

Commonwealth of Virginia

Application for: Sewage System Water Supply

PUBLIC ENTITY

Owner MPCBPAA 15.2-6600

Mailing Address PO BOX 399

SCHACKLEFORDS VA 23156

Agent LEWIS LAURENCE

Mailing Address SAME

Site Address 9530 WHITTAKER DR

VDH Use only

Health Department ID# _____

Due Date _____

Phone _____

Phone _____

Fax _____

Phone _____

Phone _____

Fax _____

Email _____

Directions to Property: END RT 614 ONTO LANDS END LEFT ON WHITTAKER

Subdivision _____ Section _____ Block _____ Lot _____

Tax Map 47-3B 47-3 Other Property Identification _____ Dimension/Acreage of Property _____

Sewage System

Type of Approval: Applicants for new construction are advised to apply for a certification letter to determine if land is suitable for a sewage system and to apply for a construction permit (valid for 18 months) only when ready to build.

Certification Letter Construction Permit Voluntary Upgrade Repair Permit Minor Modification

Proposed Use:

Single Family Home (Number of Bedrooms 6) Multi-Family Dwelling (Total Number of Bedrooms _____)

Other (describe) _____

Basement? Yes No Walk-out Basement? Yes No Fixtures in Basement Yes No

Conditional permit desired? Yes No If yes, which conditions do you want?

Reduced water flow Limited Occupancy Intermittent or seasonal use Temporary use not to exceed 1 year

Do you wish to apply for a betterment loan eligibility letter? Yes No *There is a \$50 fee for determination of eligibility.

Water Supply

Will the water supply be Public or Private? Is the water supply Existing or Proposed?

If proposed, is this a replacement well? Yes No If yes, will the old well be abandoned? Yes No

Are any adjacent properties used for an agricultural operation? Yes No

Well Type (e.g. domestic use, agricultural, irrigation, etc.) _____

All Applicants

Is this property intended to serve as your (owners) principal place of residence? Yes No **GOVT OWNED**

All applications must be accompanied by private sector evaluations and designs, unless a petition for VDH services is approved. Is a Petition for Service form attached? Yes No

In order for VDH to process your application for a sewage system you must attached a plat of the property and a site sketch. For water supplies, a plat of the property is recommended and a site sketch is required. The site sketch should show your property lines, actual and/or proposed buildings and the desired location of your well and/or sewage system. When the site evaluation is conducted the property lines, building location and the proposed well and sewage sites must be clearly marked and the property sufficiently visible to see the topography. I give permission to the Virginia Department of Health to enter onto the property described during normal business hours for the purpose of processing this application and to perform quality assurance checks of evaluations and designs certified by a private sector Onsite Soil Evaluator or Professional Engineer as necessary until the sewage disposal system and/or private water supply has been constructed and approved.

Signature of Owner/ Agent

MPCBPAA SECRETARY

Date

7/9/25



COMMONWEALTH of VIRGINIA
THREE RIVERS HEALTH DISTRICT

SERVING ESSEX, GLOUCESTER, KING & QUEEN, KING WILLIAM, LANCASTER, MATHEWS, MIDDLESEX, NORTHUMBERLAND, RICHMOND, & WESTMORELAND COUNTIES

BRENDEN RIVENBARK
DISTRICT HEALTH DIRECTOR

P.O. BOX 415
SALUDA, VIRGINIA 23149
TELEPHONE: (804) 758-2381

April 30, 2025

Lewis Lawrence
Executive Director
Middle Peninsula Planning District Commission
P.O. Box 399
4521 Lewis B. Puller Memorial Highway
Mattaponi, VA 23156

Regarding: Captain Sinclair Recreational Area Property Redevelopment

Dear Mr. Lawrence,

Thank you for meeting with us recently regarding the redevelopment of this property in Gloucester County to include mixed use of military veteran programs, public access for boating and nature study, and waterfowl hunting.

As part of this ongoing redevelopment, you have been advised by your engineering and site evaluation team that the four-bedroom septic tank drainfield system serving the 1970's era "main house" is in need of repair. To VDH, repair permits are issued when either a system is failing pursuant to 12 VAC5-610-350 (Failure of a sewage disposal system), or when required to restore the system to normal function as defined in the construction and operation permit pursuant to 12VAC5-610-340 (Issuance of the operation permit). In other words, a "repair permit" is warranted when a sewage system is actively erupting onto the ground surface or backing up into the structure, or when the condition of the system would prevent normal satisfactory performance.

The existing system needing repair also receives flow from an unpermitted connection ("pool house"), which would need to be accounted for in the design flow. Public restrooms to serve patrons of the public access facilities are also envisioned. These additional flow sources will likely increase the design of an overall system replacement to beyond that of the system as permitted for the main house.

To summarize, this property redevelopment project includes wastewater solutions that will be an expansion upon the original use of the main house but will also include within its scope of work



installation of wastewater infrastructure necessary and required to properly repair and return to normal functionality the treatment works serving the main house.

We look forward to receiving plans and specifications from your engineering and design team for an onsite sewage system to repair the existing system and accommodate the additional flows.

Please let me know if you have any questions about this letter, or if we can be of further assistance at this time.

Sincerely,

David Fridley
Environmental Health Manager
Three Rivers Health District
David.fridley@vdh.virginia.gov



**Alternative Onsite Soil Evaluator /Professional Engineer Report for
Construction Permit**

Property Location:

Subdivision: NA Section: NA Lot: NA
 Map Reference: 47-3B & 47-3 Acreage: 33.940 County: Gloucester
 Other Property ID: 9524 Whittaker Drive

Applicant / Client and Address:

MPPDC
 PO Box 286
 Saluda, VA 23149

Prepared by:

David K. Hogan, AOSE #1940001362
 Balzer & Associates Inc.
 15871 City View Drive, Suite 200
 Midlothian, VA 23113
 (804) 794-0571

Date of Report: 6/20/2025

AOSE/P.E. Job Number: 59250006.01

Revisions:

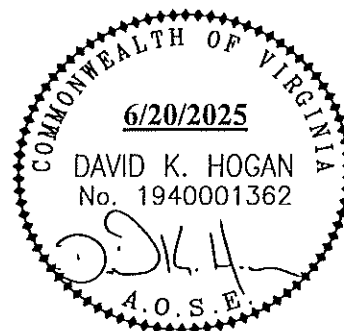
Health Dept. ID No.:

Contents/Index of this Report

	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<u>Page(s):</u>
Site Layout/Construction Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>2-4</u>
Soil Summary Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>5</u>
Soil Profile Descriptions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>6</u>
Construction Specifications	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>7-9</u>
Pump Specifications	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10-11</u>
Abbreviated Design Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>12</u>
Septic Care and Maintenance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>13</u>
Water Supply Design Specs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Certification Statement:

I hereby certify that the evaluations and/or designs contained herein were conducted in accordance with the Sewage Handling and Disposal Regulations (12 VAC5-610), the Private Well Regulations (12 VAC5-630), the Regulations for Alternative Onsite Sewage Systems (12VAC5-613) and all other applicable laws, regulations and policies implemented by the Virginia Department of Health. I further certify that I currently possess any professional license required by the laws and regulations of the Commonwealth that have been duly issued by the applicable agency charged with licensure to perform the work contained herein. The work attached to this cover page has been conducted under an exemption to the practice of engineering, specifically the exemption in The Code of Virginia Section 54.1-402.A.11.



I recommend a Construction Permit be approved

**A.O.S.E. / P.E Stamp
 Signature & Date**

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DATE: 6/20/2025
 SCALE: 1"=300'
 JOB NO: 59220006.01
 Pur: MPPDC

CHK: DKH
 DWG: BWD

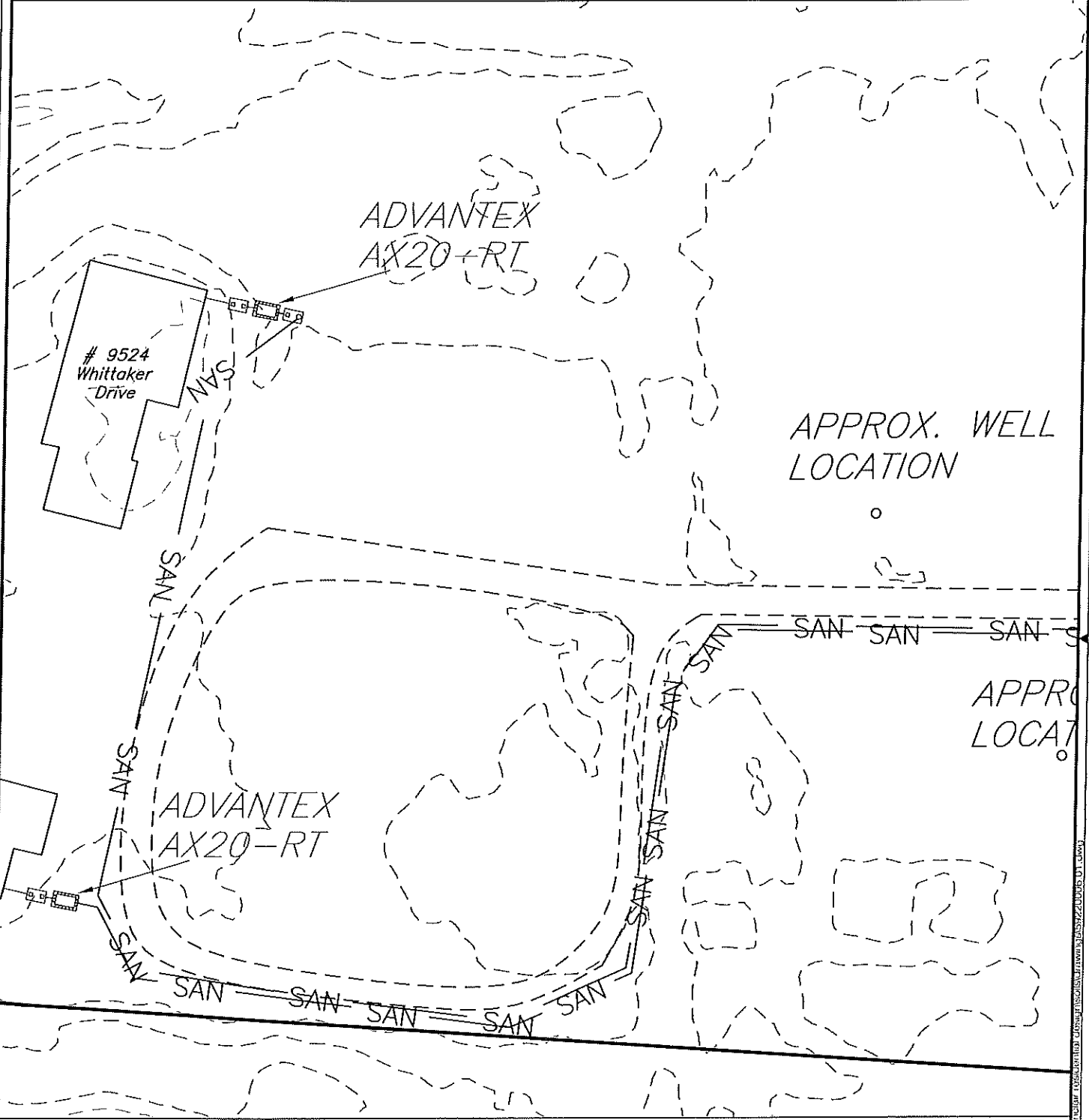
*Proposed
 Improvements on
 9524 Whittaker Drive
 Tax Maps 47-3B & 47-3
 Gloucester County, Virginia*

PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
 ROANOKE / RICHMOND / NEW RIVER VALLEY / SHENANDOAH VALLEY / LYNCHBURG
 15871 City View Drive, Suite 200 / Midlothian, Virginia 23113 / Phone (804) 794-0571 / www.balzer.cc



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DATE: 6/20/2025
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 DWG: BWD

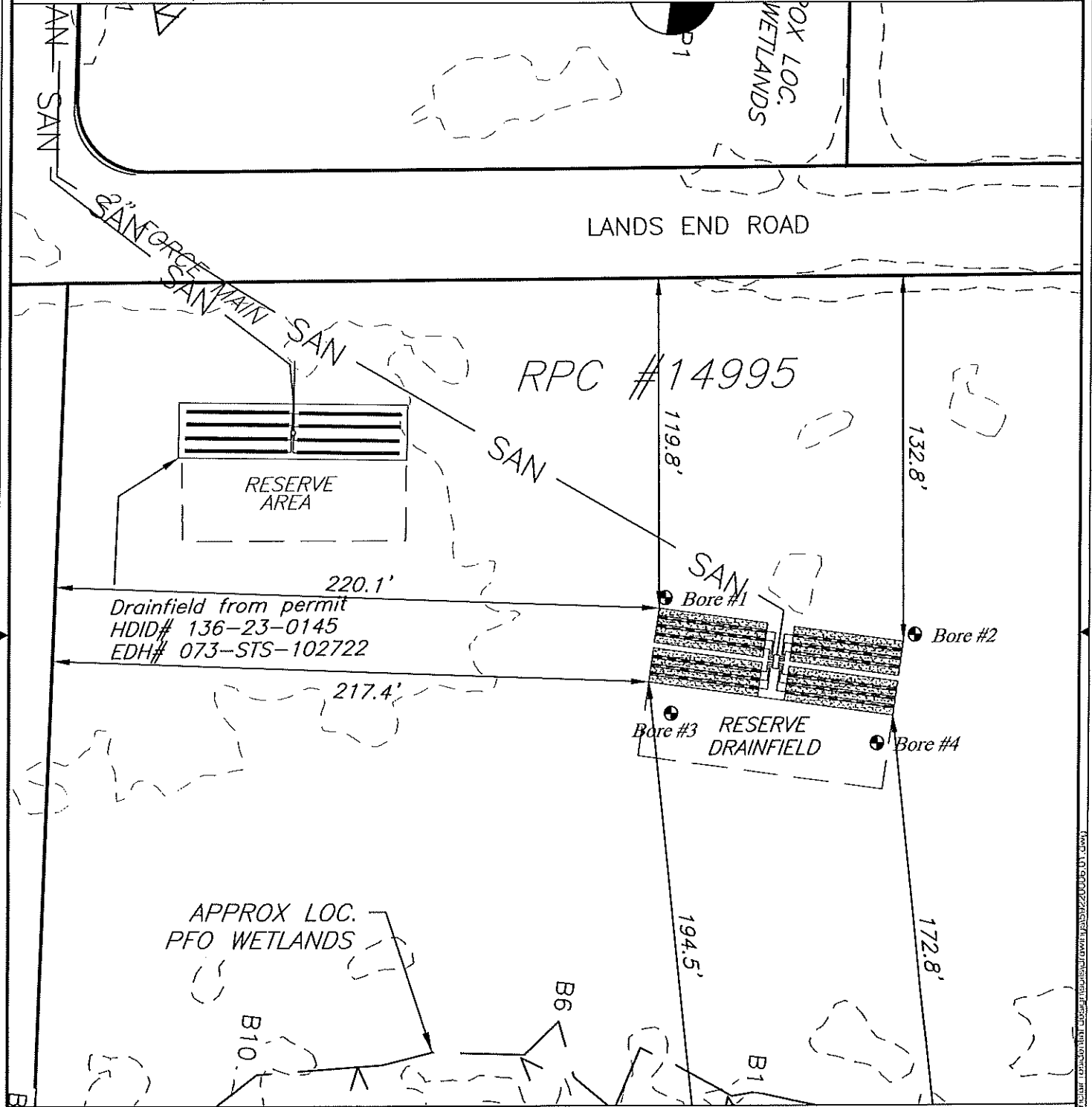
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DATE: 6/20/2025
 SCALE: 1"=50'
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 15871 City View Drive, Suite 200 / Midlothian, Virginia 23113 / Phone (804) 794-0571 / www.balzer.cc



DATE PLOTTED: 6/20/2025 10:00 AM



Soil Summary Report

General Information

Date: 6/20/2025 Submitted to: Gloucester Health Department
 Applicant: David K. Hogan, AOSE, Balzer and Associates, Inc Phone: (804) 794-0571
 Address: 15871 City View Drive, Suite 200; Midlothian, VA 23113
 Owner: MPPDC
 Address: PO Box 286 City, State Zip: Saluda, VA 23149
 Location: 9524 Whittaker Drive Tax Map: 47-3B & 47-3
 Subdivision: NA Section: NA Lot: NA

Soil Information Summary

1. Position in landscape satisfactory: Yes No
 Describe: Flat
2. Slope: 0%
3. Depth to rock or impervious strata: Min. Max. None X
4. Depth to seasonal water table (gray mottling or gray color): No Yes 4 inches
5. Free water present: No Yes _____ inches
6. Soil Percolation rate estimated: Yes Texture group III
 No Estimated rate of 50 min/inch
7. Permeability test performed: Yes
 No
- If yes, note type of test performed and attach _____

- Site Approved: Drainfield to be placed at a depth of 6* inches at site designated on permit
 Site Disapproved: 6" above Grade with 10" of sandy topsoil cover
 6" sand pad to start at original grade

Reasons for rejection:

1. ___ Position in Landscape subject to flooding or periodic saturation
2. ___ Insufficient depth of suitable soil over hard rock.
3. ___ Insufficient depth of suitable soil to seasonable water table.
4. ___ Rates of absorption to slow.
5. ___ Insufficient area of acceptable soil for required drainfield, and/or Reserve Area.
6. ___ Proposed system too close to well.
7. ___ (attach additional pages if necessary)

SOIL PROFILE DESCRIPTION REPORT

Evaluation Location: NA Section: NA Lot: NA
 Map Reference: 47-3B & 47-3 Other Property I.D.: 9524 Whittaker Drive

Where the local health department conducts the soil evaluation the location of profile holes may be shown on the schematic drawing on the construction permit or the sketch submitted with the application. If soil evaluations are conducted by a private Onsite Soil Evaluator or Professional Engineer, location of profile holes and sketch of the area investigated including all structural features (i.e. sewage disposal systems, wells, etc.) within 200 feet of the site and reserve site shall be shown on the reverse side of this page or prepared on a separate page and attached to this form.

See application sketch See construction permit See sketch on reverse side or attached to this form.

Hole #	Horizon	Depth(inches)	Descriptions of color, texture, etc.	Texture Group
Bore #1	A	0-3	10YR 3/2 very dark grayish brown sandy loam	IIA
	E	3-8	2.5Y 4/2 dark grayish brown fine sandy loam	IIA
	B1	8-19	2.5Y 5/3 light olive brown heavy fine sandy loam	IIA
	B2	19-24	10YR 6/1 gray and 10YR 5/8 yellowish brown sandy clay loam, friable, fine weak subangular blocky	IIB
	Bt	24-36	10YR 5/2 grayish brown clay, restrictive, 10YR 5/8 yellowish brown mottling	IV
Bore #2	A	0-4	10YR 3/2 very dark grayish brown sandy loam	IIA
	E	4-8	2.5Y 3/2 very dark grayish brown fine sandy loam	IIA
	B1	8-14	2.5Y 5/2 grayish brown fine sandy loam, faint 7.5YR 5/8 strong brown mottling	IIA
	B2	14-20	2.5Y 6/2 light brownish gray sandy clay loam with prominent 7.5YR 5/8 strong brown mottling	IIB
	Bt	20-30	2.5Y 6/1 gray sandy clay, restrictive	IV
Bore #3	A	0-5	10YR 3/2 very dark grayish brown sandy loam	IIA
	E	5-16	2.5Y 5/2 grayish brown fine sandy loam	IIA
	Bt	16-30	10YR 4/2 dark grayish brown clay to sandy clay with 2.5YR 5/8 red mottling	IV
Bore #4	A	0-4	10YR 3/2 very dark grayish brown sandy loam	IIA
	E	4-8	2.5Y 4/2 dark grayish brown fine sandy loam	IIA
	B1	8-20	2.5Y 5/3 light olive brown heavy fine sandy loam	IIA
	B2	20-25	10YR 6/1 gray and 10YR 5/8 yellowish brown sandy clay loam, friable, fine weak subangular blocky	IIB
	Bt	25-36	10YR 5/2 grayish brown clay, restrictive, 10YR 5/8 yellowish brown mottling	IV

Remarks:

Saturated conditions at 5"



Sewage Disposal System Construction Specifications

General Information

Use:

- Residential Commercial
 New Repair Modified
 Gravity Conventional Pump Conventional
 Alternative: TL-3 to geomat pads

Number of Bedrooms: 6
 Termite Treatment: Yes No
 Basement: Yes No
 Fixtures in Basement: Yes No

 Owner: MPPDC

 Address: PO Box 286

 City, State Zip: Saluda, VA 23149

 Subdivision: NA

 Section: NA

 Lot: NA

 Actual or estimated water use: 900 GPD

Design

 Water Supply: Public Private New Existing

To be installed: Class: Cased: Grouted:

Building Sewer:
4" I.D. PVC 40 or equivalent

Slope 1.25" per 10' (minimum)

 Other:

 Septic Tank: Capacity: Advantex gallons (minimum) With inspection port or filter

 Other: AX20-RT with UV
Inlet-outlet structure:

PVC 40, 4" tees or equivalent

 Other:

Pump and pump station:
 No Yes describe and show design

 If Yes: 1000 gallon pump tank, see pump specs pages

Gravity Mains: 3" or larger I.D., minimum 6" fall per 100', 1500 lb. crush strength or equivalent

 Other:

Distribution Box:

 Pre-cast concrete with 14 ports

Header Lines:

Material: 4" I.D. 1500 lb. crush strength plastic or equivalent from distribution box to 2' into absorption trench

Slope: 2"/100' minimum

 Other:

Percolation Lines:

Gravity 4" plastic 1000 lb. per foot bearing load or equivalent, slope 2"-4" (min.-max.) per 100'

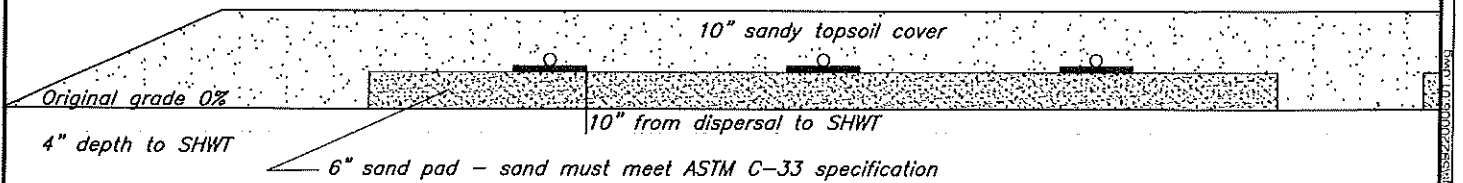
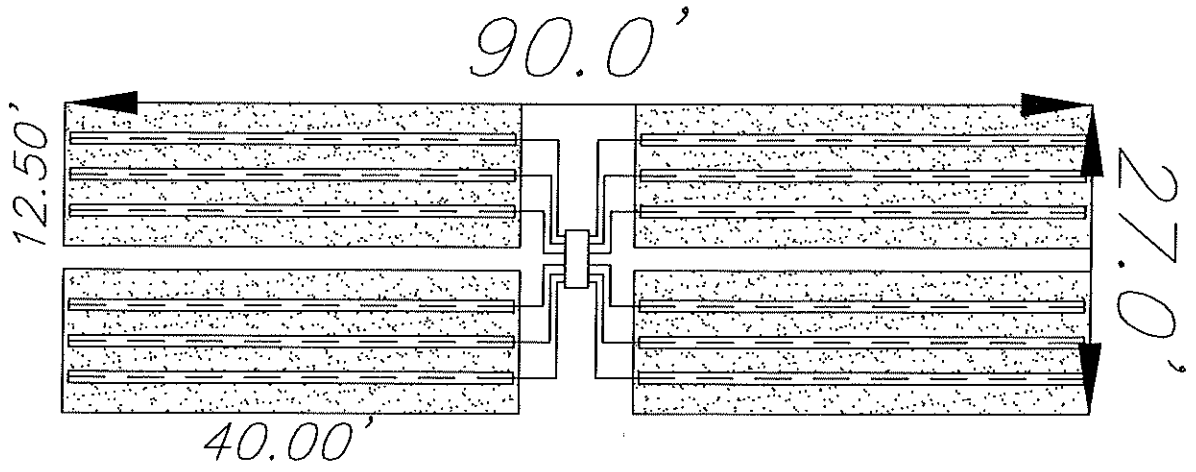
 Other:

Absorption Trenches:

 Square feet required: 2000 ft² Depth to geomat system: 6* inches Pad width: 40.0 feet

 Depth of Sand: 6" Pad length: 40.0 feet Number of pads: 4

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Tax Maps 47-3B & 47-3
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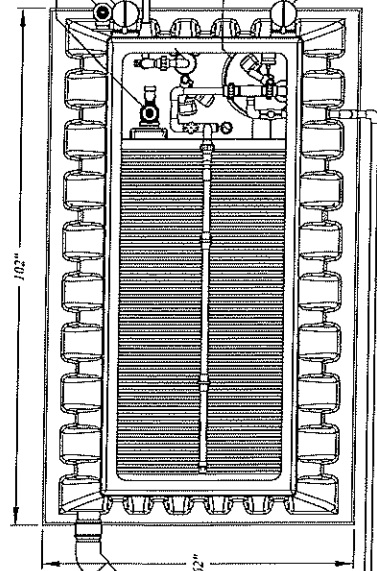
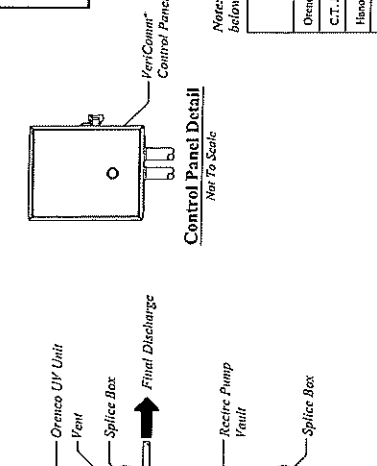
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AX20RTUV Treatment System - UV with Pump Discharge (VA)

Filter Tank Dry Weight: 900 lbs

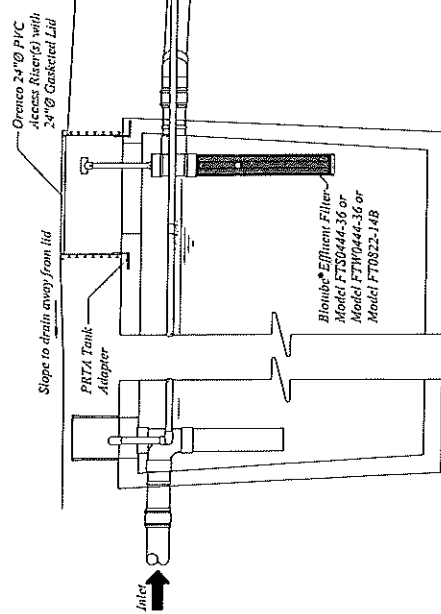
Design and Installation Notes

- For Expected Flows: 4 Bedrooms or less
- Installation To Be Performed By An AdvantTex Trained Installer Only
- Start-up And Service To Be Performed By An AdvantTex Trained Service Provider

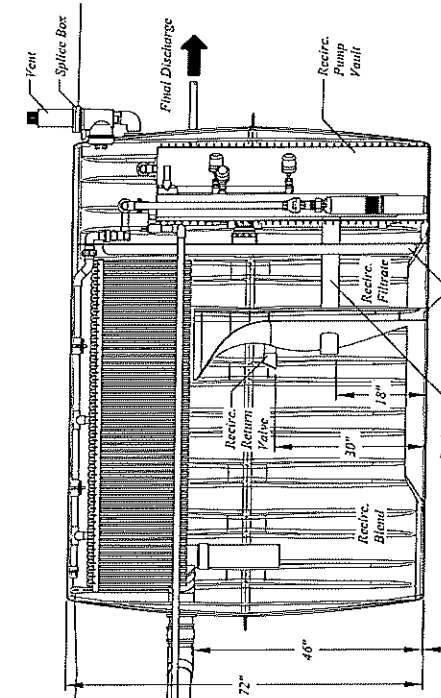


AX20 800 gal. Recirc. Tank - Top View

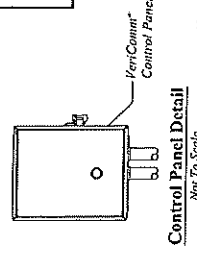
1000 gal. Primary Tank - Top View



1000 gal. Primary Tank - Side View



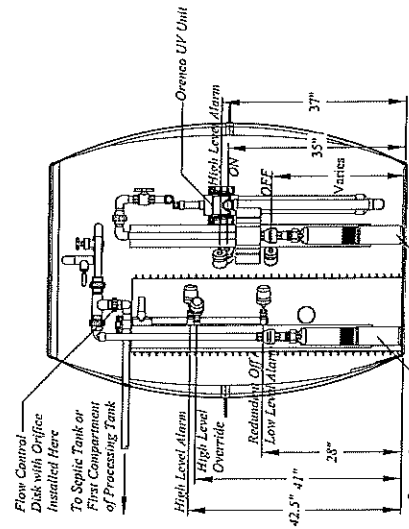
AX20 800 gal. Recirc. Tank - Side View



Notes: Only tanks from the manufacturers listed below shall be used.

Tank Manufacturer	Septic Tank Size	I	D
Orenco Fiberglass Tank	1000 Gal.	11"	65"
C.T. Johnson	1000 Gal.	14"	65"
Harover Treason	1000 Gal.	16"	66.5"
Rockingham Precast	1000 Gal.	16"	64"
Weights Ready Mix	1000 Gal.	15"	65"
Beavary Concrete	1000 Gal.	16"	66"
Reh Global Plastics	1000 Gal.	11"	51"

Note: All tanks shall be tested for water-tightness. All concrete tanks shall have PRTA cast into tank for acceptance of Model R234XX Riser.



Discharge Chamber - End View



UNAUTHORIZED CHANGES & USES
 Orenco has prepared these drawings for use by the design professional. Any changes to or use of these drawings, in whole or in part, without the written approval of the design engineer, is prohibited.

PRODUCT CONFIGURATION DRAWINGS



Drawn By: DSM
 Drawn For:

Project: AX20RTUV Model 3B
 Title: NDW-ATX-RT-VA-11

Scale: 1" = 2'-0"
 Sheet: 1 OF 1
 Rev: A-01 Date: 02/04/16

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Pump System Design Criteria, Specifications, and Calculations

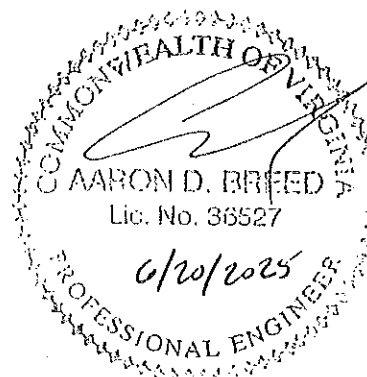
A. Number of bedrooms		<u>6</u>	
B. Gallons per bedroom		<u>150</u>	Gal
C. Design flow in gallons per day (A x B)		<u>900</u>	GPD
D. Minimum pump capacity in gallons per minute (enhanced flow distribution)		<u>36</u>	GPM
E. Maximum pump capacity in gallons per minute using 2" force main		<u>84</u>	GPM
F. Relative elevation of force main at surge basin / distribution box		<u>6</u>	ft
G. Relative elevation of pump off float switch		<u>-4</u>	ft
H. Static head in feet (F-G)		<u>10</u>	ft
I. Equivalent length of 2" pipe in feet for this system (all materials are 2"):			
1 Length of 2" force main		<u>2600</u>	ft
2 <u>4</u> 90 degree bends at <u>5.2</u> feet per bend =		<u>20.8</u>	ft
3 <u>11</u> 45 degree bends at <u>2.8</u> feet per bend =		<u>30.8</u>	ft
4 <u>1</u> Check valve <u>1.4</u> feet per valve =		<u>1.4</u>	ft
5 <u>1</u> Gate valve <u>17.2</u> feet per valve =		<u>17.2</u>	ft
Total (1+2+3+4+5)		<u>2670.2</u>	ft
J. Friction loss in feet per 100' of pipe (2" pipe, C=150, <u>36</u> GPM)		<u>2.19</u>	ft
K. Number of 100' pipe increments (I/100)		<u>26.702</u>	ft
L. Friction head for this system (J x K)		<u>58.48</u>	ft
M. Total Dynamic Head (H + L)		<u>68.48</u>	ft
N. Pump chamber volume in gallons		<u>1000</u>	Gal
O. Gallons per inch in pump chamber (inside length = _____", inside width= _____")		<u>21.64</u>	Gal
P. Number of soil absorption pads		<u>4</u>	
Q. Length of soil absorption pads		<u>40</u>	ft
R. Total linear feet of geomat line		<u>468</u>	ft
S. Volume pumped per pump cycle in gallons (C/X)		<u>225</u>	Gal
T. Volume pumped per pump cycle in inches (S/O) (Working Volume)		<u>10.40</u>	in.
U. Minimum emergency storage in gallons (C)		<u>900</u>	Gal
V. Minimum emergency storage in inches (U/O)		<u>41.59</u>	in.
W. Maximum pump run time in minutes (S/D)		<u>6.25</u>	min.
X. Doses per Day (C/(R*0.50)) (minimum of 4, round to whole number)		<u>4.00</u>	Doses

Pump Selection:

Pump must provide a minimum of 36 GPM at a Total Dynamic Head of 68.47738 feet.

Pump Zoeller

Model # 186/4186



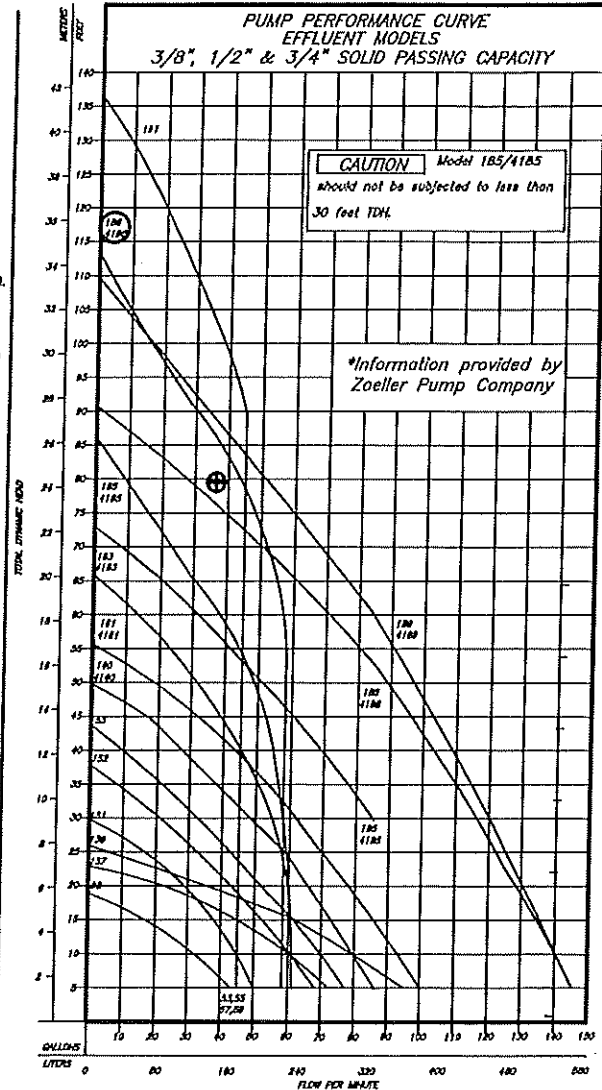
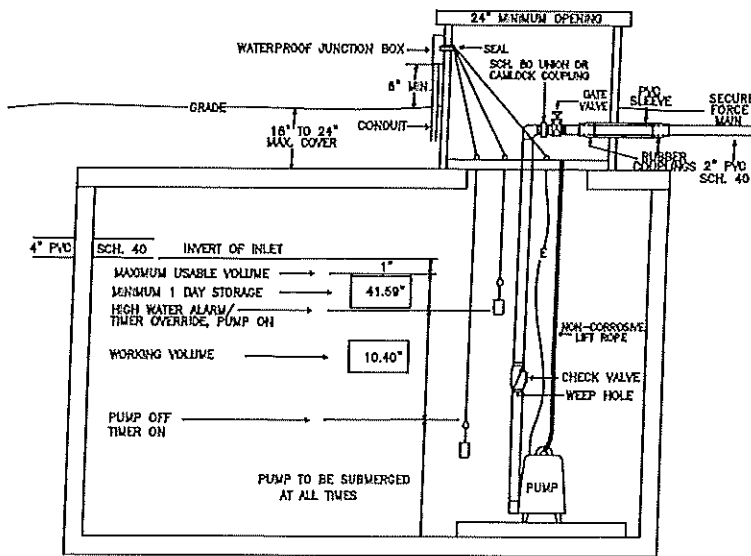
PUMP SYSTEM PLANS AND SPECIFICATIONS

Pump Chamber Size in Gallons	1000
Drawdown in Gallons (Each Pump Cycle)	225
Drawdown in Inches (Each Pump Cycle)	10.40

Force Main Shall be 2" Diameter SCH. 40 PVC Pressure Pipe with Pressure Fittings.
 Pump must Provide 38 Gallons per Minute Minimum and 84 Gallons per Minute Maximum at System Head

Maximum Pump Cycle Time (Drawdown in Gallons / 38 GPM) = 8.25 Minutes.

Pump shall be of the open face centrifugal type designed to pump sewage.
 The pump station must be provided with controls for automatically starting and stopping the pump based on water level.
 The electrical motor control center and master disconnect switch shall be placed in a secure location above grade remote from the pump station.
 Each motor control center shall be provided with a manual override switch.
 A high water alarm with remote sensing and electrical circuitry separate from the motor control center circuitry shall be provided.
 The alarm shall be audible and shall alarm in an area where it may be easily monitored.
 All electrical connections shall be handwired.
 Do not use compression fittings.
 Force main shall be deep enough to prevent freezing.
 Pump chamber shall be level and watertight.



⊕ DESIGN REQUIREMENTS # PUMP SELECTION



PUMP TANK SPECIFICATIONS FOR
 9524 Whittaker Drive

Gloucester County, Virginia

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BALZER & ASSOCIATES, INC. 15871 CITY VIEW DRIVE, SUITE 200, MIDLOTHIAN, VIRGINIA 23113



Abbreviated Design Form

Geomat Design

For use with gravity and pump drainfields, enhanced flow systems and low-pressure distribution systems when applying for a certification letter or subdivision approval.

Design Basis: **TL-2 to geomat**

- A. Estimated Percolation Rate: 50 min/inch
- B. Hydraulic Loading Rate: 0.53 GPD/ft²
(Table 5.1 Regulations for
Alternative Onsite Sewage Systems)
- C. Number of Bedrooms: 6
- D. Peak Daily Flow: 900
(150 GPD*C)

Area Calculations

- E. Length of pad: 40.0 feet
- F. Width of pad: 12.5 feet
- G. Number of pads: 4
- H. Pad spacing: 2 feet
- I. Length Required: 90 feet
 $= (E * 2) + 10$
- J. Width Required: 27 feet
 $= F * (G / 2) + (G - 2)$
- K. Total square footage required: 1698 ft²
(line D/line B)
- L. Square footage design: 2000 ft²
(E*F*G)
- M. Linear feet geomat line required: 450 feet
75 linear feet per bedroom
- N. Linear feet design: 468 feet
- O. Is reserve area required? Yes No



Important Factors to Consider When Installing and Maintaining Onsite Sewage Disposal Systems

DRAINFIELD DISTURBANCE: The designated drainfield area (primary and reserve), must remain undisturbed until installation. The client is responsible for all parties that are involved in the home construction process and any destruction to the restricted area. The drainfield area is not to be driven on, parked on, or disturbed in anyway (i.e. soil compaction). Vehicles (trucks, tractors, and heavy equipment) especially should avoid this area. Our design package is final and cannot be deviated from without permission from our department. If the area is disturbed to a point where the area is no longer feasible as a drainfield site, the additional costs will fall on the client for our company or another AOSE to find another appropriate drainfield area.

LOGGING AND CLEARING: The clearing of a drainfield area is sometimes necessary, but must be followed according to the AOSE's specifications. The area must be hand-cleared when an engineered or alternative system has been specified with an install depth of 24 inches or less. Logging on or around the drainfield area is prohibited without permission from the AOSE. Heavy logging traffic and logging decks must be kept at least 50' feet away from the designated area (primary and reserve). If the area is disturbed to a point where the area is no longer feasible as a drainfield site, the additional costs will fall on the client for our company or another AOSE to find another appropriate drainfield area.

MULCH / IRRIGATION: We do not recommend the use of bark, sawdust, or plastic sheeting on drainfield sites. The purpose of these mulch beds is to prevent evaporation and retain water, while the primary function of a drainfield is to percolate water through the soil system with evapo-transpiration being an integral part of that process. Mulch can lead to an early failing of your septic system. Yard irrigation systems are not recommended for use on or within 25 feet of the drainfield trenches. Additional water added to the drainfield area can increase the likelihood of premature drainfield failure. The drainfield should be graded and seeded and maintained as a lawn for optimal performance. Consult your local Extension Service office for seed, lime, and fertilizer recommendations.

GARBAGE DISPOSERS AND KITCHEN WASTE: If a garbage disposal unit is installed within a home, the kitchen plumbing should be plumbed to a separate outlet and a 1250/1500-gallon septic tank/grease trap installed to receive only kitchen effluent. This effluent can then flow to the primary or a separate drainfield site. We do not recommend garbage disposal units with conventional drainfields that do not have a dedicated septic tank/grease trap. Grease/kitchen waste build-up can lead to premature failure of your septic system.

The client is responsible for maintaining the drainfield site and minimizing the disturbance on or around our designated area. It is also the responsibility of the client to ensure that the installer is supplied with the most updated version of all drawings and specifications, including a current Health Department approval letter. It is also your responsibility to pass care and maintenance information on to the eventual homeowner. We assume no liability outside of our specifications and design package. If any questions arise, do not hesitate to call for any advice or consultation.

David K. Hogan, AOSE CPSS

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, DECEMBER 5, 2023, AT 6:00 P.M., IN THE COLONIAL COURTHOUSE AT 6504 MAIN STREET, GLOUCESTER, VIRGINIA ON A MOTION MADE BY MR. HEDRICK, AND SECONDED BY MR. CHRISCOE, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, yes;
Ashley C. Chriscoe, yes;
Kenneth W. Gibson, yes;
Michael W. Hedrick, yes;
Christopher A. Hutson, yes;
Robert J. Orth, yes;
Kevin M. Smith, yes;

RESOLUTION INTERPOSING NO OBJECTION ON BEHALF OF GLOUCESTER COUNTY, VIRGINIA TO THE USE OF, ENCROACHMENT UPON, AND TRANSVERSING OF CERTAIN COUNTY RIGHTS OF WAY BY THE MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY (PAA) TO ENABLE THE PROVISION OF SEPTIC SEWAGE SYSTEM SERVICE FOR PROPERTIES OWNED AND BEING DEVELOPED BY THE PAA

WHEREAS, the PAA proposes to develop certain parcels of real property located in Gloucester County, Virginia, to-wit: Tax Map Nos. 47F(1)-2 RPC#18796, 47F(1)-3 RPC#14186, 47F(1)-5 RPC#25175 and 47(3)-B RPC#13634 for public park and occupancy uses; and

WHEREAS, in order to develop the property as proposed, it is necessary that the property have access to a functional sewage disposal system permitted by the Virginia Department of Health; and

WHEREAS, in order to provide the required sewage disposal system to service the property to be developed, it is necessary to transverse certain County owned rights of way for sewer pipes to run from the property to a drain field located across from said rights of way, generally as depicted on the plats attached hereto; and

WHEREAS, Virginia Code § 15.2-2001 authorizes localities in the Commonwealth to control their rights of way, and Virginia Code § 15.2-2009 authorizes localities to allow encroachments upon their rights of way subject to such terms and conditions as the governing body may prescribe; and

WHEREAS, the rights of way at issue are Whittaker Road, Lands End Road, and The Corduroy Null (also known as Robins Neck Drive), as depicted on the attached plat; and

WHEREAS, the Gloucester County Board of Supervisors has been requested to express that it has no objection to utilization of the rights of way as proposed.

NOW, THEREFORE, BE IT RESOLVED by the Gloucester County Board of Supervisors that the Board interposes no objection to use of, construction under, and transversing of the rights of way known as Whittaker Road, Lands End Road, and The Corduroy Null, generally as depicted on the attached plats for the purpose of enabling the provision of septic sewage service for the properties known as Tax Map Nos. 47F(1)-2 RPC#18796, 47F(1)-3 RPC#141, 47F(1)-5 RPC#25175 and 47(3)-B RPC#13634.

BE IT FURTHER RESOLVED that such expression of no objection shall be expressly contingent upon the following:

1. The rights of way shall only be used for the purposes as indicated hereinabove;
2. Following construction and installation of the pipe or pipes to convey sewage from the parcels to the drain field across the rights of way, the rights of way shall be restored, as is reasonably practicable to their condition prior to construction and installation of the pipes;
3. The PAA shall be liable for any negligence on account of such encroachment and utilization of the rights of way, and shall indemnify and hold harmless Gloucester County, Virginia, and the Gloucester County Board of Supervisors from and against all claims and liabilities associated with said use and encroachment; and
4. The PAA shall comply with all Federal, State and local laws, regulations, and ordinances regarding the proposed development and use of the rights of way as proposed, including the obtaining of all necessary governmental permits and permission regarding the proposed development and use.

A Copy Teste:



Carol E. Steele, County Administrator



Drainfield Encroachment

*Pool House
136-24-0006
Faulkner E.H.S.
1-10-24*

THIS LICENSE AGREEMENT for Drainfield Encroachment (this "Agreement") dated as of this 6 day of October, 2023, by and between DOMINION ENERGY VIRGINIA, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia ("GRANTOR") and

MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY ("GRANTEE"), hereby provides as follows:

1. **GRANTEE** is the owner of certain real property situated in the City/County of GLOUCESTER, Virginia, over which **GRANTOR** has a right-of-way for its facilities, including one or more overhead utility lines.
2. **GRANTEE** has requested that **GRANTOR** permit **GRANTEE** to install and maintain one (1) sewage disposal system (the "Sewage Facilities") under or near the above referenced overhead utility line(s) of **GRANTOR** within **GRANTOR**'s right-of-way.
3. **GRANTOR**, insofar as its rights and interests are concerned, hereby licenses and permits **GRANTEE** to install and maintain the above mentioned Sewage Facilities, subject to the following conditions contained herein.
4. Septic tanks will not be permitted on **GRANTOR**'s right of way. **GRANTOR**'s permission is for drain fields, gravity mains, and force mains only, subject to the restrictions herein.
5. Drain fields, gravity mains, and force mains will be permitted on **GRANTOR**'s right-of-way subject to the following restrictions:
 - (a) No grading or excavation shall be done within fifteen (15) feet of any of **GRANTOR**'s poles, towers, structures, guys, anchors or other facilities.
 - (b) A minimum distance of fifteen (15) feet must be maintained between all of **GRANTOR**'s electrical conductors and all of **GRANTEE**'s construction equipment.
 - (c) None of **GRANTEE**'s construction equipment may have wire cables which, if broken, could whiplash and come within ten (10) feet of any of **GRANTOR**'s conductors.
 - (d) **GRANTEE** is to avoid blasting on **GRANTOR**'s right-of-way. If blasting is unavoidable, **GRANTEE** shall use the smallest explosive charge possible and matting or other suitable buffering to prevent damage to **GRANTOR**'s lines and facilities.

Initials: *[Signature]* MPCBPAA

Drainfield Encroachment

- (e) **GRANTEE** must give **GRANTOR** five (5) days notice before starting construction on **GRANTOR's** right-of-way.
 - (f) **GRANTEE** must pay the costs of **GRANTOR's** maintaining an inspector on the job site should such appear to be necessary in **GRANTOR's** reasonable discretion.
 - (g) **GRANTOR** reserves the rights to construct, operate, maintain, and rebuild any or all of **GRANTOR's** lines and facilities and to have access thereto without incurring any liability for damage to **GRANTEE's** Sewage Facilities; however, **GRANTOR** will exercise reasonable care in the performance of its work.
 - (h) Should all or any part of **GRANTEE's** Sewage Facilities be determined to be unsafe at any future date, the unsafe condition shall be corrected or removed by **GRANTEE** at **GRANTEE's** expense within thirty (30) days after receiving written notification of the same by the **GRANTOR**.
 - (i) **GRANTEE**, its successors, and assigns hereby agree to indemnify, save, and hold harmless **GRANTOR**, its officers and agents, and employees from and against any and all claims, demands, and damages, including death, and liability of every kind and nature whatsoever for, on account of, or growing out of the permission hereby provided to **GRANTEE** by **GRANTOR**, except when such claims and demands are caused solely by the gross negligence of **GRANTOR**, its agents, employees, successors, or assigns.
 - (j) In the event of any damage to **GRANTOR's** facilities by **GRANTEE** or any agent or contractor of **GRANTEE**, including but not limited to damage to poles, structures, guys, anchors, counterpoise, or landscaping, **GRANTEE** shall be responsible for all associated costs for the repairs of **GRANTOR's** facilities.
 - (k) **GRANTEE's** Sewage Facilities shall be designated and constructed to support occasional traffic crossings by heavy construction and/or maintenance equipment.
6. The license provided by this Agreement for **GRANTEE's** Sewage Facilities on **GRANTOR's** right-of-way shall in no way be construed as the granting of a perpetual easement by **GRANTOR** to **GRANTEE**. If it later becomes necessary for **GRANTOR** to exercise its rights in its right-of-way in a manner inconsistent with the concurrent uses of **GRANTEE** permitted herein, all costs and responsibility for **GRANTEE's** abandoning or relocating **GRANTEE's** Sewage Facilities within **GRANTOR's** right-of-way shall be borne by **GRANTEE**, its heirs, successors, and/or assigns, as applicable.

Initials: _____


MPCBPAA

(Page 2 of 5 Pages)

VAROW No(s). 00-23-0225

Form No. 720250-2 (May 2019)

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Drainfield Encroachment

Witness the following signatures and seals:

GRANTOR:

Dominion Energy Virginia, a Virginia public service corporation doing business in Virginia as Dominion Energy Virginia

Shaun Reilly
By: SHAUN REILLY

Its: AUTHORIZED REPRESENTATIVE

Commonwealth of Virginia,

City/County of RICHMOND, to wit:

The foregoing was executed and acknowledged before me this 16 day of OCTOBER

2023, by SHAUN REILLY, the AUTHORIZED REPRESENTATIVE of

Dominion Energy Virginia, a Virginia public service corporation doing business in Virginia as Dominion Energy Virginia, for and on behalf of such public service corporation.

Amanda Lynn Parrish

Notary Public (Print Name)

7859752

Virginia Notary Registration Number

APP

Notary Public (Signature)

My commission expires: 9-30-2024

Initials: _____

(Page 3 of 5 Pages)
VAROW No(s). 00-23-0225
Form No. 720250-3 (May 2019)

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Drainfield Encroachment

GRANTEE: Corporation
MIDDLE PENINSULA CHESAPEAKE BAY
PUBLIC ACCESS AUTHORITY

By: LEWIS L. LAWRENCE

Its: SECRETARY

Commonwealth of Virginia,

City/County of Middlesex Co., to wit:

The foregoing was executed and acknowledged before me this 6th day of October

2023, by LEWIS L. LAWRENCE, the SECRETARY of

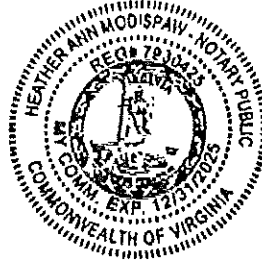
MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY a body politic of The Commonwealth of Virginia

for and on behalf of MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

Heather Modispaw
Notary Public (Print Name)
7930425
Virginia Notary Registration Number

Heather Modispaw
Notary Public (Signature)

My commission expires: 12/31/2025



Initials: MP&BPAA