

The Spar
280 Island Avenue
Long Island, ME 04050
Phone 207-766-3310 Fax 207-766-0076

Town of Long Island
P.O. Box 263
Long Island, ME 04050

Attention: Planning Board

Gentlemen,

7/8/08

Please refer to Mrs. Jacobs's letter of 4/2/08 and my letters of 5/12/08 and 6/3/08. In addition to the information in my letters, issues raised at the 6/10/08 Planning Board meeting are addressed below;

- 1) I am submitting a copy of a water analysis, which states that the Spar water is potable please refer to the copy of the analysis report, attached.
- 2) I am also submitting a proposal from Owen Haskell, Inc. for a topographic survey of the Spar property. If the Planning Board, despite the fact that they have previously determined that the contour map was not required, makes the contour map a condition of site and subdivision approval I will authorize Owen Haskell's proposal. To reiterate, the Planning Board previously determined that the contour map was not required because the project will utilize the existing Spar footprint and the contours will be untouched. Therefore the site contours will be the same before and after project completion.
- 3) Regarding, 6.2C1. I met with the Portland Planning & Development Department regarding zoning ordinances prior to and including June 5, 1957. Ms. Marge Schmuckal, Zoning Administrator stated that it would not be possible to track down specifics on zoning June 5, 1957 and prior. It is my understanding that a member of the Planning Board has talked to the Portland Planning & Development Department and can confirm the above. But regardless 6.2B will allow for the project.

4) Also submitted with this letter is an updated Spar narrative with supporting documentation.

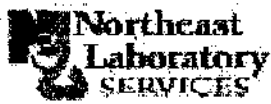
If this does not cover all the issues regarding the Spar site and subdivision submittal please advise and I will provide an immediate response.

Regards

A handwritten signature in black ink, appearing to read "John Wary", with a long horizontal flourish extending to the right.

John Wary President Spar

Cc: Selectmen, Mr. J Nagel Mr. L Lowry



P.O. Box 700
Waterville, Maine 04903-0700

227 China Road
Winslow, Maine 04901

Administrative Offices
Phone: 207-873-7711
Fax: 207-873-7022

Customer Service
Phone: 800-244-8378
Fax: 207-873-7022

ANALYSIS REPORT

Attention: **JOHN WARY**
164 ATLANTIC LN
LONG ISLAND ME 04050

Lab ID Number: PH05153
P.O. Number: PH05152 ck2436
Date Collected: 06/24/2008 06:30 AM
Date Received: 06/24/2008 04:30 PM
Date Reported: 06/25/2008

Well Owner: John Wary
Well Location: 280 Island Ave Long Island ME
Well Type:
Sample Type: Potability

Parameter	Result	Unit	Detection Limit	Method	Preparation Date/Time	Analysis Date/Time	Analyst
E. coli - Coliform MPN Enumeration	<1	MPN/100mL	1	SM9223B	06/24/08 16:30	06/25/08 16:20	KM
Total Coliform Coliform MPN Enumeration	<1	MPN/100mL	1	SM9223B	06/24/08 16:30	06/25/08 16:20	KM

Comments:

This water is satisfactory for drinking for the above tests only.

Results are reported on a wet weight basis.

This report shall not be reproduced, except in full, without written permission from Northeast Laboratory Services.

Results meet the requirements of the NELAC standards unless otherwise noted above.

If you have any questions regarding your results please call 1-800-244-8378 ext 301.

Reviewed By: *Pamela Doughty* Review Date: 06/25/2008
Pamela Doughty, Total Quality Manager

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OWEN HASKELL, INC.



Professional Land Surveyors

390 U.S. Route 1, Unit 10 • Falmouth, Maine 04105 • 207/774-0424 • FAX: 774-0511 • ohi@owenhaskell.com

June 25, 2008

John Wary
280 Island Avenue
Long Island, Maine 04050

RE: Topographic survey

Dear John:

Owen Haskell, Inc. is pleased to provide the following proposal for the above referenced project.

We will complete a topographic survey of your property located on Island Avenue, Long Island, Maine Tax Map 97 Block G Lot 1 for a fee of \$1,500.00. We currently have this project scheduled for September, 2008.

If you have any questions or would like additional information please do not hesitate to call. Thank you for considering Owen Haskell, Inc. for your surveying needs.

Very truly yours,

OWEN HASKELL, INC.



Ellen C. Brewer

File: 2005-135-QUO-ECB

The Spar Project

The existing Spar property contains the Spar Restaurant, the Spar house and Long Island's post office. The Spar project consists of the conversion of the restaurant into four multi-family units. The post office and Spar house would remain intact. The project will improve the ecology and aesthetics of the environs on the north shore of Long Island Maine.

The Spar project would utilize the existing property footprint. The existing footprint will not be expanded and no ground would be disturbed. The Spar house and post office structures would remain as is, but their exteriors would be upgraded to the new addition's standards. The restaurant section would be raised a story and a half, well within the Town's 35 foot elevation restriction.



The Spar site as it is today



An architectural rendition of the project

As can be seen the design of the building will enhance the beauty of the area.

There will be a maximum of eleven bedrooms on site. The Spar's advanced waste treatment and overboard discharge systems can easily handle this multi-family use while improving the ecology of the area. The advanced waste treatment system utilizes an activated sludge method to refine the wastewater and a chlorine unit to eliminate pathogens. A letter from the State of Maine's Bureau of Land and Water Quality, on file in the Town of Long Island office, states that the conversion of the restaurant to multi-family housing will have a positive effect on Long Island's waters.

The project will eliminate the acute parking congestion created by the restaurant. Each family unit will be allowed a single golf cart, which can easily be parked off the street in the existing area used for Ponce's parking. The location is close to Mariner's landing and ferry parking for the units should be negligible. As an added bonus, people congestion from the restaurant will be eliminated along with the youngsters' hang out on the wall.

The Spar dock and moorings will be available for the Town's B&Bs and other Town rentals. This project should increase employment and could have a positive impact on our school.

As shown there are many positive aspects of this project. It will be beneficial for the Town of Long Island and the environment.

Furthermore this project is compatible with the objectives of the State of Maine's Guidelines for Municipal Shoreland Zoning Ordinances objectives as stated in Title 38: Waters and Navigation Chapter 19: Coastal Management Policies 1801. Findings and declaration of coastal management policies.

Detail project plans are on file with the Town of Long Island.



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDAGGI
GOVERNOR

DAVID P. LITTLE
COMMISSIONER

August 21, 2007

Spar Venture Inc.
Attn: John Wary
280 Island Avenue
Long Island, Me 04050

RE: OBD License W007773 redevelopment questions.

Dear Mr. Wary;

It is a pleasure hearing from you. I hope you are enjoying this slow easy summer.

You are proposing to expand/redevelop the residential component of your facility as a multi-unit dwelling containing no more than sixteen bedrooms and eliminate the restaurant component. It is my understanding that each residential unit would contain a minimum of two bedrooms. You are asking if the OBD licensing program would allow such redevelopment and what effect the change would have on the environment. I will attempt to limit my response to the wastewater disposal issues under my purview.

At present, the Spar Venture (facility) consists of a three-bedroom dwelling, a post office and the 100-seat Spar Restaurant. The wastewater currently receives secondary treatment from an overboard discharge system consisting of a Chromaglass CA-15 mechanical wastewater treatment system with chlorine disinfection. The design flow of the facility exceeds the treatment capacity and license limit. However, you have demonstrated by metering that the actual discharge rarely exceeds the limits.

Under the provisions of the *Classification of Maine waters*, 38 MRS § 464 (4)(A) the Department may not issue a water discharge license for . . . new discharges of domestic pollutants to the surface waters of the State that are not conveyed and treated in municipal or quasi-municipal sewage facilities. For the purposes of this subparagraph, "new discharge" means any overboard discharge that was not licensed as of June 1, 1987, except discharges from vessels and those discharges that were in continuous existence for the 12 months preceding June 1, 1987, as demonstrated by the applicant to the Department with clear and convincing evidence. The volume of the discharge from an overboard discharge facility that was licensed as of June 1, 1987 is determined by the actual or estimated volume from the facilities connected to the overboard discharge facility during the 12 months preceding June 1, 1987 or the volume allowed by the previous license, whichever is less, unless it is found by the Department that an error was made during prior licensing.

Historically, the Department has allowed the conversion of an existing structure to another use other than that which existed in the qualifying year provided the change did not increase the discharge as licensed or introduce new toxins. For example, several people have chosen to use a portion of their building as a home occupation such as a bakery or craft shop, eliminating bedrooms to offset the design flow of the business. Some have converted multiple bedroom homes to bed and breakfasts with an equivalent design flow. Still others have taken a commercial use and converted them to a dwelling. The Department has generally allowed these changes provided the design flow did not exceed the estimated or actual flow as it existed in the qualifying year prior to June 1, 1987. For estimation purposes, we have been using Tables 501.1 and 501.2 of the *Maine Subsurface Waste Water Disposal Rules*, 10-144 CMR 241 (effective August 1, 2005).

AUGUSTA
STATE HOUSE STATION
AUGUSTA, MAINE 04330-0017
(207) 287-2888 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
322 CANCO ROAD
PORTLAND, MAINE 04303
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1255 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2054
(207) 764-0477 FAX: (207) 760-3143

Prior to the September 13, 2003 law changes and clarifications, the Department allowed additional development provided the design flow did not exceed the discharge as licensed. For example, the Department did not object to the addition of a third bedroom to a two-bedroom home for folks licensed to discharge 300 gallons per day as the design flow for a two-bedroom and three-bedroom home are 180 gpd and 270 gpd respectively, both below the 300 gpd licensed limit. However, the Department would not sanction the addition of a fourth bedroom to a three-bedroom home licensed for 300 gpd, as it would result in an estimated design flow of 360 gpd. The law changes of September 2003 specifically prohibited the addition of new sources of discharge so the Department has ceased approval of any bedroom additions.

Under this licensing schema, we have no objection to the expansion of the residential use with the elimination of the restaurant as we find that the design flow for the proposal is equal to or less than the existing development. Additionally, we believe that the change will actually improve the quality of your discharge because the flows would be more consistent, allowing a steady treatment biology to establish itself in your mechanical treatment system. Currently, the system biology is starved on the slow days between Sunday and Wednesday, during long rainy/foggy periods, and in the winter when the restaurant is closed. Conversely, the system has been pushed to capacity on Friday and Saturday evenings during the summer and holidays. Your proposal would create a situation where the flow remains consistent over the week, better maintaining the biology of the treatment system and improving the treatment of the wastewater theoretically yielding better water quality. Therefore, it is reasonable to predict that the change may have a positive effect on the environment.

Again, this opinion is that of the wastewater program. The scope is limited to the wastewater treatment aspect, and does not address shoreland zoning, drinking water or other environmental licensing issues.

If you have any questions or need further assistance, don't hesitate to call me at (207) 287-6301 or by Email at michael.demarest@maine.gov

Sincerely,



Michael Demarest
Project Analyst
Overboard Discharge Program
Division of Water Resource Regulation
Bureau of Land and Water Quality

Cc: James Nagle, CEO, Long Island

Maine Revised Statutes

☑ [§1801 PDF](#)

[§1757](#)

Title 38: WATERS

[§1802](#)

☑ [§1801 WORD/RTF](#)

AND NAVIGATION

☑ [STATUTE SEARCH](#)

Chapter 19: COASTAL MANAGEMENT POLICIES

☑ [CH. 19 CONTENTS](#)

☑ [TITLE 38
CONTENTS](#)

§1801. Findings and declaration of coastal management policies

☑ [LIST OF TITLES](#)

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☑ [MAINE
LEGISLATURE](#)

The Legislature finds that the Maine coast is an asset of immeasurable value to the people of the State and the nation, and there is a state interest in the conservation, beneficial use and effective management of the coast's resources; that development of the coastal area is increasing rapidly and that this development poses a significant threat to the resources of the coast and to the traditional livelihoods of its residents; that the United States Congress has recognized the importance of coastal resources through the passage of the United States Coastal Zone Management Act of 1972 and that in 1978 Maine initiated a coastal management program in accordance with this Act which continues to be of high priority; and that there are special needs in the conservation and development of the State's coastal resources that require a statement of legislative policy and intent with respect to state and local actions affecting the Maine coast. [1985, c. 794, Pt. A, §11 (NEW).]

The Legislature declares that the well-being of the citizens of this State depends on striking a carefully considered and well reasoned balance among the competing uses of the State's coastal area. The Legislature directs that state and local agencies and federal agencies as required by the United States Coastal Zone Management Act of 1972, PL 92-583, with responsibility for regulating, planning, developing or managing coastal resources, shall conduct their activities affecting the coastal area consistent with the following policies to: [1985, c. 794, Pt. A, §11 (NEW).]

1. Port and harbor development. Promote the maintenance, development and revitalization of the State's ports and harbors for fishing, transportation and recreation;

[1985, c. 794, Pt. A, §11 (NEW) .]

2. Marine resource management. Manage the marine environment and its related resources to preserve and improve the ecological integrity and diversity of marine communities and habitats, to expand our understanding of the productivity of the Gulf of Maine and coastal waters and to enhance the economic value of the State's renewable marine resources;

[1985, c. 794, Pt. A, §11 (NEW) .]

3. Shoreline management and access. Support shoreline management that gives preference to water-dependent uses over other uses, that promotes public access to the shoreline and that considers the cumulative effects of development on coastal resources;

[1985, c. 794, Pt. A, §11 (NEW) .]

4. Hazard area development. Discourage growth and new development in coastal areas where, because of coastal storms, flooding, landslides or sea-level rise, it is hazardous to human health and safety;

[1985, c. 794, Pt. A, §11 (NEW) .]

5. State and local cooperative management. Encourage and support cooperative state and municipal management of coastal resources;

[1985, c. 794, Pt. A, §11 (NEW) .]

6. Scenic and natural areas protection. Protect and manage critical habitat and natural areas of state and national significance and maintain the scenic beauty and character of the coast even in areas where development occurs;

[1985, c. 794, Pt. A, §11 (NEW) .]

7. Recreation and tourism. Expand the opportunities for outdoor recreation and encourage appropriate coastal tourist activities and development;

[1985, c. 794, Pt. A, §11 (NEW) .]

8. Water quality. Restore and maintain the quality of our fresh, marine and estuarine waters to allow for the broadest possible diversity of public and private uses; and

[1985, c. 794, Pt. A, §11 (NEW) .]

9. Air quality. Restore and maintain coastal air quality to protect the health of citizens and visitors and to protect enjoyment of the natural beauty and maritime characteristics of the Maine coast.

[1985, c. 794, Pt. A, §11 (NEW) .]

SECTION HISTORY

1985, c. 794, §A11 (NEW).

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