

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

Members

Matthew Buehler, Chair
Kenneth Lund
John Adams
Chad Carnes, P.E.
Chris Reede
Matt Smith- Alternate
Julianne Zotter- Alternate

Thursday, January 30, 2025

5:30 p.m.

**Washoe County Administration Complex,
Building B
Health District South Conference Room**

**1001 East Ninth Street
Reno, NV**

5:30 p.m.

1. *Roll Call and Determination of Quorum

The following members and staff were present:

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

Staff present: David Kelly
Josh Philpott
Latricia Lord
DDA Dania Reid

Members absent: Chris Reede
Matt Smith – Alternate
Julianne Zotter, P.E.– Alternate

2. *Pledge of Allegiance

Those present pledged allegiance to the flag.

3. *Public Comment

As no public comment was presented, the public comment period was closed.

4. Approval of Agenda – January 30, 2025

Mr. Carnes moved to approve the agenda of the January 20, 2025, Sewage, Wastewater, and Sanitation (SWS) Board regular meeting. Second by Mr. Adams, motion approved unanimously.

5. Approval of Draft Minutes – October 3, 2024

Mr. Lund moved to approve the minutes of the October 3, 2024, Sewage, Wastewater, and Sanitation Board regular meeting. Second by Mr. Adams, motion approved unanimously.

6. Public Hearing – Hearing to determine whether to recommend approval to the District Board of Health for a variance for APN's 077-090-13 & 077-090-14 from section 040.030 of the Northern Nevada Public Health Regulations Governing Sewage, Wastewater, and Sanitation. The variance requests permission to reduce the minimum lot size from 5 acres to 2.5 acres for private septic systems in a newly developed subdivision. – (For possible action)

Staff Representative: David Kelly

Mr. Kelly reviewed the staff report, the history of the project and the variance request to allow for the reduction of the minimum lot size from 5 acres to 2.5 acres for private septic systems in a newly developed subdivision. He discussed the origins of the regulation and indicated that the variance hearing is the first step in the process which would also require approval of the Washoe County Planning Department. He indicated that the intent of the regulation is to ensure that density of the septic systems within a subdivision does not exceed one septic per 5 acres. He stated that the parcels proposed in the new subdivision would have one septic per 2.5 acres on homesites, with an additional 2.5 acres of open space per parcel. Mr. Kelly states this would meet the density requirement of the regulation and the actual open space being created would include additional acreage that would effectively decrease the density to more than 5 acres per septic system.

He discussed additional design requirements in the area due to the presence of a flood plain and the possibility of engineered systems being installed due to the fast soil speeds found in the area. One of the benefits that NNPH felt that existed in the proposal is that the reduced parcel size would allow for all created parcels, and their eventual septic systems, would be able to be placed outside of the 100-year flood plain. Mr. Kelly discussed the possibility that through the planning process, slight changes could be made to the maps and reiterates that the goal of this hearing is to obtain approval for the variance from the acreage requirement and not specifically of the currently proposed parcel map.

Mr. Lund asked for clarification on the hearing being in regard to the reduction in lot size and the included open space versus the particulars of any specific parcel created by the project. Mr. Kelly responded by saying that Mr. Lund's interpretation was correct.

Mr. Buehler asked Mr. Kelly if anything like this had been done before.

Mr. Kelly stated that many projects are proposed to his department seeking to reduce lot sizes but are typically a challenge to approve due to the inability of the developer to prove that the reduced density will not create greater impact to groundwater since more septic systems would be considered to have a greater impact. Mr. Kelly again states that this isn't needed in this case as the density requirement of the regulations is being met.

Mr. Lund asked Mr. Kelly if it was his opinion that there would not be a negative impact to public health based upon approval of the parcel map. Mr. Kelly responded by saying that in regard to the regulations, no greater impact would be created by the proposed subdivision because the proposed density of the septic systems met the intent of the regulations and that all normal setback requirements and design specs would also have to be followed. Mr. Carnes discussed his experience with soils and perc tests in the area of the proposed subdivision and stated that the developer needs to be aware that engineered sand filters may be required on these lots and that could create a larger cost for construction.

Mr. Kelly responded by saying that in his discussions with the developer the soil speeds and possibility of needing engineered systems was covered and the developer is aware of the additional septic regulations regarding the construction of such systems.

Mr. Lund asked about the flood zone boundaries located in the area of the project. It was clarified that the proposed parcels all fell outside of the flood zone.

Mr. Munson from Venture Engineering responded to Mr. Lund's question by discussing buffer zones already in place with the county that would require a 300' buffer and the developer has chosen to create a majority of the open space within those buffer zones. He further discussed that they weren't concerned about having to install engineered sand filter systems as they are more prevalent now and the cost of construction is becoming more economical.

Mr. Buehler asked if Mr. Kelly believed approving this project would result in additional developers coming along and trying to do something similar to this proposal. He clarified his statement by asking if this could possibly be something that could be changed in the regulations based on how this project works out.

Mr. Kelly stated that working this into the regulations could be a good idea. Changing the regulations to a density-based rule versus a specific lot size requirement could eliminate the need for this type of variance. He does believe that the variance process allows for other departments and people to express their thoughts and concerns and that provides value to the process for the board to discuss and consider as well.

Mr. Lund and Mr. Adams had a brief discussion on density offsets and getting the septic systems out of the floodplain.

Mr. Kelly responded to Mr. Lund and Mr. Adams by saying that the density issue will remain a development consideration until someone is able to get a sewer line and treatment plant in the area that can eliminate the need for the septic systems.

Mr. Carnes made the motion to approved. Ken Lund seconded the motion. Motion passed unanimously.

Mr. Buehler proposed adding a condition which says the open space must be held in perpetuity and that no further development take place until municipal sewer was available. He stated that this must be approved by NNPH and added to the final map. Discussion ensued as to how to propose this condition

DDA Reid gave the option to rescind the previous motion or create a second motion adding the condition proposed by Mr. Buehler.

Mr. Lund restated the previous motion and amended it to add the condition that language be included stating that future development would require a connection to municipal sewer and/or approval by NNPH and that those conditions must be added to the final map. Mr. Adams seconded the motion. Motion passed unanimously.

DDA Reid clarified that the record will now reflect that one amended motion has passed.

Mr. Lund asked for clarification on if the language was clear enough to ensure the open space had to be a minimum of 2.5 acres. Some discussion ensued. Mr. Kelly indicated to Mr. Lund that the intent was clear in staff's mind and that NNPH would be directly involved in the Planning; the final map would not be signed by NNPH without the sufficient acreage being held open to meet the 1 septic per five (5) acre density requirement. Mr. Lund indicated his concerns were satisfied with this response.

Mr. Buehler closed the public hearing.

Conditions of Approval

The Board did not make any conditions of approval.

Motion

Motion made by Mr. Lund "Move to present to the District Board of Health a recommendation for approval of Variance Case H24-0004VARI Palomino Farms LLC to allow a reduction in parcel size for the Palomino Farms subdivision to a minimum of 2.5 acres, with another 2.5 acres held open in perpetuity and adding the following language and not be allowed to have future development without connection to municipal sewer and/or approval from Northern Nevada Public Health. This condition must be recorded on the Final Map. Second by Mr. Adams. Motion passed unanimously. Mr. Buehler closed the public hearing.

9. *Public Comment

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

10. Adjournment –

At 6:00 p.m., Mr. Buehler adjourned the meeting.
