAL RIGHTS
TO EXTEND LINE IN MAPLEWOOD DRIVE
(private, no road maintenance agreement,
or HOA

FOGLIO INC.
Highway Const./Sitework/Residential
P.O. Box 308
Waterboro, ME 04087

Authorized
Signature:


Douglas Foglio Jr., Vice Pres.

Terms of payment:

Invoice to be submitted at the time of project completion with payment to be received within 15 days of invoice date.

Acceptance of proposal: _____ *Date:* _____

Phone: (207) 247-4186, 247-4461 Fax: (207) 247-6910

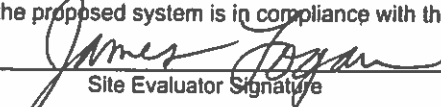
SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
Div of Environmental Health, 11 SHS
(207) 287-5672 Fax: (207) 287-4172

PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED <<			
City, Town, or Plantation	KENNEBUNKPORT	Town/City _____	Permit # _____		
Street or Road	3 MAPLEWOOD DRIVE	Date Permit Issued ____/____/____	Fee \$ _____ Double Fee Charged _____		
Subdivision, Lot #		Local Plumbing Inspector Signature _____ LPI # _____			
OWNER/APPLICANT INFORMATION		The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.			
Name (last, first, MI)	STEAD JOHN			<input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State	
Mailing Address of Owner/Applicant	P.O. BOX 7047 KENNEBUNKPORT, ME 04046				
Daytime Tel. #	207-967-5430				
OWNER OR APPLICANT STATEMENT		CAUTION: INSPECTION REQUIRED			
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.		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.			
Signature of Owner or Applicant _____ Date _____		Local Plumbing Inspector Signature _____ (1st) date approved _____			
		(2nd) date approved _____			

PERMIT INFORMATION		
TYPE OF APPLICATION 1. First Time System <input checked="" type="checkbox"/> 2. Replacement System Type replaced: TRENCH Year installed: 1972 3. Expanded System a. <25% Expansion b. >25% Expansion 4. Experimental System 5. Seasonal Conversion	THIS APPLICATION REQUIRES 1. No Rule Variance 2. First Time System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 3. Replacement System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 4. Minimum Lot Size Variance 5. Seasonal Conversion Permit	DISPOSAL SYSTEM COMPONENTS <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
SIZE OF PROPERTY 0.72+/- SQ. FT. ACRES	DISPOSAL SYSTEM TO SERVE 1. Single Family Dwelling Unit, No. of Bedrooms: 4 2. Multiple Family Dwelling, No. of Units: _____ 3. Other: _____ (specify) Current Use <input type="checkbox"/> Seasonal <input checked="" type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped	
SHORELAND ZONING Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	TYPE OF WATER SUPPLY <input type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input checked="" type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other	

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)			
TREATMENT TANKS <input checked="" type="checkbox"/> 1. Concrete a. Regular b. Low Profile 2. Plastic 3. Other: _____ CAPACITY: 1000 GAL.	DISPOSAL FIELD TYPE & SIZE 1. Stone Bed 2. Stone Trench <input checked="" type="checkbox"/> 3. Proprietary Device a. cluster array <input type="checkbox"/> c. Linear b. regular load <input type="checkbox"/> d. H-20 load 4. Other: _____ SIZE: 1296 sq. ft. lin. ft. 27 ELJEN GSF UNITS	GARBAGE DISPOSAL UNIT <input type="checkbox"/> 1. No <input type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe If Yes or Maybe, specify one below: a. multi-compartment tank b. _____ tanks in series c. increase in tank capacity <input checked="" type="checkbox"/> d. Filter on Tank Outlet DISPOSAL TO BE REMOVED	DESIGN FLOW 360 gallons per day BASED ON: <input checked="" type="checkbox"/> 1. Table 4A (dwelling unit(s)) <input type="checkbox"/> 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities -SINGLE FAMILY DWELLING- 4 BEDROOMS @ 90 GPD EACH <input type="checkbox"/> 3. Section 4G (meter readings) ATTACH WATER METER DATA LATITUDE AND LONGITUDE at center of disposal area Lat. 43 d 21 m 36 s Lon. 70 d 27 m 38 s if g.p.s, state margin of error: _____
SOIL DATA & DESIGN CLASS PROFILE CONDITION 2 / AIII/C at Observation Hole # TP 1 Depth 26" of Most Limiting Soil Factor	DISPOSAL FIELD SIZING 1. Medium---2.6 sq. ft. / gpd <input checked="" type="checkbox"/> 2. Medium---Large 3.3 sq. ft. / gpd 3. Large---4.1 sq. ft. / gpd 4. Extra Large---5.0 sq. ft. / gpd		EFFLUENT/EJECTOR PUMP <input type="checkbox"/> 1. Not Required <input checked="" type="checkbox"/> 2. May Be Required SEE NOTE PAGE 3 <input type="checkbox"/> 3. Required Specify only for engineered systems: DOSE: _____ gallons

SITE EVALUATOR STATEMENT		
I certify that on 10/12/17 (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	237 SE #	11/7/17 Date
JAMES LOGAN Site Evaluator Name Printed	207-693-8799 Telephone Number	longviewpartners213@gmail.com E-mail Address

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

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

Owner's Name

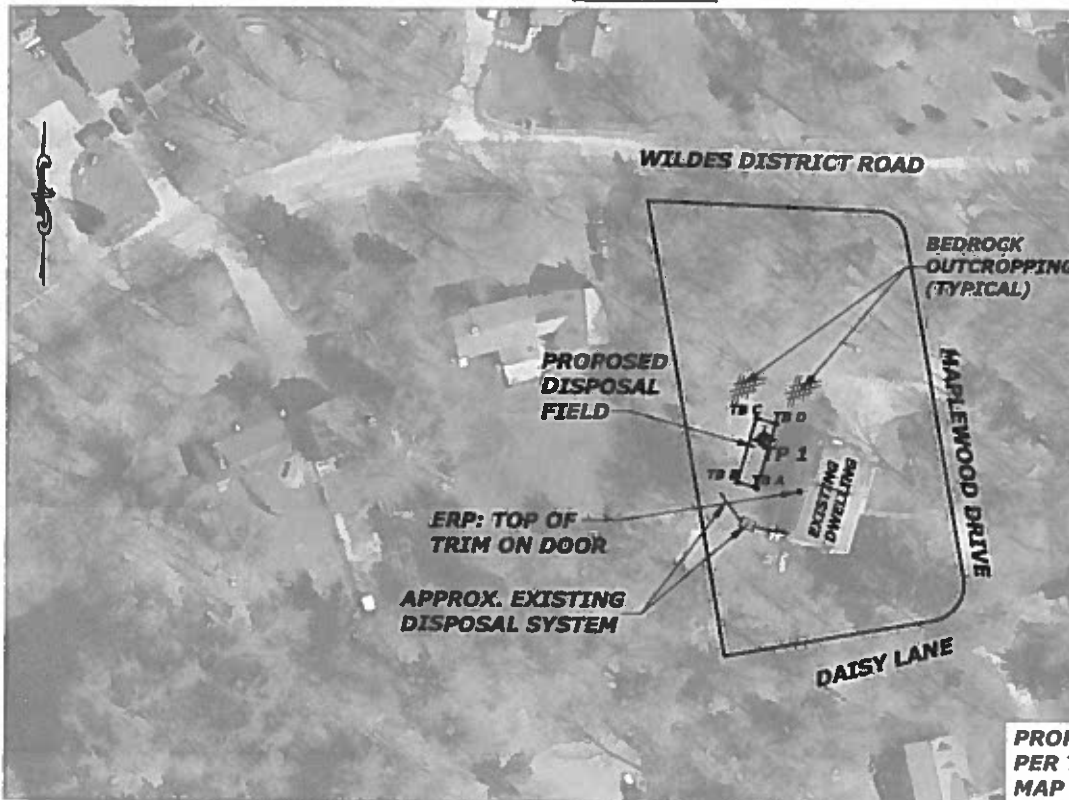
KENNEBUNKPORT

3 MAPLEWOOD DRIVE

JOHN STEAD

SITE PLAN

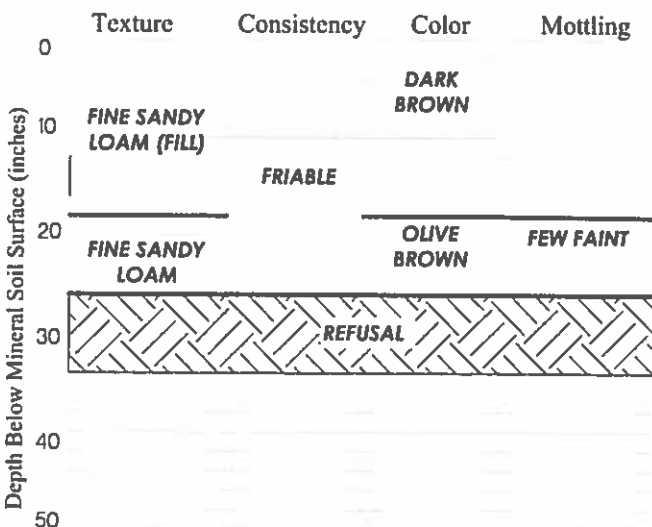
Scale 1" = 100 ft. or as shown



**PROPERTY BOUNDARY INFORMATION
PER TOWN OF KENNEBUNKPORT TAX
MAP & AS POINTED OUT BY OWNER**

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

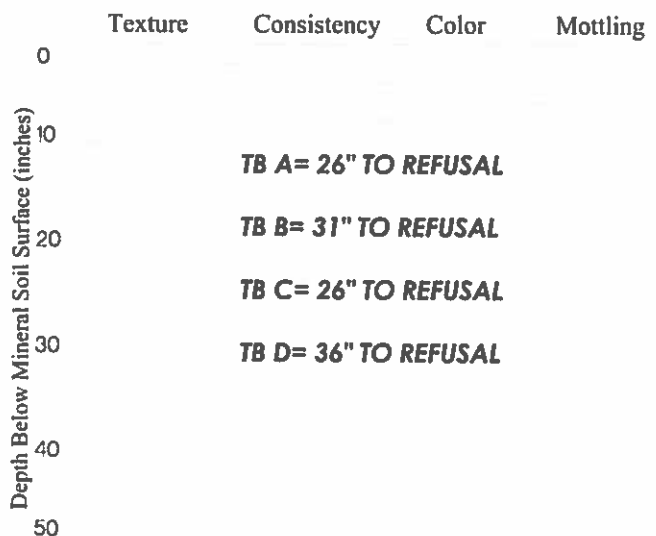
Observation Hole TP 1 ■ Test Pit Boring
" Depth of Organic Horizon Above Mineral Soil



Soil Classification 2 AIII/C Slope 0-2 % Limiting Factor 26 "
Profile Condition

☐ Ground Water
☐ Restrictive Layer
☒ Bedrock
☐ Pit Depth

Observation Hole TB A-D ■ Test Pit Boring
" Depth of Organic Horizon Above Mineral Soil



Soil Classification _____ Slope _____ % Limiting Factor _____ "
Profile Condition

☐ Ground Water
☐ Restrictive Layer
☐ Bedrock
☐ Pit Depth

James Fogan
Site Evaluator Signature

237
SE #

11/7/17
Date

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

Owner's Name

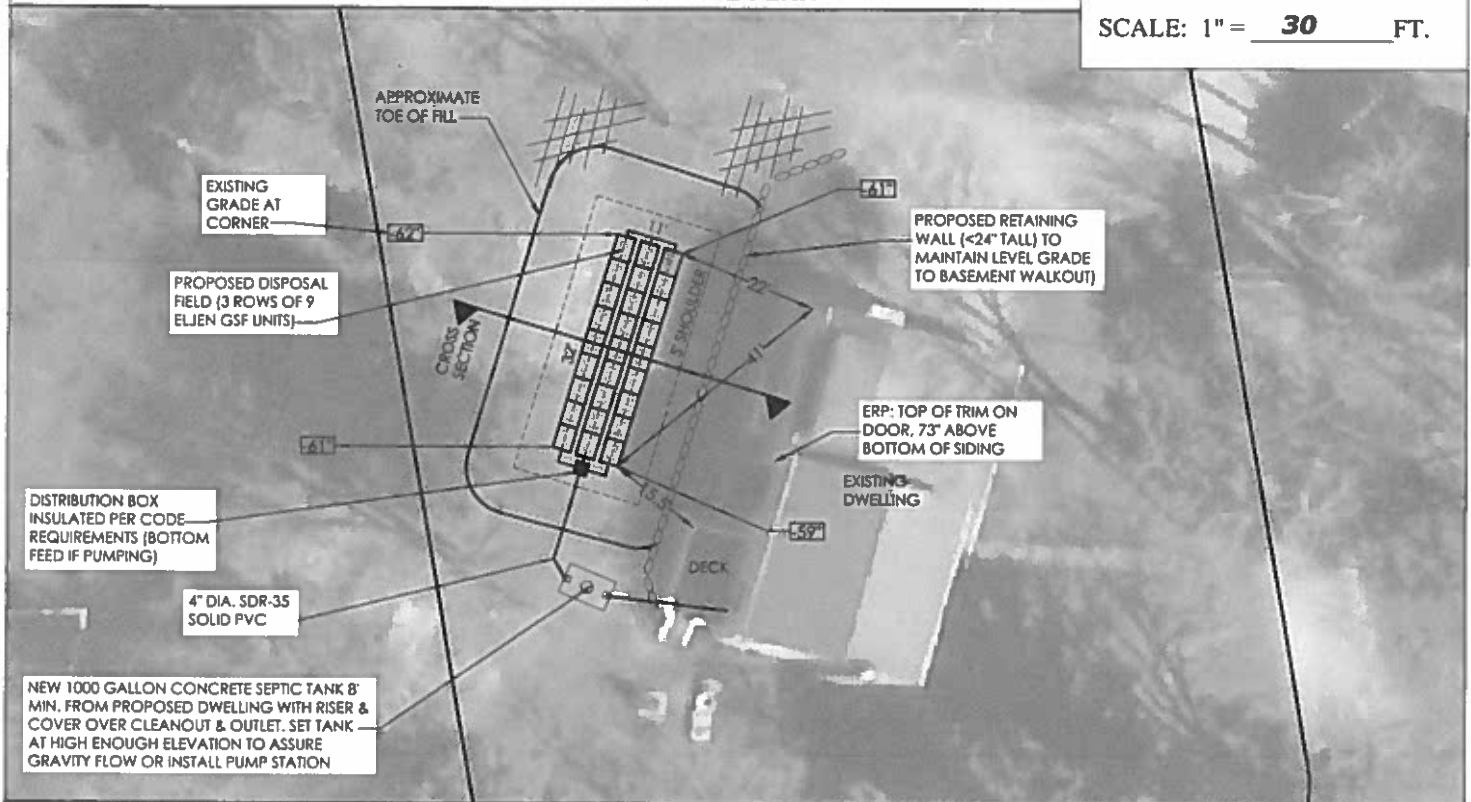
KENNEBUNKPORT

3 MAPLEWOOD DRIVE

JOHN STEAD

SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE: 1" = **30** FT.



FILL REQUIREMENTS

CONSTRUCTION ELEVATIONS

ELEVATION REFERENCE POINT

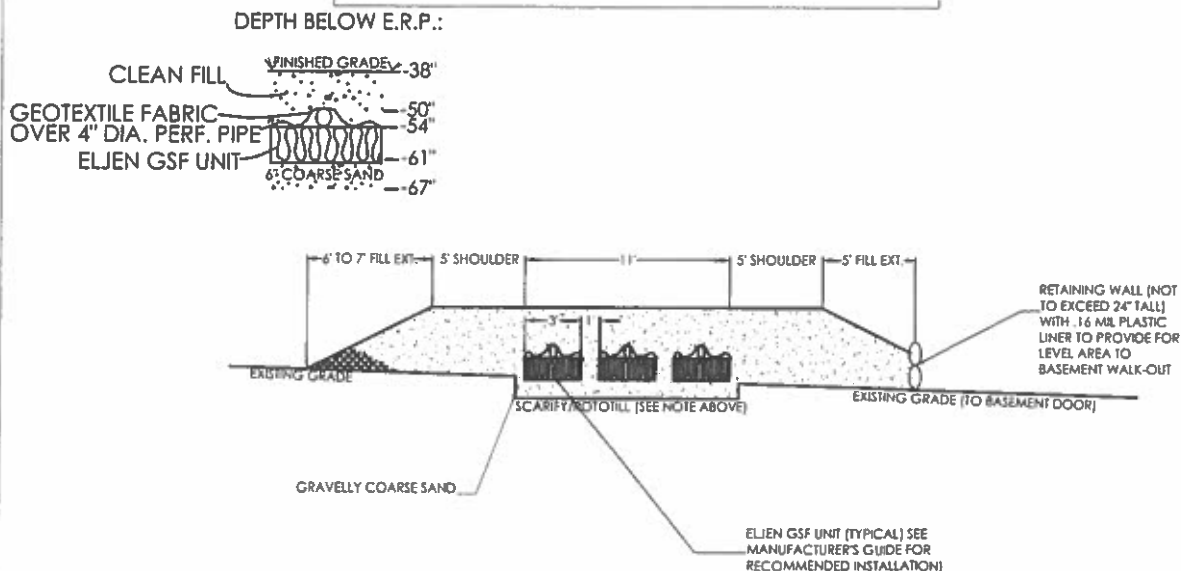
Depth of Fill (Upslope) **21" - 23"** Finished Grade Elevation
Top of Distribution Pipe or Proprietary Device
Depth of Fill (Downslope) **23" - 24"** Bottom of Disposal Area

-38"
-50"
-67"

Location & Description:
TOP OF TRIM ON BASEMENT DOOR, 73" ABOVE BASE OF SIDING
Reference Elevation: **00"**

DISPOSAL AREA CROSS SECTION

Scale
Horizontal 1" = **10** ft.
Vertical 1" = **5** ft.



James Logan
Site Evaluator Signature

237
SE #

11/7/17
Date

CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	03		Colonial				
Model	01		Residential				
Grade	03		Average				
Stones	2						
Occupancy	1						
Exterior Wall 1	14		Wood Shingle				
Exterior Wall 2	03		Gable/Hip				
Roof Structure	03		Asph/F Gls/Cmp				
Roof Cover	05		Drywall/Sheet				
Interior Wall 1	12		Hardwood				
Interior Wall 2	12						
Interior Flr 1	02		Oil				
Interior Flr 2	05		Hot Water				
Heat Fuel	01		None				
Heat Type	04		Bedrooms				
AC Type	04						
Total Bedrooms	2						
Total Baths	1						
Total Half Baths	1						
Total Xtra Fixts	8						
Total Rooms	02		8 Rooms				
Bath Style	02		Average				
Kitchen Style	02		Average				

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)

Code	Description	Sub	Sub Descript	U/B Units	Unit Price	Yr	Gle	Dp Rt	Cnd	%Cnd	Apr Value
PATI	PATIO-AVG			1	6.76	2009	0		50		200
FPO	EXTRA FPL O			2	1,081.91	1976	1		100		1,400
FPLI	BRICK			2	2,704.78	1976	1		100		5,600

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprc. Value
BAS	First Floor	1,122	1,122	1,122	86.46	97,011
FBM	Basement, Finished	0	810	284	30.32	24,555
FCR	Garage	0	546	218	34.52	18,849
FHS	Half Story, Finished	204	272	204	64.85	17,638
FOP	Porch, Open, Finished	0	85	13	13.22	1,124
FUS	Upper Story, Finished	840	840	840	86.46	72,628
SFB	Split Finished Basement	312	312	187	51.82	16,168
WDK	Deck, Wood	0	160	24	12.97	2,075
Ttl	Concrete Footings Above	2,166	4,147	2,892		250,049

