

## **Subdivision Application Town Of Penobscot Maine**

Northern Bay Commons LLC

Eaton Holdings LLC  
PO Box 92 Deer Isle Maine

Bruce Eaton JR, Karen Eaton

M08 Lot 67

Book 7225 Pages 75-77

Surveyor- Due North LLC, Linda Campbell

Acreage: 5.74 Acres

Proposed 14 rental units

4-1 Bedroom Units  
10- 2 Bedroom Units

Owner to use 2 "wings" of current 30,000+/-sq ft structure and to build 2- Duplex Units on property. (See attached survey)

SUBDIVISION APPLICATION  
UNDER SUBDIVISION STANDARDS  
OF THE PLANNING BOARD OF THE TOWN OF PENOBSCOT, MAINE

To be filled in by the Subdivider:

Date 7/2/2024 Name of proposed subdivision Northern Bay Commons

Name and Address of Land Owner Eaton Holdings LLC

Name and Address of Subdivider or Developer Bruce and Karen Eaton

Name of Surveyor Linda Campbell DIC North LLC

Names of others involved in the creation of the proposed subdivision

Bruce Eaton Jr. Karen Eaton Jamie MacNeil

Book and page numbers of deed (s) included in proposed subdivision as recorded in the  
Hancock County Registry of Deeds. BOOK 7225 PAGE 75-77

Page and lot number(s) of property included in the proposed subdivision. M-08 L-67

Acres of proposed subdivision 5.74 Number of proposed lots

Type of use intended for proposed lots. Residential

Does owner, subdivider, or developer intend to erect any buildings or structures in the  
proposed subdivision? no yes: Describe 2 - 2 unit duplex

Proposed sewage disposal method for proposed lots See attached

List of enclosures with preapplication material Maps, Survey, floor plans, deed

To be filled in by the Planning Board:

Preapplication Receipt Date.....Signed

Subdivision Classification.....Minor Subdivision Remarks.....  
.....Major Subdivision

Minor Subdivision Preliminary Plan Receipt Date.....Signed

Major Subdivision Preliminary Plan Receipt Date.....Signed

Major Subdivision Preliminary Plan Decision Date.....Signed

.....Approved Remarks.....  
.....Denied

Major Subdivision Final Plan Receipt Date.....Signed

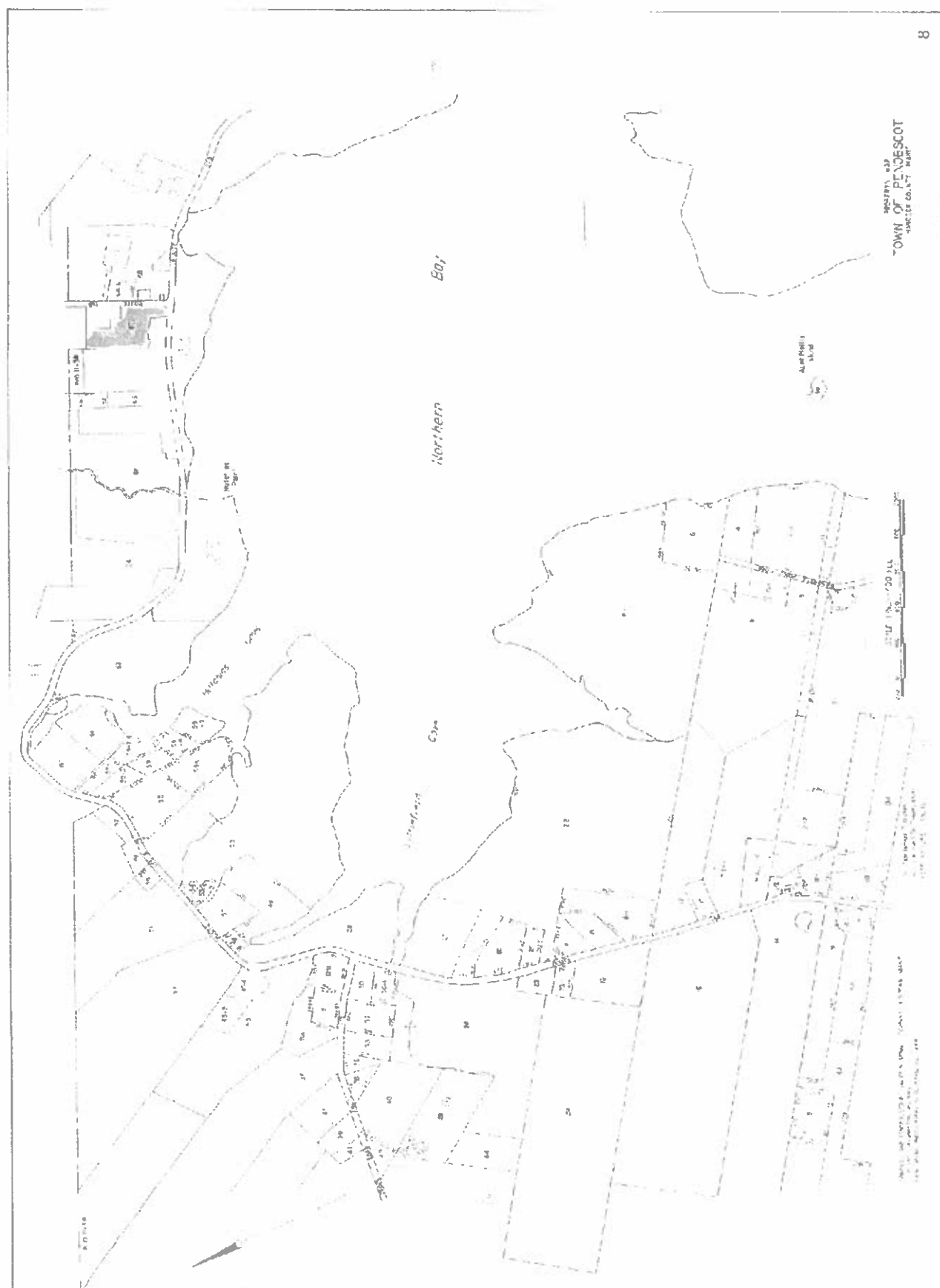
Final Plan Decision Date.....Signed

.....Approved Remarks.....

.....Denied

(All receipt and decision dates shall coincide with dates of actual Planning Board meetings)

Form Date:  
March, 1980



DLN:1002240205511

## QUITCLAIM DEED WITH COVENANT

KNOW ALL PERSONS BY THESE PRESENTS, that **LOSU, LLC**, a Maine limited liability company duly organized and existing under the laws of the State of Maine, with a mailing address of PO Box 124, Freeport, Maine 04032 ("Grantor"), for consideration paid, does hereby sell, grant, convey and forever release to **EATON HOLDINGS, LLC**, a Maine limited liability company with a mailing address of PO Box 92, Deer Isle, ME 04627 ("Grantee"), its successors and assigns, with covenants, all of its right, title and interest in a certain lots or parcels of land, together with all improvements thereon and rights and easements appurtenant thereto, located at or near 12 North Penobscot, Town of Penobscot, Hancock County, Maine, and as more particularly described as follows:

**FIRST PARCEL:** Beginning at a stake and stone at the corner of the fence above the Town House Lot, so-called, and on the northwesterly side of the road leading to North Penobscot; thence northwesterly by said fence to the line of Sabin Hutchins and Joseph D. Leach, now or formerly; thence northeasterly by said Hutchins and Leach line to the land now or formerly of Peter Leach; thence by said Peter Leach to the road; thence by the road to the place of beginning. Excepting a small part of the above described situated near easterly boundary and owned by S.G. Varnum.

Excepting and reserving from the above described lot five acres, more or less, sold to the Town of Penobscot, Maine, for a school building.

**SECOND PARCEL:** Beginning at the store lot now or formerly of S.N. Mitchell; thence running on the road leading to Orland to land now or formerly of B.H. Cushman; thence westerly on said Cushman's line to land now or formerly of Frank Hutchins; thence southerly of said Hutchins line to land now or formerly of J.L. Thompson; thence on Thompson's line easterly and southerly to main road leading to Castine; thence on main road easterly to land now or formerly of S.N. Mitchell; thence by line of said Mitchell northerly and easterly to place of beginning.

Excepting therefrom those premises conveyed by Penobscot Nursing Home to Jeanette B. Dennison by deed dated July 22, 1977 and recorded in the Hancock County Registry of Deeds in Book 1293, Page 466.

**THIRD PARCEL:** Beginning at the northeast corner of store formerly occupied by William M. Sellers; thence parallel with said store running northeasterly 27 feet; thence northwesterly 35 feet; thence southwesterly 27 feet to said store; thence northwesterly to land formerly of George O. Littlefield; thence southwesterly on said George O. Littlefield's line to road leading to Castine; thence on said Castine road easterly to corner of road leading to North Penobscot; thence on said North Penobscot Road northeasterly to first mentioned bounds, together with the buildings thereon.

**FOURTH PARCEL:** Beginning at old wire fence between field and pasture on Hoyt Hutchins Southwestern line; thence North 36 degrees East to the southerly line of lot number 24 at a wire fence; thence South 54 degrees East 28 rods; thence south 36 degrees West to first mentioned wire fence between field and pasture thence Northwesterly by said fence to place of beginning. Also, a right of way across field from the highway to the above lot.

Also excepting from the above-described premises a certain lot or parcel of land conveyed by Penobscot Nursing Home to the Inhabitants of the Town of Penobscot by deed dated September 12, 1996 and recorded in the Hancock County Registry of Deeds in Book 2584, Page 177.

Subject to a right-of-way thirty-three (33) feet wide, for all purposes of a way as defined in 33 M.R.S.A. Sec. 458, leading from remaining land of said Penobscot Nursing Home, Inc., lying southwesterly of the above-described land on a bearing of North eleven degrees East to said remaining land of Penobscot Nursing Home, Inc., lying Northwesterly of the above-described land, the Northwesterly sideline of said right of way passing through the 1" iron rod mentioned found at the easterly corner of said land of Alice T. Perkins.

Also excepting herefrom those premises conveyed to the Inhabitants of the Town of Penobscot by deed of Penobscot Nursing Home by deed dated August 15, 2001 and recorded in the Hancock County Registry of Deeds in Book 3143, Page 167.

The above described premises are further known as Penobscot Tax Map 8, Lot 67.

Being the same premises conveyed by BIRCH POINT STORAGE, LLC to LOSU, LLC by Quitclaim Deed in Lieu of Foreclosure as recorded in the Hancock County Registry of Deeds in Book 7000, Page 697 on January 14, 2020.

IN WITNESS WHEREOF, the said LOSU, LLC has caused this instrument to be executed  
by David M. Hirshon, its Manager, this 12th day of August, 2022.

**SIGNED, SEALED AND DELIVERED IN PRESENCE OF**

  
WITNESS

LOSU, LLC.

  
By: David M. Hirshon  
Its: Manager, duly authorized

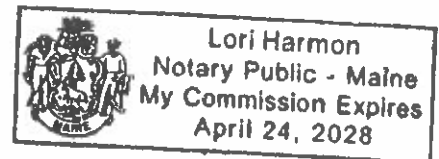
STATE OF MAINE  
CUMBERLAND, ss.

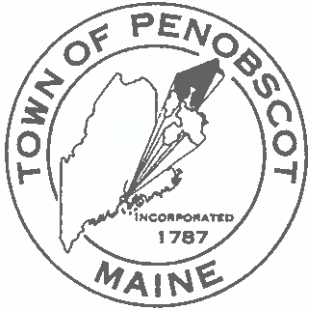
August 12, 2022

Then personally appeared the above-named David M. Hirshon in his said capacity and  
acknowledged the foregoing instrument to be his free act and deed and the free act and deed of  
said LOSU, LLC.

Before me,

  
NOTARY PUBLIC, STATE OF MAINE





# Town of Penobscot

TOWN OFFICE  
P.O. Box 4  
PENOBSCOT, MAINE 04476  
PENOBSCOTTOWNOFFICE@GMAIL.COM  
(207) 326-4364

August 20, 2024

The Penobscot Select Board is in full support of the major subdivision planned for Northern Bay Commons, formerly The Penobscot Nursing Home. This is provided Eaton Holdings LLC, owner of the property, ensures that this project will comply with all town and state regulations.

This multi-use subdivision will provide much needed housing for many and bring in business to the town by way of its professional office spaces for lease. It will take an old abandoned, dilapidated, eye-sore of a facility in the middle of town and turn it into a great source of added property tax revenue.

Harold Hatch  
Board Chair

Philip Rapp  
Board Member

Sara Leighton  
Board Member



**Rear  
elevation**

## Duplex house plan J0222-13d-2

Two bedroom duplex plan with garage in the middle. This plan is also available with the units reversed - Plan: [J0222-13d](#) . Also see small house plan [J0222-13](#).



### 2 bedroom / 2 bath

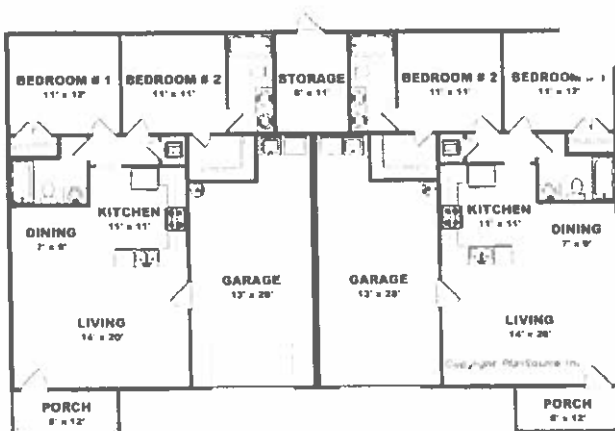
Living area =  
1990 sq. ft.

Other = 946 sq.  
ft.

Total = 2836 sq.  
ft.

Living area per  
unit: 945 sq. ft.

### Floor plan



### Exterior view



Unit C 2-82  
440 411

Windows + Door

ched de

U - ① Int. - 6lx wfg PH, HC, Split Int., PES  
Calcutt, 2 panel smooth, single

S - ② Int. - 40 x wfg PH, HC, Split Int. DCS  
Calcutt, 2 panel smooth, Double

S - ③ Int. - 42 x wfg PH, HC, Split Int. PES  
Calcutt, 2 panel smooth, Single

S - ④ Ext. - 30 x wfg PH, HC, Split Int. 1/2 glass  
Int., windows, set pos, full body suit w/3

Scale  
1"=5'

## SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Div. Environmental Health - 11815  
(207) 287-2070 Fax (207) 287-2071

PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED <<	
City, Town, or Plantation	Penobscot	Town/City	Permit #
Street or Road	12 North Penobscot Rd	Date Permit Issued	Fee: \$ Double Fee Charged <input type="checkbox"/>
Subdivision, Lot #	NORTH WING	LPI #	
OWNER/APPLICANT INFORMATION		Local Plumbing Inspector Signature	
Name (last, first, MI)	EATON HOLDINGS LLC	Fee: \$	state min fee \$
Owner	Applicant	Copy: <input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State	Locally adopted fee
Mailing Address of Owner/Applicant	POB 92 Deer Isle, ME 04627	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.	
Daytime Tel. #	207 348 5630	Municipal Tax Map #	Lot #
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		Local Plumbing Inspector Signature	
Date		(1st) date approved	

## PERMIT INFORMATION

TYPE OF APPLICATION	THIS APPLICATION REQUIRES	DISPOSAL SYSTEM COMPONENTS
<input type="checkbox"/> 1. First Time System <input checked="" type="checkbox"/> 2. Replacement System Type replaced: <u>sand filter</u> Year installed: <u>80 bed</u> <input type="checkbox"/> 3. Expanded System <input type="checkbox"/> a. <25% Expansion <input type="checkbox"/> b. >25% Expansion <input type="checkbox"/> 4. Experimental System <input type="checkbox"/> 5. Seasonal Conversion	<input type="checkbox"/> 1. No Rule Variance <input type="checkbox"/> 2. First Time System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input checked="" type="checkbox"/> 3. Replacement System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Permit	<input checked="" type="radio"/> 1. Complete Non-engineered System <input type="radio"/> 2. Primitive System (graywater & all toilet) <input type="radio"/> 3. Alternative Toilet, specify: <input type="radio"/> 4. Non-engineered Treatment Tank (only) <input type="radio"/> 5. Holding Tank, _____ gallons <input type="radio"/> 6. Non-engineered Disposal Field (only) <input type="radio"/> 7. Separated Laundry System <input type="radio"/> 8. Complete Engineered System (2000 gpd or more) <input type="radio"/> 9. Engineered Treatment Tank (only) <input type="radio"/> 10. Engineered Disposal Field (only) <input type="radio"/> 11. Pre-treatment, specify: <input type="radio"/> 12. Miscellaneous Components
SIZE OF PROPERTY	DISPOSAL SYSTEM TO SERVE	TYPE OF WATER SUPPLY
5.74 A <input type="checkbox"/> SQ. FT. <input checked="" type="checkbox"/> ACRES	<input type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: _____ <input checked="" type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: <u>5</u> <input type="checkbox"/> 3. Other: _____ (specify) Current Use <input type="checkbox"/> Seasonal <input checked="" type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped	PROPOSED <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
SHORELAND ZONING		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

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

TREATMENT TANK	DISPOSAL FIELD TYPE & SIZE	GARBAGE DISPOSAL UNIT	DESIGN FLOW
<input checked="" type="checkbox"/> 1. Concrete <u>2000 &amp; 1000</u> <input checked="" type="checkbox"/> a. Regular <u>TANK</u> <input type="checkbox"/> b. Low Profile <u>W/ RISERS</u> <input type="checkbox"/> 2. Plastic <u>W/ RISERS</u> <input type="checkbox"/> 3. Other: CAPACITY: <u>3000 GAL</u> <u>W/ RISERS</u>	<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 type="checkbox"/> c. Linear <input type="checkbox"/> b. regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: SIZE: <u>2688</u> sq. ft. <input type="checkbox"/> lin. ft.	<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 type="checkbox"/> d. Filter on Tank Outlet	<u>780</u> 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 <u>THREE - 2 BR APTS 3 x 180</u> <u>TWO - 1 BR APTS 2 x 120</u> <input type="checkbox"/> 3. Section 4G (meter readings) ATTACH WATER METER DATA
SOIL DATA & DESIGN CLASS	DISPOSAL FIELD SIZING	EFFLUENT/EJECTOR PUMP	LATITUDE AND LONGITUDE
PROFILE CONDITION <u>2 / C</u> at Observation Hole # <u>TP2</u> Depth <u>48"</u> of Most Limiting Soil Factor	<input type="checkbox"/> 1. Medium--2.6 sq. ft. / gpd <input checked="" type="checkbox"/> 2. Medium--Large 3.3 sq. ft. / gpd <input type="checkbox"/> 3. Large--4.1 sq. ft. / gpd <input type="checkbox"/> 4. Extra Large--5.0 sq. ft. / gpd	<input type="checkbox"/> 1. Not Required <input type="checkbox"/> 2. May Be Required <input checked="" type="checkbox"/> 3. Required Specify only for engineered systems DOSE _____ gallons	at center of disposal area Lat. <u>44</u> d <u>37</u> m <u>36.1</u> s Lon. <u>68</u> d <u>42</u> m <u>43.1</u> s if g.p.s. state margin of error: <u>30'</u>

6-17-24 7-27-22

## SITE EVALUATOR STATEMENT

I certify that on 6-4-24 (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

Mike J Gramlich

Site Evaluator Name Printed

189

SE #

207 843 6395

Telephone Number

Date

6-27-24

mikejgramlich@msn.com

E-mail Address

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

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Division of Environmental Health  
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

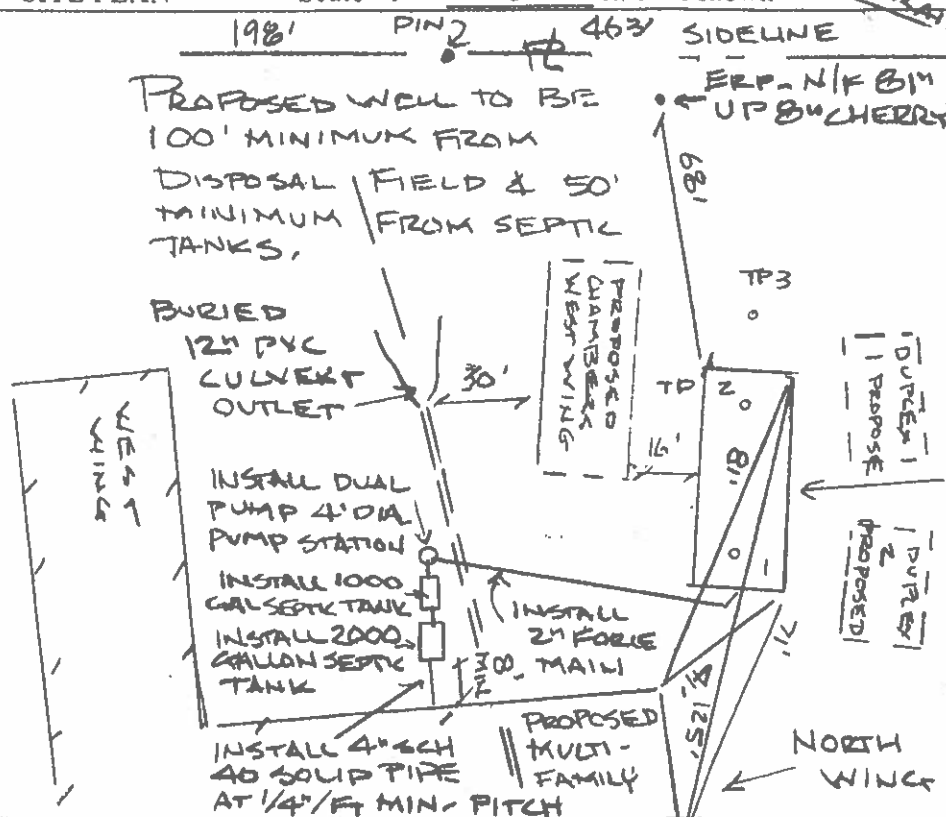
PENABSCOT 12 N PENABSCOT RD

Owner's Name **NORTH WING**  
**EATON HOLDINGS LLC**

SITE PLAN

Scale 1" = 50' ft. or as shown

SITE LOCATION PLAN  
(map from Maine Atlas recommended)



PROPOSED 42 TYPE B CONCRETE CHAMBERS IN CLUSTER STAGED 24' X 56'

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

Observation Hole TP2 ☒ Test Pit ☐ Boring  
Δ" Depth of Organic Horizon Above Mineral Soil

Observation Hole \_\_\_\_\_ ☐ Test Pit ☐ Boring  
" Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
0 SANDY LOAM	FRABLE	BROWN	NONE
10 40+ YEAR OLD FILL		LIGHT BROWN	
20 GRAVELLY SANDY LOAM			
30 LOAMY			
40 SAND	Y		Y
50			

Texture	Consistency	Color	Mottling
0			
10			
20			
30			
40			
50			

Soil Classification <b>2 C</b>	Slope <b>1</b> %	Limiting Factor <b>40"</b>	<input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input checked="" type="checkbox"/> Pit Depth
Profile Condition			

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

Site Evaluator Signature

SE #

Date

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
Division of Health Engineering, Station 10  
(207) 887-6372 FAX (207) 287-4172

Town, City, Plantation  
**PENOBSCOT**

Street, Road, Subdivision  
**12 N. PENOBSCOT RD**

Owner or Applicant Name  
**NORTH WING EATON HOLDINGS LLC**

## SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale: 1" = 20' ft.

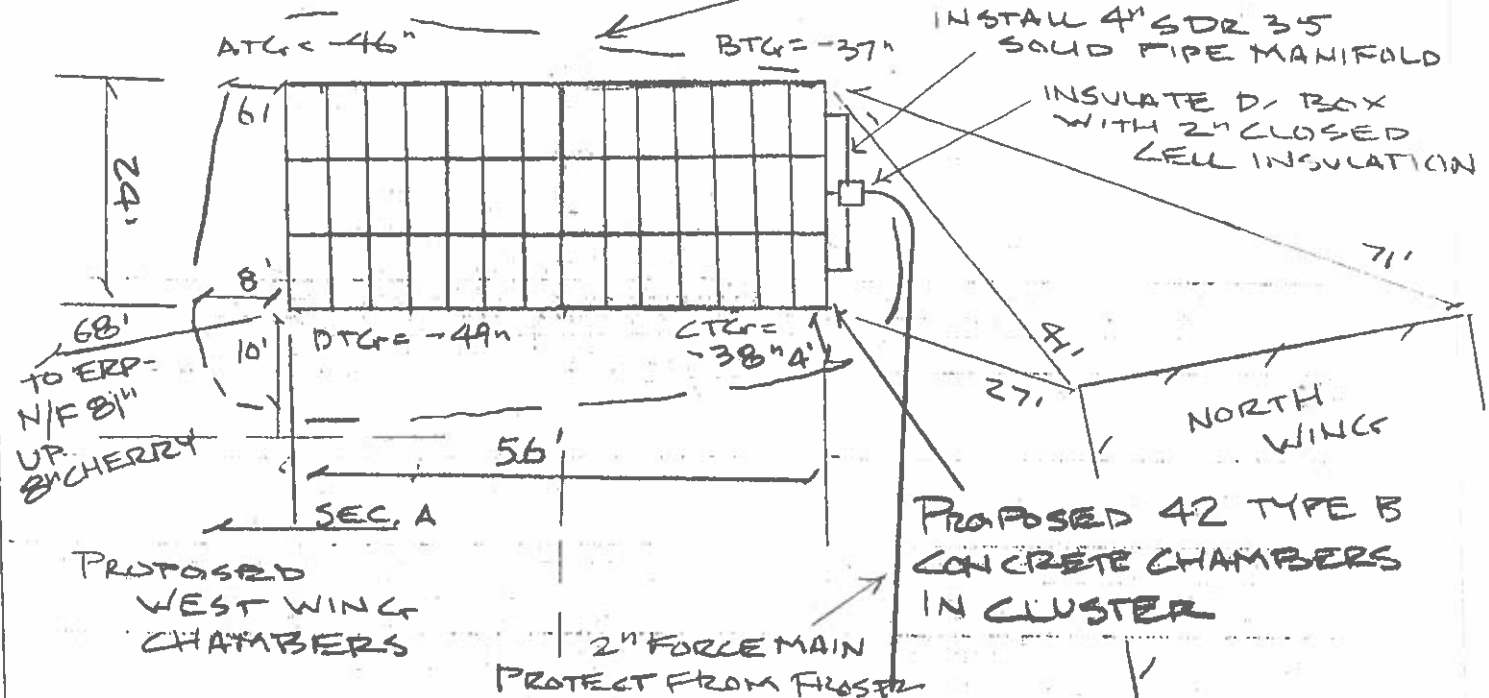
TG = APPROXIMATE EXISTING SURFACE ELEVATION  
AT CORNERS OF STAKED FIELD.

**NORTH WING**

APPROXIMATE TOE  
OF FILL

**DUPLEX 1  
CHAMBER**

**DUPLEX 2  
CHAMBERS**



### BACKFILL REQUIREMENTS

Depth of Backfill (upslope) **10" 1"**  
Depth of Backfill (downslope) **13" 2"**  
DEPTHS AT CROSS-SECTION (shown below)

### CONSTRUCTION ELEVATIONS

Finished Grade Elevation **-36"**  
Top of Distribution Pipe or Proprietary Device **-48"**  
Bottom of Disposal Field **-61"**

### ELEVATION REFERENCE POINT

Location & Description: **ERP-N/F 8" UP 8" CHERRY**  
Reference Elevation is: 0.0' or

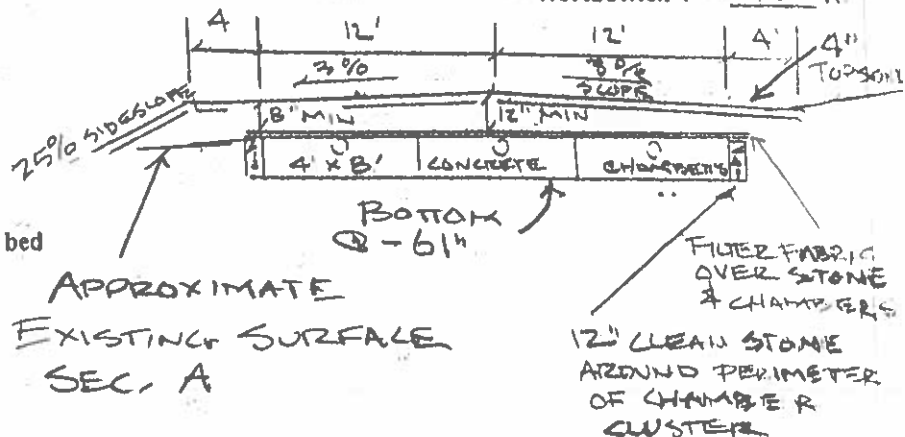
## DISPOSAL FIELD CROSS-SECTION

Scales:

Vertical: 1" = 5 ft.  
Horizontal: 1" = 10 ft.

Note:

- 1.) Scarify original surface under Disposal Field and fill extension.
- 2.) Place gravelly coarse sand fill in 8" lifts, incorporate into underlying original soil.
- 3.) Disposal Field to be level with a maximum grade tolerance of 2"/100 ft.
- 4.) Lime, fertilize, seed & mulch, top and sides of bed and all disturbed areas to prevent erosion.
- 5.) See Chapter 2 of code for additional requirements.
- 6.) Bottom of disposal field to be 61" below elevation of TBM (ERP).



Mike J Gramlich POB 284 Holden ME 207-843-6395

*Mike J Gramlich*  
Site Evaluator Signature

#189  
SE #

6-27-24  
Date

Page 3 of 3  
HHE-200 Rev. 01/17



Department of Health and Human Services  
MaineCenter for Disease Control and Prevention  
286 Water Street  
# 11 State House Station  
Augusta, Maine 04333-0011  
Tel: (207) 287-2070  
Fax: (207) 287-4172; TTY: 1-800-606-0215

## SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE REQUEST

This form must accompany an application (HHE-200 Form) for any subsurface wastewater disposal system which requires a variance to provisions of the Subsurface Wastewater Disposal Rules. The Local Plumbing Inspector must not issue a permit for the installation of a subsurface wastewater disposal system requiring a variance from the Department of Health and Human Services until approval has been received from the Department.

GENERAL INFORMATION		Town of <u>PENOBSCOT</u>
Property Owner's Name:	<u>EATON HOLDINGS LLC</u>	Tel. No.: <u>207-348-5630</u>
System's Location:	<u>12 NORTH PENOBSCOT RD.</u>	
Property Owner's Address:	<u>POB 92 DEER ISLE ME 04627</u>	Zip Code <u>04627</u>
e-mail address: _____		

The subsurface wastewater disposal system design for the subject property requires a ☒ replacement system variance ☐ first time system variance to the Subsurface Wastewater Disposal Rules. This variance requires ☒ local approval ☐ local and state approval.

SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator. Use additional sheets if needed.)		SECTION OF RULE
1	<u>40+ YEARS OF FILL THAT CONFORMS TO 2C SOIL</u>	<u>5B5</u>
2	_____	_____
3	_____	_____
SITE EVALUATOR		
When a property is found to be unsuitable for subsurface wastewater disposal by a licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a variance to the 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. Attach a separate sheet if necessary.		
<u>SITE WAS FORMER 80 BED NURSING HOME SERVED BY A SAND FILTER THAT FORMERLY DISCHARGED TO NORTHERN BAY. NURSING HOME HAS CLOSED, DISCHARGE ODD, REMOVED. MULTIFAMILY HOUSING IS PROPOSED. FILLED SOILS CONFORM TO 2C SIZING BY 5B5.</u>		
I, <u>MIKE GRAMMICH</u> , 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.		
<u>[Signature]</u> SIGNATURE OF SITE EVALUATOR		<u>6-27-24</u> DATE

PROPERTY OWNER	
I, _____, am the <input type="checkbox"/> owner <input type="checkbox"/> 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.	
<input type="checkbox"/> SIGNATURE OF OWNER <input type="checkbox"/> AGENT FOR THE OWNER	DATE _____

### LOCAL PLUMBING INSPECTOR - Approval at local level

The local plumbing inspector shall review all 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 variance requests prior to forwarding to the Division of Environmental Health.

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.

\_\_\_\_\_  
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

- Notes
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 7 B 4 of the Subsurface Wastewater Disposal Rules 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 7 B 3 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

### SOIL, SITE AND ENGINEERING FACTORS FOR FIRST TIME SYSTEM VARIANCE ASSESSMENT WITH LIMITING SOIL DRAINAGE CONDITIONS (SEE TABLES 7C THROUGH 7M).

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile		
Depth to Groundwater Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
TOTAL POINT ASSESSMENT:		

Minimum Points (Check One) ☐ Outside Shoreland Zone-50 ☐ Inside Shoreland Zone-65 ☐ Subdivision-65



## SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Div. Environmental Health, 115HS  
(207) 287-2070 Fax: (207) 287-4172

PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED <<	
City, Town, or Plantation	Penobscot	Town/City	Permit #
Street or Road	12 North Penobscot Rd	Date Permit Issued	Fee: \$ Double Fee Charged <input type="checkbox"/>
Subdivision, Lot #	WEST WING	Local Plumbing Inspector Signature	L.P.I. #
OWNER/APPLICANT INFORMATION		Fee: \$ state min fee \$ Locally adopted fee	Copy: <input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State
Name (last, first, MI)	EATON HOLDINGS LLC	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	
Mailing Address of Owner/Applicant	POB 92 Deer Isle, ME 04627	Municipal Tax Map # Lot #	
Daytime Tel. #	207 348 5630	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		(1st) date approved	
Date		Local Plumbing Inspector Signature (2nd) date approved	

PERMIT INFORMATION	
TYPE OF APPLICATION	THIS APPLICATION REQUIRES
<input type="checkbox"/> 1. First Time System	<input type="checkbox"/> 1. No Rule Variance
<input checked="" type="checkbox"/> 2. Replacement System	<input type="checkbox"/> 2. First Time System Variance
Type replaced: sand filter	<input type="checkbox"/> a. Local Plumbing Inspector Approval
Year installed: 80 bed	<input type="checkbox"/> b. State & Local Plumbing Inspector Approval
<input type="checkbox"/> 3. Expanded System	<input checked="" type="checkbox"/> 3. Replacement System Variance
<input type="checkbox"/> a. <25% Expansion	<input type="checkbox"/> a. Local Plumbing Inspector Approval
<input type="checkbox"/> b. >25% Expansion	<input type="checkbox"/> b. State & Local Plumbing Inspector Approval
<input type="checkbox"/> 4. Experimental System	<input type="checkbox"/> 4. Minimum Lot Size Variance
<input type="checkbox"/> 5. Seasonal Conversion	<input type="checkbox"/> 5. Seasonal Conversion Permit
SIZE OF PROPERTY	DISPOSAL SYSTEM TO SERVE
5.74 A	<input type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: 5
<input type="checkbox"/> SQ. FT.	<input checked="" type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: 5
<input checked="" type="checkbox"/> ACRES	<input type="checkbox"/> 3. Other: (specify)
SHORELAND ZONING	Current Use <input type="checkbox"/> Seasonal <input checked="" type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
DISPOSAL SYSTEM COMPONENTS	
<input checked="" type="radio"/> 1. Complete Non-engineered System	
<input type="radio"/> 2. Primitive System (graywater & alt. toilet)	
<input type="radio"/> 3. Alternative Toilet, specify:	
<input type="radio"/> 4. Non-engineered Treatment Tank (only)	
<input type="radio"/> 5. Holding Tank, gallons	
<input type="radio"/> 6. Non-engineered Disposal Field (only)	
<input type="radio"/> 7. Separated Laundry System	
<input type="radio"/> 8. Complete Engineered System (2000 gpd or more)	
<input type="radio"/> 9. Engineered Treatment Tank (only)	
<input type="radio"/> 10. Engineered Disposal Field (only)	
<input type="radio"/> 11. Pre-treatment, specify:	
<input type="radio"/> 12. Miscellaneous Components	
TYPE OF WATER SUPPLY	
<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	

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)			
TREATMENT TANK	DISPOSAL FIELD TYPE & SIZE	GARBAGE DISPOSAL UNIT	DESIGN FLOW
<input checked="" type="checkbox"/> 1. Concrete 2000 x 1000 TANK	<input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench	<input checked="" type="checkbox"/> 1. No <input type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe	780 gallons per day
<input type="checkbox"/> a. Regular	<input checked="" type="checkbox"/> 3. Proprietary Device	If Yes or Maybe, specify one below:	BASED ON:
<input type="checkbox"/> b. Low Profile	<input type="checkbox"/> a. cluster array <input type="checkbox"/> c. Linear	<input type="checkbox"/> a. multi-compartment tank	<input checked="" type="checkbox"/> 1. Table 4A (dwelling unit(s))
<input type="checkbox"/> 2. Plastic w/rippers	<input type="checkbox"/> b. regular load <input type="checkbox"/> d. H-20 load	<input type="checkbox"/> b. tanks in series	<input type="checkbox"/> 2. Table 4C (other facilities)
<input type="checkbox"/> 3. Other:	<input type="checkbox"/> 4. Other:	<input type="checkbox"/> c. increase in tank capacity	SHOW CALCULATIONS for other facilities:
CAPACITY: 3000 GAL	SIZE: 2688 sq. ft. lin. ft.	<input type="checkbox"/> d. Filter on Tank Outlet	THREE - 222APTS 3x180
W/RIPPERS			TWO - 122APTS 2x120
SOIL DATA & DESIGN CLASS	DISPOSAL FIELD SIZING	EFFLUENT/EJECTOR PUMP	ATTACH WATER METER DATA
PROFILE CONDITION	<input type="checkbox"/> 1. Medium--2.6 sq. ft. / gpd	<input type="checkbox"/> 1. Not Required	LATITUDE AND LONGITUDE
2 / C	<input checked="" type="checkbox"/> 2. Medium--Large 3.3 sq. ft. / gpd	<input type="checkbox"/> 2. May Be Required	at center of disposal area
at Observation Hole # TP8	<input type="checkbox"/> 3. Large--4.1 sq. ft. / gpd	<input checked="" type="checkbox"/> 3. Required	Lat. 44 d 27 m 56.5 s
Depth 48"	<input type="checkbox"/> 4. Extra Large--5.0 sq. ft. / gpd	Specify only for engineered systems:	Lon. 68 d 42 m 43.6 s
of Most Limiting Soil Factor		DOSE: gallons	If g.p.s. state margin of error: 20'

SITE EVALUATOR STATEMENT			
I certify that on 6-4-24 (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	189 SE #	6-27-24 Date	
Mike J Gramlich	207 843 6395	mikejgramlich@msn.com	
Site Evaluator Name Printed	Telephone Number	E-mail Address	

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

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Division of Environmental Health  
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

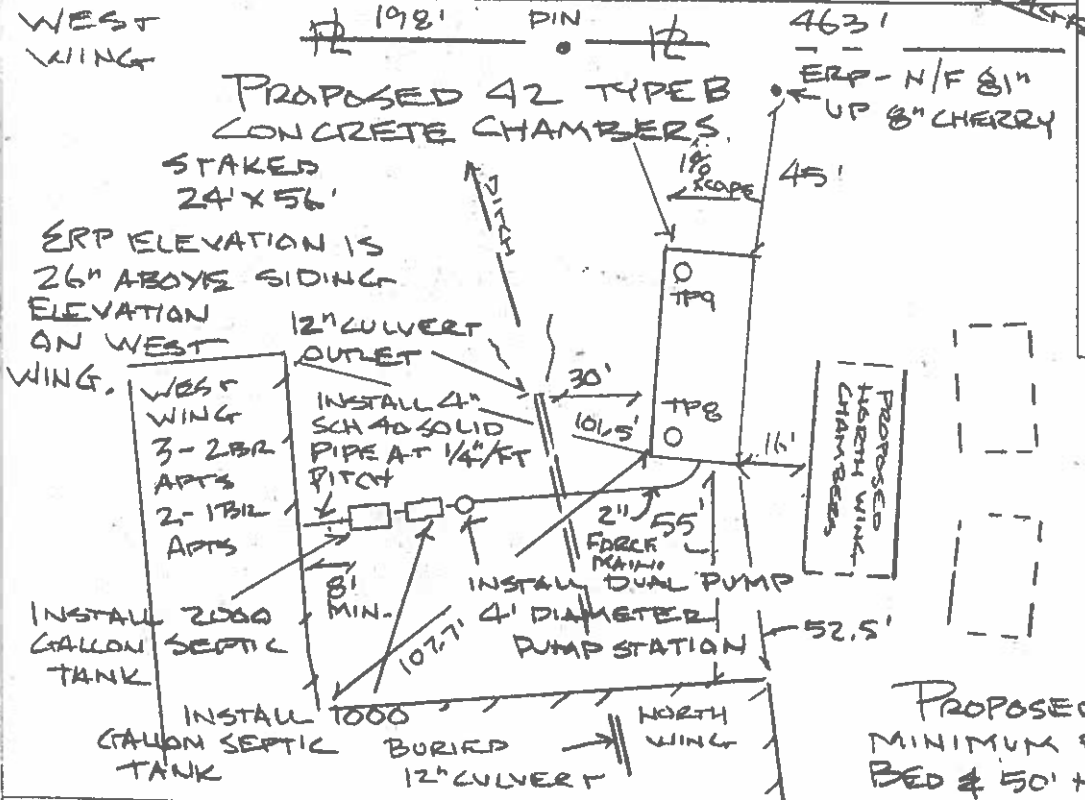
WEST Owner's Name WING  
EATON HOLDINGS LLC

PENOBSCOT

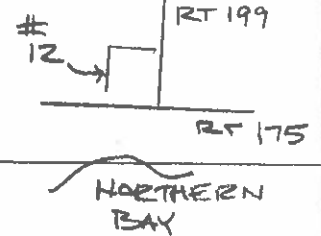
12 N. PENOBSCOT RD

SITE PLAN

Scale 1" = 50' ft. or as shown



SITE LOCATION PLAN  
(map from Maine Atlas recommended)



PROPOSED WELL TO BE 100' MINIMUM FROM DISPOSAL BED & 50' MIN. FROM SEPTIC TANKS

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

Observation Hole TP8 & 9 ☒ Test Pit ☐ Boring  
" Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
GRAVELLY SANDY LOAM	FRIABLE	BROWN	NONE
40+ YEAR FILL		LIGHT BROWN	
GRAVELLY SAND			

Soil Classification <u>2C</u> Profile Condition	Slope <u>1</u> %	Limiting Factor <u>48" +</u>	<input type="checkbox"/> Ground Water <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock <input checked="" type="checkbox"/> Pit Depth
---	---------------------	---------------------------------	--

Observation Hole \_\_\_\_\_ ☐ Test Pit ☐ Boring  
" Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling

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

Site Evaluator Signature

189

SE #

6-27-24

Date



# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
Division of Health Engineering, Station 10  
(207) 287-6672 FAX (207) 287-4172

Town, City, Plantation

PENOBSCOT

Street, Road, Subdivision

12 N. PENOBSCOT RD

Owner or Applicant Name WEST WING  
EATON HOLDINGS LLC

## SUBSURFACE WASTEWATER DISPOSAL PLAN

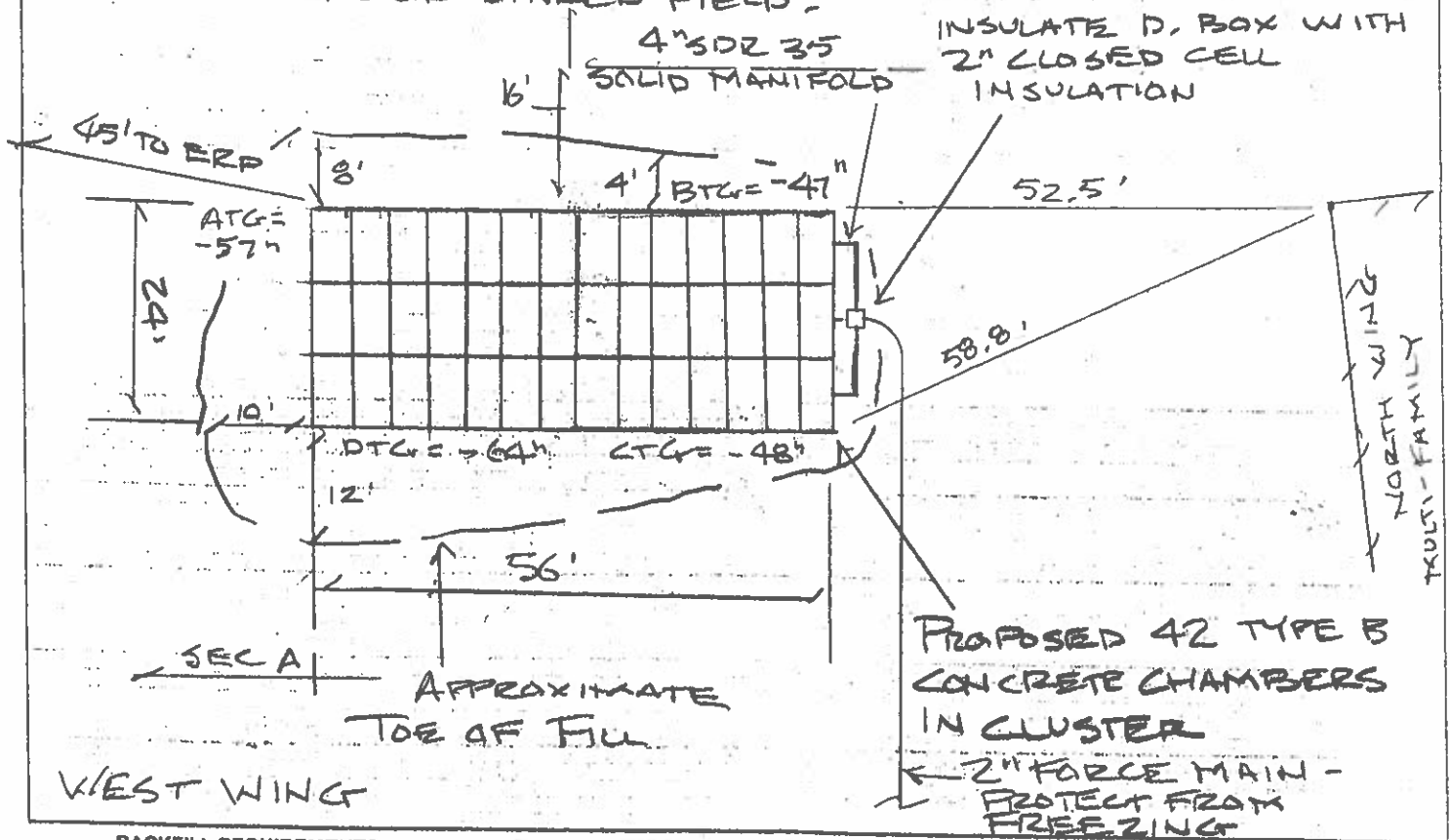
Scale: 1" = 20' ft.

TG = APPROXIMATE EXISTING SURFACE ELEVATION  
AT CORNERS OF STAKED FIELD.

PROPOSED NORTH  
WING CHAMBERS

4" SDZ 35  
SOLID MANIFOLD

INSULATE D. BOX WITH  
2" CLOSED CELL  
INSULATION



### BACKFILL REQUIREMENTS

Depth of Backfill (upslope) A 11" 0" B  
Depth of Backfill (downslope) 8" 11"  
DEPTHS AT CROSS-SECTION (shown below)

### CONSTRUCTION ELEVATIONS

Finished Grade Elevation -46"  
Top of Distribution Pipe or Proprietary Device -58"  
Bottom of Disposal Field -71"

### ELEVATION REFERENCE POINT

Location & Description: ERP-N/F  
8' UP 8" CHERRY  
Reference Elevation is: 0.0' or 0"

## DISPOSAL FIELD CROSS-SECTION

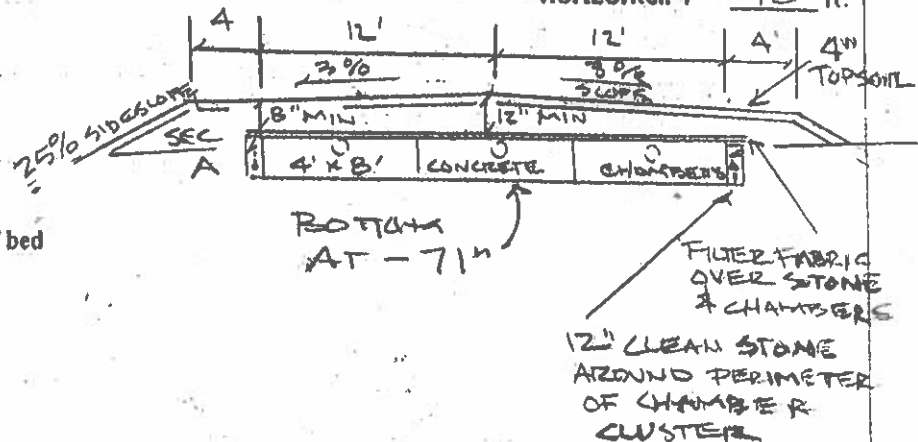
Scales:

Vertical: 1" = 5' ft.

Horizontal: 1" = 10' ft.

Note:

- 1.) Scarify original surface under Disposal Field and fill extension.
- 2.) Place gravelly coarse sand fill in 8" lifts, incorporate into underlying original soil.
- 3.) Disposal Field to be level with a maximum grade tolerance of 2"/100 ft.
- 4.) Lime, fertilize, seed & mulch, top and sides of bed and all disturbed areas to prevent erosion.
- 5.) See Chapter 20 of code for additional requirements.
- 6.) Bottom of disposal field to be 71" below elevation of TBM (ERP).



Mike J Gramlich POB 284 Holden ME 207-843-6395

Site Evaluator Signature

#189

SE #

6-27-24

Date



Maine Center for Disease  
Control and Prevention  
An Office of the  
Department of Health and Human Services

Department of Health and Human Services  
MaineCenter for Disease Control and Prevention  
286 Water Street  
# 11 State House Station  
Augusta, Maine 04333-0011  
Tel: (207) 287-2070  
Fax: (207) 287-4172; TTY: 1-800-606-0215

## SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE REQUEST

This form must accompany an application (HHE-200 Form) for any subsurface wastewater disposal system which requires a variance to provisions of the Subsurface Wastewater Disposal Rules. The Local Plumbing Inspector must not issue a permit for the installation of a subsurface wastewater disposal system requiring a variance from the Department of Health and Human Services until approval has been received from the Department.

### GENERAL INFORMATION

Town of PENOBSCOT

Property Owner's Name: EATON HOLDINGS LLC Tel. No.: 207-348-5630

System's Location: 12 NORTH PENOBSCOT RD.

Property Owner's Address: POB 92 DEER ISLE ME 04627 Zip Code 04627

e-mail address: \_\_\_\_\_

The subsurface wastewater disposal system design for the subject property requires a ☒ replacement system variance ☐ first time system variance to the Subsurface Wastewater Disposal Rules. This variance requires ☒ local approval ☐ local and state approval.

### SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator. Use additional sheets if needed.)

1. 40+ YEARS OF FILL THAT CONFORMS TO 2C SOIL

2. \_\_\_\_\_

3. \_\_\_\_\_

### SECTION OF RULE

5B5

### SITE EVALUATOR

When a property is found to be unsuitable for subsurface wastewater disposal by a licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a variance to the 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. Attach a separate sheet if necessary.

SITE WAS FORMER 80 BED NURSING HOME SERVED BY A SAND FILTER THAT FORMERLY DISCHARGED TO NORTHERN BAY. NURSING HOME HAS CLOSED, DISCHARGE ODD, REMOVED. MULTIFAMILY HOUSING IS PROPOSED. FILLED SOILS CONFORM TO 2C SIZING BY 5B5.

I, MIKE GRAMMICH, 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.

[Signature]  
SIGNATURE OF SITE EVALUATOR

6-27-24  
DATE

### PROPERTY OWNER

I, \_\_\_\_\_, 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.

\_\_\_\_\_  
SIGNATURE OF OWNER  
OR AGENT FOR THE OWNER

\_\_\_\_\_  
DATE

**LOCAL PLUMBING INSPECTOR - Approval at local level**

The local plumbing inspector shall review all 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 variance requests prior to forwarding to the Division of Environmental Health.

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.

\_\_\_\_\_  
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

Notes: 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 7.B.4 of the Subsurface Wastewater Disposal Rules 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 7.B.3 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

**SOIL, SITE AND ENGINEERING FACTORS FOR FIRST TIME SYSTEM VARIANCE ASSESSMENT  
WITH LIMITING SOIL DRAINAGE CONDITIONS (SEE TABLES 7C THROUGH 7M).**

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile		
Depth to Groundwater/Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
TOTAL POINT ASSESSMENT:		

Minimum Points (Check One): ☐ Outside Shoreland Zone-50 ☐ Inside Shoreland Zone-65 ☐ Subdivision-65

## SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Div. Environmental Health, 11 SIS  
(207) 287-2070 Fax: (207) 287-4122

PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED <<	
City, Town, or Plantation	Penobscot	Town/City	Permit #
Street or Road	12 North Penobscot Rd	Date Permit Issued: / /	Fee: \$ Double Fee Charged <input type="checkbox"/>
Subdivision, Lot #	DUPLEX 1	Local Plumbing Inspector Signature	L.P.I. #
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)	EATON HOLDINGS LLC	Fee: \$ state min fee \$ Locally adopted fee	Copy: <input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State
Mailing Address of Owner/Applicant	POB 92 Deer Isle, ME 04627	Municipal Tax Map # Lot #	
Daytime Tel. #	207 348 5630	CAUTION: INSPECTION REQUIRED I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. (1st) date approved	
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.		Local Plumbing Inspector Signature (2nd) date approved	
Signature of Owner or Applicant Date			

PERMIT INFORMATION		
TYPE OF APPLICATION	THIS APPLICATION REQUIRES	DISPOSAL SYSTEM COMPONENTS
<input type="checkbox"/> 1. First Time System	<input type="checkbox"/> 1. No Rule Variance	<input checked="" type="radio"/> 1. Complete Non-engineered System
<input checked="" type="checkbox"/> 2. Replacement System	<input type="checkbox"/> 2. First Time System Variance	<input type="radio"/> 2. Primitive System (graywater & alt. toilet)
Type replaced: sand filter	<input type="checkbox"/> a. Local Plumbing Inspector Approval	<input type="radio"/> 3. Alternative Toilet, specify:
Year installed: 80 BED	<input type="checkbox"/> b. State & Local Plumbing Inspector Approval	<input type="radio"/> 4. Non-engineered Treatment Tank (only)
<input type="checkbox"/> 3. Expanded System	<input checked="" type="checkbox"/> 3. Replacement System Variance	<input type="radio"/> 5. Holding Tank, gallons
<input type="checkbox"/> a. <25% Expansion	<input type="checkbox"/> a. Local Plumbing Inspector Approval	<input type="radio"/> 6. Non-engineered Disposal Field (only)
<input type="checkbox"/> b. >25% Expansion	<input type="checkbox"/> b. State & Local Plumbing Inspector Approval	<input type="radio"/> 7. Separated Laundry System
<input type="checkbox"/> 4. Experimental System	<input type="checkbox"/> 4. Minimum Lot Size Variance	<input type="radio"/> 8. Complete Engineered System (2000 gpd or more)
<input type="checkbox"/> 5. Seasonal Conversion	<input type="checkbox"/> 5. Seasonal Conversion Permit	<input type="radio"/> 9. Engineered Treatment Tank (only)
SIZE OF PROPERTY	DISPOSAL SYSTEM TO SERVE	<input type="radio"/> 10. Engineered Disposal Field (only)
5.74 A	<input type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms:	<input type="radio"/> 11. Pre-treatment, specify:
<input type="checkbox"/> SQ. FT.	<input checked="" type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: 2	<input type="radio"/> 12. Miscellaneous Components
<input checked="" type="checkbox"/> ACRES	<input type="checkbox"/> 3. Other: (specify)	TYPE OF WATER SUPPLY
SHORELAND ZONING	Current Use <input type="checkbox"/> Seasonal <input type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped	<input checked="" type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)			
TREATMENT TANK	DISPOSAL FIELD TYPE & SIZE	GARBAGE DISPOSAL UNIT	DESIGN FLOW
<input checked="" type="checkbox"/> 1. Concrete	<input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench	<input checked="" type="checkbox"/> 1. No <input type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe	360 gallons per day
<input type="checkbox"/> a. Regular	<input checked="" type="checkbox"/> 3. Proprietary Device	If Yes or Maybe, specify one below:	BASED ON:
<input type="checkbox"/> b. Low Profile	<input type="checkbox"/> a. cluster array <input type="checkbox"/> c. Linear	<input type="checkbox"/> a. multi-compartment tank	<input checked="" type="checkbox"/> 1. Table 4A (dwelling unit(s))
<input type="checkbox"/> 2. Plastic	<input type="checkbox"/> b. regular load <input type="checkbox"/> d. H-20 load	<input type="checkbox"/> b. tanks in series	<input type="checkbox"/> 2. Table 4C (other facilities)
<input type="checkbox"/> 3. Other:	<input type="checkbox"/> 4. Other:	<input type="checkbox"/> c. increase in tank capacity	SHOW CALCULATIONS for other facilities:
CAPACITY: 2000 GAL.	SIZE: 1280 sq. ft. lin. ft.	<input type="checkbox"/> d. Filter on Tank Outlet	TWO - 2 BRAPTS
SOIL DATA & DESIGN CLASS	DISPOSAL FIELD SIZING	EFFLUENT/EJECTOR PUMP	2 x 180 = 360 GPD
PROFILE CONDITION	<input type="checkbox"/> 1. Medium---2.6 sq. ft. / gpd	<input type="checkbox"/> 1. Not Required	<input type="checkbox"/> 3. Section 4G (meter readings)
2 / C	<input checked="" type="checkbox"/> 2. Medium---Large 3.3 sq. ft. / gpd	<input checked="" type="checkbox"/> 2. May Be Required	ATTACH WATER METER DATA
at Observation Hole # TP 5	<input type="checkbox"/> 3. Large---4.1 sq. ft. / gpd	<input type="checkbox"/> 3. Required	LATITUDE AND LONGITUDE
Depth 48"	<input type="checkbox"/> 4. Extra Large---5.0 sq. ft. / gpd	Specify only for engineered systems:	at center of disposal area
of Most Limiting Soil Factor		DOSE: gallons	Lat. 44 d 27 m 57.1 s
			Lon. 68 d 42 m 43 s
			if g.p.s, state margin of error: 30'

SITE EVALUATOR STATEMENT		
I certify that on 7-27-22 (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	189 SE #	6-27-24 Date
Mike J Gramlich	207 843 6395	mikejgramlich@msn.com
Site Evaluator Name Printed	Telephone Number	E-mail Address

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

Maine Dept. Health & Human Services  
Division of Environmental Health  
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

Owner's Name

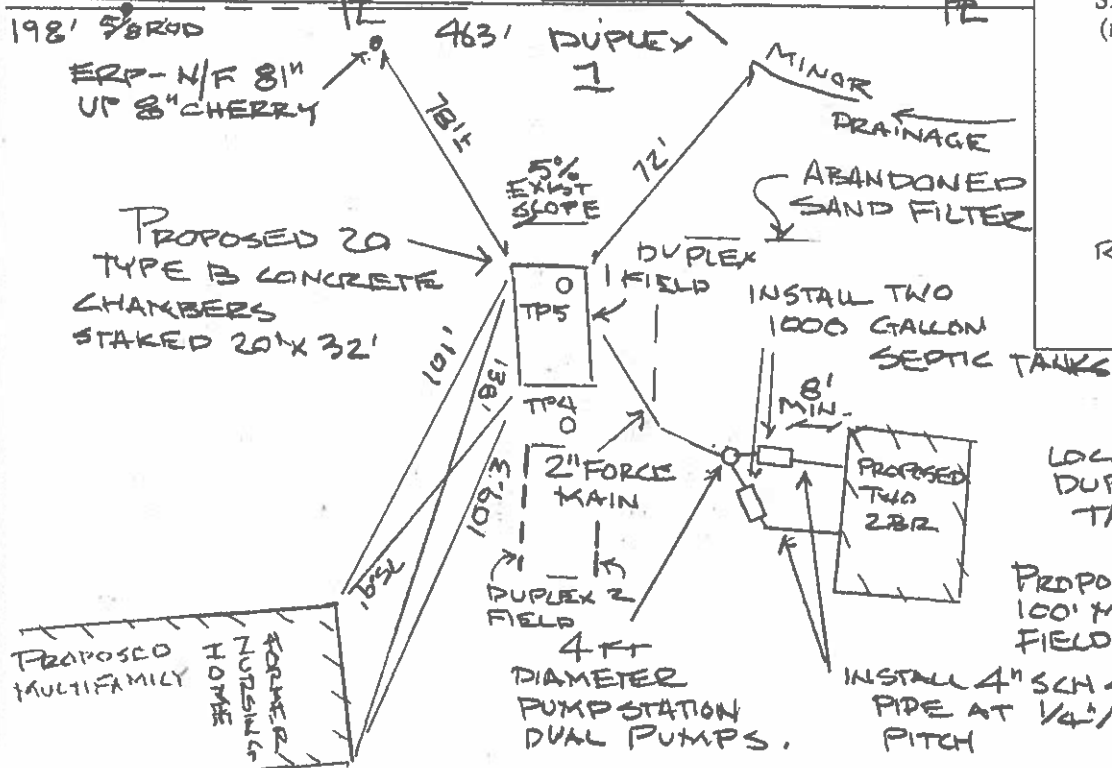
PENOBSCOT

12 N. PENDBROOK RD

EATON HOLDINGS LLC  
DUPLX 1

## SITE PLAN

Scale 1" = 50' ft. or as shown



**SITE LOCATION PLAN**  
(map from Maine Atlas  
recommended)

RT. 175

NORTH BAY

LOCATION OF  
DUPLEX & SEPTIC  
TANKS WILL  
VARY

PROPOSED WELL TO BE  
100' MIN FROM DISPOSAL  
FIELD & 50' MIN FROM  
TANKS

INSTALL 4" SCH 40 SOLID  
PIPE AT 1/4" / FT MINIMUM  
PITCH

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

Observation Hole TP5 ☒ Test Pit ☐ Boring  
0 " Depth of Organic Horizon Above Mineral Soil

Observation Hole ☐ Test Pit ☐ Boring  
" Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0	SANDY LOAM	FRIABLE	BROWN	
10	NOT YEAR FILL		LT. BROWN	NONE
20	GRAVELLY LOAMY SAND			
30				
40				
50				

Soil Classification	Slope	Limiting Factor	<input type="checkbox"/> Ground Water
<u>2</u> <u>C</u>	<u>5</u> %	<u>48"</u> <u>+</u>	<input type="checkbox"/> Restrictive Layer
Profile Condition			<input type="checkbox"/> Bedrock
			<input checked="" type="checkbox"/> Pit Depth

Figure 1 is a blank soil profile chart. The vertical axis is labeled "Depth Below Mineral Soil Surface (inches)" and ranges from 0 to 50 in increments of 10. The horizontal axis has four columns labeled "Texture", "Consistency", "Color", and "Mottling". Each column contains a vertical scale with tick marks every 2 inches, starting from 0 at the top.

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

Site Evaluator Signature

189

SE #

6-27-24

Date \_\_\_\_\_

Page 2 of 3  
HHE-200 Rev. 8/01

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
Division of Health Engineering, Station 10  
(207) 287-6872 FAX (207) 287-4172

Town, City, Plantation

PENOBSCOT

Street, Road, Subdivision

12 N. PENOBSCOT RD

Owner or Applicant Name

DUPLEX 1  
EATON HOLDING LLC

## SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale: 1" = 20' 11.

DUPLEX 1

INSULATE 5' OUTLET  
D. BOX WITH CLOSED  
CELL INSULATION

4" SOLID  
INLET  
MANIFOLD  
SPR 35

APPROXIMATE  
TOE OF FILL

2" FORCE MAIN OR  
4" SDR 35 SOLID  
PIPE IF BY  
GRAVITY

BTG = -34'

PROPOSED  
DUPLEX 2  
CHAMBERS  
20' x 32'

PROPOSED 20 TYPE B  
CONCRETE CHAMBERS  
IN CLUSTER

56'  
PROPOSED  
24' x 56'  
CHAMBERS  
FOR MULTI-FAMILY  
IN NORTHERN  
WING

ERP - NAIL W/ FLAG 8" UP 8" CHERRY

TO CORNER  
101' 75.9'

### BACKFILL REQUIREMENTS

Depth of Backfill (upslope) A 10" 0" B  
Depth of Backfill (downslope) 14" 11"  
DEPTHS AT CROSS-SECTION (shown below)

### CONSTRUCTION ELEVATIONS

Finished Grade Elevation -32"  
Top of Distribution Pipe or Proprietary Device -45"  
Bottom of Disposal Field -58"

### ELEVATION REFERENCE POINT

Location & Description: ERP - N/F  
8" UP 8" CHERRY  
Reference Elevation is: 0.0" or 0"

### DISPOSAL FIELD CROSS-SECTION

Scales:

Vertical: 1" = 5' 11.  
Horizontal: 1" = 10' 11.

Note:

- 1.) Scarify original surface under Disposal Field and fill extension.
- 2.) Place gravelly coarse sand fill in 8" lifts, incorporate into underlying original soil, SEGA.
- 3.) Disposal Field to be level with a maximum grade tolerance of 2"/100 ft.
- 4.) Lime, fertilize, seed & mulch, top and sides of bed and all disturbed areas to prevent erosion.
- 5.) See Chapter 12 of code for additional requirements.
- 6.) Bottom of disposal field to be 58" below elevation of TBM (ERP).

FILTER FABRIC  
OVER STONE &  
CHAMBERS

HIDE SLOPE  
25/10

GRAVELLY  
SAND FILL

EXISTING  
SURFACE  
BOTTOM AT  
-58"

Mike J Gramlich POB 284 Holden ME 207-843-6395

Site Evaluator Signature

#189  
SE #

6-27-24  
Date



Maine Center for Disease  
Control and Prevention  
An Office of the  
Department of Health and Human Services

Department of Health and Human Services  
Maine Center for Disease Control and Prevention  
286 Water Street  
# 11 State House Station  
Augusta, Maine 04333-0011  
Tel: (207) 287-2070  
Fax: (207) 287-4172; TTY: 1-800-606-0215

## SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE REQUEST

This form must accompany an application (HHE-200 Form) for any subsurface wastewater disposal system which requires a variance to provisions of the Subsurface Wastewater Disposal Rules. The Local Plumbing Inspector must not issue a permit for the installation of a subsurface wastewater disposal system requiring a variance from the Department of Health and Human Services until approval has been received from the Department.

### GENERAL INFORMATION

Town of

PENOBSCOT

Property Owner's Name: EATON HOLDINGS LLC

Tel. No.: 207-348-5630

System's Location: 12 NORTH PENOBSCOT RD.

Property Owner's Address: POB 92 DEER ISLE ME 04627

Zip Code 04627

e-mail address: \_\_\_\_\_

The subsurface wastewater disposal system design for the subject property requires a ☒ replacement system variance ☐ first time system variance to the Subsurface Wastewater Disposal Rules. This variance requires ☒ local approval ☐ local and state approval.

### SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator. Use additional sheets if needed.)

1. 40+ YEARS OF FILL THAT CONFORMS TO 2C SOIL

2. \_\_\_\_\_

3. \_\_\_\_\_

### SECTION OF RULE

5B5

### SITE EVALUATOR

When a property is found to be unsuitable for subsurface wastewater disposal by a licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a variance to the 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. Attach a separate sheet if necessary.

SITE WAS FORMER 80 BED NURSING HOME SERVED BY A SAND FILTER THAT FORMERLY DISCHARGED TO NORTHERN BAY. NURSING HOME HAS CLOSED, DISCHARGE ODD, REMOVED. MULTIFAMILY HOUSING IS PROPOSED. FILLED SOILS CONFORM TO 2C SIZING BY 5B5.

I, MIKE GRAMUCH, 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.

[Signature]  
SIGNATURE OF SITE EVALUATOR

6-27-24  
DATE

### PROPERTY OWNER

I, \_\_\_\_\_, 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.

☐ SIGNATURE OF OWNER  
☐ AGENT FOR THE OWNER

DATE

**LOCAL PLUMBING INSPECTOR - Approval at local level**

The local plumbing inspector shall review all 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 variance requests prior to forwarding to the Division of Environmental Health.

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.

\_\_\_\_\_  
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

Notes: 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 7.B.4 of the Subsurface Wastewater Disposal Rules 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 7.B.3 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

**SOIL, SITE AND ENGINEERING FACTORS FOR FIRST TIME SYSTEM VARIANCE ASSESSMENT  
WITH LIMITING SOIL DRAINAGE CONDITIONS (SEE TABLES 7C THROUGH 7M).**

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile		
Depth to Groundwater/Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
TOTAL POINT ASSESSMENT:		

Minimum Points (Check One): ☐ Outside Shoreland Zone-50 ☐ Inside Shoreland Zone-65 ☐ Subdivision-65



## SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Div. Environmental Health (HHS)  
(207) 287-2070 Fax: (207) 287-4172

<b>PROPERTY LOCATION</b>		<b>&gt;&gt; CAUTION: LPI APPROVAL REQUIRED &lt;&lt;</b>	
City, Town, or Plantation	Penobscot	Town/City	Permit #
Street or Road	12 North Penobscot Rd	Date Permit Issued	Fee: \$ Double Fee Charged <input type="checkbox"/>
Subdivision, Lot #	DUPLEX 2	Local Plumbing Inspector Signature	L.P.I. #
<b>OWNER/APPLICANT INFORMATION</b>		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)	EATON HOLDINGS LLC	Fee: \$ state min fee \$ Locally adopted fee	Copy: <input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State
Mailing Address of Owner/Applicant	POB 92 Deer Isle, ME 04627	Municipal Tax Map # Lot #	
Daytime Tel. #	207 348 5630	<b>CAUTION: INSPECTION REQUIRED</b> I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. (1st) date approved	
<b>OWNER OR APPLICANT STATEMENT</b> 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.		Signature of Owner or Applicant Date	

<b>PERMIT INFORMATION</b>	
<b>TYPE OF APPLICATION</b>	<b>THIS APPLICATION REQUIRES</b>
<input type="checkbox"/> 1. First Time System <input checked="" type="checkbox"/> 2. Replacement System Type replaced: <u>sand filter</u> Year installed: <u>80 bed</u> <input type="checkbox"/> 3. Expanded System a. <25% Expansion b. >25% Expansion <input type="checkbox"/> 4. Experimental System <input type="checkbox"/> 5. Seasonal Conversion	<input type="checkbox"/> 1. No Rule Variance <input type="checkbox"/> 2. First Time System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval <input checked="" type="checkbox"/> 3. Replacement System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Permit
<b>SIZE OF PROPERTY</b>	<b>DISPOSAL SYSTEM TO SERVE</b>
5.74 A <input type="checkbox"/> SQ. FT. <input checked="" type="checkbox"/> ACRES	<input type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: _____ <input checked="" type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: <u>2</u> <input type="checkbox"/> 3. Other: _____ (specify) Current Use <input type="checkbox"/> Seasonal <input checked="" type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped
<b>SHORELAND ZONING</b>	<b>DISPOSAL SYSTEM COMPONENTS</b>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="radio"/> 1. Complete Non-engineered System <input type="radio"/> 2. Primitive System (graywater & alt. toilet) <input type="radio"/> 3. Alternative Toilet, specify: _____ <input type="radio"/> 4. Non-engineered Treatment Tank (only) <input type="radio"/> 5. Holding Tank, _____ gallons <input type="radio"/> 6. Non-engineered Disposal Field (only) <input type="radio"/> 7. Separated Laundry System <input type="radio"/> 8. Complete Engineered System (2000 gpd or more) <input type="radio"/> 9. Engineered Treatment Tank (only) <input type="radio"/> 10. Engineered Disposal Field (only) <input type="radio"/> 11. Pre-treatment, specify: _____ <input type="radio"/> 12. Miscellaneous Components
	<b>TYPE OF WATER SUPPLY</b>
	<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

<b>DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)</b>			
<b>TREATMENT TANK</b>	<b>DISPOSAL FIELD TYPE &amp; SIZE</b>	<b>GARBAGE DISPOSAL UNIT</b>	<b>DESIGN FLOW</b>
<input checked="" type="checkbox"/> 1. Concrete <u>TWO</u> a. Regular <u>1000 WITH RISERS</u> b. Low Profile <input type="checkbox"/> 2. Plastic <input type="checkbox"/> 3. Other: _____ CAPACITY: <u>2000</u> GAL	<input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench <input type="checkbox"/> 3. Proprietary Device <u>TYPE B CONCRETE</u> a. cluster array <input type="checkbox"/> c. Linear b. regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: _____ SIZE: <u>1280</u> sq. ft. <input type="checkbox"/> lin. ft.	<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 type="checkbox"/> d. Filter on Tank Outlet	<u>360</u> 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: <u>TWO - 2 SEAPTS</u> <u>2 x 180 = 360 GPD</u> <input type="checkbox"/> 3. Section 4G (meter readings) ATTACH WATER METER DATA
<b>SOIL DATA &amp; DESIGN CLASS</b>	<b>DISPOSAL FIELD SIZING</b>	<b>EFFLUENT/EJECTOR PUMP</b>	<b>LATITUDE AND LONGITUDE</b>
PROFILE CONDITION <u>2 / C</u> at Observation Hole # <u>TP11</u> Depth <u>48</u> " of Most Limiting Soil Factor	<input type="checkbox"/> 1. Medium---2.6 sq. ft. / gpd <input checked="" type="checkbox"/> 2. Medium---Large 3.3 sq. ft. / gpd <input type="checkbox"/> 3. Large---4.1 sq. ft. / gpd <input type="checkbox"/> 4. Extra Large---5.0 sq. ft. / gpd	<input type="checkbox"/> 1. Not Required <input checked="" type="checkbox"/> 2. May Be Required <input type="checkbox"/> 3. Required Specify only for engineered systems: DOSE: _____ gallons	at center of disposal area Lat. <u>44</u> d <u>27</u> m <u>57.1</u> s Lon. <u>68</u> d <u>42</u> m <u>42.6</u> s if g.p.s, state margin of error: <u>30'±</u>

<b>SITE EVALUATOR STATEMENT</b>		
I certify that on <u>6-4-24</u> (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).		
<u>M. Gramlich</u> Site Evaluator Signature Mike J Gramlich Site Evaluator Name Printed	189 SE # 207 843 6395 Telephone Number	<u>6-27-24</u> Date mikejgramlich@msn.com E-mail Address

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

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Division of Environmental Health  
(207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

PENABSCOT

12 N. PENABSCOT RD

Owner's Name

DUPLEX  
EATON HOLDING LLC 2

## SITE PLAN

Scale 1" = 50 ft. or as shown

## SITE LOCATION PLAN

(map from Maine Atlas

recommended)

N PENABSCOT RD  
#12

RT 175

NORTHERN  
BAY

PIN 463' FE  
ERP-N/F 8"  
UP 8" CHERRY  
DUPLEX  
MINOR DRAINAGE

PROPOSED WELL  
TO BE 100' MIN.  
FROM DISPOSAL  
BED & 50' MINIMUM  
FROM SEPTIC TANK

PROPOSED 20 TYPE B  
CONCRETE CHAMBERS  
STAKED 20' X 32'

NORTH  
WING OLD  
NURSE HOME  
MULTI-FAMILY  
APTS

PROPOSED  
DUPLEX 1  
FIELD  
TP 4

ABANDONED  
SAND FILTER

INSTALL 4" SCH 40  
SOLID PIPE AT 1/4" PER  
MIN. PITCH

INSTALL  
1000 GAL.  
SEPTIC  
TANK

DUAL PUMPS  
IN PUMP  
STATION

INSTALL 2" FORCE MAIN  
PROTECT FROM  
FREEZING

INSTALL 4" DIAMETER VARY  
PUMP STATION

LOCATION

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

Observation Hole TP 11 ☒ Test Pit ☐ Boring  
2" " Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
0 SANDY LOAM	FRAGILE	BROWN LIGHT	NONE
10		BROWN	
20 MEDIUM SAND			
30			
40			
50			

Soil Classification

Slope

Limiting

☐ Ground Water  
☐ Restrictive Layer  
☐ Bedrock  
☒ Pit Depth

2 C  
Profile Condition

4 %

4E"

Observation Hole ☐ Test Pit ☐ Boring  
" Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
0			
10			
20			
30			
40			
50			

Soil Classification

Slope

Limiting

☐ Ground Water  
☐ Restrictive Layer  
☐ Bedrock  
☐ Pit Depth

Profile Condition

%

"

Site Evaluator Signature

SE #

Date

189

6-27-24

Page 2 of 3  
HHE-200 Rev 8/01

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
Division of Health Engineering, Station 10  
(207) 287-6672 FAX (207) 287-4172

Town, City, Plantation  
**PENOBSCOT**

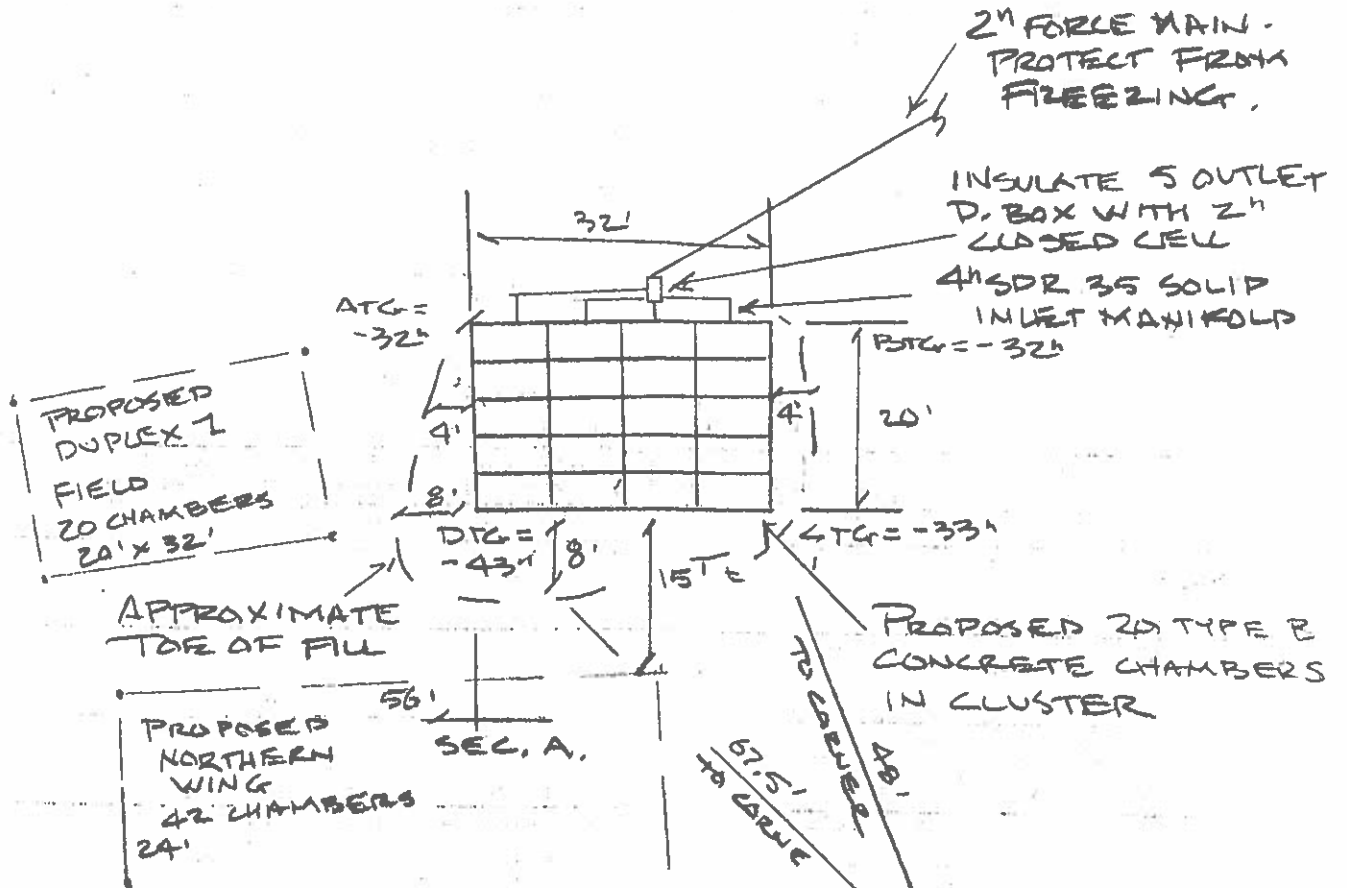
Street, Road, Subdivision  
**12 N. PENOBSCOT RD**

Owner or Applicant Name **DUPLEX 2**  
**EATON HOLDING LLC**

**DUPLEX 2**

## SUBSURFACE WASTEWATER DISPOSAL PLAN

Scale: 1" = 20'



### BACKFILL REQUIREMENTS

Depth of Backfill (upslope) **A** 0' 0"

Depth of Backfill (downslope) **B** 12" 1"

DEPTHS AT CROSS-SECTION (shown below)

### CONSTRUCTION ELEVATIONS

Finished Grade Elevation **-31"**

Top of Distribution Pipe or Proprietary Device **-43"**

Bottom of Disposal Field **-56"**

### ELEVATION REFERENCE POINT

Location & Description: **TBRP - N/F**

**8" UP 8" CHERRY**

Reference Elevation is: 0.0' or **0"**

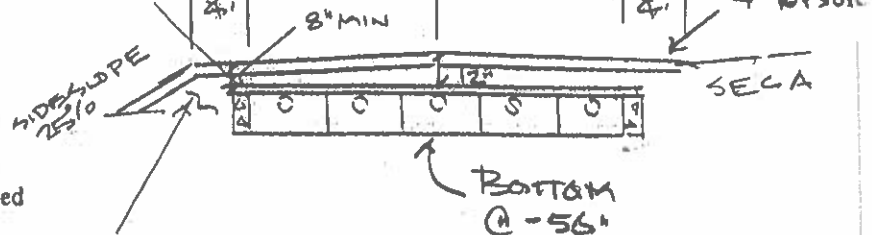
### DISPOSAL FIELD CROSS-SECTION

Scales:

Vertical: 1" = 5'

Horizontal: 1" = 10'

FILTER FABRIC OVER STONE & CHAMBERS



Note:

- 1.) Scarify original surface under Disposal Field and fill extension.
- 2.) Place gravelly coarse sand fill in 8" lifts, incorporate into underlying original soil,
- 3.) Disposal Field to be level with a maximum grade tolerance of 2"/100 ft.
- 4.) Lime, fertilize, seed & mulch, top and sides of bed and all disturbed areas to prevent erosion.
- 5.) See Chapter 12 of code for additional requirements.
- 6.) Bottom of disposal field to be 36" below elevation of TBM (ERP).

Mike J Gramlich POB 284 Holden ME 207-843-6395

*Mike J Gramlich*  
Site Evaluator Signature

#189  
SE #

6-27-24  
Date



Maine Center for Disease  
Control and Prevention  
An Office of the  
Department of Health and Human Services

Department of Health and Human Services  
Maine Center for Disease Control and Prevention  
286 Water Street  
# 11 State House Station  
Augusta, Maine 04333-0011  
Tel: (207) 287-2070  
Fax: (207) 287-4172; TTY: 1-800-606-0215

## SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE REQUEST

This form must accompany an application (HHE-200 Form) for any subsurface wastewater disposal system which requires a variance to provisions of the Subsurface Wastewater Disposal Rules. The Local Plumbing Inspector must not issue a permit for the installation of a subsurface wastewater disposal system requiring a variance from the Department of Health and Human Services until approval has been received from the Department.

### GENERAL INFORMATION

Town of PENOBSCOT

Property Owner's Name: EATON HOLDINGS LLC Tel. No.: 207-348-5630

System's Location: 12 NORTH PENOBSCOT RD.

Property Owner's Address: POB 92 DEER ISLE ME 04627 Zip Code 04627

e-mail address: \_\_\_\_\_

The subsurface wastewater disposal system design for the subject property requires a ☒ replacement system variance ☐ first time system variance to the Subsurface Wastewater Disposal Rules. This variance requires ☒ local approval ☐ local and state approval.

### SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator. Use additional sheets if needed.)

1 40+ YEARS OF FILL THAT CONFORMS TO 2C SOIL

2 \_\_\_\_\_

3 \_\_\_\_\_

### SECTION OF RULE

5B5

### SITE EVALUATOR

When a property is found to be unsuitable for subsurface wastewater disposal by a licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a variance to the 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. Attach a separate sheet if necessary.

SITE WAS FORMER 80 BED NURSING HOME SERVED BY A  
SAND FILTER THAT FORMERLY DISCHARGED TO NORTHERN BAY. NURSING  
HOME HAS CLOSED, DISCHARGE ODD, REMOVED. MULTIFAMILY HOUSING  
IS PROPOSED. FILLED SOILS CONFORM TO 2C SIZING BY 5B5.

I, MIKE GRAMUCH, 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.

[Signature]  
SIGNATURE OF SITE EVALUATOR

6-27-24  
DATE

### PROPERTY OWNER

I, \_\_\_\_\_, 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.

☐ SIGNATURE OF OWNER  
☐ AGENT FOR THE OWNER

\_\_\_\_\_  
DATE

**LOCAL PLUMBING INSPECTOR - Approval at local level**

The local plumbing inspector shall review all 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 variance requests prior to forwarding to the Division of Environmental Health

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.

\_\_\_\_\_  
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

Notes: 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 7.B.4 of the Subsurface Wastewater Disposal Rules 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 7.B.3 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

**SOIL, SITE AND ENGINEERING FACTORS FOR FIRST TIME SYSTEM VARIANCE ASSESSMENT  
WITH LIMITING SOIL DRAINAGE CONDITIONS (SEE TABLES 7C THROUGH 7M).**

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile		
Depth to Groundwater/Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
TOTAL POINT ASSESSMENT:		

Minimum Points (Check One): ☐ Outside Shoreland Zone-50 ☐ Inside Shoreland Zone-65 ☐ Subdivision-65

The subdivision proposed by Eaton Holding of Deer Isle Maine consists of the repurposed West & North wings of the Penobscot Nursing Home building. As noted on the survey there will be partial elimination of the existing structure. Both the North and the West wings will comprise of 4- 1Bedroom apartments and 6- 2 Bedroom apartments. The Eaton's propose 2 additional duplexes that are ADA certified. The remaining building included in Phase 1 of the construction project is proposed storage.

The units will share well landscaped private outdoor green space. Green space consists of a combination of low shrubbery, fir trees and grass.

Shared parking with overflow parking and motion sensitive lighting. Lighting on the corners of the apartment buildings will be motion sensitive.

The Subdivider Eaton Holdings has more than adequate financial and commercial experience to meet the standards of Maine Subdivision criteria. The President Bruce K. Eaton is the owner and President of Eaton Holdings LLC, Eaton Paving & Construction LLC, Dockside Fuel LLC and Skip Eaton Transportation LLC.

The Eaton's proposed subdivision will adhere to all local and state land use ordinances and will aim to protect Penobscot's aesthetic and cultural values. There is no proposed impact on any historic sites, no significant shoreline disruption or disruption to any public access to waterways or shoreline.

A question has been raised as to the classification of the culvert outfall and ditch on the eastside of the Eaton Property and as to what is required for a minimum distance setback for a disposal field. It is a good assumption that this culvert was placed to be a collection pipe to allow and discharge runoff from buildings and parking areas during the development and habitation of the Nursing Home. The discharge of this runoff is upslope of a wet area to the east that eventually drains to the minor drainage to the east of the property. IWe have maintained a minimum 25 foot setback from this ditch and fill extension from the proposed disposal field terminate before ditch. The ditch is a drainage ditch and requires a 25 foot minimum setback by the MAINE State Plumbing Code.

Mike Gramlich LSE 189  
POB 284  
Holden, ME  
04429

207 843 6395

---

# EATON

## PAVING & EXCAVATION

P.O. Box 92 Deer Isle, Maine 04627

February 3, 2025

To whom it may concern,

We hereby authorize Jamie MacNair from Compass Point Realty to act on our behalf in all manners relating to the Penobscot Bay Commons Project in Penobscot Maine.

Jamie has the authority to speak on our behalf, make decisions and sign anything on our behalf.

If you have any questions, please let us know. We can be reached at 207-348-5630

Sincerely,

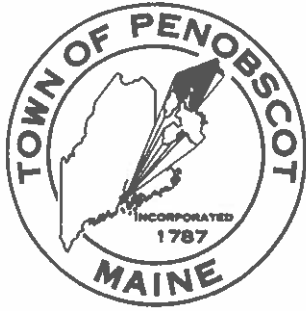


Karen Eaton  
Eaton Holdings LLC  
PO Box 92  
Deer Isle ME 04627



Bruce Eaton Jr  
Eaton Holdings LLC  
PO Box 92  
Deer Isle ME 04627





# Town of Penobscot

TOWN OFFICE

P.O. Box 4

PENOBSCOT, MAINE 04476

(207) 326-4364

TAX COLLECTOR - PENOBSCOTTOWNOFFICE@GMAIL.COM

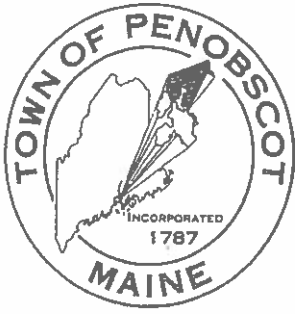
TOWN CLERK - PENOBSCOTTOWNCLERK@GMAIL.COM

February 4, 2025

To whom it may concern,

The proposed subdivision of Northern Bay Commons on the North Penobscot Road, in the town of Penobscot will not affect the traffic pattern on that road.

William Hutchins - Penobscot Road Commissioner



# Town of Penobscot

TOWN OFFICE  
P.O. Box 4  
PENOBSCOT, MAINE 04476  
PENOBSCOTTOWNOFFICE@GMAIL.COM  
(207) 326-4364

August 20, 2024

The Penobscot Select Board is in full support of the major subdivision planned for Northern Bay Commons, formerly The Penobscot Nursing Home. This is provided Eaton Holdings LLC, owner of the property, ensures that this project will comply with all town and state regulations.

This multi-use subdivision will provide much needed housing for many and bring in business to the town by way of its professional office spaces for lease. It will take an old abandoned, dilapidated, eye-sore of a facility in the middle of town and turn it into a great source of added property tax revenue.

Harold Hatch  
Board Chair

Philip Rapp  
Board Member

Sara Leighton  
Board Member



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THE TOWN OF PENOBSCOT  
September 12, 1996  
Box 2584 Page 127  
Tax Map 11 Lot 39  
See Note 4A



kind of  
SYLVIA L. TAPLEY  
REBECCA B. TAPLEY  
August 23 2022  
Book 7227 Page 340  
For Mar 23 (a) 11

Kind of  
VALREEN M. ALON  
December 7, 2011  
Book 5729 Page 87  
Los Angeles, Calif 90011

UNHOOK TAKEN UP AT THE SHORE BY GROSS  
PUMP HOUSE REMOVED AND BACKFILLED PER THE DEP  
\*DONE BY DENNISON'S PRIOR TO 1ST SALE\*

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 ELLABETH DAUS  
 DOUGLAS R. CAMPBELL  
 October 23, 2020  
 Book 7066 Page 252  
 Tax Map 23 Lot 14  
 see page 48

land of  
HEATHER L. EMANUELSON  
JUDITH A. HARTMAN  
March 28, 2018  
Book 4881 Page 365

FORMER PUMP HOUSE

land of  
ELIZABETH DAUS  
DOUGLAS R CAMPBELL  
October 23, 2020  
Book 7066 Page 252  
Tax Map 23 601 14  
see Note 45

land of  
CONSTANCE M BRIDGES  
February 19 2014  
Book 6182 Page 297  
Tax Map 23 lot 15

THE ONLY COMMUNITY SYSTEM RESEARCH CAPABLE OF BASE 3, FOR THE MAIN LOCATIONS SYSTEM OF JCO CONTROL, ZONE INAD IN MRS JOI AND ADDITIONAL RESEARCH. THE RESEARCH IS BASED ON THE

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100% of the total population of the United States is covered by the program. The program is a voluntary one, and the government does not force anyone to join. The program is a very successful one, and it has helped to reduce the number of people who are in need of food and shelter. The program is a very important one, and it has helped to make a difference in the lives of many people. The program is a very successful one, and it has helped to reduce the number of people who are in need of food and shelter. The program is a very important one, and it has helped to make a difference in the lives of many people.

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DEED REFERENCE  
Book 7725 Page 75

TAX MAP & LOT NUMBER  
Penobscot Tax Map 08 lot 67

OWNER OF RECORD  
Eaton Holdings, LLC  
PO Box 92 Deer Isle, ME 04627

**PRELIMINARY  
SUBDIVISION PLAN  
for  
PHASE 1  
NORTHERN BAY COMMONS  
12 North Penobscot Road  
Penobscot (Hancock County), Maine**

**due north**  
LAND SURVEYING AND MAPPING SERVICE  
59 MAIN ST./PO BOX 287 DEERFIELD, MA 01937  
781 744 2432 WWW.DUENORTHLLC.COM

Date Jan 30 2025

Scale 1 inch = 30 feet

Project No. 22-071



**WATERSHED RESOURCE CONSULTANTS, LLC**  
NATURAL RESOURCE AND SOIL SCIENCE CONSULTING

WRC 24113  
November 8, 2024

Due North, LLC  
Attention: Linda P. Campbell, PLS  
15B Main Street  
P.O. Box 211  
Deer Isle, ME 04627

Subject: Protected Natural Resources Report  
Former Northern Bay Residential Center Property  
12 North Penobscot Road  
Penobscot, Maine

Dear Linda,

This Report presents the findings of protected natural resource services conducted by Watershed Resource Consultants, LLC (WRC) on the approximately 5.76-acre former Northern Bay Residential Center property at 12 North Penobscot Road in Penobscot, Maine. The purpose of the services was to identify and delineate Maine Department of Environmental Protection (MDEP) and U.S. Army Corps of Engineers (Corps) defined Protected Natural Resources on the property.

### **METHODOLOGY**

**Resource Identification and Delineation:** Field work was conducted on September 10 and 11, 2024. Protected Natural Resources were identified as defined by the Maine Department of Environmental Protection<sup>1</sup> (MDEP) and U.S. Army Corps of Engineers<sup>2</sup> (Corps). Wetland delineation was conducted using the 1987 Corps Wetland Delineation Manual<sup>3</sup> and Northeast Regional Supplement<sup>4</sup>. Stream identification was conducted using the MDEP Natural Resources Protection Act Statute and the Corps General Permit. Potential vernal pool identification was conducted using MDEP Chapter 335<sup>5</sup>, the 2014 Maine Association of Wetlands Scientists (MAWS) Vernal Pool Survey Protocol, and the Corps General Permit.

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<sup>1</sup> State of Maine, Department of Environmental Protection, Natural Resources Protection Act Statute, 38 M.R.S.A. §480-A to 480-HH, DEPLW284-W2010, Revised August 12, 2011.

<sup>2</sup> United States Department of the Army, General Permit, State of Maine, Effective: October 14, 2020 to October 14, 2025.

<sup>3</sup> Environmental Laboratory. 1987. "Corps of Engineers Wetland Delineation Manual", Technical Report Y-87-1, U.S. Army Engineers Waterways Experiment Station, Vicksburg, Miss.

<sup>4</sup> U.S. Army Corps of Engineers. 2011. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0), ed. J. S. Wakeley, R. W. Lichvar, C. V. Noble, and J. F. Berkowitz. ERDC/EL TR-12-1. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

<sup>5</sup> State of Maine, Department of Environmental Protection, Chapter 335 Significant Wildlife Habitat, amended January 7, 2014.



If identified on the site, wetland boundaries were flagged with pink flagging, stream centerlines were flagged with blue flagging, and potential vernal pool center points were flagged with green flagging. Flagging was numbered according to the Resource ID.

Wetland and waterbody resources were characterized using the Cowardin Classification system<sup>6</sup>.

**Resource Location:** Resource delineation boundaries were located with a sub-meter GPS receiver. The GPS data, a survey plan from Due North, LLC, and publicly available data through MeGIS were used to make the Protected Natural Resources Plan attached in Appendix B.

## PROTECTED NATURAL RESOURCES ASSESSMENT

**Site Overview:** The “site” is an approximately 5.76-acre property (Tax Map 8, Lot 67) at 12 North Penobscot Road in Penobscot, Maine. A Site Location Map and a Protected Natural Resources Plan are included in Appendix B.

The site was formerly the Northern Bay Residential Center, a nursing home that permanently closed in 2017. The site is bordered by North Penobscot Road to the southeast and Bayview Road to the southwest. The southern half of the site is developed with the nursing home and associated infrastructure, and the northern half is undeveloped, although old earthen fill was observed in this area. Residential and Town owned properties developed with the Penobscot Community School and Penobscot Volunteer Fire Station abut the site.

**Topography and Soils:** The site is located in a gently sloping area above Northern Bay, part of the Bagaduce River. The site is in the Bagaduce River-Frontal Penobscot Bay watershed (HUC-10 0105000216), part of the Maine Coastal watershed. Site slopes are generally about 0-8% with locally steeper slopes.

The USDA NRCS Soil Survey for Hancock County maps Lamoine and Scantic soils on the site. Lamoine and Scantic soils are somewhat poorly and poorly drained (respectively) soils formed in glaciolacustrine/marine sediments.

**Wetlands:** Two freshwater wetland areas were delineated on the site, labeled as Wetland W-JL1 and W-JL2. Color photographs of the wetlands are included in Appendix C.

Wetland W-JL1 is an isolated depression in a grown-in lawn area in the central portion of the site. Dominant vegetative species observed in the wetland include meadowsweet (*Spiraea alba*), woolgrass (*Scirpus cyperinus*), necklace sedge (*Carex projecta*), common soft rush (*Juncus effusus*), New England aster (*Symphotrichum novae-angliae*), arrow-leaved tearthumb (*Persicaria sagittata*), and common wrinkle-leaved goldenrod (*Solidago rugosa*). Observed soils in the wetlands meet classification as Soil

---

<sup>6</sup> Cowardin, et al. 1979. United States, Fish and Wildlife Service, “Classification of Wetlands and Deepwater Habitats of the United States”. Biological services program; FWS/OBS-79/31) FWS/OBS-79/31. QH76.U54a 79/31 [QH104] 574.5'0973s [574.5'2632] 79-607795



Indicator F3: Depleted Matrix. Primary Hydrology Indicators observed include C3: Oxidized Rhizospheres on Living Roots, D2: Geomorphic Position, and D4: Microtopographic Relief.

Wetland W-JL2 is a larger wetland located in the northern and southern portions of the site and associated with an intermittent stream. Dominant vegetative species observed in the wetland include red maple (*Acer rubrum*), American larch (*Larix laricina*), speckled alder (*Alnus incana*), Canadian serviceberry (*Amelanchier canadensis*), meadowsweet, multiflora rose (*Rosa multiflora*), jewelweed (*Impatiens capensis*), and various sedges, grasses, and ferns. Observed soils in the wetlands meet classification as Soil Indicators A11: Depleted Below Dark Surface or F3: Depleted Matrix. Primary Hydrology Indicators observed include A3: Saturation, B9: Water-Stained leaves, B10: Drainage Patterns, and D2: Geomorphic Position.

**Streams:** One intermittent freshwater stream was delineated on the site, labeled S-JL1. S-JL1 banks ranged from three to six feet wide with water depths up to one inch at the time of survey. Substrates were cobble and mud.

**Vernal Pools:** One potential pool was observed on the site, labeled as 24-P-JL1. This pool is located within Wetland 24-W-JL2. Springtime documentation will be required to determine if this feature is a vernal pool and if it is jurisdictional to the MDEP and/or Corps.

**Other:** No other field-observable Protected Natural Resources were observed on the site.

**Resource Agency Mapped Resources:** WRC contacted and/or accessed the databases of natural resource agencies to identify if there are Threatened, Endangered, Significant or Essential species and/or habitats mapped on the site. Agencies contacted included the U.S. Fish and Wildlife Service (US FWS), Maine Department of Inland Fisheries and Wildlife (MDIFW), and Maine Natural Areas Program (MNAP). Response letters / database search results are included in Appendix D.

A response from MDIFW was not received as of the date of this report. WRC accessed MDIFW's Environmental Mapping Tool and Beginning With Habitat mapping on-line on November 8, 2024. According to these databases there are no mapped species or habitats of concern on or directly adjacent to the site. These databases are not an official response from MDIFW. WRC will forward the official MDIFW response upon receipt and will amend this report if needed based on those results.

The MNAP response letter dated September 24, 2024, states that “According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area.” The MNAP database is not a site-specific field survey.

The US FWS database, accessed on September 13, 2024, indicates that three federally listed species should be considered as part of an effect analysis for the project: the Endangered northern long-eared bat, the Endangered Atlantic salmon, and the Proposed Endangered tricolored bat. The database also lists the monarch butterfly as a Candidate Species. If the project will require a federal permit or will use



WRC 24113  
November 8, 2024

federal funding, the federal action agency will determine if there are concerns regarding the project affecting this mapped habitat. The Official response attached in Appendix D is valid for 90 days from September 13, 2024. WRC can update this response if requested.

WRC also reviewed available published mapping for the site including USGS topographic mapping, U.S. Fish and Wildlife National Wetland Inventory (NWI), U.S. Natural Resources Conservation Service (NRCS) soil mapping, and FEMA flood maps, as available, to provide an indication of potential areas of protected natural resources on the property and for wetland classification purposes. Copies of published maps are included in Appendix D.

**Classification:** Based on the Cowardin Classification System, WRC classified Wetland W-JL1 as PEM or palustrine, emergent marsh wetland and W-JL2 as PSS or palustrine, scrub-shrub wetland and PFO or palustrine, forested wetland. WRC classified the stream as R4 or riverine, intermittent stream.

Based on MDEP Natural Resources Protection Act definitions, the wetlands and streams are Protected Natural Resources. If the potential vernal pool meets criteria to be classified by MDEP as a Significant Vernal Pool (SVP), based on springtime documentation, then the SVP and the area within 250-feet of it would meet classification as a Significant Wildlife Habitat, which is also a Protected Natural Resource.

The portions of the wetlands that are within 25 feet of the stream meet MDEP criteria to be classified as "Wetlands of Special Significance" (WOSS). The remainder of wetlands on the site preliminarily meet MDEP criteria to be classified as "Wetlands Not of Special Significance" (WNSS). If the potential vernal pool on the site meets criteria to be classified as a Significant Wildlife Habitat, then wetlands that contain the habitat will meet classification as WOSS. The Corps has jurisdiction over vernal pools.

#### **GENERAL PERMITTING INFORMATION**

Alterations to jurisdictional wetlands, streams and/or vernal pools require a permit from the MDEP and the Corps, the type of permit dependent on the amount and type of alteration. General permitting information included pertains to resources observed on the site.

In general, wetland alterations of between 1 and 4,300 square feet of "Wetlands Not of Special Significance" (WNSS) require filing of a Corps Self-Verification (SV) Form to the Corps. Wetland alterations of between 4,300 and 15,000 square feet of WNSS require filing of a MDEP Natural Resources Protection Act (NRPA) Tier 1 Permit Application to the MDEP and an SV Form to the Corps. Wetland alterations of greater than 15,000 square feet of WNSS, or of any alteration of "Wetlands of Special Significance" (WOSS) require filing of a combined MDEP NRPA Tier 2, Tier 3, or Individual / Corps Pre-Construction Notification (PCN) Permit Application to the MDEP and Corps, depending on the amount and type of alteration. Wetland alterations of 5,000 SF or greater, as well as these higher threshold permit applications, generally require further submissions such as wetland data forms and a functional assessment and generally include a wetland compensation component. Previous natural resource impacts on the site may be considered cumulatively with proposed impacts for permitting purposes depending on the dates of impact.





A MDEP NRPA Permit-By-Rule (PBR) Notification is required for a stream crossing or for soil/vegetation disturbance at between 25 feet and 75 feet of a stream (with permitting conditions met). A MDEP NRPA Individual Permit is required for direct stream alterations, and for soil/vegetation disturbance within 25 feet of a stream. The Individual permit application generally requires further submissions such as a functional assessment and a wetland compensation plan. A Corps permit is required for direct alterations to a stream.

A MDEP NRPA Permit-By-Rule Notification is required for alterations of less than 25% of the forested habitat within 250-feet of a Significant Vernal Pool (not inclusive). A MDEP NRPA Individual Permit is required for direct Significant Vernal Pool alterations or alterations 250-feet of a Significant Vernal Pool that do not meet Permit-By-Rule standards. The Individual permit application generally requires further submissions such as a functional assessment and a compensation plan. A Corps permit is generally required for direct alterations to vernal pools.

If wetland alteration occurs for the project, the Corps licensing process includes review for impacts to freshwater wetlands, streams, vernal pools, Atlantic salmon habitat, northern long-eared bat habitat, and tricolored bat habitat.

#### **SUMMARY AND RECOMMENDATIONS**

WRC conducted Protected Natural Resources identification and delineation services on the approximately 5.76-acre former Northern Bay Residential Center property at 12 North Penobscot Road in Penobscot, Maine.

Two freshwater wetlands, one stream, and one potential vernal pool were on identified the site. The freshwater wetlands are forested, scrub-shrub and emergent. The portions of the wetlands that are within 25 feet of streams meet MDEP criteria to be classified as "Wetlands of Special Significance" (WOSS). The remainder of wetlands on the site preliminarily meet MDEP criteria to be classified as "Wetlands Not of Special Significance" (WNSS) pending springtime vernal pool documentation.

WRC recommends that alterations to Protected Natural Resources be avoided and minimized to the greatest extent practicable. If alterations to Protected Natural Resources are proposed, we recommend a pre-application meeting with the MDEP and Corps to discuss permitting requirements.

WRC did not review Town of Penobscot ordinances regarding alterations to natural resources. WRC recommends that the Town of Penobscot be contacted during the planning process for the project if natural resources are proposed to be altered.





WRC 24113  
November 8, 2024

**CLOSING**

We appreciate the opportunity to assist you during this phase of the project. If you have any questions, please contact us.

Sincerely,

Jeanna Leclerc, PWS

**Senior Wetland Scientist | Watershed Resource Consultants, LLC**

[jleclerc@wrcmaine.com](mailto:jleclerc@wrcmaine.com)

Aleita M. Burman, CSS, CWS, LSE

**Principal and Member | Watershed Resource Consultants, LLC**

[lburman@wrcmaine.com](mailto:lburman@wrcmaine.com)

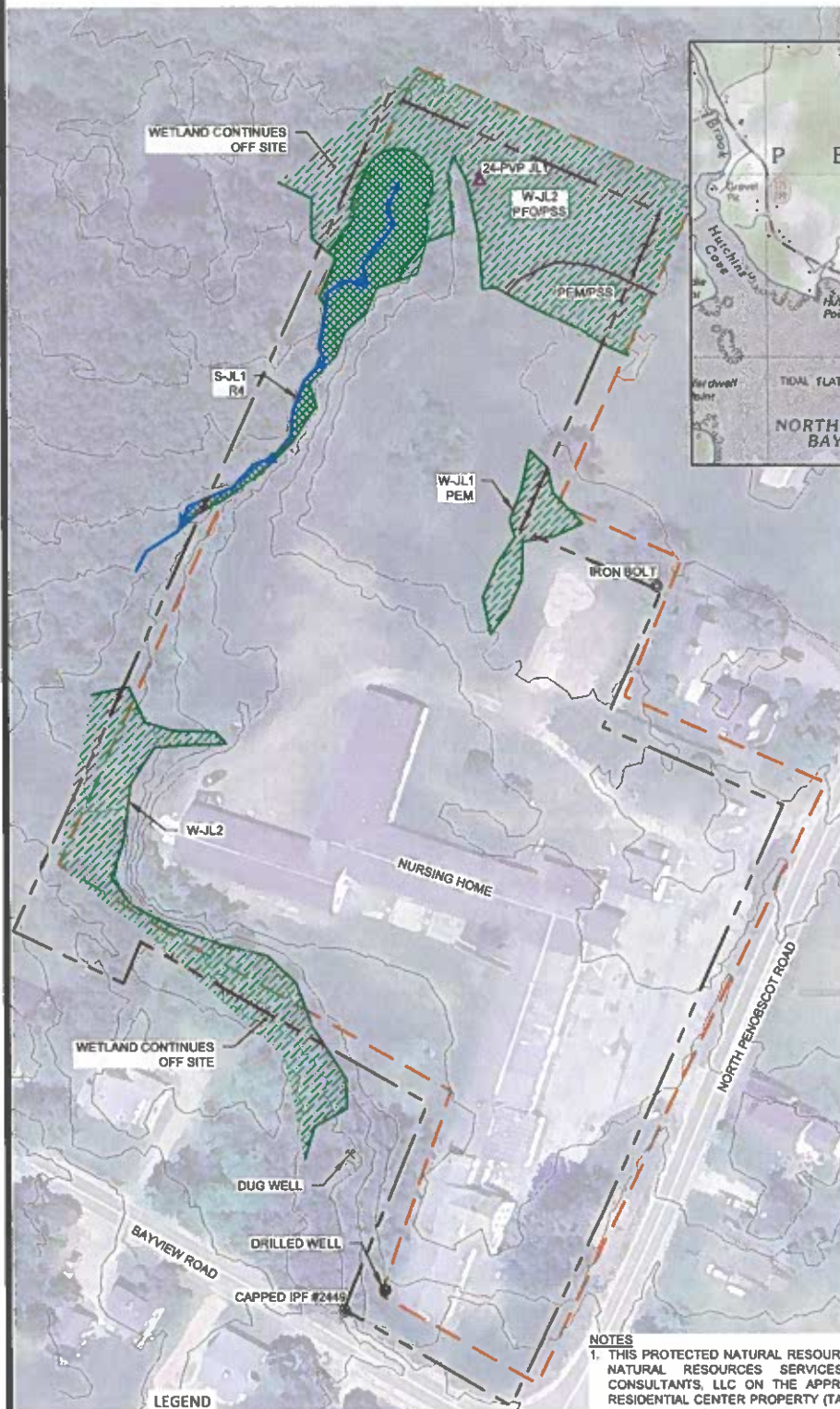
## **APPENDIX A**

### **Limitations**

### **Appendix A – Limitations**

The scope of Watershed Resource Consultants, LLC services has been limited to Protected Natural Resources identification and delineation services on the 5.76-acre former Northern Bay Residential Center property at 12 North Penobscot Road in Penobscot, Maine. This Report has been prepared for the exclusive use of Due North, LLC. No warranty, expressed or implied, is made. The conclusions made in this report are based on the data obtained from the areas explored at the time of services.

**APPENDIX B**  
**Site Location Map**  
**Protected Natural Resources Plan**



SITE LOCATION MAP  
SCALE: 1" = 2,000'

#### LEGEND

- PROJECT PARCEL (DUE NORTH)
- - - LIMIT OF SERVICES
- MDEP CLASSIFIED "WETLANDS OF SPECIAL SIGNIFICANCE"
- MDEP CLASSIFIED "WETLANDS NOT OF SPECIAL SIGNIFICANCE" (PRELIMINARY CLASSIFICATION PENDING SPRING VERNAL POOL DOCUMENTATION)
- STREAMS
- 24-PVP JL1
- POTENTIAL VERNAL POOL
- PSS - PALUSTRINE, SCRUB-SHRUB WETLANDS
- PFO - PALUSTRINE, FORESTED WETLANDS
- PEM - PALUSTRINE, EMERGENT WETLANDS
- R4 - RIVERINE, INTERMITTENT STREAMS

#### NOTES

1. THIS PROTECTED NATURAL RESOURCES PLAN DETAILS THE FINDINGS OF PROTECTED NATURAL RESOURCES SERVICES CONDUCTED BY WATERSHED RESOURCE CONSULTANTS, LLC ON THE APPROXIMATELY 5.78-ACRE FORMER NORTHERN BAY RESIDENTIAL CENTER PROPERTY (TAX MAP 8, LOT 87) AT 12 NORTH PENOBSCOT ROAD IN PENOBSCOT, MAINE. DELINEATION FIELDWORK WAS CONDUCTED IN SEPTEMBER OF 2024.
2. RESOURCE DELINEATION BOUNDARIES WERE LOCATED USING MAPPING GRADE GPS RECEIVERS. THIS PLAN IS A COMPILATION OF THE GPS DATA, A SURVEY PLAN PROVIDED BY DUE NORTH, LLC, AND PUBLICLY AVAILABLE DATA (MEGIS).
3. THIS PLAN IS TO BE USED IN CONJUNCTION WITH WATERSHED RESOURCE CONSULTANTS, LLC PROTECTED NATURAL RESOURCES REPORT. THIS PLAN IS FOR PLANNING AND RESOURCE ALTERATION PERMITTING PURPOSES ONLY, IT IS NOT A SURVEY.
4. PLAN REFERENCE: "EXISTING CONDITIONS SURVEY" DATED: FEBRUARY 23, 2023, PROVIDED BY DUE NORTH, LLC. CAD FILE: Penobscot Nursing Home\_recover.dwg.

Watershed Resource Consultants, LLC.  
1368 State Hwy 102  
80 Bar Harbor, ME 04809  
(207) 944-7288  
retamand@wrcmaine.com

PO Box 145  
Orrington, ME 04474  
(207) 385-8068  
lborman@wrcmaine.com

0 80' 160' 240'

Do Not Use for Construction  
For Regulatory Review Only

#### Protected Natural Resources Plan

Due North, LLC.  
12 North Penobscot Road  
Penobscot, Maine

Job No.: 24113

Scale: 1" = 80'

Date: 10/22/2024

Sheet: 1

**APPENDIX C**  
Color Photographs





WRC 24113  
November 8, 2024



**Photo 1:** Wetland W-JL1: PEM. Photograph taken September 11, 2024.



**Photo 2:** Wetland W-JL2: PFO/PSS. Photograph taken September 10, 2024.





WRC 24113  
November 8, 2024



**Photo 3:** Wetland W-JL2: PEM/PSS. Photograph taken September 10, 2024



**Photo 4:** Stream S-JL1: R4 Intermittent. Photograph taken September 10, 2024.





WRC 24113  
November 8, 2024



**Photo 5:** Potential Vernal Pool 24-P-JL1. Photograph taken September 10, 2024.

**APPENDIX D**  
**Agency Letters and Published Mapping**



**JANET T. MILLS**  
GOVERNOR

**STATE OF MAINE**  
**DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY**  
177 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

**AMANDA E. BEAL**  
COMMISSIONER

September 24, 2024

Jeanna Leclerc  
Watershed Resource Consultants  
PO Box 145  
Orrington, ME 04474

Via email: [jleclerc@wrcmaine.com](mailto:jleclerc@wrcmaine.com)

Re: Rare and exemplary botanical features in proximity to: #24113, Proposed Development, 12 North Penobscot Road, Penobscot, Maine

Dear Jeanna Leclerc:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received September 20, 2024 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Penobscot, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. Based on the information in our files and the landscape context of this project, there is a low probability that rare or significant botanical features occur at this project location.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

**MOLLY DOCHERTY, DIRECTOR**  
MAINE NATURAL AREAS PROGRAM  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-8044  
[WWW.MAINE.GOV/DACF/MNAP](http://WWW.MAINE.GOV/DACF/MNAP)

Letter to Watershed Resource Consultants  
Comments RE: 12 North Penobscot Rd, Penobscot  
September 24, 2024  
Page 2 of 2

The Maine Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

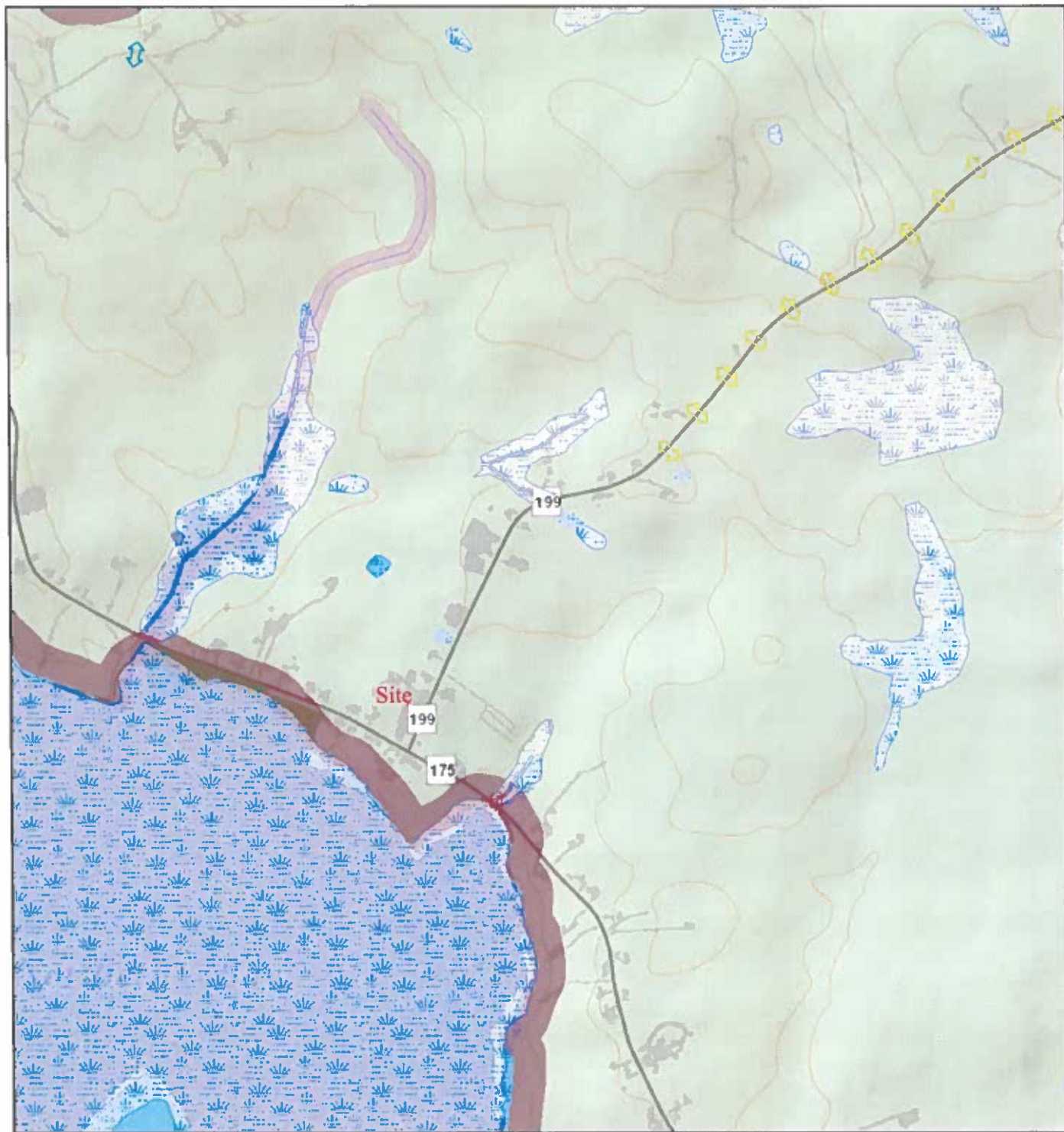
Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

*Lisa St. Hilaire*

Lisa St. Hilaire | Information Manager | Maine Natural Areas Program  
207-287-8044 | [lisa.st.hilaire@maine.gov](mailto:lisa.st.hilaire@maine.gov)

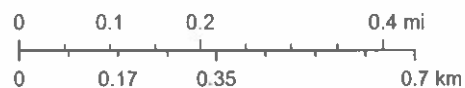
# Beginning With Habitat



November 8, 2024

1:18,056

- |   |   |
|---|---|
| Aquifers  | Essential Wildlife Habitats                         |
| National Wetlands Inventory Wetlands              | Endangered, Threatened, and Special Concern Species |
| Shellfish Beds                                    | Natural Communities                                 |
| Stream Buffer (75 feet)                           | Rare Plants and Natural Communities                 |
| Great Ponds, Rivers and Coastal Buffer (250 feet) | Highway Bridge Connectors                           |
| Atlantic Salmon Habitat                           | Riparian Connectors                                 |
| Shorebird Habitat                                 | Less than 2000 Vehicles/Day                         |
| Seabird Nesting Island                            | More than 2000 Vehicles/Day                         |
| Tidal Waterfowl / Wading Bird Habitat             | Undeveloped Block Connectors                        |
| Inland Waterfowl / Wading Bird Habitat            | Less than 2000 Vehicles/Day                         |
| Significant Vernal Pools                          | More than 2000 Vehicles/Day                         |
| Deer Wintering Areas                              | Conserved Lands                                     |







## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Maine Ecological Services Field Office

P. O. Box A

East Orland, ME 04431

Phone: (207) 469-7300 Fax: (207) 902-1588



In Reply Refer To:

09/13/2024 13:44:56 UTC

Project Code: 2024-0143709

Project Name: WRC 24113 12 North Penobscot Rd Development

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

#### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

## OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Maine Ecological Services Field Office**  
P. O. Box A  
East Orland, ME 04431  
(207) 469-7300



## PROJECT SUMMARY

Project Code: 2024-0143709

Project Name: WRC 24113 12 North Penobscot Rd Development

Project Type: Residential Construction

Project Description: Proposed development on 5.76 acre lot formerly the Penobscot Nursing Home

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.4654745,-68.7116664319556,14z>



Counties: Hancock County, Maine

## ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered

## FISHES

NAME	STATUS
Atlantic Salmon <i>Salmo salar</i> Population: Gulf of Maine DPS There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2097">https://ecos.fws.gov/ecp/species/2097</a>	Endangered

## INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

## USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

## BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

- 1. The [Bald and Golden Eagle Protection Act](#) of 1940.
- 2. The [Migratory Birds Treaty Act](#) of 1918.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Dec 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (●)

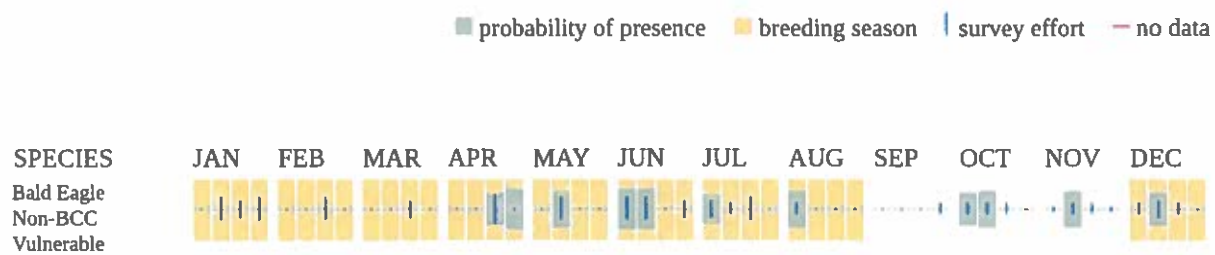
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<b>Bald Eagle <i>Haliaeetus leucocephalus</i></b> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Dec 1 to Aug 31
<b>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10
<b>Bobolink <i>Dolichonyx oryzivorus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9454">https://ecos.fws.gov/ecp/species/9454</a>	Breeds May 20 to Jul 31
<b>Cape May Warbler <i>Setophaga tigrina</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/10571">https://ecos.fws.gov/ecp/species/10571</a>	Breeds Jun 1 to Jul 31
<b>Chimney Swift <i>Chaetura pelagica</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9406">https://ecos.fws.gov/ecp/species/9406</a>	Breeds Mar 15 to Aug 25
<b>Evening Grosbeak <i>Coccothraustes vespertinus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9465">https://ecos.fws.gov/ecp/species/9465</a>	Breeds May 15 to Aug 10
<b>Lesser Yellowlegs <i>Tringa flavipes</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere
<b>Prairie Warbler <i>Setophaga discolor</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9513">https://ecos.fws.gov/ecp/species/9513</a>	Breeds May 1 to Jul 31
<b>Rose-breasted Grosbeak <i>Pheucticus ludovicianus</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/11965">https://ecos.fws.gov/ecp/species/11965</a>	Breeds May 15 to Jul 31
<b>Semipalmated Sandpiper <i>Calidris pusilla</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9603">https://ecos.fws.gov/ecp/species/9603</a>	Breeds elsewhere

NAME	BREEDING SEASON
<div>Veery <i>Catharus fuscescens fuscescens</i></div> <div>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</div> <div><a href="https://ecos.fws.gov/ecp/species/11987">https://ecos.fws.gov/ecp/species/11987</a></div>	Breeds May 15 to Jul 15
<div>Wood Thrush <i>Hylocichla mustelina</i></div> <div>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</div> <div><a href="https://ecos.fws.gov/ecp/species/9431">https://ecos.fws.gov/ecp/species/9431</a></div>	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

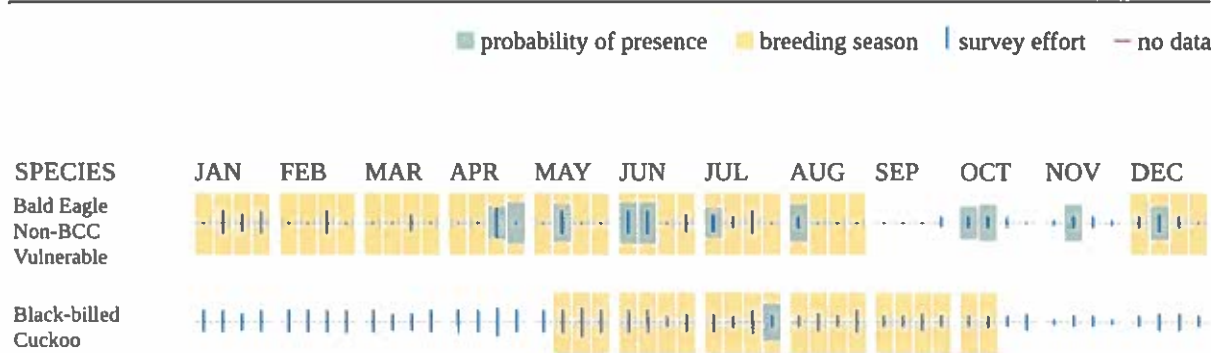
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.





BCC Rangewide  
(CON)



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>



## WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

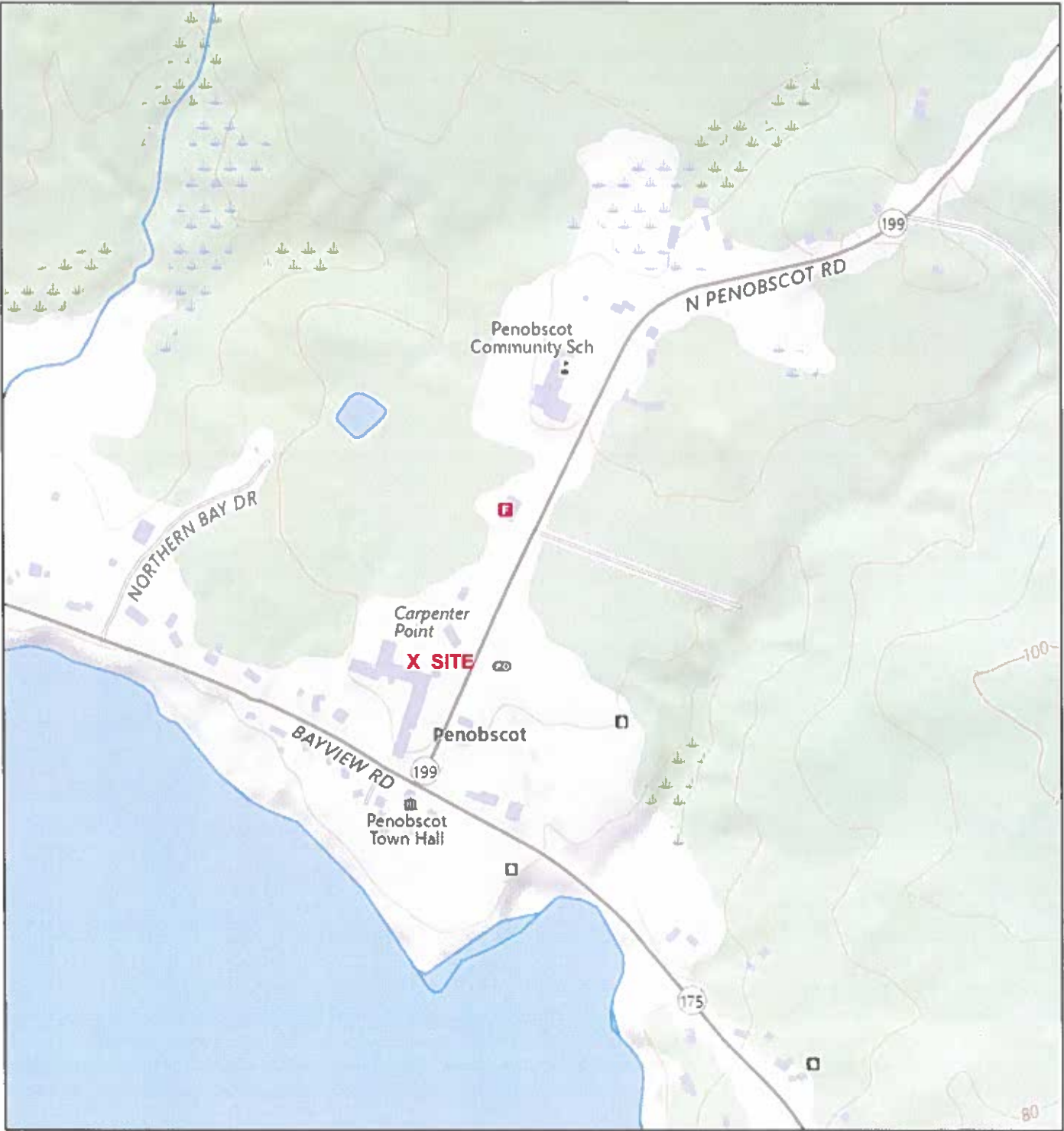
## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Jeanna Leclerc  
Address: 1366 State Hwy 102, #6  
City: Bar Harbor  
State: ME  
Zip: 04609  
Email: jleclerc@wrcmaine.com  
Phone: 2079447288

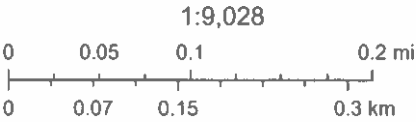
## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Maine Department of Environmental Protection

# The National Map Advanced Viewer



9/13/2024, 10:19:25 AM



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road data; Natural Earth Data; U.S.

USGS  
2021 USGS



U.S. Fish and Wildlife Service

## National Wetlands Inventory

## 24113 USFWS NWI Map



September 13, 2024

### Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

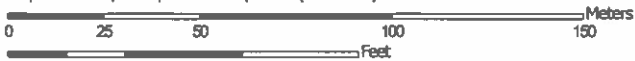


Soil Map—Hancock County Area, Maine



Soil Map may not be valid at this scale.

Map Scale: 1:1,890 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84



Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

9/13/2024  
Page 1 of 3

## MAP LEGEND

<b>Area of Interest (AOI)</b>		<b>Area of Interest (AOI)</b>	
<b>Soils</b>		<b>Soil Map Unit Polygons</b>	
		<b>Soil Map Unit Lines</b>	
		<b>Soil Map Unit Points</b>	
<b>Special Point Features</b>		<b>Water Features</b>	
		<b>Streams and Canals</b>	
		<b>Transportation</b>	
		<b>Rails</b>	
		<b>Interstate Highways</b>	
		<b>US Routes</b>	
		<b>Major Roads</b>	
		<b>Local Roads</b>	
		<b>Background</b>	
		<b>Aerial Photography</b>	
			
			
			
			
			
			
			
			
			

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hancock County Area, Maine  
Survey Area Data: Version 23, Sep 5, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 11, 2021—Oct 29, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
LaB	Lamoine silt loam, 3 to 8 percent slopes	2.9	33.3%
LbB	Lamoine-Scantic complex, 0 to 8 percent slopes	5.8	66.7%
Totals for Area of Interest		8.7	100.0%





Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Without Base Flood Elevation (BFE)  
Zone A, V, A99

With BFE or Depth  
Zone AE, AO, AH, VE, AR

Regulatory Floodway

SPECIAL FLOOD HAZARD AREAS

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile  
Zone X

Future Conditions 1% Annual Chance Flood Hazard  
Zone X

Area with Reduced Flood Risk due to Levee. See Notes.  
Zone X

Area with Flood Risk due to Levee  
Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN

Area of Minimal Flood Hazard  
Zone X

Effective LOMIRs

Area of Undetermined Flood Hazard  
Zone D

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

OTHER FEATURES

Cross Sections with 1% Annual Chance Water Surface Elevation  
20.2  
17.5

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

MAP PANELS

Digital Data Available

No Digital Data Available

Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/12/2024 at 4:25 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet

1:6,000

68°42'22"W 44°27'42"N

Basemap Imagery Source: USGS National Map 2023





STATE OF MAINE  
DEPARTMENT OF  
INLAND FISHERIES & WILDLIFE  
353 WATER STREET  
41 STATE HOUSE STATION  
AUGUSTA ME 04333-0041



November 27, 2024

Jeanna Leclerc  
Watershed Resource Consultants LLC  
1366 State Highway 102, #6  
Bar Harbor, ME 04609

**RE: Information Request - 12 North Penobscot Road, Penobscot Project ID 8051-9829**

Dear Jeanna:

Per your request received on September 20, 2024, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information sources for known locations of Endangered, Threatened, and Special Concern (Rare) species; designated Essential and Significant Wildlife Habitats; inland fisheries and aquatic habitats; and other protected natural resource concerns within the vicinity of the **12 North Penobscot Road, Penobscot** project, pursuant to MDIFW's authority. Please note that as project details are lacking, our comments should be considered preliminary. For the purposes of this review, we assume that tree clearing is proposed.

Our Department has not mapped any Essential Habitats that would be affected by this project.

***ENDANGERED, THREATENED, AND SPECIAL CONCERN SPECIES***

**Bat Species**

Of the eight species of bats that occur in Maine, four species are afforded protection under Maines Endangered Species Act (MESA, 12 M.R.S 12801 et. seq.): little brown bat (State Endangered), northern long-eared bat (State Endangered), eastern small-footed bat (State Threatened), and tri-colored bat (State Threatened). The four remaining bat species are designated as Species of Special Concern: big brown bat, red bat, hoary bat, and silver-haired bat. While a comprehensive statewide inventory for bats has not been completed, based on historical evidence it is likely that several of these species occur within the project area during spring/fall migration, the summer breeding season, and/or for overwintering. However, our Agency does not anticipate significant impacts to any of the bat species as a result of this project.

***SIGNIFICANT WILDLIFE HABITAT***

**Significant Vernal Pools**

At this time MDIFW Significant Wildlife Habitat (SWH) maps indicate no known presence of Significant Vernal Pools (SVPs) in the project search area. However, a comprehensive statewide inventory for Significant Vernal Pools has not been completed. SVPs are not included on MDIFW maps until project areas have been surveyed using approved methods and the survey results confirmed. Therefore, their absence from resource maps is not necessarily indicative of an

November 27, 2024

Letter to Jeanna Leclerc, Watershed Resource Consultants LLC

Comments RE: 12 North Penobscot Road, Penobscot

absence on the ground. We recommend that surveys for vernal pools be conducted within the project boundary by qualified wetland scientists prior to final project design to determine whether there are Significant Vernal Pools present in the area. These surveys should extend up to 250 feet beyond the anticipated project footprint because of potential performance standard requirements for off-site Significant Vernal Pools, assuming such pools are located on land owned or controlled by the applicant. Once surveys are completed, survey forms should be submitted to our Agency for review well before the submission of any necessary permits. Our Department will need to review and verify any vernal pool data prior to final determination of significance.

## ***AQUATIC RESOURCES***

### **Fish Habitat**

We generally recommend that 100-foot undisturbed vegetated buffers be maintained along streams. Buffers should be measured from the edge of stream or associated fringe and floodplain wetlands. Maintaining and enhancing buffers along streams is critical to the protection of water temperatures, water quality, natural inputs of coarse woody debris, and various forms of aquatic life necessary to support conditions required by many fish species. Stream crossings should be avoided, but if a stream crossing is necessary, or an existing crossing needs to be modified, it should be designed to provide full fish passage. Small streams, including intermittent streams, can provide crucial rearing habitat, cold water for thermal refugia, and abundant food for juvenile salmonids on a seasonal basis and undersized crossings may inhibit these functions. Generally, MDIFW recommends that all new, modified, and replacement stream crossings be sized to span at least 1.2 times the bankfull width of the stream. In addition, we generally recommend that stream crossings be open bottomed (i.e., natural bottom), although embedded structures which are backfilled with representative streambed material have been shown to be effective in not only providing habitat connectivity for fish but also for other aquatic organisms. Construction Best Management Practices should be closely followed to avoid erosion, sedimentation, alteration of stream flow, and other impacts as eroding soils from construction activities can travel significant distances as well as transport other pollutants resulting in direct impacts to fisheries and aquatic habitat. In addition, we recommend that any necessary instream work occur between July 15 and October 1.

This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance, we recommend additional consultation with the municipality, and other state resource and regulatory agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance. For information on federally listed species, contact the U.S. Fish and Wildlife Service's Maine Field Office (207-469-7300, [mainefieldoffice@fws.gov](mailto:mainefieldoffice@fws.gov)).

November 27, 2024

Letter to Jeanna Leclerc, Watershed Resource Consultants LLC

Comments RE: 12 North Penobscot Road, Penobscot

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

A handwritten signature in cursive script, appearing to read "Ciara Wentworth", written in dark ink.

Ciara Wentworth

Natural Resource Biologist