

7:9A-4.3 Distances

The minimum separation distance between the various components of the system and the other features listed shall conform to and be maintained in accordance with Table 4.3 below. The location of a new well must be in conformance with the requirements of N.J.A.C. 7:9D. No permit or waiver issued outside of this Chapter by any local, State or Federal entity shall be construed to permit deviation from or a waiver of the separation distances requirements listed in the Table 4.3 below.

Table 4.3 Minimum Required Separation Distances (feet)

Component	Reservoir, Well or Suction Line	Water Service Line, Pressure	Water Course (1,12)	Occupied Building	Property Line (15)	Disposal Field	Existing Seepage Pit or Cesspool	In-ground Swimming pool
Building Sewer	25 ⁽²⁾	1	-	-	-	-	-	-
Septic Tank	50 ⁽²⁾	10	25 ^(2,5)	10 ⁽⁶⁾	5	-	-	10
D-Box ⁽¹⁴⁾	50 ⁽²⁾	10	25 ^(2,5)	10	5	-	-	10
Disposal Field ⁽¹¹⁾	100 ^(2,4)	10	50 ^(2,3,5)	25 ⁽⁷⁾	10	50 ⁽⁸⁾	50	20
Seepage Pit ⁽⁹⁾	150/100 ^(2,13)	25	100 ^(2,5)	50 ⁽⁷⁾	20	50	50 ⁽¹⁰⁾	30
Dry Well	50	-	-	-	-	50	50	-

- (1) This distance may be increased as determined by a local, State or Federal entity having authority for establishing separation distances, including, but not limited to, wetlands protection, stream encroachment and riparian corridor.
- (2) Where excessively coarse soils or fractured rock substrata are encountered, these distances may be increased by the administrative authority.
- (3) This distance may be decreased only in the case of an interceptor drain as allowed in N.J.A.C. 7:9A-10.7(d).
- (4) This distance may be decreased by the administrative authority to a minimum of 50 feet only when the well is provided with a water-tight casing to a depth of 50 feet or more, and where the casing is sealed into an impervious stratum which separates the water bearing stratum from the layer of soil used for sanitary sewage disposal. N.J.A.C. 7:9D shall govern whenever the well under consideration has been installed after July 13, 1979.
- (5) These distances may be reduced by one-half if the water course is a footing drain with an invert elevation higher than the bottom of the disposal field or more than four feet above the level of the seasonally high-water table.
- (6) May be reduced to five feet with special approval of the administrative authority.

- (7) May be reduced to 15 feet from disposal field and 30 feet from seepage pit for portions of the building constructed either on a slab foundation or over a continuous dust cap which is at or above natural or finished grade, whichever is higher only.
- (8) This distance applies to disposal fields serving separate realty improvements but not to disposal fields which are part of a split system serving a single realty improvement.
- (9) Applies only to seepage pits allowed as prescribed in N.J.A.C. 7:9A-7.6.
- (10) In no case shall the distance be less than three times the pit diameter.
- (11) These distances shall be measured from the outermost margin of the disposal bed or trench in the case of conventional and soil replacement bottom-lined installations, from the outermost lateral extension of suitable fill in the case of soil replacement fill-enclosed and mounded soil replacement installations or the edge of the required lateral suitable fill extension in the case of mounded installations.
- (12) For the purposes of this section, the setback distance for a water course shall apply to a stormwater management basin. The setback distance from a stormwater management basin shall be measured from the elevation contour that is coincident with the high-water mark.
- (13) The setback distance from a seepage pit shall be 150 feet from a well and 100 feet from a suction line.
- (14) For the purposes of measuring separation distance requirements, a D-Box shall include all piping and appurtenances associated with the effluent distribution network from the outlet of the septic tank to the disposal area.
- (15) This separation distance requirement may be reduced to zero feet in cases where either of the following is provided to the administrative authority prior to obtaining a construction approval for the infringing system or its component:
 - i. If the property line abuts a roadway or utility easement on the side of the property where the reduction in the separation distance is being sought and there are no subsurface utilities located within the separation distance specified in Table 4.3, a notarized statement from the owner of record of the roadway or utility easement acknowledging that no subsurface utilities will be installed within that area; or
 - ii. A copy of a deed notice prepared in accordance with the New Jersey Recording Act, N.J.S.A. 46:15-1.1 et seq., recorded with the office of the clerk or the registrar of deeds and mortgages of the county in which the property where the system is located for each affected property indicating that the affected property owner(s) allow for the reduction in the required separation distance, detailing the reduction in the required separation distance and acknowledging that future improvements may be limited on each affected property based on the reduced separation distance granted due to the need to maintain other setbacks, including but not limited to those for in-ground swimming pools and occupied buildings. The deed notice shall run with the property and be binding upon the property owner and the successors in interest in the property or in any part thereof

What deviations are not permitted?

New Construction:

-No deviations are permitted without a Treatment Works Approval (TWA) from New Jersey Department of Environmental Protection (NJDEP)

Alterations upgrading from a cesspool:

- Reduction in setback to an inground pool
- Reduction in setback to a dry well

Alterations upgrading an existing system other than a cesspool:

- Reduction to less than 50 feet from existing wells
- Reduction on setback from a watercourse
- Reduction in setback to an inground pool
- Reduction in setback to a dry well

"Dry well" means a covered pit with open-jointed lining through which drainage from roofs, basement floors or areaways may seep into the surrounding soil.

