

May 17, 2019

VIA E-MAIL: mstahley@martin.fl.us and
HAND-DELIVERY

Matthew Stahley
Adequate Public Facilities
Martin County Administrative Center
2401 SE Monterey Road
Stuart, FL 34996

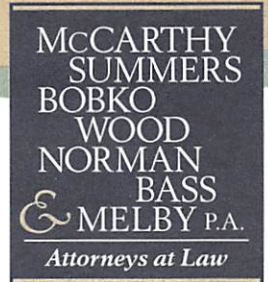
Re: ***Humane Society of the Treasure Coast, Inc.
Revised Minor Final Site Plan
Project Number: HO71-005
Application Type/Number: DEV2019030021***

Dear Matt:

As you know, this office represents the Humane Society of the Treasure Coast, Inc., and I am writing in regard to the request by the Humane Society for a revised minor final site plan approval to include construction of a new 4,030 square foot dog training facility with 990 square foot canopy, and a new 1,790 square foot lobby, with 140 square foot canopy area connecting the two existing buildings. In order to accomplish these proposed improvements to the Humane Society site, it will be necessary to expand the current on-site sewage treatment and disposal system beyond the County-mandated limit of 2,000 gallons per day, per lot. Pursuant to Policy 10.2.A.8.9 of the Martin County Comprehensive Plan, for non-residential or agricultural uses permitted by the Future Land Use Designation and Zoning District, the Board of County Commissioners may waive the 2,000 gallon per day limitation. Please consider this letter as our request to the Board of County Commissioners that they waive the 2,000 gallon per day limitation, pursuant to the provisions of Policy 10.2.A.8.9 of the Comprehensive Plan.

The Humane Society Shelter was built in 2001. As we all know, in the nearly 20 years since the current Humane Society facility was built, circumstances have changed significantly in Martin County. As the population of Martin County has increased, so too has the population of domestic animals increased. In order for the Humane Society to responsibly address, not only current demands upon the facilities, but also the demands of the future, the Humane Society is growing to meet these demands.

The Humane Society currently cares for 150 to 300 abused, abandoned and homeless animals a day. The Humane Society is open 365 days a year, and is also available to Martin County Animal Services overnight for special needs cases. The Humane Society also operates a clinic on site that provides low-cost and no-cost spay/neuter surgery, microchipping and rabies vaccinations, for more than 2,000 publicly owned animals annually. The Humane Society also provides shelter



Terence P. McCarthy *
Robert P. Summers *
Steven J. Wood **
Kenneth A. Norman
Kathryn C. Bass
Nicola J. Boone Melby ***
Owen Schultz

Margaret E. Wood
Donna R. McMillan
Jessica M. VanValkenburgh
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Trusts & Estates Lawyer

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McCARTHY, SUMMERS, BOBKO, WOOD,
NORMAN, BASS & MELBY, P.A.

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for animals involved in abuse cases, bite cases, and other criminal and non-criminal investigations. It is imperative that the Humane Society shelter be maintained at a high level to ensure the highest quality of health and living conditions for the domestic animals in the care of the Humane Society.

In support of this waiver request, I enclose herewith the following:

- 1 Onsite Septic System Waiver, prepared by Bowman Consulting, dated May 13, 2019; and
- 2 Inter-County Memorandum from the Florida Department of Health, dated April 24, 2019.

Should you need any additional information or documentation in support of this request, please don't hesitate to call or write.

Very truly yours,



Terence P. McCarthy, Esquire
TPM/dd
tpm@mccarthysummers.com

Enclosures

cc: Client (Via E-Mail: fvalente@hstc1.org)

Onsite Septic System Waiver

Date: *May 13, 2019*

Prepared for:

The Humane Society of the Treasure Coast

4100 Leighton Farms Avenue

Palm City FL, 34990

(772) 600-3201



Octavio 'Oats' Reis, P.E.
Sr. Project Manager

Bowman Consulting Group, Ltd.

301 SE Ocean Boulevard

Suite 301

Stuart, FL 34994

(772) 283-1413

PROJECT BACKGROUND

The Humane Society of the Treasure Coast (HTSC), located at 4100 Leighton Farms Avenue in Palm City, is processing a Revised Minor Site Plan through the Martin County Growth Management Department to add 5,820 sf of building area at the 15 +/- acre site. The proposed expansion will provide for a dog-training classroom facility for Martin County residents. Aside from increasing the enjoyment and well-being of the pet owners and their pets, the facility will provide additional benefits to the community by reducing the number dog nuisance incidents and dogs given up for adoption.

The site is outside the urban district boundary and is serviced by a well and septic system. The existing septic system was initially installed in 2000 and recently renovated in 2018. It is permitted by the Department of Health to handle up to 3,500 gallons per day. The existing septic system is large enough to handle the proposed new building areas.

This Utility Waiver is being requested to bring the site into compliance with current ordinances covering onsite sanitary sewer systems.

COMPREHENSIVE PLAN COMPLIANCE ANALYSIS

Policy 10.2A.8.1 - No onsite sewage treatment and disposal system shall exceed a total site buildout flow of 2,000 gpd, except as described below and in Policy 4.13A.8(5). Total site buildout shall be as determined by the Florida Department of Health.

Policy 10.2A.8.9 - For on-site sewage treatment and disposal systems outside the Primary Urban Service District the BCC may waive the 2,000 gpd limitation set forth in Policy 10.2A.8.1 above, to the extent necessary for nonresidential or agricultural uses permitted by the future land use designation and zoning district, but in no event shall the waiver allow total site buildout flows to exceed 5000 gpd.

- a. In order to obtain a waiver of Policy 10.2A.8.1, a person must submit an application in a form prescribed by the County Administrator. The application must contain a concise statement by the applicant detailing the circumstances that justify a waiver of the 2,000 gpd flow limitation. The application must also contain written concurrence from the Florida Department of Health that the use to be served requires a system greater than 2,000 gpd total site buildout flow, but the system does not exceed 5,000 gpd total site buildout flow.
- b. The waiver shall not be granted unless the Board determines that:
 1. The proposed system meets all criteria required by the Florida Department of Health.
 2. The system has been located to protect wetlands, wellfields, water bodies, drainage facilities or other surface waters, to the maximum extent practicable. For on-site sewage treatment and disposal systems adjacent to wetlands, wellfields, water bodies, drainage facilities and other surface waters, a minimum setback of 200 feet has been provided.

- c. In granting the waiver, the Board may prescribe any appropriate maintenance conditions.
- d. In granting the waiver, the Board's decision shall be based upon the particular circumstances of the application and shall not constitute a precedent for other waiver applications.

FLORIDA DEPARTMENT OF HEALTH DETERMINATION

The existing sanitary sewer septic system has been permitted to allow treatment of up to 3,500 gpd at final buildout. Please refer to the attached memorandum from the Dept. of Health. Furthermore, as part of the permit issued by DOH, they will be conducting annual inspections of the sanitary sewer system.

REQUIRED SETBACKS FROM SURFACE WATERS AND WELL

The current location of the drainfield was established in 2000. The existing sanitary sewer drainfield is located 225' from the existing well on site, 205' from the water surface of the adjacent canal on the south side of the property, and 330' from the onsite stormwater management pond.

JUSTIFICATION STATEMENT

The purpose of this waiver request is to bring the existing system and site into compliance with changes to Martin County Policy under the Comprehensive Plan. The Humane Society of the Treasure Coast is a non-profit organization that provides an important service to Martin County and to its residents. In 2011, the HSTC took major steps to improve the facilities, including the establishment of in-house veterinarian facilities. Such improvements have allowed HSTC to obtain a no-kill shelter designation. The proposed pet training classroom improvements will expand the services being provided to the community. Without the Onsite Sanitary Sewer Waiver, the Humane Society cannot continue to operate in its current configuration and provide its current level of services, nor expand on its services to the community.

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Vision: To be the Healthiest State in the Nation

INTER-COUNTY MEMORANDUM

To: Matthew Stahley
Growth Management

Date: April 24, 2019

From: Nick Clifton
Environmental Supervisor

Subject: H071-005 Humane Society of the Treasure Coast (Revised Minor Final)

Findings of Compliance:

Plans and materials as submitted demonstrate compliance with the applicable requirements of the Martin County Land Development Regulations and Comprehensive Growth Management Plan, contingent upon Martin County Board of County Commissioners approval of a waiver request to exceed the 2000 gallons per day of flow for an On-Site Sewage Treatment and Disposal System.

Additional Information:

Item #1:

The current on-site treatment disposal system (OSTDS) permit 43-SS-1890830 is for 3085 GPD. The Proposed future increase of 418 GPD would require an existing system approval letter from this department.

Item #2:

The Current OSTDS permit has received construction approval for the installation of the new system. Final approval is pending Engineer sign-off, building area verification, building setbacks and final site grading.

Item #3:

FL-DOH Martin County currently monitors waste water flows and septic usage by conducting annual operating permit inspections via permit # 43-QS-00211.



STATE OF FLORIDA
DEPARTMENT OF HEALTH
ONSITE SEWAGE TREATMENT AND DISPOSAL
SYSTEM
CONSTRUCTION PERMIT

PERMIT #: **43-SS-1890830**
APPLICATION #: **AP1372555**
DATE PAID: _____
FEE PAID: _____
RECEIPT #: _____
DOCUMENT #: **PR1181269**

CONSTRUCTION PERMIT FOR: OSTDS Existing Modification

APPLICANT: (HUMANE SOCIETY OF THE TREASURE COAST)

PROPERTY ADDRESS: 4102 SW LEIGHTON FARMS Ave Palm City, FL 34990

LOT: TRACT 31 & 32 BLOCK: _____ SUBDIVISION: Palm City Farms

PROPERTY ID #: 23-38-40-000-031-00010-1 [SECTION, TOWNSHIP, RANGE, PARCEL NUMBER]
[OR TAX ID NUMBER]

SYSTEM MUST BE CONSTRUCTED IN ACCORDANCE WITH SPECIFICATIONS AND STANDARDS OF SECTION 381.0065, F.S., AND CHAPTER 64E-6, F.A.C. DEPARTMENT APPROVAL OF SYSTEM DOES NOT GUARANTEE SATISFACTORY PERFORMANCE FOR ANY SPECIFIC PERIOD OF TIME. ANY CHANGE IN MATERIAL FACTS, WHICH SERVED AS A BASIS FOR ISSUANCE OF THIS PERMIT, REQUIRE THE APPLICANT TO MODIFY THE PERMIT APPLICATION. SUCH MODIFICATIONS MAY RESULT IN THIS PERMIT BEING MADE NULL AND VOID. ISSUANCE OF THIS PERMIT DOES NOT EXEMPT THE APPLICANT FROM COMPLIANCE WITH OTHER FEDERAL, STATE, OR LOCAL PERMITTING REQUIRED FOR DEVELOPMENT OF THIS PROPERTY.

SYSTEM DESIGN AND SPECIFICATIONS

T [4,300] GALLONS / GPD Use Existing Septic Tank CAPACITY
A [1,500] GALLONS / GPD Additional Septic Tank CAPACITY
N [3,000] GALLONS GREASE INTERCEPTOR CAPACITY [MAXIMUM CAPACITY SINGLE TANK:1250 GALLONS]
K [3,000] GALLONS DOSING TANK CAPACITY [514.17] GALLONS @ [6] DOSES PER 24 HRS #Pumps [2]

D [2,280] SQUARE FEET Low Pressure Dosed - Tren SYSTEM

R [2,280] SQUARE FEET Low Pressure Dosed - Tren SYSTEM

A TYPE SYSTEM: [] STANDARD [] FILLED [x] MOUND [] _____

I CONFIGURATION: [x] TRENCH [] BED [] _____

N _____

F LOCATION OF BENCHMARK: N&D (T.P. - 18.25' NAVD) at left corner of entry way of back parking lot.

I ELEVATION OF PROPOSED SYSTEM SITE [26.50] [INCHES] / FT [ABOVE / BELOW] BENCHMARK/REFERENCE POINT

E BOTTOM OF DRAINFIELD TO BE [4.50] [INCHES] / FT [ABOVE / BELOW] BENCHMARK/REFERENCE POINT

L _____

D FILL REQUIRED: [49.00] INCHES EXCAVATION REQUIRED: [36.00] INCHES

O Each pump serves 1/2 of required absorption area pumps to dose alternately. Pumps must be certified as suitable for
T distributing sewage effluent. PE Design Required. The licensed contractor installing the system is responsible for installing
H the minimum category of tank in accordance with s. 64E-6.013(3)(f), FAC.
E *** The above specifications are determined by Octavio Reis Neto, P.E. - License # 65661.
R *** Engineer sign-off is required after installation and before the system final approval by the Health Department.

SPECIFICATIONS BY: _____ TITLE: _____

APPROVED BY: Brian J Arbeiter TITLE: ENVIRONMENTAL SPECIALIST Martin CHD

DATE ISSUED: 11/26/2018 EXPIRATION DATE: 05/16/2020

DH 4016, 08/09 (Obsoletes all previous editions which may not be used)

Incorporated: 64E-6.003, FAC

NOTICE OF RIGHTS

A party whose substantial interest is affected by this order may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. Such proceedings are governed by Rule 28-106, Florida Administrative Code. A petition for administrative hearing must be in writing and must be received by the Agency Clerk for the Department, within twenty-one (21) days from the receipt of this order. The address of the Agency Clerk is 4052 Bald Cypress Way, BIN A-02, Tallahassee, Florida 32399. The Agency Clerk's facsimile number is 850-413-8743.

Mediation is not available as an alternative remedy.

Your failure to submit a petition for hearing within 21 days from receipt of this order will constitute a waiver of your right to an administrative hearing, and this order shall become a 'final order'.

Should this order become a final order, a party who is adversely affected by it is entitled to judicial review pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings may be commenced by filing one copy of a Notice of Appeal with the Agency Clerk of the Department of Health and a second copy, accompanied by the filing fees required by law, with the Court of Appeal in the appropriate District Court. The notice must be filed within 30 days of rendition of the final order.