

TOWN OF SCHROON, NEW YORK
REGULATION FOR
INDIVIDUAL SEWAGE DISPOSAL SYSTEMS
1977

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REGULATION FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM

TOWN OF SCHROON, NEW YORK

ARTICLE I: INTRODUCTORY PROVISIONS

Section 101. Short Title

This regulation shall be known as "Town of Schroon Regulation for Individual Sewage Disposal System". The Town of Schroon is hereinafter referred to as the "Town".

Section 102. Applicability

This regulation shall govern the disposal of sewage and the design of all sewage disposal systems within the town except that this regulation shall not govern the design of, installation of, or disposal of sewage by means of a sanitary or combined sewer.

Section 103. Authority

Enactment of this regulation is pursuant to Article 3 of the Public Health Law and Article 27 of the Executive Law of the State of New York.

Section 104. Purposes and Objectives of the Regulation

The purpose of this regulation is to promote the health, safety and general welfare of the community by insuring that sewage and other wastes are disposed of in a manner that will not create a health hazard, adversely affect the environment, or impair the enjoyment or use of property.

ARTICLE II: GENERAL PROVISIONS

Section 201. Prohibited Acts

201.1 Except as hereinafter provided, it shall be unlawful for any person to construct, alter, repair or extend any facility or part of such facility intended or used for, the discharge of sewage.

201.2 It shall be unlawful for any person to cause to be discharged, within the town, any sewage except by systems designed, installed, and approved in accordance with the requirements of this regulation.

201.3 It shall be unlawful for any person to dispose of salt water from water softeners except by depositing such wastes in a sanitary landfill or similar waste disposal area.

201.4 It shall be unlawful for any person to use or maintain any individual sewage disposal system that is unsafe, is a source of pollution to any of the surface waters of the state, permits the seepage of sewage to ground surface, or interferes with the enjoyment or use of property.

201.5 It shall be unlawful for any person to abandon the use of a septic tank or seepage pit, unless at the time of such abandonment, the septic tank is filled with clean, granular soil or inert, free-flowing, dense material.

Section 202. Definitions

Application Rate: The rate at which septic tank effluent is applied to a subsurface absorption trench or pit, for design purposes, expressed in gpd/ft.

Baffle: A flow deflecting device used in septic tanks to check or inhibit the velocity of a stream of flow and the discharge of floating and suspended solids. See Sanitary Tee.

Building: Means a structure wholly or partially enclosed with exterior or party walls, and a roof, affording shelter to persons, animals or property.

Building Drain: Means that part of the lowest piping of a drainage system which receives the discharge of solid, wastes, and other drainage pipes inside the walls of the building and conveys such discharges to the building sewer. The building drain extends at least 3 feet outside the building wall.

Building Sewer: That part of the drainage system which extends from the end of the building drain and conveys its discharge to an individual sewage disposal system, public sewer, private sewer, or other approved point of disposal.

Cleanout: An opening providing access to sewage disposal devices (house sewer, septic tank, distribution box) which allows for the cleaning or purging of materials and obstructions.

Combined Sewer: Means a sewer receiving both surface runoffs and sewage.

Community Water Supply System: Means a centrally managed system serving more than one user from one or more intakes by transporting water from such source(s) by means of which the users property receives water from off the site by means of a conduit.

Distribution Box: A device used to uniformly distribute sewage to the distribution lines.

Emergency Repairs: Are repairs designed to prevent or abate an imminent threat to the public health, safety or welfare caused or about to be caused by an individual sewage disposal system.

Existing Grade: Means the natural topography of land prior to construction activity.

Final Grade: The elevation that ground will have the conclusion of cutting, filling or other site work.

Garbage: Means organic solid wastes from domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

Grade: The slope of a line of pipe, trench bottom, or ground surface in reference to a horizontal surface.

Gravel: Means a mixture of mineral soil particles whose individual diameters range from 1/4" to 3 inches.

Groundwater: Soil moisture occupying a zone of saturated solid which has a thickness of at least 6" for at least a two week period during the average water year.

- Impervious Material:** Means material with a percolation rate of slower than sixty (60) minutes per inch.
- Individual Sewage Disposal System:** Means a sewage disposal system, other than a public sewer system, which receives sewage.
- Industrial Wastes:** Means any liquid, gaseous, solid, or waste substance or a combination thereof resulting from any process or industry, manufacturing, trade, or business or from development or recovery of any natural resources.
- In Existence:** Means with respect to individual sewage disposal systems that such structure has been substantially commenced or completed.
- Inspection Officer:** The Zoning Officer or other person appointed by the town to administer and enforce this regulation or his assistant.
- Invert:** Means the bottom most point of an open conduit or the bottom most point on the inside of a closed conduit.
- Leaching Facility:** Means any structure that is designed to distribute sewage in or onto soil. See seepage pit or tile field.
- Major Repair:** Means any remedial measure directly affecting at least 3/4 of leaching device, distribution box, or septic tank of an individual sewage disposal system. Also means major alteration.
- Mean High Water Mark:** Means the average elevation or boundary of the annual high water levels for any given location along a lake, pond, river or stream.
- Minor Alteration:** See minor repair.
- Minor Repair:** Is any remedial measure not defined as a major repair, major alteration, or extension.
- Percolation:** The movement of water downward through the pores of a soil or other porous medium following infiltration through the soil surface.
- Privy:** A building fixed to a vault or pit, equipped with seating to allow for excretion of body waste.
- Pre-existing individual Sewage Disposal System:** Means any individual disposal system that was lawfully in existence or approved prior to the effective date of this regulation.
- Sanitary Tee:** Pipe fitting used in septic tanks to reduce flow velocities so as to increase solids settling in the tank and prevent carry-over of solids. See Baffle.
- Seepage Pit:** A covered, underground pit with a permeable lining that permits the infiltration of treated sewage to the surrounding soil.
- Sewage:** The combination of human and household waste with water which is discharged to the home plumbing system; the waste from a flush toilet, bath, sink, lavatory, dishwashing or laundry machine, or the water-carried waste from any other fixture or equipment or machine.
- Structure:** Means an assembly of materials forming a construction framed of component parts for occupancy or use.
- Subsurface Absorption System:** Means seepage pits or tile field.
- Tile Field:** Means an area in which open joint or perforated piping is laid in gravel trenches or excavations for the purpose of distributing the effluent discharged from an individual private treatment device for absorption into the soil.
- Toilet Wastes:** Means human excretion and toilet flushing fluid.
- Usable Soil:** Means all soil with a percolation rate faster than one (1) inch in sixty minutes.
- Wetlands:** Means any land which is annually subject to a periodic flooding or continual inundation by water and commonly referred to as a bog, swam or marsh.

- 305.2 Septic Tank. Septic tanks shall be designed and installed in accordance with the following specifications:
- A. A septic tank shall have a minimum liquid capacity as required in Table 3 of Appendix A, hereof.
 - B. Septic tanks shall have a minimum designed liquid depth of four feet. The inside length of rectangular tanks shall not be less than two, nor greater than four, times the inside width.
 - C. The top of the septic tank shall have one opening equipped with a removable cover for each septic tank compartment. The opening shall be a minimum of twenty inches in least dimension. Additionally, the top of the septic tank shall have openings equipped with removable covers above the inlet and outlet. The openings shall be a minimum of eight inches in least dimension.
 - D. The top of the septic tank shall be at least six inches but not more than twelve inches below finished ground surface, except that the top of septic tanks that are fitted with extension collars meeting the following requirements may be a maximum of twenty-four inches below finished ground surface:
 1. Extension collars shall be provided for each opening in the top of the septic tank.
 2. Each extension collar shall have minimum dimensions that are least equal to the opening that it is attached to.
 3. Each extension collar shall extend from the top of the tank to a point a minimum of six inches and a maximum of twelve inches below finished ground surface.
 4. Each extension collar shall be fitted with a removable cover.
 - E. Septic tanks shall be made of the following materials conforming to the designated standards: steel reinforced portland cement concrete, steel (Underwriter's Laboratory - UL70) or fiberglass (Canadian Standards Association - 41 CP 184 1971).
 - F. The walls and bottom of poured-in-place portland cement concrete tanks shall be poured at the same time. Walls, bottom and top of such tanks shall be a minimum of six inches thick and be reinforced with six inch by six inch welded wire fabric of number 6/8 gage or the equivalent.
 - G. All septic tanks must be water tight and not be subject to cracking or collapsing when subjected to lateral loadings that will occur when backfilled or during normal operation.
 - H. The top of all septic tanks shall be able to support a minimum uniform dead load of three hundred (300) pounds per square foot.
 - I. All septic tanks shall be equipped with at least two flow baffles, one at either end of the tank. Baffles shall consist of a 6" "sanitary tee" or equivalent. The baffle walls shall extend below the design liquid level of the tank by at least eight inches but not more than one half the total design liquid depth.
Baffles shall be constructed of the following materials:
 1. Portland cement concrete at least one and one half (1¹/₂) inches thick;
 2. The same material as the septic tank of the same thickness as the tank walls; or
 3. Cast iron (ASTM A74) or vitrified clay (ASTM C700) sanitary "tees".
 - J. Tanks shall be placed on at least a three inch bed of clean sand or pea gravel.
 - K. The outlet pipe shall be a minimum of two inches lower than the inlet pipe.

- L. A bituminous coating or other equivalent material shall cover all interior and exterior surfaces of steel tanks and shall cover the interior surfaces of concrete tanks above a line four inches below the designed liquid depth.
- M. Inlet and outlet opening joints of septic tanks shall be sealed with asphaltic material or equivalent.
- N. When the length of a septic tank exceeds nine feet, the tank shall be divided into two chambers by a baffle wall. Two chambered septic tanks in addition to the other requirements of this section shall comply with the following specifications:
 - 1. The baffle wall separating the two chambers (inlet chamber and outlet chamber) shall be attached to the bottom of the tank, extend across the width of the tank and be installed at right angles to the floor and sides of the tank.
 - 2. The baffle shall extend at least six inches above the designed liquid level of the tank.
 - 3. The baffle shall be constructed with a vent opening connecting adjoining chambers. The openings shall be a minimum of fifteen square inches in size, one and one half (1 1/2) inches in least dimension and at least two inches above the designed liquid level of the tank.
 - 4. The baffles shall be constructed with openings connecting adjoining chambers. Such openings shall be a minimum of fifty square inches in size, three inches in least dimension and at least eighteen inches below the designed liquid level of the tank.
 - 5. The baffle shall be installed so that the inlet chamber contains sixty to seventy-five percent of the total volume of the septic tank.
 - 6. This baffle shall be constructed of portland cement concrete at least one and one half (1 1/2) inches thick; or the same material as the septic tank and be of the same thickness as the tank walls.

- 305.3 Distribution Box. A distribution box shall be designed and installed in accordance with the following specifications:
- A. A distribution box shall be water-tight.
 - B. It shall be laid on a level bed of clean sand or pea gravel which is at least 12 inches thick and shall be constructed so as to provide uniform distribution of waste water from the septic tank throughout the subsurface disposal system.
 - C. All outlets on a distribution box shall be at the same elevation.
 - D. Lateral outlet inverts of a distribution box shall be one to five inches above the floor of the distribution box.
 - E. The invert of the inlet to a distribution box shall be at least two inches above the inverts of the outlets of such distribution box.
 - F. The distribution box(es) shall be fitted with a removable cover not less than three inches nor more than twelve (12) inches below grade.
 - G. The distribution box shall be made of portland cement concrete one and one half (1 1/2) inches thick, and reinforced with six inch by six inch 10/10 welded wire fabric or equivalent.
 - H. Distribution boxes shall be connected to the septic tank and other distribution boxes by watertight, non-perforated, four to six inch diameter conduits conforming to the following standards: bituminized fiber pipe for general drainage (ASTM D 2311); styrene rubber plastic drain and building sewer

pipe and fittings (ASTM D 2729); Polyvinyl chloride (PVC) sewer pipe and fitting (ASTM D 2729); clay drain tile (ASTM C4); cast iron pipe (ASTM A-142); or vitrified clay (C700).

- I. Lines connecting septic tanks and distribution boxes shall slope downhill from the septic tank to the distribution box. The minimum slope of the lines shall be 1/8" per foot.

305.4 Leaching Devices. Leaching devices shall be designed and installed in accordance with the following specifications:

- A. No leaching device shall be installed in the ground with a percolation rate of slower than one inch in three minutes, located greater than two hundred (200) feet from any surface water body unless after such installation there will be two feet of usable soil between the bottom of the leaching device and seasonal high ground water or impervious material and five feet of soil between the trench or pit bottom and bedrock;
- B. No leaching device shall be installed in the ground with a percolation rate of one inch in three minutes or faster or within two hundred (200) feet of a surface water body, unless after installation there will be four feet of usable soil between the bottom of the leaching device and seasonal high ground water or impervious material and five feet of soil between the bottom of the leaching device and bedrock.
- C. Notwithstanding the foregoing provisions of this section, a tile field may be installed in ground with a percolation rate of one inch in three minutes or slower, located within two hundred (200) feet of a surface water body provided:
 1. The tile field is used to leach sewage other than toilet wastes and toilet wastes are discharged into a holding tank or sanitary privy; and
 2. The tile field serves a hunting cabin or single family dwelling; and
 3. There will be two feet of usable soil between the bottom of the tile field and seasonal high ground water or impervious material and five feet of soil between the bottom of the tile field and bedrock.
- D. No leading device may be installed unless such device will be buffered by a zone consisting of soil in the following proportions:
 1. For leaching devices proposed to be installed on the ground with a slope of less than one percent, the buffer area shall consist of usable soil of the same depth as required for the leaching device for at least a distance of seventy-five (75) feet on all sides of the proposed leaching device.
 2. For leaching devices proposed to be installed on ground with a slope of greater than one percent, the buffer area shall consist of usable soil of the same depth as required for the leaching device for a distance of ten feet in the up-slope direction, twenty-five (25) feet in the side-slope direction and twenty five (25) feet in the down-slope direction. Also, in the down slope direction, there must be an additional seventy-five (75) feet of usable soil to a depth of eighteen inches above ground water, impervious material or bedrock.
- E. Tile Field Specifications:
 1. A tile field shall be so designed and installed as to meet the minimum trench width and linear feet specifications provided hereinafter in

Table 5 of Appendix A, hereof, based on actual results of percolation tests on the proposed site. Unless otherwise specifically provided in this order, the minimum size of such system shall not be less than the size required for a single family dwelling.

2. A tile field shall be so designed and installed to meet the specifications provided hereinafter in Table 4 of Appendix A, hereof.
3. Two types of tile field layouts shall be permitted: parallel tile field for areas having a slope of less than ten percent and drop inlet serial distribution systems for areas which have slopes to ten to fifteen percent. Tile fields shall not be installed on slopes exceeding fifteen percent.
4. Filter material shall cover the full width of the trench. Such material shall be not less than six inches deep below the tile and two inches deep above the tile. The filter material shall be washed coarse gravel or crushed stone, ranging in size from 3/4" to 1 1/2". Run of bank gravel is unacceptable as filter material. The filter material shall be covered by a layer of untreated building paper or by a two inch layer of straw, hay or similar material.
5. Distribution line of a tile field shall consist of either perforated piping of one foot lengths of open jointed piping that comply with the following specifications:
 - a. The piping used for distribution lines shall be at least four inches in diameter.
 - b. In systems for which open jointed piping is proposed, adjacent sections of pipe shall be separated by a 1/8" - 1/4" space with the upper two thirds of the piping covered by untreated building paper.
 - c. In systems for which perforated piping is proposed, all perforations shall be circular, 5/8(+1/16)" in diameter and arranged in two rows parallel to the axis of the pipe. Such perforations shall be spaced approximately three inches center along the rows. Such rows shall be 90° to 125° apart. The piping shall be laid with the perforations facing the trench bottom.
 - d. Distribution laterals shall consist of any of the following materials: conforming to the designated standards-rigid plastic (ABS (ASTM D 2751), polyvinly chloride (ASTM D 2729), bituminized fiber (ASTMI D 2312), or heavy duty corrugated polyethylene drainage tubing (ASTM F405), clay (ASTM C4).

F. Seepage Pit Specifications.

1. A seepage pit shall be so designated and installed as to meet the absorptive area specifications provided hereinafter in Table 6 of Appendix A, hereof, based on the percolation rate on the proposed site. In no event shall a seepage pit be less than the size required for a single family dwelling. In no computation shall the bottom of the seepage pit be considered as part of the absorptive area of the pit.
2. A seepage pit shall be constructed of stone, brick, or concrete blocks, or similar materials at least eight inches thick or precast steel reinforced concrete seepage pit rings laid in cement mortar above the inlet with tight butt joints below the inlet. Eight inch standard block, stone or

brick shall be used only to a depth of ten feet. Radial block or precast concrete rings shall be used to a depth of fifteen feet.

3. Seepage pits greater than fifteen feet deep shall not be installed.
4. Laterals leading to a seepage pit shall be at a minimum of four inches in diameter and sloped a minimum 1/8" per foot.
5. Seepage pit linings shall be placed upon level concrete block footings and surrounded by a six inch minimum ring of washed gravel or crushed stone 1 1/2"-3" in size. Such rings shall extend from the top of the footings up to the level of the inlet. The washed gravel or crushed stone shall be covered by a two inch thick layer of straw or pea gravel.
6. A layer of washed coarse gravel shall be placed in the bottom of the seepage pit. The layer shall be at least six inches deep but not more than twelve inches deep.
7. A seepage pit cover having a minimum thickness of four inches and capable of supporting a uniform dead load of 300 pounds per square foot shall be installed.
8. A manhole having a minimum inside dimension of twenty inches shall be provided on the top of the seepage pit. The manhole shall be provided with a manhole cover which shall be not less than six inches nor more than twelve inches below grade.
9. The excavation of the seepage pit shall not be commenced when soils are wet.
10. In cases where a system will involve the use of more than one seepage pit, the pipe from the septic tank shall be arranged so as to distribute the sewage uniformly among the pits. To this end, the use of a distribution box, with separate laterals each feeding no more than two pits, is required.
11. Seepage pits shall not be dosed in series.
12. In cases where a system will involve the use of more than one seepage pit, an equalization pipe shall be installed between such pits.
13. Seepage pits shall not be permitted on slopes exceeding fifteen percent.

Section 306. The Sanitary Privy

306.1 A sanitary vaulted privy shall be installed to comply with the following requirements and specifications:

- A. The waste receptacle shall be watertight, and constructed of materials permitted in Section 305.2 E hereof.
- B. The vault shall be installed so that the top edge is at least six inches above finished ground surface.

306.2 A sanitary pit privy shall be installed to comply with the following requirements and specifications:

- A. The sides of the waste receptacle shall be lined with dense, durable, new wood at least 1 1/2 inches thick, or other durable materials, have adequate bracing and an unsealed pit bottom.
- B. The bottom of a sanitary pit privy shall be installed to comply with the requirements of paragraph A, B, C and D of Subsection 305.4, hereof.

- 306.3 A sanitary privy shall be used as a receptacle for non-water-borne toilet wastes only.
- 306.4 A vertical or near vertical rigid conduit shall be connected to the waste receptacle of the sanitary privy. The conduit shall have a minimum diameter of four inches and shall extend at least eight feet above the ground surface level; however, the top of such conduit shall in all cases extend at least to a point above the roof of any structure covering the waste receptacle. The top of the conduit shall be fitted with a rainproof cap and fly proof screen.

Section 307. Fill Systems

- 307.1 In those cases where a single family dwelling has been constructed, sewage is overflowing onto the ground surface, the existing septic system cannot be repaired and the owner cannot afford to abandon his home, a fill system may be installed.
- 307.2 The design and installation of a fill system shall comply with the following specifications:
- A. The maximum allowable existing ground surface slope for build-up systems shall be ten percent.
 - B. Where fill is to be placed on top of existing grade, organic debris, including leaves, roots, and other plant forms, shall be removed prior to the placement of the fill.
 - C. The soil that shall be used for fill shall be well graded loamy sand or well graded loamy sandy gravels containing a minimum of twelve percent silts or clays (-200 Tyler standard sieve, dry weight basis) and be placed in layers not exceeding twelve inches in depth and compacted so as to achieve a percolation rate of between one inch in ten minutes and one inch in twenty minutes.
 - D. Only tile fields shall be used as the leaching facility in the fill system. The tile field installed in the fill material shall be so designed and installed as to meet the minimum trench width and lineal feet requirements of Table 5 based on the percolation rate in the fill material or the percolation rate of the existing soil on the site, whichever is slower, except that it shall be based on the percolation rate of the fill material where impervious material constitutes the existing soil at ground surface on the proposed building site.
 - E. Fill shall not be placed in natural drainage courses or swales, or within fifty (50) feet of wetlands, other surface water bodies, or bedrock outcroppings.
 - F. The built-up private sewage disposal system shall consist of two district areas:
 - 1. Disposal area - The disposal area shall have a minimum depth of artificially placed and existing usable soil that will assure that the tile field installed in such area will comply with the requirements of paragraphs A, B, C and D of Subsection 305.4, hereof.
 - 2. Buffer area - The fill and any existing usable soil shall have a minimum depth above groundwater or bedrock of eighteen (18) inches. Minimum horizontal distances from the edges of the leaching device to the outside edge of the buffer area shall be:
 - 25 feet in the up-slope direction
 - 50 feet in the side-slope direction
 - 100 feet in the down-slope direction

100 feet in all directions on level ground

- G. A channel or berm shall be placed about the fill system in the upslope direction and of sufficient length to divert surface and sheet water runoff around the fill system.
- H. Side slopes of fill shall be graded to a slope not steeper than one (1) vertical on three (3) horizontal.

Section 308. Holding Tanks

308.1 Holding tanks shall be designed to be capable of holding a minimum of fourteen (14) days of discharge of sewage. Daily discharge shall be computed based on the flow rates specified in Section 303 of this regulation. Except that for proposals for holding tanks serving single family dwellings, multiple family dwellings, hunting camps, resort camps or campsites, the daily discharge shall be computed, based on one half the flow rates specified in Section 303 of this Article if the following factors are demonstrated to the satisfaction of the inspection officer.

- A. Only toilet wastes will be discharged into the holding tank, and
- B. That all other sewage will not exist or will be discharged by a system conforming to the specifications and requirements of this order. Except that the size of septic tanks and leaching facilities shall be designed based on one half the applicable flow rate specified in Section 303 and may be smaller than the minimum size required for a single family dwelling.
- C. Holding tanks shall not be installed unless it is demonstrated that there is a reasonable, practical method of disposing of the sewage stored therein.
- D. Holding tanks shall be connected to the building sewer and have an inlet opening sized to fit the building sewer.
- E. Holding tanks shall be constructed of materials meeting the requirements of Section 305.2 E, hereof.
- F. All joints of the holding tank shall be sealed with asphaltic material or equivalent.
- G. The top of holding tanks shall have at least one opening equipped with a removable cover. The openings shall be a minimum of sixteen inches in least dimension. The opening shall be located at or above the ground surface.
- H. Holding tanks shall be fitted with an exterior measuring device.

ARTICLE IV PRE-EXISTING SYSTEMS

Section 401. Continuation of Pre-Existing Systems

Subject to the provisions of this regulation, the use or maintenance of a properly functioning pre-existing individual sewage disposal system may be continued but it shall be unlawful to alter, enlarge, repair, or extend such systems except in conformity with the provisions of this regulation. This article shall not be construed to permit any unsafe use or structure, or permit such structures or their use when such structure or use constitutes a threat to public health, safety, welfare or environmental quality; permits the seepage of sewage waters to ground surface; or interferes with the enjoyment or use of property.

Section 402. Repair, Alteration, Enlargement or Extension of a System

402.1 It shall be unlawful to repair, alter, enlarge or extend a pre-existing individual sewage disposal system except that:

- A. Minor repairs and minor alterations may be undertaken without a permit.
- B. Major repairs, extensions or major alterations may be undertaken pursuant to a disposal system building permit.

402.2 It shall be unlawful to use any system that has been extended or undergone major repairs or major alterations unless a disposal system use permit is issued pursuant to Article VI, hereof.

ARTICLE V **ALTERNATIVE SYSTEMS**

Section 501. Purpose of this Article

The purpose of this article is to allow for alternatives to this regulation in certain defined situations.

Section 502. Authorization to Grant or Deny Alternative System

Any proposal for an alternative to the requirements of this regulation shall be approved by the Zoning Board of Appeals in accordance with the standards and procedures set forth in this article. In approving such alternatives, the Zoning Board of Appeals may impose reasonable conditions, to protect the best interests of the surrounding property and to preserve the health, safety and general welfare of the town.

Section 503. Application for an Alternative System

A property owner, lessee or his duly authorized agent(s) may initiate a request for an alternative system by filing an application with the Inspection Officer using forms supplied by the Zoning Board of Appeals, which shall include all information reasonably considered by the Zoning Board of Appeals as necessary to make its findings under Section 504 of this regulation, supplied by the applicant, and including a description of the property, a map showing the property and all properties within a radius of two hundred (200) feet of the exterior boundaries thereof, plans and elevations necessary to show the proposed alternative system, and other plans, drawings or information reasonably considered necessary by the Board to an understanding of the proposed individual sewage disposal system and its relationship to surrounding properties. The Zoning Board of Appeals shall have authority to determine when the application is complete.

Section 504. Requirements for Approving Proposals for Alternative Systems

504.1 Alternative Area or Distance Proposals. A proposal to allow an individual sewage disposal system to be located on a lot or property which does not conform to the minimum setback requirements of Table 2, Appendix A, or to the minimum lot size requirements of Section 302.3 of this regulation may be approved only in the event that all of the following circumstances are specifically found to exist by the Zoning Board of Appeals, and are each so stated in the Board's findings, and no such approval shall be valid unless all of the following circumstances are so found:

- A. That the strict application of the minimum setback requirements or the minimum lot size requirement would result in a specified practical difficulty to the applicant, and
- B. That the alternative proposed would not be materially detrimental to the purposes of this regulation, or to property or natural resources in the area in or near the site of the proposed individual sewage disposal system, or otherwise conflict with the description, purpose or the objectives of any plan or policy of the town, and that the alternative proposed is the minimum variation which would alleviate the specified practical difficulty as found by the Board to affect the applicant.

504.2 Alternative Ground Water Proposals. A proposal to allow an individual sewage disposal system to be installed in a manner that does not comply with the separation requirements of paragraphs A, B, C and D of subsection 305.4 hereof may be approved only in the event that all of the following circumstances are specifically found to exist by the Zoning Board of Appeals and are each so stated in the Board's findings, and no such appeal shall be valid unless all of the following circumstances are so found.

- A. That the strict application of the separation requirements would result in extreme hardship.
- B. That it is proved by the applicant beyond a reasonable doubt that the alternative proposal would not be materially detrimental to the purposes and objectives of this regulation, or to property or natural resources of the area in or around the proposed individual sewage disposal system or otherwise conflict with the description, purposes or objectives of any plan or policy of the town, and that the alternative proposed is the minimum variation which would alleviate the specified extreme difficulty or extreme hardship as found by the Board to affect the applicant.

504.3 Alternative Use Proposals.

A proposal to permit on individual sewage disposal system that is other than a system specifically allowable in this regulation may be approved only in the event that all of the following circumstances are specifically found to exist by the Zoning Board of Appeals, and are each so stated in the Board's findings, and no such approval shall be valid unless all of the following circumstances are so found:

1. That the system will be installed on a lot meeting the minimum lot size criteria of Section 302.3, if applicable, in a manner that insures that any component of the system leaching sewage or other polluted waters into or on the ground complies with the minimum separation requirements of Section 304 and paragraphs A, B, C and D of subsection 305.4 hereof or an alternative area or distance proposal in regard to this system has been or will be approved by the Board.
2. That the strict application of this regulation's requirements or specifications for individual sewage disposal systems are as provided for by this regulation would result in a specified extreme hardship and extreme difficulty to the applicant.
3. That the applicant has demonstrated beyond a reasonable doubt that approval of such an alternative system would not be materially detrimental to the purposes of this regulation, or to property in the area in which the individual sewage disposal system is to be located,

or otherwise conflict with the objectives of any plan or policy of the town, and that the alternative system proposed is necessary to alleviate the difficulty or hardship found by the Board to affect the applicant.

Section 505. Approved Subdivision Plans

The Inspection Officer may issue permits for disposal systems shown on subdivision plans which have been approved by the New York State Department of Health provided these systems are constructed in accordance to the approval granted by the said Department and this regulation.

ARTICLE VI ADMINISTRATIVE PROVISIONS

Section 601. Inspection Officer

The Inspection Officer shall have the power and duty to administer and enforce the provisions of this regulation. Persons adversely affected by an action, omission, decision or rule by the Inspection Officer regarding a requirement of this regulation may appeal such actions or inactions only to the Zoning Board of Appeal, which shall render a decision regarding the appeal only after holding a hearing on the matter.

Section 602. Required Records

The original or a certified copy of all decisions, approvals, rulings and findings of any board under this regulation and of all permits and certificates issued pursuant to this regulation shall be retained in the file of the Inspection Officer as a permanent public record.

Section 603. Appeal from Action or Zoning Board of Appeals

An action, omission, decision or ruling of the Zoning Board of Appeals pursuant to this regulation may be reviewed at the instance of any aggrieved person in accordance with Article 78 of the Civil Practice Law and Rules, but application for such review must be made not later than sixty days from the effective date of the decision or ruling or the date when the action or omission occurred.

Section 604. Form of Petitions, Applications and Appeals

Unless otherwise stated, all petitions, applications and appeals provided for in this regulation shall be made on forms prescribed by the Zoning Board of Appeals. Completed forms shall be accompanied by whatever further information, plans or specifications as may be required by such forms.

Section 605. Applications Fees

Fees shall be paid upon the submission of petitions, applications and appeals, provided for by the terms of this regulation in such amount or amounts as shall be established by the Town Board from time to time. Such fees shall not be refundable.

Section 606. Notice of Public Hearing

When the Zoning Board of Appeals is required to hold a public hearing, as provided for by the terms of this regulation, notice of the hearing shall be given in the following manner:

- 606.1 Each notice of hearing upon an application for the granting of an alternative system, or upon an appeal to the Zoning Board of Appeals from an action of the Inspection Officer, shall be published once in the official newspaper of the town at least ten (10) days prior to the date of the hearing. In addition, at least fifteen (15) days prior to the date of the hearing, notice shall be mailed to the applicant, to each owner of record of the land involved in the application, to the New York State Department of Health, to the Adirondack Park Agency, to the New York State Department of Environmental Conservation, to all adjacent owners of property as may be determined by the latest tax assessment records of the town.
- 606.2 Any hearing may be recessed by the Board holding the hearing in order to obtain additional information or to serve further notice upon other property owners, or to persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced. No further notice or publication will be necessary.

Section 607. Hearings and Decisions on Alternative System Applications or Appeals of Action, Omission, Decision, or Ruling of the Inspection Officer

- 607.1 Appeals of any actions, omissions, decisions or rulings of the Inspection Officer must be instituted within sixty (60) days of the act, omission, decision, or ruling complained of.
- 607.2 Within fifteen (15) days of receipt of a completed application for review of an action, omission, decision, or ruling of the Inspection Officer or completed application for an alternative system, the Zoning Board of Appeals shall give notice of a public hearing to be held on the application. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days after the notice is mailed. All persons entitled to notice under Section 606 shall be a full party in interest, withstanding to participate in any and all proceedings under this article. Within thirty (30) days of the final adjournment of a public hearing called and held under 607.1 of this section, the Board shall affirm, modify or deny the action, decision or ruling of the Inspection Officer or correct any omission by him, or approve, deny or approve with conditions the application of any alternative system. The decision of the Board shall be in writing and shall contain findings and the factual basis for each finding from the record of the hearing, which shall support the decision of the Board.
- 607.3 As part of any decision the Board shall direct the Inspection Officer to issue any appropriate permit in conformity with its ruling and shall state at time by which the permit shall be issued, in conformity with this regulation.
- 607.4 Such variance shall only be granted in accordance with Section 808 of Article 27 of the Executive Law of the State of New York.

Section 608. Site Inspections

- 608.1 The filing of an application for an approval of an alternative system under Article V hereof, or an application for a disposal system building permit or disposal system use permit under Article IV and VI hereof by a person shall be deemed a granting of approval by such person to the Zoning Board of Appeals, and the Inspection Officer, and to such persons as they may designate, to conduct such examinations, tests, and other inspections of the sites which are the subjects of such applications, as the body or officer having jurisdiction deems necessary and appropriate for the

purposes of this regulation; however, entrance upon the applicant's property, where practicable, shall be made only after reasonable prior notice to the applicant.

- 608.2 The Inspection Officer or his designee may inspect any individual sewage disposal systems within the town to insure that it is being maintained in proper working order, in compliance with this regulation and to insure that the system does not endanger the health, safety, welfare, or environmental quality of the community. It shall be unlawful for the owner or occupant of the property to deny such official free access to the property at reasonable times for the purposes of making such inspections as are necessary. Where practical, inspections shall be made only after reasonable notice to the owner or occupant. Where the Inspection Officer determines that a system is not being maintained in compliance with this regulation, he may order that use of the system cease, that the defects be corrected, or misuse abated within a reasonable time. If the prescribed action is not taken within the time fixed by the Inspection Officer, he may revoke the use permit for the system and/or refer the matter to the Zoning Board of Appeals for appropriate corrective action.

Section 609. Application For, and Issuance of, Permits

- 609.1 It shall be unlawful for any person to construct, alter, repair or extend an individual sewage disposal system within the town unless a disposal system building permit has been issued therefore, except that an individual may institute minor repairs, minor alterations or emergency repairs without a permit.
- 609.2 It shall be unlawful for any unauthorized person to utilize any individual sewage disposal system unless a disposal system use permit has been issued therefore.
- 609.3 Applications for disposal system building permits may be made only by the owner or lessee of the lot for which the system is proposed or his duly authorized agent or assigns and shall be in writing, signed by the applicant in such form as the Zoning Board of Appeals shall determine. Applications shall be submitted to the Inspection Officer and include such information as the Zoning Board of Appeals and Inspection Officer shall require and shall include the following:
- A. The name and address of the applicant.
 - B. Specific location of the property on which the construction, alteration, repair or extension is proposed.
 - C. A plan of the proposed disposal system with substantiating data attesting to compliance with the minimum standards set forth in this regulation.
 - D. A sketch of the property showing the location of the proposed construction, alteration, repair, or extension and including delineation of the property lines and sources of water supply for the property and adjoining properties.
 - E. Evidence to demonstrate to the satisfaction of the Inspection Officer that there is no sanitary sewer available into which the sewage can be discharged from plumbing facilities on the proposed building site, or that it is impracticable to discharge sewage from on-site plumbing facilities into a sanitary sewer system.
 - F. The percolation rate for the site of the proposed facility. The percolation rate shall be determined by one of the following methods:
 - 1. For systems that will utilize leach fields, the percolation rate shall be determined by conducting at least one percolation test on the proposed site of the sewage disposal system. The results of the test will be the percolation rate.

2. For systems that will use seepage pits, the percolation rate shall be determined by making one percolation test at the half way depth of the proposed facility and one at the full anticipated depth of the proposed facility. The two results shall be averaged to obtain the overall percolation rate.
 3. Where nonhomogenous soils are encountered, the percolation rate shall be determined by computing the weighted average (by soil thickness) of percolation tests that shall be conducted for each soil layer.
 4. The Inspection Officer may verify the results of such percolation tests and require all such information from the applicant necessary for such review; alternatively, the Inspection Officer in his discretion shall designate the individual to conduct this test.
- G. Site data which might affect, or be affected by, the proposed system including but not limited to specifications regarding soil type, topography, depth to seasonal high ground water, depth to impervious material, depth to bedrock, distance to surface bodies of water. The determination of depth to seasonal high ground water shall be made in the months of March, April and May within one month of the time that the frost leaves the ground. If such determination is made at other than such times, the seasonal high ground water shall be evaluated and certified by a professional (i.e. Soil Scientist, Professional engineer, exempt Land Surveyor) approved by the Zoning Board of Appeals. All determinations shall be accompanied by a detailed statement of the testing methods used as well as the basis for the determination. The Inspection Officer shall determine whether or not an application is complete.
- 609.4 The Inspection Officer shall have the authority to require certification or retesting to verify information submitted as part of the application.
- 609.5 The Inspection Officer may conduct such investigations, examinations, tests and site evaluations as he deems necessary to verify information contained in an application for a sewage disposal building permit and the applicant or owner of land on which the system is proposed shall grant the Inspection Officer or his agents permission to enter on his land for these purposes.
- 609.6 The Inspection Officer shall not issue a disposal system building permit unless he is specifically ordered to do so by the Zoning Board of Appeals pursuant to Section 607 of this regulation, or until all pertinent site data has been submitted, verified and certified as required by this regulation, all permit fees have been paid, and the Inspection Officer has determined that the alteration, repair or construction as proposed in the application complies with all the specifications contained in this regulation.
- 609.7 It shall be the duty of the holder of the disposal system building permit to notify the Inspection Officer when the installation is ready for inspection. The inspection shall be made within seventy-two (72) hours or as soon thereafter as practical after receipt of written notice by the Inspection Officer, excluding Saturdays, Sundays or holidays. The Inspection Officer may also make inspections during construction to insure that the system is being installed in accordance with the application and this regulation. Any part of any installation which has been covered prior to final approval shall be uncovered upon order of the Inspection Officer. A disposal system use permit shall not be granted by the Inspection Officer until the Inspection

Officer has determined that the individual sewage disposal system has been installed in compliance with the application and this regulation, or an order of the Zoning Board of Appeals pursuant to Article V of this regulation. The Inspection Officer may make such a determination only after he has made an on-site investigation of the system or received a certification from the individual designing and installing the system, that a system conforms to the specifications as set forth in the application and this regulation, or an order of the Town Zoning Board of Appeals pursuant to Article V of this regulation. The Inspection Officer may withhold a determination until after an on-site investigation has been completed notwithstanding that the system has been certified as properly installed and designed.

- 609.8 The Inspection Officer may disapprove an application for a disposal system building permit, if in his discretion, he determines:
- A. That the individual sewage disposal system, as proposed, will not conform to the requirements, or specifications, of this regulation or an order of the Zoning Board of Appeals.
 - B. That the applicant has failed to supply all data necessary to make a determination as to whether or not such individual sewage disposal system conforms to the requirements or specifications of this regulation and has failed to supply such information for sixty (60) days after a written request for such additional information has been mailed.
 - C. The applicant has failed to pay all necessary fees and has failed to make such payment for sixty (60) days after notice of such non-payment has been mailed.
- 609.9 The Inspection Officer may, by written notice, order all further work in and about any individual sewage disposal system which is being erected or installed in violation of this regulation to be stopped forthwith.

Section 610. Expiration of Permits Generally

If a system for which a permit has been issued pursuant to this regulation is not in existence within two (2) years after the issuance of such permit, said permit shall expire, and the system may not thereafter be installed unless a new permit has been applied for and issued in the same manner and subject to all provisions governing the initial application for an issuance of a permit, unless the terms of the permits for the system provide for a longer period of time, in which case the permit shall expire at the end of that longer period.

ARTICLE VII ENFORCEMENT

Section 701. Penalty

Any person owning, controlling or managing any building, structure, land, or premises therein or where on there shall be place on or there exists a structure or system in violation of this regulation, and any person who shall commit or assist in the commission of any violation of this regulation, or who shall build, erect, construct or attempt the same, any structure contrary to the plans or specifications submitted to the authorized official and by him certified as complying with this regulation; and any person who shall omit, neglect, or refuse to do any act required by this regulation, shall be subject to a fine of not more than fifty dollars (50) to be

recovered by the Town Board in any court of competent jurisdiction. Every such person shall be deemed guilty of a separate offense for each day that such violation, disobedience, omission, neglect or refusal shall continue. Where the person committing such violation is a partnership, association or corporation, the principal executive officer, partner, agent or manager may be considered to be the person for the purposes of this article.

Section 702. Alternative Remedy

In case of any violation or threatened violation of any of the provisions of this regulation, in addition to other remedies herein provided, the Town Board may institute any appropriate action or proceeding to prevent unlawful erection, structural alteration, repair, reconstruction, moving and/or use, to restrain, correct or abate such violation to prevent the use of the individual sewage disposal system or to prevent any illegal act, conduct, business or use regarding such disposal system.

Section 703. Misrepresentation

Any permit or approval granted under this regulation which is based upon or is granted in reliance upon any material misrepresentation, or failure to make a material fact or circumstance known, by or on behalf of an applicant, shall be void. This section shall not be construed to affect the remedies available to the Town Board under Sections 701 and 702 of this regulation.

ARTICLE VIII MISCELLANEOUS PROVISIONS

Section 801. Interpretation

Where the conditions imposed by any provision of this regulation are less restrictive than comparable conditions imposed by any other provisions of this regulation, or of any other statute, ordinance, local law, order, rule or regulation the provisions which are more restrictive shall govern.

Section 802. Severability

The provisions of this regulation are severable. If any article, section, subsection or provision of this regulation shall be invalid, such invalidity shall apply only to the article, section, subsection or provisions adjudged invalid, and the rest of this regulation shall remain valid and effective.

Section 803. Savings Clause

The adoption of this regulation shall not affect or impair any act done, offense committed or right accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time this regulation takes effect under the regulation relative to areas in the town.

Section 804. Effective Date

This regulation shall take effect and be in force ten (10) days after its passage, publication and filing as prescribed by Section 308 of the Public Health Law.

APPENDIX A

TABLE 1

ESTIMATED SEWAGE FLOWS

Type of Establishment	<u>Gallons per Person per Day</u>
Multiple family dwellings.....	75
Boarding Houses	65
(Additional kitchen wastes for non-resident boarders)	10
Hotels	75
Restaurant (restrooms and kitchen wastes per person)	10
Tourist camps and mobile home parks	50
Resort camps.....	75
Day camps and day schools.....	20
Day workers (per shift)	35
Picnic parks (per picnicker)	5
Swimming pools and beaches with bathhouse.....	10
Country clubs (per member)	25
Motels (per person)	75
Drive-in theaters (per car space)	5
Movie theaters (per seat)	3
Self-service laundries (gallons per machine per day)	400
Stores (per restroom)	400
Campsites without showers (per site)	100
Campsites with showers (per site)	200
Place of public assembly (per person)	10
Hospitals (per bed).....	350
Institutions	125
Nursing Home, Rest Home.....	125
Condominium Town House or any complex or development served by a community sewerage system.....	75

TABLE 2

LOCATION OF COMPONENTS OF SEWAGE DISPOSAL SYSTEM

All distances measured in feet, edge to edge

	Distance from Well or Suction Line (a)	Minimum Setback from Surface Water Body (Mean high Water Mark)	Distance from Building	Distance from Property Line	Distance from Subsurface Absorption Field	Distance from Seepage Pits	Distance from Water Supply Line
Building sewer to septic tank tight	25' if cast iron pipe, otherwise 50'	50	--	10	--	--	10
Septic Tank	50	50	10	10	--	--	10
Lines to Distribution box and disposal system	50	50	10	10	--	--	10
Distribution Box	100	100	20	10	--	--	10
Tile Field	100b	100	20	10	5	c	10
Seepage Pit	150b	100	20	10	c	c	10
Privy, Sanitary Pit	100	100	25	15	5	c	10
Privy, Sanitary vault	50	50	20	10	5	c	10

- a. Water supply and sewer lines may be in the same trench if cast iron sewer with lead-caulked joints is laid at all points 12 inches below water service pipe; or sewer may be on dropped shelf at one side at least 12 inches below water service pipe, provided said sewer pipe is laid below frost with tight and rootproof joints and is not subject to settling, superimposed loads or vibration. Otherwise, such lines shall be separated by at least 10 feet.
- b. Wells or suction lines located of necessity downgrade and in the general path of drainage from a subsurface absorption system shall be spaced 200 feet or more away; they should also be cement grouted and constructed as explained in New York State Department of Health bulletin, Rural Water Supply.
- c. Two times the effective depth (invert of inlet to bottom of seepage pit) o the seepage pit but not less than 10 feet.

TABLE 3

MINIMUM CAPACITIES FOR SEPTIC TANKS

3.1 Septic Tank Size for Single Family Dwellings - Where Flow is Computed by Bedrooms

Number of Bedrooms(x)	Liquid Capacity of Septic Tank in Gallons(xx)
3 or less	1,000
4	1,200
5	1,500

- x Consider an expansion attic as additional bedroom space and design accordingly.
- xx Add 150 gallons capacity for each bedroom over 5.

3.2 Septic Tank Size for Buildings and Single Family Dwellings, Where Flow is Computed by Gallons Per Day

Flow in Gallons Per Day	Liquid Capacity of Septic Tank in Gallons
0 - 100	1,000
1,000 - 1,500	Entire Daily Flow
1,500 - 2,000	1,700
2,000 - 2,500	1,800
2,500 - 3,000	1,900
3,000 - 3,500	1,950
3,500 - 4,000	2,000
Over - 4,000	1/2 Daily Flow

TABLE 4

STANDARDS FOR TILE FIELD SYSTEM

	Standard Trench
Individual lines, maximum length	60 ft.
Trench, minimum depth	18 in.
Trench, width minimum	24 in.
Field tile, minimum diameter	4 in.
Field tile lines, maximum slope	1/16 in./ft.
Field tile lines, minimum slope	1/32 in./ft.
Trench, minimum separation (edge to edge)	4 ft.
Effective Absorption Area per Linear Foot of Trench	2 sq. ft.
Earth Cover, maximum	12 in.
Earth Cover, minimum	6 in.

TABLE 5

TILE FIELD -- REQUIRED LINEAL FEET OF TRENCH
 Absorption Area Required Based on Soil Tests

Time for 1" fall In minutes	Sewage Application gal./sq. ft./day	Trench Width	----- Lineal Feet of Trench Required -----			
			300 gpd. 2 B.R.	450 gpd. 3 B.R.	600 gpd. 4 B.R.	1,000 gpd.
0 - 5	1.2	24"	125	188	250	417
5 - 7.5	1.0	24"	150	225	300	500
7.5 - 10	.9	24"	167	250	334	555
10 - 15	.8	24"	188	281	376	625
15 - 20	.7	24"	214	321	428	714
20 - 30	.6	24"	250	375	500	833
30 - 45	.5	24"	300	450	600	1,000
45 - 60	.45	24"	333	500	666	1,111
Over 60	Unsuitable					

Gpd. = estimated sewage flow in gallons per day.

B.R. = number of bedrooms under consideration.

Dosing or alternative design
 (see Waste Treatment
 Handbook for Individual
 Household Systems prepared
 by the New York State
 Department of Health, Division
 of Sanitary Engineering.)

TABLE 6

SEEPAGE PITS -- REQUIRED ABSORPTIVE AREA

Time for 1" fall In minutes	Sewage Application gal./sq. ft./day	300 gpd. 2 B.R.	450 gpd. 3 B.R.	600 gpd. 4 B.R.	1,000 gpd.
0 - 5	1.2	250	375	500	833
6 - 7	1.0	300	450	600	1,000
8 - 10	.9	333	500	667	1,111
11 - 15	.8	375	562	750	1,250
16 - 20	.7	429	642	857	1,428
21 - 30	.6	500	750	1,000	1,666
31 - 45	.5	600	900	1,200	2,000
46 - 60	.45	666	1,000	1,333	2,222
over 60	unsuitable				

gpd. == estimated sewage flow in gallons per day.

B.R. == number of bedrooms under consideration.

TABLE 7
SEEPAGE PITS (CYLINDRICAL)
DIMENSIONS FOR REQUIRED ABSORPTIVE AREA
(IN SQUARE FEET)
Effective Strata Depth Below Flow Line (Below Inlet)

Diameter of Seepage Pit (Feet)	1 Ft.	2 Ft.	3 Ft.	4 Ft.	5 Ft.	6 Ft.	7 Ft.	8 Ft.	9 Ft.	10 Ft.
3	9.4	19	28	38	47	57	66	75	85	94
4	12.6	25	38	50	63	75	88	101	113	126
5	15.7	31	47	63	79	94	110	126	141	157
6	18.8	38	57	75	94	113	132	151	170	188
7	22.0	44	66	88	110	132	154	176	198	220
8	25.1	50	75	101	126	151	176	201	226	251
9	28.3	57	85	113	141	170	198	226	254	283
10	31.4	63	94	126	157	188	220	251	283	314
11	34.6	69	104	138	173	207	242	276	311	346
12	37.7	75	113	151	188	226	264	302	339	377