

## WESTCHESTER COUNTY DEPARTMENT OF HEALTH

### Commissioner Rules and Regulations Residential Subsurface Sewage Treatment Systems

#### RE: MAJOR EXPANSION OF EXISTING RESIDENTIAL BUILDING

Code Reference: Chapter 873, Article VIII, Sections 873.721(O) and 873.726 (C) of the Laws of Westchester County; and Westchester County Health Department Rules and Regulations for the Design and Construction of Residential Subsurface Sewage Treatment Systems and Drilled Wells in Westchester County, New York, Section 4.0(a).

**POLICY:** **100% Replacement Area shall not be required in demonstrating compliance with above referenced code sections for a proposed Major Expansion of an existing residential building constructed prior to April 1, 1964 where the proposed Major Expansion does not result in an increase in the total number of bedrooms in such building.**

**In determining whether or not a residential building renovation or expansion results in a Major Expansion; gross floor area shall not include porches, decks, unheated deck or porch enclosures, and garages. Heated deck or porch enclosures shall be included; and unfinished rooms and attic or storage space shall be considered on a case by case basis.**

Adopted by the Commissioner Pursuant to  
Article II, Section 873.203.2 of  
Chapter 873 of the Laws of Westchester County  
Effective 12/10/2009

## **WESTCHESTER COUNTY DEPARTMENT OF HEALTH**

### **Commissioner Rules and Regulations Residential Subsurface Sewage Treatment Systems**

**RE:        FILL REQUIRED OVER 100% REPLACEMENT AREA**

Code Reference: Chapter 873, Article VIII, Section 873.726 of the Laws of Westchester County; and Westchester County Health Department Rules and Regulations for the Design and Construction of Residential Subsurface Sewage Treatment Systems and Drilled Wells in Westchester County, New York, Section 4.0(a).

**POLICY:        Fill required over 100% Replacement Area may be approved by the Department to be placed over such area at time of use, provided that the 100% Replacement Area shall remain accessible for equipment to be used for future fill placement.**

Adopted by the Commissioner Pursuant to  
Article II, Section 873.203.2 of  
Chapter 873 of the Laws of Westchester County  
Effective 12/10/2009

## WESTCHESTER COUNTY DEPARTMENT OF HEALTH

### Commissioner Rules and Regulations Residential Subsurface Sewage Treatment Systems

**RE: COMPLETE TEARDOWN AND REBUILD OF AN  
EXISTING RESIDENTIAL BUILDING**

Code Reference: Chapter 873, Article VIII, Section 873.726 (A) of the  
Laws of Westchester County.

**POLICY: The complete teardown and rebuild of an existing residential building shall not constitute a “new” building construction provided; that such rebuild does not represent a Major Expansion of the existing residential building, and that such rebuild generally follows the existing building footprint without further encroaching on any required minimum separation distances set forth in the Westchester County Health Department Rules and Regulations for the Design and Construction of Residential Subsurface Sewage Treatment Systems and Drilled Wells in Westchester County, New York.**

Adopted by the Commissioner Pursuant to  
Article II, Section 873.203.2 of  
Chapter 873 of the Laws of Westchester County  
Effective 12/28/2009