

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
COMMISSIONER

October 22, 1999

**SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
GENERAL GUIDANCE MEMORANDUM #10
CHANGE OF USE - WHEN PLANS ARE REQUIRED**

AUTHORITY

The Suffolk County Sanitary Code sets forth requirements for approval of water supplies and sewage disposal systems. The statutory authority for these guidelines can be found in Article 5 Section 760-502, Article 6 Section 760-602, 603, and Article 7 Section 760-705A. Detailed specifications can be found in Standards for Approval of Plans and Construction - Sewage Disposal Systems for Other Than Single Family Residences.

PURPOSE

The Suffolk County Sanitary Code, Articles 5, 6, and 7 give the Department of Health Services jurisdiction over construction of private water supplies and sewage disposal systems. The Department maintains programs to review all new single family residential sewage disposal systems. For other than single family residences, the Department reviews all new or expanded existing disposal systems.

The standards promulgated pursuant to the sanitary code require permits for all new construction, for additions or changes in use to existing buildings and for renovations which may affect sanitary waste flows. The department's definition of change in use may differ from that used by various local jurisdictions in their review. This memorandum will clarify the department's position as to when plans should be required for review and approval.

CHANGE OF USE

A change in use referred to is one in which it may reasonably be expected that waste flow will be increased. Examples are:

1. Dry store to wet store.
2. Wet store to wet store with food processing.
3. Warehouse to industrial space.
4. Industrial to office.
5. Office to medical/professional office.

Dry stores are classified as those where the only water-use anticipated is for employee-only sanitary disposal. Wet stores are those where additional water would be used for processes within the store or for employee and

customer/client sanitary disposal, such as barber shops and hairdressers. Wet stores with food processing are those where food is prepared on premises. A change within a category would not be considered a change in use by the Department. For example, a hardware store being converted to a shoe store would not require additions to the disposal system or a sewage permit. Flow figures for various commercial categories can be found in the Standards for Construction of Sewage Disposal Systems for Other Than Single Family Residences available from the department.

PROCEDURES USED DURING REVIEW

Many shopping centers or clusters of stores constructed since 1984 have been designed on the basis that the stores could only be occupied by dry stores. In these cases the plans are marked “DRY STORES ONLY” and a covenant is usually placed on the parcel. When the department issues these types of approvals, it means that the owner/applicant has chosen to maximize the space available for clients by seeking only dry stores as tenants. Had the owner opted for mixed use, wet or dry, the space available would have been smaller or the sewage disposal system would have had treatment processes associated with them. Therefore, any application showing a wet use in these shopping centers must be reviewed by the department, will require a full application, and will usually be rejected unless the owner either upgrades his sewage disposal system to include treatment processes for nitrogen removal or obtains a variance from the department.

Other shopping centers were designed so that various combinations of businesses could occupy the stores without requiring additions to the sewage disposal system. Where the owner desires a mix and standards do not require sewage treatment the department will approve a disposal system large enough to handle the wet stores. When wet stores are proposed for these types of shopping centers, the department still must review the proposal, and requires a reduced application. The reduced application will be reviewed to determine whether the original approval is valid for the new proposal. If so, the department will stamp the plans “NO ADDITIONS TO SEWAGE DISPOSAL SYSTEM REQUIRED.” In the cases where it is found that additions are required, the applicant will be informed that he must go through the full application process.

The Office of Wastewater Management reviews all wet store food processing applications for a determination of water and sewage adequacy in coordination with the food services unit of the Division of Public Health. No sewage applications or permits are required (other-than the food service permit) in cases where the disposal system and water supply are found to be adequate. If inadequate, food service permits are withheld until sewage permits are issued. For new shopping centers the department usually suggests dual plumbing systems to provide for separation of kitchen type wastes which require the installation of an exterior grease trap.

The Office of Wastewater Management does not presently make determinations as to the adequacy of water supply and sewage disposal systems for other types of use unless an application for construction of a water supply and sewage disposal system is first submitted to the Department. An applicant may propose to utilize existing water supply and disposal systems and, if the existing facilities were in conformance with standards, approval would be granted. Applicants may make appointments with staff to receive an unofficial analysis of their situation, but no official rulings or approvals are given without an application being filed.

Issued by: Stephen A. Costa, P.E., Chief
Office of Wastewater Management