



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner

September 15, 1989

GEORGE E. BERGER, P.E.
Assistant Commissioner
Building Construction

Mr. Anthony J. Patrissi
Chief Engineer
Department of City Planning
Office of Chief Engineer
22 Reade Street
New York, N.Y. 10007-1216

RE: Sewage Ejector Pump System
Chester Place Condominium
Bruckner Avenue and Wilcox Street

Dear Mr. Patrissi:

Your June 26, 1989 letter to Borough Superintendent Trivisonno has been referred to this office for review and reply.

As per Section 12-10 of the Zoning Resolution, an accessory use is a use conducted on the same zoning lot as the principal use, is a use which is clearly incidental to the principal use, and is operated and maintained on the same zoning lot for the benefit of the principal use.

Item (s) for definition of accessory use (Section 12-10) indicates a Sewage Disposal Plant serving 50 or less dwelling units to be clearly an accessory use. Section 74-732 requires a special permit when a Sewage Disposal Plant serves a commercial area of more than 50 dwelling units.

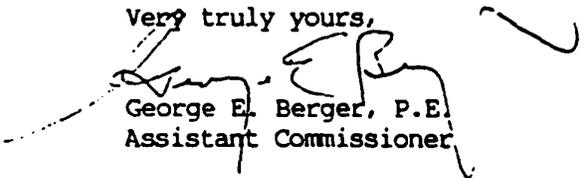
Although a Sewage Pumping Station (Use Group 6) is less onerous than a Sewage Disposal Plant (Use Group 18), the Zoning Resolution fails to indicate when it can be considered an accessory use. Section 74-732 does indicate that a special permit is required when a Sewage Pumping Station is serving more than 15 dwelling units in a Residential District.

This Department has interpreted this in the past as considering a Sewage Pumping Station the same as a Sewage Disposal Plant when it is serving 50 or less dwelling units on the same zoning lot as the dwelling unit and is owned, operated and maintained by the same zoning lot owner. When a Sewage Pumping Station serves 15 or less dwelling units in a Residential District, is not on the same zoning lot and is

therefore not owned, operated or maintained by the same owner of the residential zoning lot, no special permit is required. However when it is serving more than 15 dwelling units and not on the same zoning lot a special permit is required as per Section 74-732.

After reviewing the attached plans, noting that the ejector pumps are located on the same zoning lot and serving 25 dwelling units, the definition of Accessory Sewage Disposal Plant is appropriate in this situation.

Very truly yours,



George E. Berger, P.E.
Assistant Commissioner

GEB:AL:lg

cc: Commissioner C. Smith, Jr, R.A.
Deputy Commissioner C. Dennis, P.E.
Executive Engineer, I. Polsky, P.E.
Borough Superintendents