

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

Members

Kenneth Lund, Chair
Matthew Buehler
John Adams
Chad Carnes, P.E.
Robert Sweeney, REHS
Matt Smith
Julianne Zotter, P.E.

Thursday, March 05, 2026

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: Kenneth Lund- Chair
Matthew Buehler
John Adams
Julianne Zotter, P.E.
Robert Sweeney
Chad Carnes, P.E.

Staff present: David Kelly
Latricia Lord
Robert Fyda
DDA Dania Reid

Members absent: Matt Smith

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 – March 05, 2026

Mr. Buehler moved to approve the agenda of the March 05, 2026, Sewage, Wastewater, and Sanitation (SWS) Board regular meeting. Second by Mr. Adams. Motion approved unanimously.

5. Approval of Draft Minutes – September 4, 2025

Ms. Zotter moved to approve the minutes of September 4, 2025, Sewage, Wastewater, and Sanitation Board regular meeting. Second by Mr. Adams. Motion approved unanimously.

During Item 6, Mr. Buehler identified a typographical error in the September 4, 2025, minutes and the item was briefly reopened.

Correction: The minutes incorrectly read “Mr. Lund to approve the amendments to the variance.” The corrected text reads: “Mr. Lund moved to approve the amendments to the variance.”

Mr. Buehler moved to amend the September 4, 2025, minutes to correct the typographical error. Mr. Carnes seconded. Motion approved unanimously.

6. Public Hearing – H26-0001VARI Variance Application

The Board determined whether to recommend approval to the District Board of Health for a variance to Section 040.030, allowing for a reduced lot size for a second parcel map on a lot created after October 23, 2001, Parcel 038-280-67, 430 River Pines, Washoe County, NV. – **(For possible action)**

Staff Representative: David Kelly

David Kelly, Environmental Health Service Supervisor, presented the staff report. Key points included:

- The subject parcel was created in May 2019, well after October 23, 2001, the regulatory threshold date, making it subject to a minimum 5-acre lot size upon re-parceling.
- The applicant seeks to parcel the property down to a minimum of 1 acre.
- Applicable regulations permit a variance if the applicant can demonstrate that groundwater quality will not be adversely impacted beyond that of a single, larger parcel.
- The applicant engaged a hydrogeologist (Mr. Matt Banta) who performed groundwater modeling. The study used a conservative background nitrogen level based on Nevada Division of Environmental Protection, Bureau of Water Pollution Control guidance. While actual groundwater quality was not provided as part of the model, staff was able to verify that background nitrogen levels in the area were less than the model level used based off of public water system well data.
- The modeling concluded that with the use of NSF 245-certified denitrifying treatment systems on both resulting parcels, groundwater impact would be no greater than that of the existing single parcel with a standard septic system.

- Staff discussed NSF 245 treatment systems and how they have advanced in recent years and that the recent regulation update included the ability to use these systems in high groundwater areas without a variance. With source restrictions on sand of the correct gradation, more and more of these systems are expected to be seen in Washoe County. The technology is quite good provided the systems are maintained. Staff conditions are designed to ensure proper maintenance by property owner.
- Staff recommended approval subject to conditions, noting this is the first variance of this type reviewed under the current regulations. No specific design was provided, only the reduced lot size was part of the variance; any design would have to meet all other setbacks and septic regulations.

Board members raised the following questions and points of discussion:

Threshold Standard

- Chair Lund confirmed the key legal question: the Board must determine that the smaller lots, with proposed mitigation, will not have a greater impact on groundwater quality than the single larger lot would. Staff confirmed this is the correct standard.

Adjacent Parcels / Precedent

- Mr. Carnes asked whether neighboring parcels could also seek size reduction. Staff indicated any future applicant would need to independently satisfy the same variance standard, and that staff would review each application on a case-by-case basis.
- Chair Lund noted that future applicants wishing to subdivide further (e.g., a 4-acre parcel into four lots) would bear the same burden of demonstrating that aggregate effluent is no greater than a single-parcel scenario. Staff briefly discussed that the current proposal of 2 denitrifying systems is expected to meet the threshold based on the technology's abilities but that requests for more than 2 systems would have a harder time quantifying that.

Long-Term Monitoring and Data

- Mr. Buehler requested that conditions include requirements for future data collection to understand long-term system performance.
- Mr. Kelly acknowledged that NNPH currently lacks a formal permitting and tracking mechanism for advanced treatment systems but expressed interest in developing one over time.
- The Board discussed a phased testing approach: annual testing for several years, transitioning to less frequent monitoring.

Groundwater Testing Parameters

- Mr. Sweeney recommended testing begin before septic installation (baseline) and continue annually for a minimum of two years post-installation.
- The Board agreed that total nitrogen is the appropriate testing parameter, as it is the primary groundwater concern and its presence would trigger further investigation if elevated.
- Sampling shall be performed pre-treatment at subject property wells (i.e., from the raw groundwater source, not after any household treatment system).

Deed Recording of Conditions

- Chair Lund emphasized the importance of recording all conditions in the property deed so that future owners are on notice of maintenance and testing obligations. Staff confirmed this is Condition 1 in their recommended conditions.

Municipal Water Connection

- The applicant (Ryan Cook, appearing on his own behalf) noted that a Truckee Meadows Water Authority waterline has been extended along the access road, and it is possible a future owner of one of the parcels could connect to municipal water.
- The Board agreed that if a subject parcel connects to a municipal water supply, the water quality testing requirement shall be waived for that parcel, as groundwater would no longer be the domestic water source.

Motion

Mr. Lund moved to present to the District Board of Health a recommendation for approval of Variance Case Number H26-0001VARI, to allow the proposed parceling of 430 River Pines, APN 038-280-67, with parcels smaller than 5 acres but no smaller than 1 acre, provided a certified NSF 245 advanced treatment system is utilized for the septic system for each parcel, including all recommended conditions with the addition of the following condition:

Condition 4 — Additionally, water quality testing of subject property wells for total nitrogen, prior to septic installation and annually for two years minimum, shall be performed. Sampling shall be performed pre-treatment at subject wells. Records must be provided to NNPH immediately. In the event the subject property connects with the municipal water supply, this water quality testing requirement is waived.”

Second by Mr. Buehler and Mr. Adams. Motion passed unanimously. Mr. Lund closed the public hearing.

9. *Public Comment

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

10. Adjournment –

At 6:44 p.m., Mr. Lund adjourned the meeting.
