



Planning Board

Tuesday, June 25, 2024 at 6:30 pm

Town of China, Maine Planning Board Meeting - 6:30 p.m.

Agenda for Tuesday, June 25, 2024

Join Zoom meeting

[Join Zoom Meeting](#)

Meeting ID: 848 6647 3561 Passcode: 251601

Dial by your location

• +1 646 931 3860 US

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
 - a. District 1 - Michael Brown
 - b. District 2 - Toni Wall - Co-Chair
 - c. District 3 - Elaine Mather
 - d. District 4 - Vacant
 - e. At-Large - Vacant
 - f. Alternate At-Large - Natale Tripodi
4. Approval of Minutes- none at this time.
5. Unfinished business
 - a. Chapter 2 - Section 6 Land Use Ordinance- continue updates
6. New business
 - a. CU Application
281 Lakeview Drive- Grace's Busy Bees Learning Care
Attachments:

- Grace's Busy Bees CU application (27-053-A_-_Grace_s_Busy_Bees_-_CU_applicati on.pdf)
 - Map 27 Lot 53A plans (27-053-A_plans.pdf)
 - b. New Ordinance- Condemning Places
 - c. New Ordinance- Mass Gathering
 - d. New Ordinance- Site Plan Review
 - e. Ordinance Prohibiting Retail Marijuana Establishments in China-
Update/Revisit
7. Code Enforcement Officer report
8. Public comment

9. Planning Board members comments and communications

10. Next meeting - July 9, 2024

11. Adjourn

| Agenda published on 06/18/2024 at 2:46 PM

REQUEST TO MEET WITH THE CHINA PLANNING BOARD

NAME: DAVID W. LANDMANN R.A.

PHONE: 671-4552

ADDRESS: 16 COYOTE LANE

CITY/TOWN: WINDSOR ME

ZIP: 04363

DW LANDMANN @ YAHOO.COM

I, DAVID W. LANDMANN R.A., am requesting to be placed on a forthcoming meeting agenda with the China Planning Board to review my intentions for the following:

ZBI HAKESHORE DRIVE, ONE REALTY,
NORM ELVAH, CORALIS BUSY BEES DAYCARE

Please notify me of the time that I may be scheduled for review with the local Planning Board.

Thank you,



Signature of Applicant

6-14-24

Date

Town of China
Conditional Use Permit Application

Conditional Use Permits: The Planning Board shall approve a Conditional Use Application if all of the following criteria are met inclusive of conditions:

- 1. The proposed use will meet the definition or specific requirements set forth in this Ordinance or will be in compliance with applicable State or Federal laws.**

Findings and statement of reasons: The proposed use is permitted in accordance with the China Land Development Code, Chapter 2, Land Use Ordinance, Section 4, USES, Item# 15, regarding the CHANGE OF USE for the purposes of DAYCARE. The property is located in a SARE/RUP district at the location of ZBI LAKE SURE in China, Maine. China Tax Map 27, Lot 53A identifies the property. The proposal is permitted with a conditional use permit from the Planning Board.

Response: CHANGE OF USE: RESTAURANT TO DAYCARE IS PERMITTED

- 2. The proposed use will not create fire safety hazards by providing adequate access to the site, or to the buildings on the site, for emergency vehicles.**

Response: FIRE SAFETY IS IMPROVED

- 3. The proposed exterior lighting will not create hazards to motorists traveling on adjacent public streets, and is adequate for the safety of occupants or users of the site, or will not damage the value and diminish the usability of adjacent properties.**

Response: NO CHANCE

- 4. The provisions for buffers and on-site landscaping will provide adequate protection to neighboring properties from detrimental features of the development.**

Response: NO CHANCE

5. The proposed use will not have a significant detrimental effect on the use and peaceful enjoyment of abutting property as a result of noise, vibrations, fumes, odor, dust, glare or other cause.

Response: NO DETRIMENTAL EFFECT

6. The provisions for vehicular loading and unloading and parking, and for vehicular and pedestrian circulation on the site and onto adjacent public streets will not create hazards to safety.

Response: NO DETRIMENTAL EFFECT

7. The proposed use will not have a significant detrimental effect on the value of adjacent properties or could be avoided by reasonable modification of the plan.

Response: NO DETRIMENTAL EFFECT

8. The design of the site will not result in significant flood hazards or flood damage or is in conformance with applicable flood hazard protection requirements.

Response: NO DETRIMENTAL EFFECT

9. Adequate provision has been made for disposal of wastewater, or solid waste, or for the prevention of ground or surface water contamination.

Response: EXISTING SYSTEM IS COMPLIANT + FUNCTIONING CORRECTLY. TOTAL VOLUME WILL BE LESS

10. Adequate provision has been made to control erosion or sedimentation.

Response: **NO CHANCE**

11. Adequate provision has been made to handle storm water runoff or other drainage problems on the site.

Response: **NO CHANCE**

12. The proposed water supply will meet the demands of the proposed use or for fire protection purposes.

Response: **NO DEMAND INCREASE**

13. Adequate provision has been made for the transportation, storage, and disposal of hazardous substances and materials as defined by State law.

Response: **COMPLIANT**

14. The proposed use will not have an adverse impact on significant scenic vistas or on significant wildlife habitat or could be avoided by reasonable modification of the plan.

Response: **NO CHANCE**

15. When located in the Resource Protection District, Stream Protection District, Shoreland District, the proposed use will meet the standards in Section 5 of this Ordinance.

Response: **STANDARDS ARE MET**

Town Of China
Application for a Permit from the Planning Board

Applicant DAVID W. LANDMANN R.A. Phone (Home) 4/A
Mailing Address 16 COYOTE LANE (Work) 4/A
WINDSOR ME 04363 (Cell) 207-671-4552

Property Owner G+E REALTY - NORM ELVIN Phone (Home) _____
Mailing Address 669 RIVERSIDE DR. (Work) _____
AUGUSTA ME 04330-8300 (Cell) _____

Property Address 281 LAKE SHORE DR Map 27 Lot 53A
(FORMER CHINA DINE-AR) Book 9897 Page 50

If applicant is not the property owner, provide a copy of a lease agreement, purchase and sale agreement subject to Planning Board approval or other document demonstrating that you have title to the property.

Acreage of Lot ~~2.0~~ 1.6 ACRES **ATTACHED**

Existing use of property COMMERCIAL

Property is zoned as: _____ Resource Protection _____ Stream Protection Shoreland Rural

- Proposed Use(s) – Check all that apply
- Subdivision
 - Multi Family Residence
 - New Commercial Structure or Addition
 - Change of Use
 - Dock (_____ Temporary, _____ Permanent)
 - Timber Harvest – Check all that apply
 - Resource Protection, Shoreland, Stream Protection Exceeds 40%
 - Filling or other earth moving **less than** 100 cubic yards
 - Filling or other earth moving **greater than** 100 cubic yards
 - Other _____

1. Site Plan – Provide a site plan with the following information. A GIS based map will often be a good starting point to provide the information in a scaled format. A hand drawn map may also be acceptable.
- Plot of lot and abutting properties drawn to scale
 - North arrow and scale of map
 - Location of existing and proposed septic system and well
 - Location of footprint of existing and proposed building(s) and/or addition(s)
 - Location of water bodies, wetlands, and other natural features such as wooded areas
 - Designation of areas that will be cleared
 - Location of public roads that will provide access to the site
 - Location of parking areas, pedestrian access ways, and points of ingress and egress from public streets to the lot
 - Location of existing and proposed vegetative and non-vegetative buffers and proposed

landscape plantings

- Location of phosphorus buffer or other phosphorus treatment system, if applicable
- Location of existing and proposed outdoor lighting and signs
- Location of shoreland and flood zones, if applicable

2. Provide a narrative explaining the project including proposed use(s). Include hours and days that the proposed business will be open.

SEE ATTACHED

3. Provide a copy of the existing septic system HHE-200 form, if available. This can be obtained from the CEO / LPI.

Design flow of septic system TANK: 2450 GPD / FIELD: 3080 GPD

4. Provide a copy of the proposed septic system evaluation by a licensed site evaluator if this is deemed necessary by the Town's LPI. SEE SHEET S2 ATTACHED

Proposed design flow of septic system NO CHANGE

Signoff of LPI The existing septic system is is not adequate and does not need review by a licensed site evaluator.

Nicholas W. French
LPI Town of China

5. Indicate which permits are required in addition to the Planning Board Conditional Use Permit. The CEO can provided assistance with this.

- Town subdivision
- Town Floodplain Management
- Town Building
- Town Septic
- Town internal plumbing
- Town CEO
- DEP NRPA

- _____ DEP Stormwater
- _____ DEP Site Location of Development
- _____ DOT Driveway Entrance
- _____ DOT Traffic Movement Permit
- ✓ _____ Fire Marshall's Office **PENDING - APPLIED FOR**
- ✓ _____ Dept of Human Services " " "
- _____ U S Army Corp of Engineers
- _____ Other _____

6. a. Provide a copy of the State DOT driveway entrance permit if a new driveway is proposed on a state road or if the DOT determines that a driveway entrance permit is necessary for a change of use.
- b. Provide a copy of the DOT traffic movement permit if it is required.
7. Provide an evaluation of the phosphorus control methodology to be used on the lot if the phosphorus control ordinance is applicable for the proposal. The CEO will verify whether or not this is applicable to your proposal.

Signoff of CEO - The proposed use does ~~does not~~ require phosphorus controls to be implemented.

Nicholas W. French
CEO Town of China

8. Provide a sketch of the proposed building(s) or addition(s) including height, width, footprint, and floor plan. **No CHANGE, EXCEPT PLAYGROUND**
9. Verify that lot coverage, lot area, property line and water setbacks requirements, and structure height requirements will be met if additions or new structures are proposed (see section 5(A) and 5(B) of Land Use Ordinance for specific requirements).

Dimensional Requirements	Required	Actual/Proposed
Lot Coverage	No CHANGE	No CHANGE
Lot Area	No CHANGE	1.6 ACRES
Property Line Setbacks Road	25 ft	No CHANGE
Side	10 ft	" "
Rear	15 ft	" "
Water or Wetland Setback		No CHANGE
Water Frontage		N/A
Structure Height	Not greater than 35 ft	No CHANGE

The information provided is accurate to the best of my knowledge.

Signed

[Signature]
Signature of applicant

Date

6-17-24

From: Norm Elvin nelvin@geroofing.com
Subject: Re: Authorization
Date: June 14, 2024 at 7:43 AM
To: David Landmann dwlandmann@yahoo.com

I, Norman S. Elvin, am the owner of G&E Reality and the owner of 281 Lakeshore Drive, China Maine. I hereby give David W. Landmann, R.A. authorization to file a Planing Board application in the matter of a change of use from a restaurant to a daycare business.

Signed

Norman S.Elvin

On Jun 14, 2024, at 7:02 AM, David Landmann <dwlandmann@yahoo.com> wrote:

like:

" I, Norman Elvin, am the owner of G&E Reality and the owner of 281 Lakeshore Drive, China Maine. I hereby give David W. Landmann, R.A. authorization to file a Planing Board application in the matter of a change of use from a restaurant to a daycare business

China – Application for a Planning Board Permit
G&E Reality - 281 Lakeshore Drive Norman Elvin, Owner
Graces Busy Bees Learning Center, operator
David W. Landmann R.A. applicant

7-17-24

Section2. Narrative

In compliance with DHHS, the SFMO, and all other Federal, State and Local laws and rules, the Owner proposes to renovate this existing commercial structure from a restaurant into a daycare facility. The renovation will take place in two Phases: first the former restaurant / Bar areas and secondly the former kitchen.

There will be no expansion of the height or footprint. The building shell will have two new egress windows added and an attic air-conditioning unit removed.

No changes to the parking, drainage, exterior lighting, road access and the like will be made, except for a new enclosed play area in the rear. It is anticipated that Average Daily Traffic will concentrate at certain times, but be lower overall. The owner anticipates staggering arrivals and departure times to maintain traffic at safe volumes

The street sign structure will remain the same. The name will change to “Graces Busy Bees Learning Center”.

Hours of operation will reflect those of Day Shift working parents.

Graces Busy Bees Learning Center -- 281 Lake Shore Dr. So. China Maine
 This project will change the former China Dine-ah to a day care center CAPPED at less than 100 clients. The kitchen will be renovated into Day-Care, beginning when Phase 1 is open. Either the Net Client Area will be reduced or the license cap increased, prior to Phase 2 entering service.

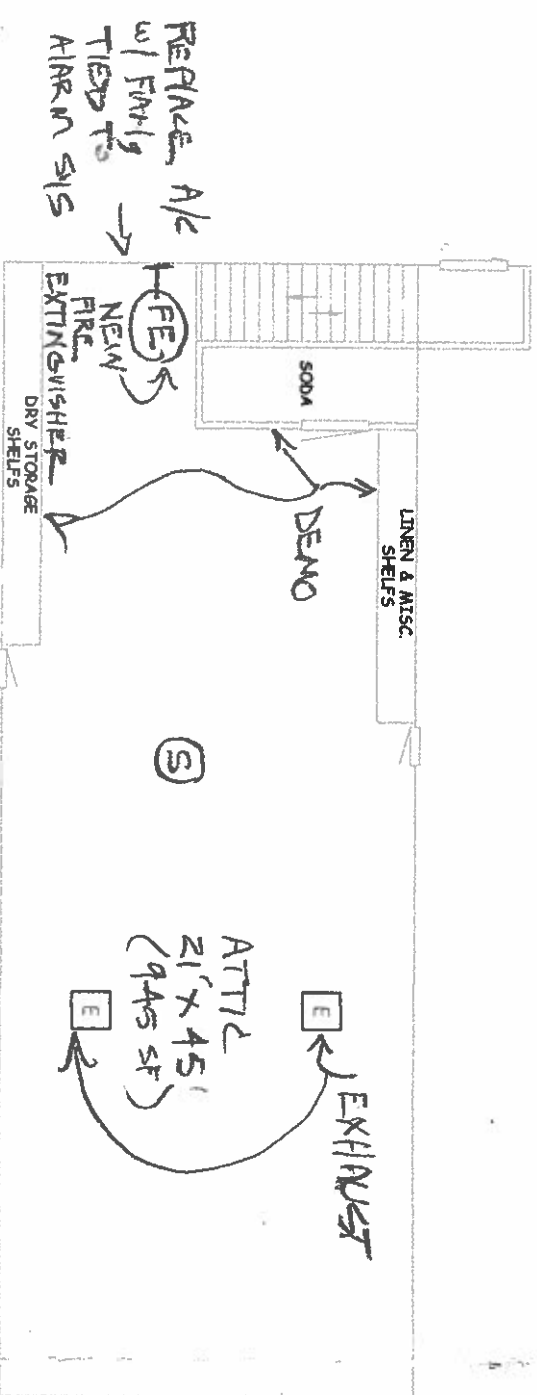
Areas of the building and NFPA Occupant Load Factor:

Phase 1: Day-Care:	2,717 SF (net client area)	78 people
Phase 2: Day-Care:	1,392 SF (net client area)	40 people
Support Spaces:	1,378 SF	0 people
Totals	5,487 SF (plus attic: 945 SF)	118 people
(Note Restaurant NFPA Occupant Load Factor:		184 people)

All season Fire Accessibility:

Dedicated Exits: Phase 1, Day-Care: 4 (plus two egress windows, one double)
 Phase 2, Day-Care: 1 (ex-kitchen)

Shared Exits: Building Total: 6 (Phase 1 Day-Care and Phase 2)
 (36" x 7 = 252". Implies 1,260 people)



ATTIC ? EXISTING & DEMO
 NO STORAGE, NO OCCUPANCY



1 HOUR FIRE	Design # UL U305	QA File # WP 3605	Sound Test # STC - 35
<p>Link to .PDF file</p> <p>Link to .DWG file</p> <p>Link to .DWG/Text file</p>			
<p>5/8" (15.9 mm) Fire-Shield Gypsum Board or 5/8" XP Fire-Shield Gypsum Board applied horizontally or vertically to each side of 2x4 wood studs 16" o.c. with 6d coated nails, 1-7/8" long, 0.0915" shank, 1/4" heads, 7" o.c. at edges. Joints of square edge, bevel edge or predecorated gypsum board may be left exposed. Joints staggered 16" on opposite sides.</p>			

1 HOUR FIRE	Design # UL U309	QA File # WP 3510	Sound Test # STC - 38
<p>Link to .PDF file</p> <p>Link to .DWG file</p> <p>Link to .DWG/Text file</p>			
<p>5/8" (15.9 mm) Fire-Shield Gypsum Board or 5/8" XP Fire-Shield Gypsum Board applied horizontally or vertically to each side of 2x4 wood studs 24" o.c. with 6d coated nails, 1-7/8" long, 0.0915" shank, 1/4" heads, 7" o.c. at edges. Joints of square edge, bevel edge or predecorated gypsum board may be left exposed. Joints staggered 24" on opposite sides.</p>			

The building is single story Type V III construction, with an un-occupiable attic.
 Interior wall construction:

Phase 1, New Walls: 1 hour, UL U305 or U309
 Existing Walls: 1 hour, UL U305 or U309 (presumed, to be determined)
 Existing columns / beams: 1 hour, UL U305 or U309 (presumed, to be determined)

Finishes: Class A paint throughout.

Sprinkler System: None

Alarm System: Throughout the entire building, including the Attic and Phase 2, monitored and supervised, as per NFPA 75

Accessibility: Fully ADA compliant

Toilets: None

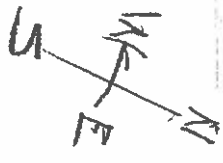
Ramp / Barriers: Fully compliant

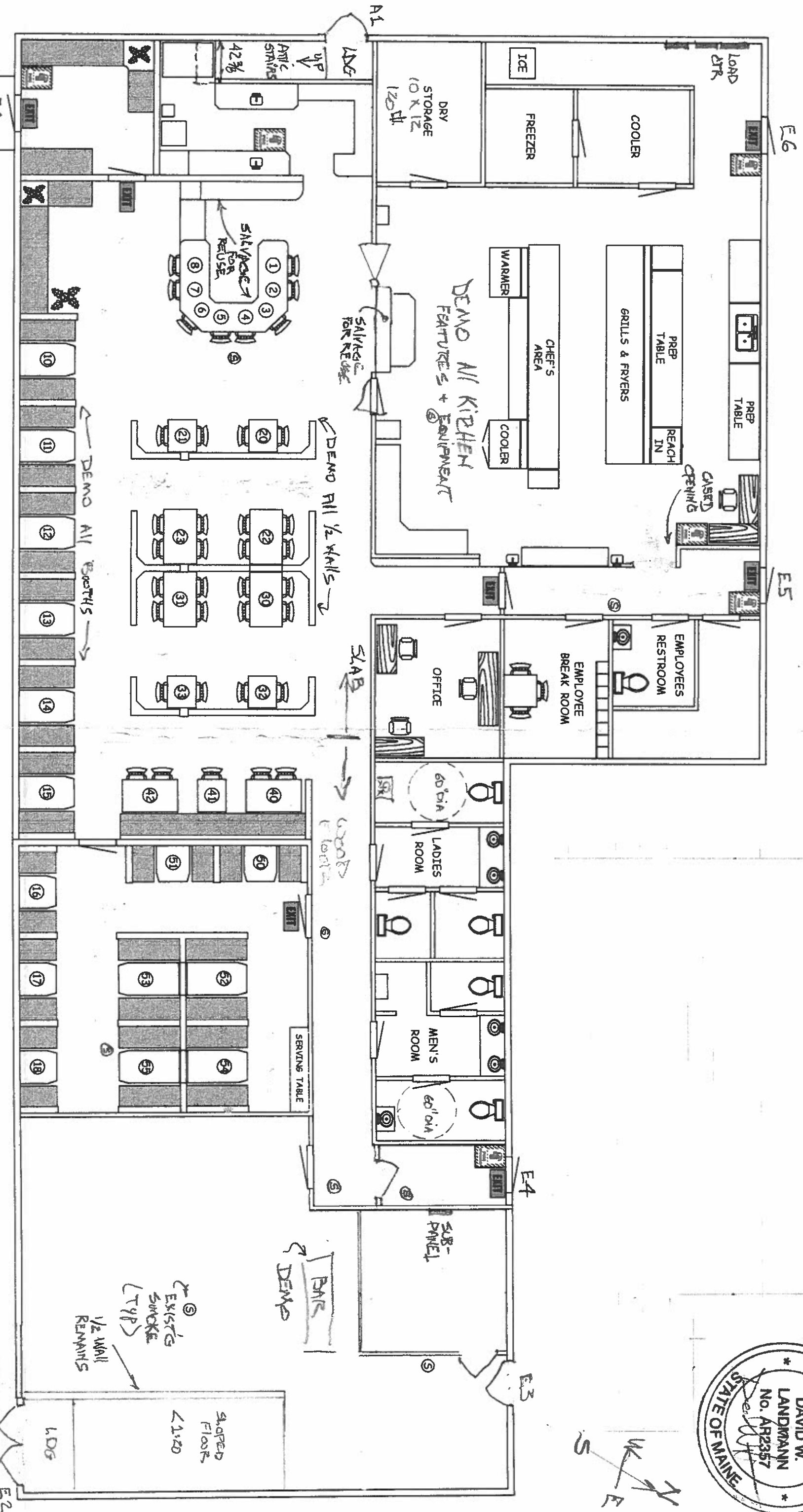
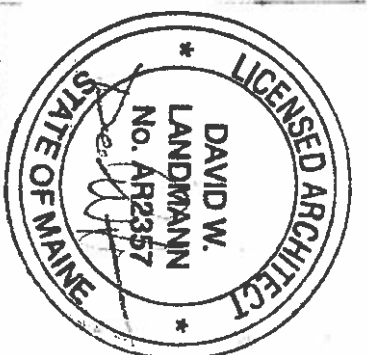
Strobes and signage: Provided

Accessible parking: Provided

Base Drawing Notes:
 1) Base drawings were, provided by the owner, spot checked and verified by the Architect.
 2) Bar scale was derived from known and verified measurements and does NOT relate to any known Engineering or Architecture scale. Use the provided Bar Scale for all measurements.

1	GRACES BUSY BEES LEARNING CENTER	DATE	DRAWN BY	DAVID W. LANDMANN, R.A.
6-12-24	281 LAKEVIEW DR SO CHINA ME			16 Coyote Lane, Windsor Maine 04363 Phone: 207-671-4552 E-Mail: DWLandmann@yahoo.com

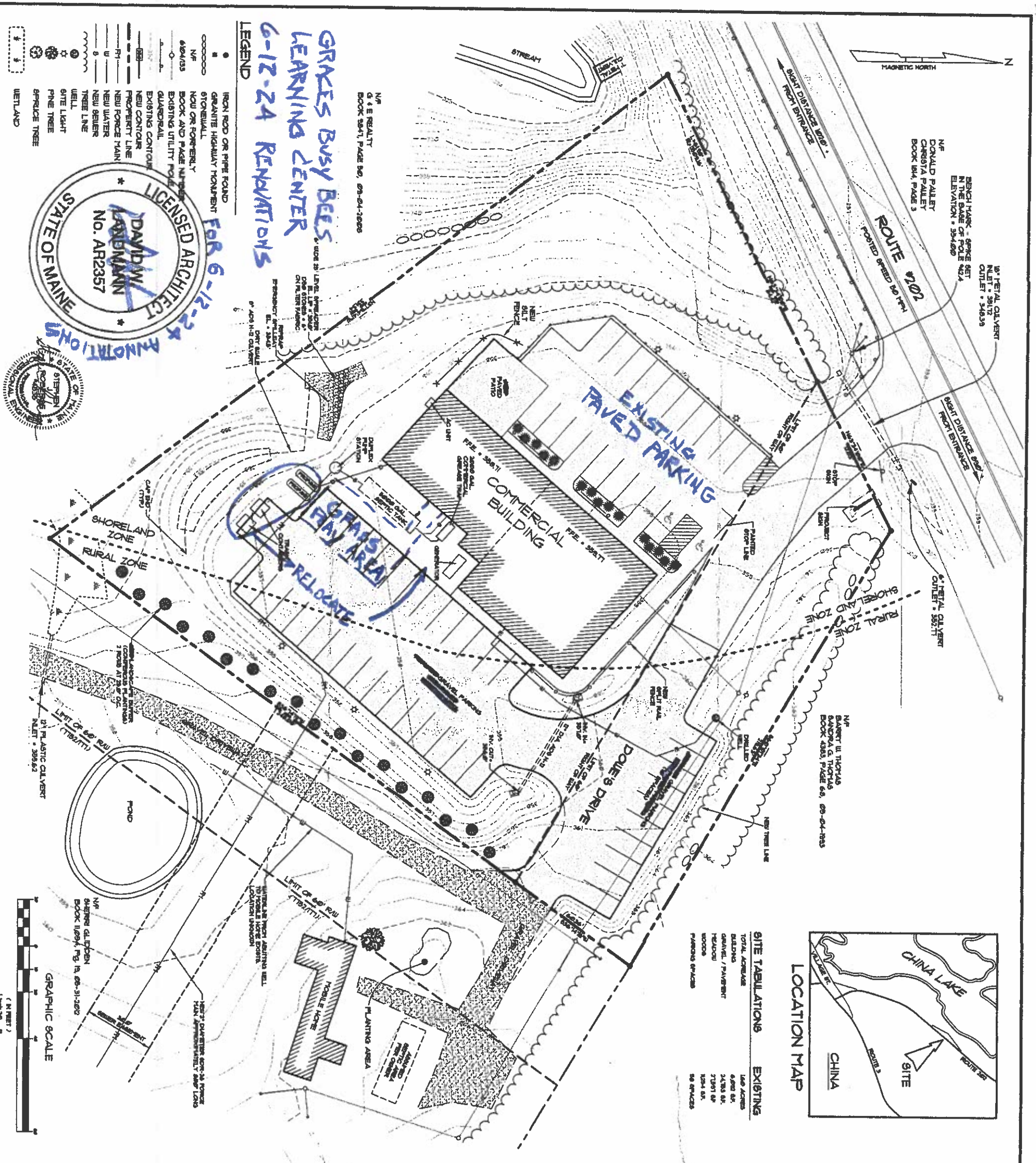




GRAND FL: EXISTING + DEMO



A2		GRACE'S BUSY BEES		David W. Landmann, R.A.	
Sheet number		LEARNING CENTER		16 Coyote Lane, Windsor Maine 04363	
6-12-24		ZEBI LAKE SHORE DR		Phone: 207-671-4552	
Project no.		S&O CHINA W&E		E-Mail: DWLandmann@yahoo.com	
date		date		drawn by	

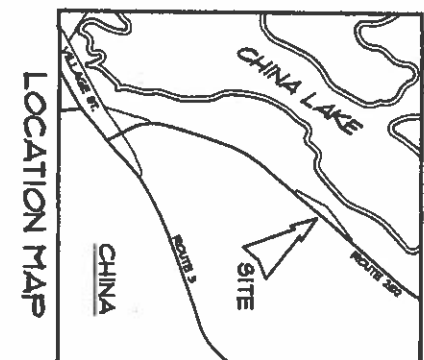


GRACES BUSY BEES LEARNING CENTER RENOVATIONS

6-12-24 RENOVATIONS

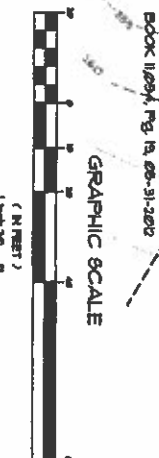
LEGEND

- IRON ROD OR PIPE FOUND
- GRANITE HIGHWAY TOWNSHIP
- STONEWALL
- N/F NEW OR FOREVERLY
- BOOK AND PAGE NUMBER
- EXISTING UTILITY POLE
- GUARDRAIL
- EXISTING CONTOUR
- NEW CONTOUR
- PROPERTY LINE
- NEW FORCE MAIN
- NEW WATER
- NEW SEWER
- TREE LINE
- WELL
- SITE LIGHT
- PINE TREE
- BURCH TREE
- WETLAND



SITE TABULATIONS

	EXISTING
TOTAL ACRES	6.092 AC.
BUILDING	2,478 SQ. FT.
GRAVEL / PAVEMENT	21,991 SQ. FT.
POOLS	1,534 SQ. FT.
PARKING SPACES	56 SPACES



GENERAL NOTES

- 1) TOPOGRAPHY AND SOILS DATA ARE FOR INFORMATION ONLY. THE CONTRACTOR SHALL VERIFY THE ACCURACY OF THE DATA AND SHALL BE RESPONSIBLE FOR OBTAINING ANY ADDITIONAL DATA NECESSARY FOR THE PROJECT.
- 2) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.
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- 4) ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODES.
- 5) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.
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REV. 3 - ADDED PARKING ALONG ACCESS DRIVE 04-13-14

REV. 1 PER PLANNER REVIEW 01-11-07 REV. 2 REVISE TURNING RADIUS 07-31-07

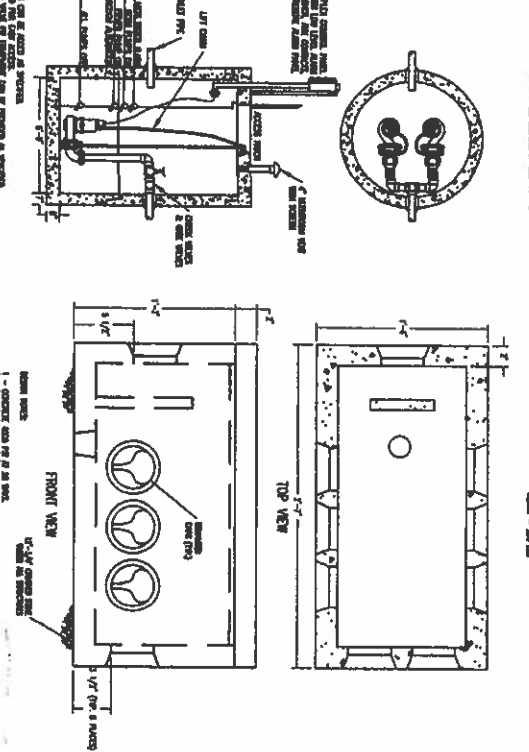
SHEET S1

SJR ENGINEERING
21 HAYFLOWER ROAD
ALLEGANY, MAINE
TEL: FAX (707) 622-1676

LISA WARDWELL / CHINA DINE AH
ROUTE 902, LAKEVIEW DRIVE
CHINA, MAINE

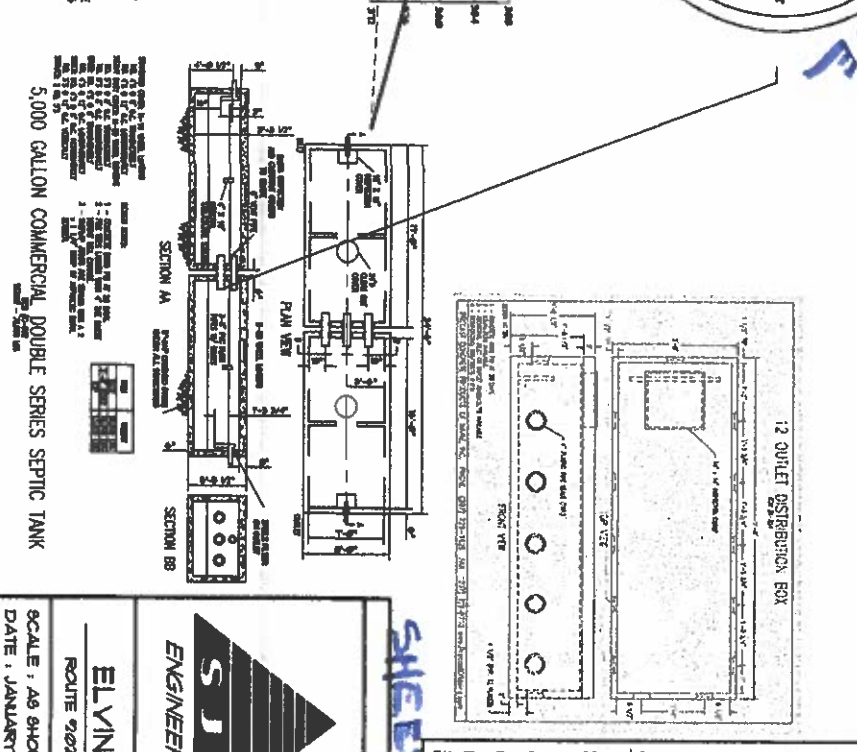
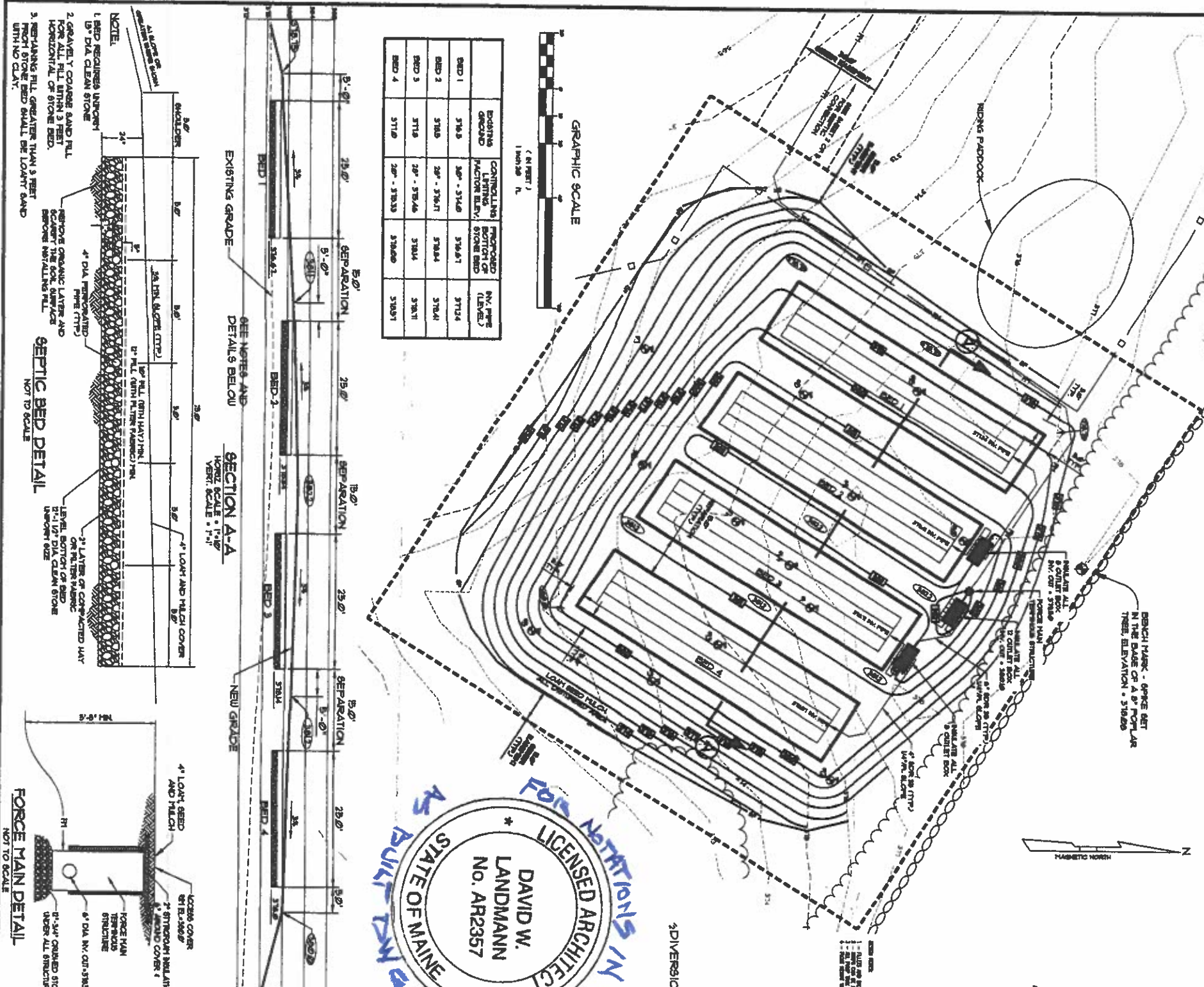
SCALE: AS SHOWN
DATE: JANUARY, 2007
DRAWN BY: JHE
CHECKED BY: SAR

6 DIA DUPLEX PUMP STATION
8 OUTLET DISTRIBUTION BOX



DIVERSIFICAD\4\06050\4\DETAIL1\6\1\DTL-1\JP DIVERSIFICAD\4\06050\4\DETAIL1\6\2\DTL-2\JP

SEPTIC SYSTEM USER NOTES
The system has been designed to accept wastewater system (1000 gal) for 300 sq ft...
Do not connect to any other sewage disposal system...
Do not connect to any other sewage disposal system...
Do not connect to any other sewage disposal system...



DAVID W. LANDMANN
LICENSED ARCHITECT
STATE OF MAINE
NO. AR2357

FOR NOTATIONS IN BLUE AS BUILT

SEPTIC DESIGN PLAN & DETAILS

ELVIN PROPERTY / CHINA DINE-AH
ROUTE 9201, LAKEVIEW DRIVE
CHINA, MAINE

SJR ENGINEERING
21 MATHLOUER ROAD
AUGUSTA, MAINE
TEL/FAX (207) 622-1676

SCALE: AS SHOWN
DATE: JANUARY, 2001
DRAWN BY: JFE
CHECKED BY: SJR