

**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, August 1, 2024

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.
Chris Reede

Staff present: Josh Philpott
David Kelly
Robert Fyda

Members absent: 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. Election of Chair - The board discussed who would hold the position of chair for the next year. Matt Buehler, the current chair, said that he was willing to continue. No other board members expressed interest. A motion to keep Mr. Buehler as chair was made by Mr. Lund and seconded by Mr. Adams. The vote was unanimous.

5. Approval of Agenda – August 1, 2024

Mr. Adams moved to approve the agenda of the August 1, 2024, Sewage, Wastewater, and Sanitation (SWS) Board regular meeting. Second by Mr. Lund, motion approved unanimously.

6. Approval of Draft Minutes – May 2, 2024

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

7. Public Hearing – Hearing to determine whether to recommend approval to the District Board of Health for a variance for APN 142-241-14 from section 040.100 of the Northern Nevada Public Health (NNPH) Regulations Governing Sewage, Wastewater, and Sanitation. **(For possible action)**

Staff Representative: Josh Philpott

Mr. Philpott reviewed the staff report, the history of the project and the variance request to allow for crossing of a drainage channel to place a repair leach field in the future event of failure. He indicated that the parcel was split by a drainage making it nearly impossible to fit both a primary septic system and a repair area on the same side of the drainage as the home. As the regulations do not allow for a crossing of drainages, NNPH could not approve a repair on the other side without a variance.

Mr. Philpott reviewed the drainage specifically. He indicated that while the channel appeared to have originally been connected to White's Creek, it was determined to NNPH's satisfaction that it no longer was connected and should be considered a drainage rather than a watercourse. He and other NNPH staff had walked and visually inspected where it used to be connect and found that previous development had eliminated the connection. After inspection, staff believes that the channel will only carry stormwater.

He then reviewed the proposed layout. He stated that he had met with design engineer and utilizing GPS and ensured that the layout would fit as shown, meeting all required setbacks other than the one that was being requested to vary. The mitigation proposed was a standard mitigation that had been seen in multiple prior variances, and NNPH felt that it was sufficiently protective of public health. He said that no other reasonable options were thought to be available.

Lastly, Mr. Philpott covered the requested conditions that any instances of non-function be reported to NNPH and that the variance be recorded to the parcel to ensure that future owners were aware of requirements. He then opened it up to the Board for questions.

Mr. Buehler asked about other properties using the same method of mitigation on the channel. Mr. Philpott responded that he was not sure about this channel in particular, but on other channels it had become the standard and no issues had come up. He said most other properties on this channel thus far had sufficient space for both areas to be on one side.

The discussion continued about what water the channel would carry, Mr. Lund wanted to clarify if any water would come from White's Creek. Mr. Philpott responded that staff was confident

that the connection to White's Creek was severed, the channel would only carry rainwater and it ultimately drained to Steamboat. He indicated that a hydrologic report had also been submitted by the applicant who was present. The applicant, Mr. Bailey spoke to the issue that drainage assessment had been triggered by a requirement to size a culvert to be installed under the road that would accept the volume expected. The assessment indicated the channel would only take stormwater.

The discussion turned to the proposed mitigation technique. Mr. Carnes indicated that he had installed others, including a previous variance case and there had been no issues. He also discussed that he had originally started on this design with Reno Tahoe Geo when he worked there. He had conducted percolation tests with Mr. Adams and also verified that the channel would very rarely take water, it was more "historic". He commented that the whole area had small historic drainages that rarely saw water. Mr. Adams weighed in that he was very familiar with the area and was confident that the channel did not take water from White's Creek – he did not think even if the Creek blew out the water would reach this property. Mr. Carnes said his work had been done in winter and he had reassessed the area in spring and walked the course of the channel quite a ways and didn't see any evidence of regular water flows.

Mr. Lund clarified that he was understanding that the mitigation procedure was considered very safe and the ditch was only intermittent run off. Mr. Philpott concurred and stated that the staff had also taken a conservative measurement to achieve the 25' setback from the drainage to reduce any potential for impacts. Mr. Lund asked if the drainage was a larger creek if the methodology would change. Mr. Philpott responded that it might be different for a larger waterbody but that for small and intermittent drainages, this was considered sufficient.

Mr. Carnes asked if he could set a condition that staff inspect the encasement. Mr. Philpott indicated that the property owner would have to pull a permit and staff would inspect the complete install. Mr. Carnes queried the owner if the driveway was intended to run alongside the primary system. Mr. Bailey affirmed this and Mr. Carnes said that some protection measure to prevent vehicular traffic should be required and shown on the plan. Mr. Bailey indicated that they intended to do landscaping but would not be an issue. Mr. Lund asked for clarification on what the protection would need to be. General discussion about boulders being appropriate, as long as the design engineer agreed.

Mr. Kelly weighed in to remind the Board that as they discussed new conditions, not to forget the two staff recommended conditions in their motion. Mr. Adams said that he would also like a condition that indicator tape be placed above the crossing encasement to reduce the potential for future excavations to damage it.

The Board discussed the conditions and outlined what they wanted for additional conditions. Mr. Lund made the motion to approve and outlined conditions. The motion was seconded by Mr. Adams. Motion passed unanimously. The hearing was closed by Mr. Buehler.

Conditions of Approval

1. Any instances of system non-function must be reported to NNPH for review and must be repaired immediately. In the event of failure to maintain or lack of system function, NNPH may require sampling and/or impose restrictions on the property based on the functionality of the building sewer line, up to and including removal of the storm drain crossing.

2. Require recording of the variance to the parcel to ensure proper public records notification in the event the property is sold to any other person or entity. Recording may not be removed without NNPH approval.

Motion

Motion made by Mr. Lund “Move to present to the District Board of Health a recommendation for approval of Variance Case H24-0002VARI (Page and Olivia Bailey) to allow the approval of a septic system as proposed, with the following conditions (list conditions)”

1. Any instances of system non-function must be reported to NNPH for review and must be repaired immediately. In the event of failure to maintain or lack of system function, NNPH may require sampling and/or impose restrictions on the property based on the functionality of the building sewer line, up to and including removal of the storm drain crossing.
2. Require recording of the variance to the parcel to ensure proper public records notification in the event the property is sold to any other person or entity. Recording may not be removed without NNPH approval.
3. A protective barrier or devices shall be installed around the primary septic field on the north and east side within any areas subject to vehicular traffic. The protective measures must be reviewed and approved by the design engineer.
4. Indicator tape to be installed 12 inches above the crossing encasement.

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 6:10 p.m., Mr. Buehler adjourned the meeting.
