

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD, MPH, MBA, MSW
COMMISSIONER

October 6, 1997

**SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
GENERAL GUIDANCE MEMORANDUM #7
RECOMMENDED PROCEDURE FOR RESOLVING CONSTRUCTION
PROBLEMS INVOLVING EXISTING NEIGHBORING WELLS**

Prior to an applicant requesting a variance from the Suffolk County Sanitary Code for the reduction in the required separation distances between a proposed sewage disposal system and an existing neighboring well(s), it is recommended that the applicant consider the following options:

1. Connect the affected property to public water, if available. It is recommended that the applicant notify and make a bona fide offer, by certified mail, return receipt requested, to connect the affected property to public water (if available). Such offer and notice shall include the minimum separation distance required by the Sanitary Code, the separation distance between the proposed sanitary system and the affected well, and a copy of the site plan proposal showing the proposed sanitary system, the existing location of the affected well(s) and the proposed location of the public water connection.

If the affected property owner accepts the offer, a notarized letter of acceptance shall be submitted to the Department. The connection to public water will be considered a pre-condition of the granting of the permit to construct. This condition will include all costs involved in connecting the neighboring dwelling to public water. A copy of the signed public water connection agreement shall be submitted prior to granting of approval to construct. Proof of actual connection (tap letter) shall be submitted to the department prior to final approval and/or occupancy of the new dwelling.

2. Relocate or deepen the affected neighbor=s well. It is recommended that the applicant notify and make a bona fide offer, by certified mail, return receipt requested, to either deepen and/or relocate the affected well, at the applicant's expense, in order to mitigate the potential impact on the neighboring well. Such offer and notice shall include the minimum separation distance required by the Sanitary Code, the proposed separation distance between the proposed sanitary system and the affected well, and a copy of the site plan proposal showing the proposed sanitary system, the existing well location and the proposed relocation of the affected well(s).

General Guidance Memorandum #7, Page 1 of 2

If the affected property owner accepts the offer, a notarized letter of acceptance shall be submitted to the Department and the necessary action taken. The deepening and/or relocation of the neighbor's well will be considered a pre-condition of granting the permit to construct. Such condition shall include sampling and analyzing the deepened and/or relocated well. The well must meet NYS Part 5 drinking water standards and Suffolk County Sanitary Code. Prior to approval, it is the responsibility of the applicant to make the necessary arrangements for the relocation/deepening, inspection and testing; and to provide the Department with documentation that the action has been taken. A well driller's certificate and well water analysis shall be submitted to the Department to assure that the well is in compliance with standards. Three revised plans to construct, showing any well relocation, shall be submitted in accordance with construction standards.

3. Demonstrate no effect by the sewage disposal system. If the problem cannot be resolved as described above, then an applicant should indicate such (in writing) and be prepared to demonstrate to the Board of Review that the proposed sewage disposal system will not have an effect on the existing neighboring well(s). This shall be done through a technical report, which must accompany the variance application.

Issued by: Stephen A. Costa, P.E., Chief
Office of Wastewater Management