



CHAUTAUQUA COUNTY  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH – ENVIRONMENTAL HEALTH UNIT

---

PAUL M. WENDEL, JR.  
*County Executive*

CHRISTINE SCHUYLER  
*Director of Health & Human Services*  
*(Commissioner of Social Services/Public Health Director)*

August 12, 2021

To: Supervisor Brumagin and Mina Town Board  
Supervisor Emhardt and Chautauqua Town Board  
Supervisor Yates and North Harmony Town Board

From: Bill Boria, Director of Environmental Health Services

CC: County Executive Wendel  
Legislator Chagnon  
Legislator Ward

Re: Temporary Policy on Required Septic System Improvement for  
areas around Chautauqua Lake and Findley Lake

The Chautauqua County Department of Health and Human services is placing a temporary hold on certain septic system upgrades or replacements in Phase 2 sewer extension area of Chautauqua Lake and around Findley Lake as they pursue public sewer district formation. Current details are attached. Feel free to call me at 753-4772 with any questions.



CHAUTAUQUA COUNTY  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH – ENVIRONMENTAL HEALTH UNIT

---

PAUL M. WENDEL, JR.  
*County Executive*

CHRISTINE SCHUYLER  
*Director of Health & Human Services*  
*(Commissioner of Social Services/Public Health Director)*

**Chautauqua County Department of Health and Human Services is placing a temporary hold on septic system upgrades or replacement in Phase 2 SCCLSD sewer extension area of Chautauqua Lake and around Findley Lake as they pursue public sewer district formation.**

**What septic systems does this apply to?** This applies only to those systems that may require upgrades or replacement because they are in significant noncompliance with NYS Sanitary Codes Part 75, Appendix 75A construction standards. This does not apply to any system that has a documented failure where sewage is/has surfaced on the ground or discharging to a waterbody. Such failures shall require immediate replacement of the onsite wastewater treatment system.

**How will these septic systems be identified?** These systems would be identified through standard CCDHHS activities such as the Water-Sewage Survey process required for property transfers, through dwelling expansions where a building permit is required, or by some other means.

**What is the process?** CCDHHS staff will evaluate the condition of each system and document any upgrades, alterations or replacement that may be required following existing standard procedures. CCDHHS will provide a report to the homeowner and other involved parties, such as an attorney or building inspector, outlining the deficiencies and required improvements needed to comply with Appendix 75A. The property owner will be required to certify they agree to make required improvement if the public sewer district formation ceases.

**How will this proceed for property transfers?** The seller and buyer's attorney will agree to place an appropriate amount of money in escrow to cover the cost of improvements if formation of the public sewer district halts. If sewer district formation occurs, the seller and buyer's attorney will agree to release an appropriate amount of money to the buyer to cover the cost of properly abandoning the septic system as required by the Chautauqua County Sanitary Code, along with an appropriate amount of money to connect the dwelling or structure to the sewer main when available. Connection fees may vary widely for each dwelling and are dependent on the sewer district. The remaining money in escrow will be refunded to the seller.

**How long will this be in effect?** The sewer district formation process will take approximately one year from the date of this publication. If the process to create sewer districts stops at any time prior to September 1, 2022 in either area, this hold will be lifted for that area and the required improvement to the system made.

**What happens if sewer district formation fails and a property owner refuses to make the required septic system improvements?** CCDHHS will issue a notice of violation and pursue legal action to require compliance.

*Further questions will be answered as this process proceeds and additional information becomes available.*

*Maps of the areas affected are in preparation.*

*Date: 8/10/2021*