



Andrew J. Spano  
County Executive

Department of Health

Joshua Lipman, M.D., J.D., M.P.H.  
Commissioner

May 8, 2009

Mr. Frank J. Culross  
Acting City Manager  
City of Rye  
1051 Boston Post Road  
Rye, NY 10580

Re: Hen Island  
Rye, New York

Dear Mr. Culross:

This is in response to your letter dated April 9, 2009 regarding alleged health code violations at the referenced island. You may be aware that the same issues were brought to the Health Department's attention in July 2007. Inspections conducted that summer revealed no sanitary code violations. At your request, we are re-examining the issues. Note that Health Department staff inspected the entire island on Friday, April 24, 2009. Our findings follow:

- **No potable water:** Absent any feasible potable water source alternative residents of Hen Island collect water in cisterns. The connection of cistern water to faucets is an issue of potential concern. This was previously addressed in my letter dated September 25, 2007 (attached) and in an advisory letter (attached) that was sent to the Kuder Island Colony, Inc., owner of Hen island, dated August 31, 2007.
- **Mosquito breeding:** Inspectors did not observe mosquito larvae breeding nor were there notable vessels that may cause larval breeding henceforth. The mosquito issue was previously addressed in the aforementioned letter dated September 25, 2007.
- **Rodent infestation:** There was no evidence of rodent infestation on the island.
- **Sewage disposal systems –** The systems inspected on April 24, 2009 did not reveal any sewage overflows. This is consistent with past Health Department inspections. While system construction predates Health Department jurisdiction, operation of these systems must not result in sewage overflows or other Sanitary Code violations as indicated in the aforementioned letter dated September 25, 2007. However, a pit apparently used as part of a sewage disposal system serving the cottage you identify as #11 was found uncovered, and a cover of plywood construction was found over a pit apparently used as part.



of a sewage disposal system serving the cottage you identify as #1. If such covers are used as described, then they must be replaced with permanent covers which are rodent and insect proof and completely confine sewage contents, in accordance with Article VIII, Section 873.333 of the WCSC. By copy of this letter, the Kuder Island Colony, Inc. is informed of same.

- Abandoned cottages: Since no sewage structures were noted at the two abandoned cottages listed, this is not a Health Department issue.
- Outhouse: Existing privies are allowed as long as they are maintained and do not create a sanitary nuisance.
- New construction does not require Health Department approval unless there is an expansion and/or design modification to the waterborne disposal system. In addition, non-waterborne systems that are listed as acceptable by the New York State Department of Health in Public Health Law 201 Appendix 75A, do not require our approval.

Please contact me if you have any questions.

Very truly yours,



Leonard S. Meyerson, P.E.

Deputy Commissioner

Division of Environmental Health

cc: President & Board of Directors, Kuder Island Colony, Inc.  
Vince Tamburro, Building Inspector, City of Rye

Enclosure