

**SEWAGE, WASTEWATER, AND SANITATION (SWS)  
HEARING ADVISORY BOARD  
MEETING MINUTES**

**Members**

Matthew Buehler, Chair  
Kenneth Lund, Atty  
John Adams  
Chad Carnes, P.E.  
Matt Smith- Alternate  
Ronald J. Anderson, P.E- Alternate

**Thursday, May 2, 2024**

**5:30 p.m.**

**Washoe County Administration Complex,  
Building B  
Health District South Conference Room  
1001 East Ninth Street  
Reno, NV**

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**5:30 p.m.**

**1. \*Roll Call and Determination of Quorum**

The meeting of the Sewer, Wastewater, and Sanitation Hearing Board was called to order by Matthew Bueller, Chair, at 05:30 p.m. on Thursday, May 2. The following members and staff were present:

Members present: Matthew Buehler, Chair  
John Adams  
Chad Carnes, P.E.  
Kenneth Lund

Staff present: Latricia Lord  
Josh Foster  
Robert Fyda

Members absent: Frank Kurnick, Jr.  
Matt Smith – Alternate  
Ronald J. Anderson, P.E.– Alternate

Public present: Lacey Rulli, Petitioner

**2. \*Pledge of Allegiance**

John Adams led those present on the pledge of allegiance.

**3. \*Public Comment**

A period of public comment was opened, and no public comment was presented during the public comment period.

**4. Approval of Agenda – May 2, 2024**

Mr. Adams moved to approve the agenda of the May 2, 2024, Sewage, Wastewater, and Sanitation (SWS) Board regular meeting. Second by Mr. Lund, motion approved unanimously.

**5. Approval of Draft Minutes – October 5, 2023**

Mr. Lund moved to approve the minutes of the October 5, 2023, Sewage, Wastewater, and Sanitation Board regular meeting. Second by Mr. Adams, motion approved unanimously.

**6. Public Hearing** - Variance request for APN 089-561-12 (460 Nicole Dr) from sections 020.075 and 020.080 of the Northern Nevada Public Health Regulations Governing Sewage, Wastewater, and Sanitation and to determine whether to recommend approval to the District Board of Health.

Staff Representative: Latricia Lord

Latricia Lord presented a case overview for the subject property. The subject property is requesting a variance to install a new replacement disposal field instead of connection to Washoe County municipal sewer which is available to the applicant. Ms. Lord provided an email that was submitted for board review from Washoe County engineer, Alex Mayorga, stating that the applicant can connect to the municipal sewer system in Athena Way. Mr. Lund asked if the point of connection was Alena Way and not Athena Way. Ms. Lord verified that the connection was in Alena Way and that the email contains a typographical error for the street name.

Ms. Lord stated that sewer was within 400' of the applicant and that current regulations prohibit the issuance of permits necessary for the installation of a replacement field and that the owners, Lacey Rulli and Robert van Looy, ("PETITIONERS") are requesting this variance due to financial hardship as the cost to connect to sewer is cost prohibitive. Ms. Lord referred the board members to the quotes provided by the PETITIONERS in their board packet for sewer connection and replacement field installation. Ms. Lord also referred the board members to a printed excerpt of an email thread between her and Ms. Rulli. In the email thread, Ms. Rulli detailed some of her and her husband's financial obligations and stated that they are not eligible to apply for a loan through Washoe County Community Services Department. Ms. Lord stated that property specific questions can be directed to Ms. Rulli who represents the PETITIONERS and that staff's recommendation is to remain neutral and allow the advisory board to determine appropriateness and that there were no additional conditions recommended should the board recommend approval of the variance request.

Board chair inquired as to the scope of work and if there are existing issues with the leach field. Ms. Lord replied that the PETITIONERS were routinely pumping and that it appears the soil in the current field is oversaturated and needs replacement – a typical fix in this situation. Board chair also asked Ms. Lord if there were any concerns of groundwater contamination or other potential concerns for the nearby Spanish Springs High School. Ms. Lord replied that staff do not anticipate any concerns of that nature for the high school.

Mr. Carnes had questions regarding the current status of the system and future plans of the applicant. Ms. Rulli responded that the system is currently pumped every few months and they have no plans for expansion at this time. The board explored the reasons behind the failure of the existing leach lines and sought clarification on whether any remedial actions had been taken. Mr. Adams raised questions regarding the age of the system, the frequency of maintenance, and any observable impacts on neighboring properties. The PETITIONERS provided insights into their efforts to address the issues, including the use of natural remedies, jetting, and periodic pumping, but ultimately, these measures proved ineffective in resolving the underlying problems.

Board members questioned the PETITIONERS about the financial implications of connecting to the municipal sewer system versus installing a replacement disposal field. The discussion delved

into the substantial cost estimates provided by contractors and what services would be covered, the complexities involved in crossing other utilities, potential traffic mitigation expenses, and the deep excavation required for sewer line connection which could substantially increase the overall expense to the homeowner. Concerns were raised regarding the unique challenges posed by the property's location relative to Alena Way and Spanish Springs High School. The board acknowledged the logistical complexities involved in executing the sewer line connection, emphasizing the need for meticulous planning and coordination to minimize disruptions and ensure public safety.

The board scrutinized the proposed replacement disposal field plan, focusing on its adequacy in addressing the property's sewage disposal needs. Questions were raised regarding the design specifications, including the length and depth of the leach lines, the presence of a distribution box, and the potential for future expansion or modifications. Mr. Carnes made suggestions to consider alternative designs, such as shorter leach lines or additional repair fields, to optimize system performance and longevity through additional percolation testing.

Mr. Lund and board members summarized the main issues that would justify a variance as: the depth for connection, requirement of crossing utilities, and potential requirements for traffic control. The board members felt the quotes were fair and possibly low based on site constraints and potential logistical challenges. The chair asked the board members if there was any additional discussion needed.

Mr. Carnes made a motion to approve the variance request. Mr. Buehler asked if there are any conditions attached to his motion. Mr. Adams stated he would not add conditions and Mr. Carnes had a clarifying question on if the owner chose to pursue additional percolation testing or additional evaluations. Ms. Lord responded saying that additional testing is acceptable and helpful as long as any design modifications meet the required setbacks.

Ms. Lord asked the board to clarify their motion and provide a reference to the proposed motions in the staff report. Mr. Carnes reaffirmed his motion to be: "Move to present to the District Board of Health a recommendation for approval of Variance Case # H24-0001VARI to allow the permitting and construction of a replacement disposal field as proposed, without conditions".

### **Conditions of Approval**

NNPH staff is not recommending any conditions of approval at this time, as the property is of sufficient size for a replacement disposal field that will meet all applicable setbacks. NNPH will follow its normal permitting and inspection procedures and if groundwater or other limiting layers were encountered would require the appropriate redesign.

### **Motion**

Motion made by Mr. Carnes "move to present to the District Board of Health a recommendation for approval of Variance Case # H24-0001VARI to allow the permitting and construction of a replacement disposal field as proposed, without conditions". Second by Mr. Adams. Mr. Buehler called for a vote, all members in favor, motion approved unanimously.

Mr. Buehler closed the public hearing.

**7. \*Public Comment**

As there were no public comment requests, closed the public comment period.

**8. Adjournment –**

At 6:05 p.m., Mr. Buehler moved to adjourn the meeting.

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