

§23-02 Requirements for the Submission of Drainage Proposals for the Construction of Private Drains and Additional Requirements for Drainage Proposals and Private Drain Plans.

(a) *Drainage proposals; when required.* Owners proposing to construct a private drain to serve a proposed development shall submit a drainage proposal to the department.

(b) *General requirements for the submission of drainage proposals.* All drainage proposals shall be prepared by or under the supervision of a professional engineer or registered architect licensed by the State of New York and shall be accompanied by the following information and documentation:

- (1) the source, quantity, method of conveyance, and outlet for all stormwater runoff;
- (2) the source, quantity, method of conveyance, and outlet for all sanitary flow;
- (3) a description of the proposed development to be served by the proposed private drain including a description of the type of all buildings to be constructed or maintained on the proposed development;
- (4) a description of the route(s) of the proposed private drains;
- (5) all engineering computations performed in accordance with this rule and the department's most recent drainage design criteria;
- (6) a letter from the office of the borough president of the county in which the proposed development is located verifying the legal status of all streets involved in the proposed development;
- (7) a survey of the proposed development and the location and route(s) of the private drain(s) prepared or updated no more than one year prior to the date of submission of the drainage proposal by a professional land surveyor licensed by the State of New York and prepared in accordance with the requirements of Appendix A-6;
- (8) as-built drawings for the existing outlet for the proposed private sewers or private drains. If as-built drawings are not available, then a sewer route survey showing the sewer or drain size, type, material, and invert/rim elevations at the manholes shall be submitted;
- (9) boring logs prepared in compliance with Appendix A-8;
- (10) a copy of the latest tax map of the proposed development as certified by the city surveyor;
- (11) a copy of the portion of the city map and, if applicable, the alteration map, showing all streets shown on the drainage proposal;
- (12) a copy of the builder's pavement plan as filed with the city;
- (13) a copy of all applicable permits and approvals required by other federal, state, or local laws and regulations including the city's Uniform Land Use Review Procedure (ULURP);

(14) all applicable legal documentation required by this section and §23-03(c);
(15) paper prints prepared in accordance with the requirements of Appendix A-2;
and

(16) the Department's review fee for drainage proposals in accordance with §23-08;

(c) *Additional requirements for the submission of drainage proposals and private drain plans involving special conditions.* In addition to the requirements of subdivision (b) of this section, owners submitting drainage proposals and private drain plans incorporating any of the following special conditions shall be required to file the additional information and documentation as specified below. Such documentation shall conform to the applicable requirements of §23-03 of this rule.

(1) *Use of proposed private sewage treatment plants or proposed private pumping stations in residential districts serving 50 or more dwelling units.* Drainage proposals and private drain plans in residential districts where proposed private sanitary drains will discharge into a proposed private sewage treatment plant or a proposed private pumping station which is not owned and operated by the department and serves 50 or more dwelling units shall include the following additional information and documentation:

- (i) proof of approval by the Department of City Planning;
- (ii) proof of conceptual approval by the Department of Buildings with appropriate conditions and safeguards as prescribed by the Department of City Planning;
- (iii) approval from the New York City Department of Health specifying the following for each private sewage treatment plant or private pumping station:
 - (A) the total number of dwelling units approved;
 - (B) the number of dwelling units committed with the drainage proposal;
 - (C) the number of dwelling units committed to other developments; and
 - (D) the remaining number of uncommitted dwelling units;
- (iv) a copy of the initial franchise application as filed with the city for the installation and maintenance of a Private sanitary force main within a finally mapped street where the city has title or an opinion of dedication; and
- (v) a properly recorded restrictive declaration executed by the owner creating a homeowners' or condominium association to own, maintain, and operate the private sewage treatment plant or private pumping station.
- (vi) a properly recorded declaration of maintenance obligating the owner and all successors-in-interest to maintain the private sewage treatment plant or private pumping station and all appurtenances thereto;
- (vii) security in an amount determined by the department in accordance with §23-04 of this rule shall be deposited with the comptroller's office guaranteeing the continuous and proper maintenance of the private sewage treatment plant or private pumping station for as long as such sewage treatment plant or pumping station remains in use; and

(viii) the owner's liability insurance in an amount determined by the department in accordance with §23-04 of this rule certified by the owner's liability insurance company.

(2) *Use of existing private sewage treatment plants or existing private pumping stations.* Drainage proposals and private drain plans incorporating the use of an existing private sewage treatment plant or an existing private pumping station which is not owned and operated by the department shall include the following additional information and documentation:

(i) a properly recorded consent executed by the owner of the existing private sewage treatment plant or private pumping station granting the owner the right to connect to the existing private sewage treatment plant or private pumping station;

(ii) approval from Department of Health specifying the following for each private sewage treatment plant or private pumping station:

(A) the total number of dwelling units;

(B) the number of committed dwelling units previously connected;

(C) the number of committed dwelling units not yet connected;

(D) the number of dwelling units committed with the drainage proposal; and

(E) the remaining number of uncommitted dwelling units.

(3) *Use of private on-site detention basins.* Drainage proposals and private drain plans incorporating the use of private on-site detention basins to accommodate both on-site and off-site stormwater runoff shall include the following additional information and documentation:

(i) the delineation of the private on-site detention basin on a separate tax Lot with appropriate provisions that the department determines are necessary for adequate access to the basin and to the piping entering and exiting the basin for maintenance purposes;

(ii) all hydraulic computations related to the design of the private on-site detention basin conforming to the department's most recent private on-site detention basin design criteria;

(iii) a properly recorded declaration of maintenance obligating the owner and all successors-in-interest to maintain the private on-site detention basin and all appurtenances thereto;

(iv) security in an amount determined by the department in accordance with §23-04 of this rule shall be deposited with the comptroller's office guaranteeing the continuous and proper maintenance of the private on-site detention basin for as long as such detention basin remains in use; and

(v) the owner's liability insurance in an amount determined by the department in accordance with §23-04 of this rule certified by the owner's liability insurance company.

(4) *Watercourse diversions.* Drainage proposals and private drain plans incorporating watercourse diversions which function as the outlet for the stormwater

runoff from the upstream contributory drainage area shall include the following additional information and documentation:

(i) a properly recorded declaration of sewer easement establishing and delineating a sewer easement in favor of the department;

(ii) a properly recorded declaration of maintenance obligating the owner and all successors-in-interest to maintain the watercourse diversion and all appurtenances thereto; (iii) a security deposit in an amount determined by the department in accordance with §23-04 of this rule shall be deposited with the comptroller's office guaranteeing the continuous and proper maintenance of the proposed watercourse diversion for as long as such watercourse diversion remains in use; and

(iv) all hydraulic computations relative to the design of the watercourse diversion or piping.

(5) *City map changes.* Drainage proposals and private sewer or private drain plans incorporating a change or proposed change to the city map shall include the following additional information and documentation:

(i) an alteration map as prepared in conjunction with the application to the Department of City Planning for a mapping action; and

(ii) an amendment to the city drainage plan which shall reflect the new street pattern created by the mapping action.

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