



Washoe County Health District

ENVIRONMENTAL HEALTH SERVICES DIVISION



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MEETING NOTICE AND AGENDA

SEWAGE, WASTEWATER, AND SANITATION HEARING BOARD

Ronald J. Anderson, P.E., Chair
Steven H. Brigman, P.E., Vice Chair
Michele C. Dennis, P.E.
George J. Georgeson, P.E.
Bruce MacKay
R. Jeanne Rucker, R.E.H.S
Mark Simons, Attorney

Wednesday, August 8, 2013

6:00 p.m.

1001 East Ninth Street, Bldg B, South Auditorium, Reno, Nevada

Pursuant to **NRS 241.020**, this agenda has been posted at the following locations: Washoe County Health District (1001 East Ninth St, Reno); Washoe County Administration (1001 East Ninth St, Reno); Reno City Hall (1 East First St, Reno); Sparks City Hall (431 Prater Way, Sparks); and Washoe County Health District website: <http://www.washoecounty.us/health/agendas.html>

The Health District Sewage, Wastewater, and Sanitation (SWS) Hearing Board may take action on items denoted **(For Possible Action)**.

6:00 p.m.

1. Roll Call/Determination of Quorum
2. Public Comment: Comments heard under this item will be limited to individual comments or presentations of not more than three (3) minutes on matters not addressed elsewhere on this agenda.
3. Discussion of Washoe County District Board of Health consent approval at the August 23, 2012 meeting regarding Case No. 1-12W (Vicki Smith) reviewed by the SWS Hearing Board on August 8, 2012.
4. Public Hearing to consider staff's recommendation to approve the request to vary the requirements of Section 040.015 of the Washoe County District Board of Health Regulations Governing Sewage, Wastewater, & Sanitation – Minimum lot size for on-site septic. **(For Possible Action)**

Variance Case #1-13S
Mr. Richard Cook
4890 Turning Leaf Way
Reno, NV 89519
Assessor's Parcel Number 051-293-05
Lot ADJ 2, Block 293
Located at East Hidden Valley Drive
Washoe County, NV

5. **Public Comment:** Comments heard under this item will be limited to individual comments or presentations of not more than three (3) minutes on matters not addressed elsewhere on this agenda.
4. **Board Comments:** Limited to announcements or issues for future agendas.
5. **Adjournment (For Possible Action)**

NOTES:

1. **Business Impact Statement:** A Business Impact Statement is available at the Washoe County Health District for those items denoted with a "\$".
2. Items on the agenda may be taken out of order; combined with other items; withdrawn from the agenda; moved to a future meeting; or may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent.
3. The District Board of Health SWS Hearing Board (Board) meetings are accessible to the disabled. If special arrangements are required, please call 328-2434 no later than 24 hours prior to the meeting.
4. **Time Limits.** Public comments are welcomed during the Public Comment periods for all matters whether listed on the agenda or not. All comments are limited to three (3) minutes per person. Additionally, public comment of three (3) minutes per person may be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Board meeting. Persons may not allocate unused time to other speakers.
5. **Response to Public Comments.** The District Board of Health SWS Hearing Board (Board) can deliberate or take action only if a matter has been listed on an agenda and properly posted prior to the meeting. During the Public Comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Board. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District Staff action or to ask that a matter be listed on a future agenda. The Board may do this either during the Public Comment item or during the following item: "Board Comments – Limited to Announcement or Issues for future Agendas."
6. **Supporting materials are available to the public at the Washoe County Health District located at 1001 E. 9th Street, in Reno, Nevada. Ms. Janet Smith, Administrative Secretary to the District Board of Health SWS Board is the person designated by the District Board of Health Sewage Wastewater and Sanitation Hearing Board to respond to requests for supporting materials. Ms. Smith is located at the Washoe County Health District and may be reached by telephone at (775) 328-2458 or by email at jsmith@washoecounty.us.**



Washoe County Health District



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ENVIRONMENTAL HEALTH SERVICES DIVISION

DATE: August 15, 2012
 TO: District Board of Health
 FROM: Bryan W. Tyre, P.E.
 SUBJECT: Variance Case #1-12W
 Vicki Smith
 606 Front Street
 Verdi, NV 89523

Recommendation


The Sewage Wastewater and Sanitation Hearing Board recommends approval of the variance request to the requirements of 040.005 Table 1 of the District Board of Health Regulations Governing Well Construction (Well Regulations). That regulation requires a 100-foot setback from a well to a septic system leach field.

Background

The subject house was built in 1920 on a small railroad lot in Verdi. Until recently the dwelling used a hand-dug well for a water supply. The owner wants to upgrade the well to modern standards, but there is no place on the property to locate a well at least 100 feet from the septic leach field. As a result the owner and well driller, Roger Thrall of Aqua Drilling and Well Service have proposed to seal the well to a depth of 130 feet to mitigate potential contamination of the well by the septic system.

Conditions of Approval

1. A notice shall be recorded against Assessor's Parcel No. 38-412-24 indicating the variance conditions of approval prior to the well drilling permit approval.
2. The owner or successor shall connect to the community water system when it becomes available.
3. The well shall be disinfected and return a clean bacteria sample prior to occupancy. If a negative coliform bacteria result cannot be obtained, the owner will install a chlorination system prior to occupancy.


 Bryan W. Tyre, P.E.
 Senior Licensed Engineer
 Environmental Health Services Division

BWT:sn



Washoe County Health District



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CASE NO. 1-12W – AS REVIEWED BEFORE THE SEWAGE, WASTEWATER AND SANITATION HEARING BOARD

In Re: Application of VICKI SMITH)
for a Variance request pertaining to)
property located at 606 Front Street,)
Verdi, Nevada, from the requirements)
of Section 040.005 Table I of the Washoe)
County District Board of Health Regulations)
Governing Well Construction.)

CASE NO. 1-12W
VICKI SMITH

At a hearing of the Sewage, Wastewater
and Sanitation Hearing Board at Wells
Avenue at Ninth Street, Reno, Nevada
August 8, 2012

PRESENT: Chairman Ron Anderson, PE
Vice Chairman Steve Brigman, PE
Member Michele Dennis, PE
Member Mark Simons, Esquire
Member Bruce MacKay

ABSENT: Member George Georgeson, PE

STAFF: Bryan Tyre, PE, Senior Registered Engineer
Janet Smith, Recording Secretary

STATEMENT OF THE FACTUAL QUESTION BEFORE THE HEARING BOARD

SECTION 040 MINIMUM STANDARDS FOR CONSTRUCTION OF WATER WELLS

SECTION 040.005 The minimum standards set forth in this subsection must be complied with and apply to all wells, except, observation, monitoring, piezometers and exploratory wells drilled to test aquifer performance.

**MINIMUM HORIZONTAL SEPARATION (FEET)
 TABLE 1**

	DOMESTIC AND PRIVATE WELLS	PUBLIC WATER WELLS
PROPERTY LINES AND EASEMENTS	5	5
SEPTIC SYTEM DISPOSAL FIELDS	100	200
SEPTIC TANKS	100	200
BUILDING SEWER OR GRAVITY COMMUNITY SEWER LINE	50	50
WASTEWATER FORCE MAIN	100	150
FLOOD IRRIGATION	25	100
WATERCOURSES	25	25
DRAINAGE CHANNELS	25	25
OVERHEAD POWER LINES	12	12

(1) The setback requirements from easements only apply to underground, access and roadway easements.

GENERAL COMMENTS

On August 8, 2012, the Hearing Board for the referenced Regulations held a public hearing to consider all evidence and testimony presented concerning a variance request to the above. Ms. Debra Feraco, Office Manager, Aqua Drilling and Well Service, Inc., representing the applicant, Ms. Vicki Smith, was present at the aforementioned hearing.

SEWAGE, WASTEWATER AND SANITATION HEARING BOARD

Variance Request – Case No. 1-12W (Vicki Smith)

August 8, 2012

Page Three

Mr. Bryan Tyre, PE, Senior Registered Engineer, advised the house on the subject lot was constructed "on a small railroad lot in the 1920s" and is serviced by "hand-dug well" for the water supply. Mr. Tyre advised it is the intent of the owner to upgrade the well to modern standards; however, the lot is not large enough to comply with the requirement of the well being located a minimum of 100 feet from the septic leach field. Mr. Tyre advised the only location for the well "is the far corner of the lot as far away from the neighboring septic systems as possible"; however, not complying with the 100 foot requirement for separation from the septic tank and leach field.

Mr. Tyre advised Mr. Roger Thrall, Aqua Drilling and Well Service, has proposed sealing the well to a depth of 130 feet to mitigate potential contamination of the well by the septic system leach field.

Mr. Simons questioned whether "the 130 feet is excessive; and if the recommendation is "due to the static water level (the depth of the top of the aquifer)."

In response to Mr. Simons, Mr. Tyre advised the Regulations require any well within one-quarter of mile of a water body have a 100 foot seal; that every new well must have a minimum of a 50 foot seal. Mr. Tyre advised the intent of the 130 foot seal is to ensure as much protection of the aquifer as possible.

In response to Mr. Simons regarding the requirement for the installation of a chlorination system should it become necessary, Mr. Tyre advised he included a recommendation for a chlorination system as a possible alternative, to address any possible concerns the Hearing Board members may have. Mr. Tyre stated it is the consensus of Staff the proposed 130 foot seal will be adequate; that the 130 foot seal was proposed by Aqua Drilling and Well Service; and was not a condition of the Health District.

In response to Mr. Anderson, PE, regarding the depth of the static water level, Mr. MacKay advised the static water level is approximately 18-20 feet; that the water level "is governed by the ditch adjacent to the property." Mr. MacKay advised the ditch would be classified as a water course by the State Engineer's Office; that the ditch is within a quarter-mile. Mr. MacKay stated the applicant "more than complies with the 100 foot minimum requirement; that the proposed 130 seal. Mr. MacKay advised the static water level has been very stable over the years; therefore, "there isn't an issue" with the proposed request.

In response to Mr. Brigman regarding the gradient, Mr. Tyre advised the groundwater gradient is "towards the Truckee River and runs quickly."

In response to Mr. Brigman regarding the "choice of a 130 seal, Mr. Tyre advised it's necessary to maintain the well "as shallow as possible to ensure a plentiful and safe water supply"; that additionally a deeper well "would cost additional money.

The applicant, Ms. Vicki Smith, owner of Assessor's Parcel No. 38-412-24, is requesting a variance to the aforementioned Regulation.

The reason for the variance is:

1. To allow for the upgrade of the well to modern standards while protecting the groundwater aquifer.

FINDINGS OF FACT

The Hearing Board may recommend a variance only, if after a hearing with due and proper notice it considers whether:

1. Will the proposed variance result in contamination of the water to the extent it cannot be used for its existing or expected use?

The effect on the groundwater quality will not be affected by the drilling of a new well.

2. Will the proposed variance pose a threat to public health?

It is the consensus of Staff the increase from 50 feet to 130 feet in depth of the sanitary seal will provide protection of the health of the residents of 606 Front Street. Section 010.235 (SEAL) of the Washoe County District Board Regulations Governing Well Construction defines the well seal as: The watertight seal

established in a well bore or the annular space between the well casings or a well casing and the well bore to prevent the inflow or vertical movement of surface water or shallow groundwater, or to prevent the outflow or vertical movement of water under artesian pressures. The term includes a sanitary seal.”

RECOMMENDATION

Mr. Tyre advised Staff recommends approval of the proposed variance request, subject to three (3) conditions as outlined.

1. A notice shall be recorded against Assessor’s Parcel No. 38-412-24 indicating the variance conditions of approval prior to the well drilling permit approval.
2. The owner or successor shall connect to the community water system when it becomes available.
3. The well shall be disinfected and return a clean bacteria sample prior to occupancy. If a negative coliform bacteria result cannot be obtained, the owner will install a chlorination system prior to occupancy.

MOTION

Ms. Dennis moved that based upon testimony presented, it be recommended to the District Board of Health that Variance Case No. 1-12W (Vicki Smith), be approved, stipulating to the Findings of Fact and subject to the three (3) conditions as outlined.

The motion was seconded by Mr. Simons and carried unanimously for approval.



RON-ANDERSON, RE, CHAIRMAN
SWS / WELL WATER HEARING BOARD



JANET SMITH, CAP
RECORDER



Washoe County Health District



ENVIRONMENTAL HEALTH SERVICES DIVISION

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SWS Hearing Board Agenda Item
Meeting Date: August 8, 2013

DATE: July 22, 2013

TO: Sewage, Waste Water and Sanitation (SWS) Hearing Board

FROM: David Boland, Senior Environmental Health Specialist
dboland@washoecounty.us; 775-328-3652

RE: Variance Case #1-13S; Parcel Map reversion, Parcel 051-293-05
East Hidden Valley Drive, Washoe County, NV

Richard S. Cook, 4890 Turning Leaf Way, Reno, NV 89519

Recommendation

Staff recommends the Sewage, Waste Water and Sanitation (SWS) Hearing Board support the presented Variance Case #1-13S (Richard Cook) to allow for the reversion of parcel 051-293-05 from 1.0 acre +/- acre, to two 0.5 acre +/- lots. Upon SWS Hearing Board review, staff recommends the Variance Case #1-13S be presented to the District Board of Health for approval.

Background

When parcel 051-293-05 was originally created in February 1988, it was two 0.5 acre +/- lots within the Hidden Valley Subdivision Unit 1 similar to the surrounding lots that presently exist today. Mr. Richard Cook, the current owner of the parcel, proposes to split the 1.0 acre +/- lot reverting to the original two lots to allow for the construction of a single family dwelling on each proposed lot. Section 040.015 of the Regulations governing Sewage, Wastewater, and Sanitation stipulates "Lots created after March 21, 1991 and before October 23, 2001, that are to be served by onsite sewage disposal systems, shall be a minimum of one acre and shall comply with the minimum requirements stipulated by 040.020 of these regulations."

On June 24, 2013, percolation tests were performed by Black Eagle Engineering on two test holes for each of the proposed two 0.5 acre lots, a total of four percolation tests were performed. Results indicated Lot 2B is eligible for a standard septic system and Lot 2A will require an engineered sand filter system.

Findings of Fact

1. Will the proposed variance result in contamination of water to the extent it cannot be used for its existing or expected use?

Reply: No contamination of surface or ground water is expected as a result of this variance.

2. Will the proposed variance pose a threat to public health?

Reply: Allowing the parcel reversion to the subdivision's original lot count configuration will not have an adverse impact on the groundwater beyond what was originally designed and approved for this subdivision.

3. Are there other reasonable alternatives?

Reply: The Health District does not recommend reverting to lots of anything less than 0.5 acres in this variance request. There are no other reasonable alternatives.

Conditions of Approval

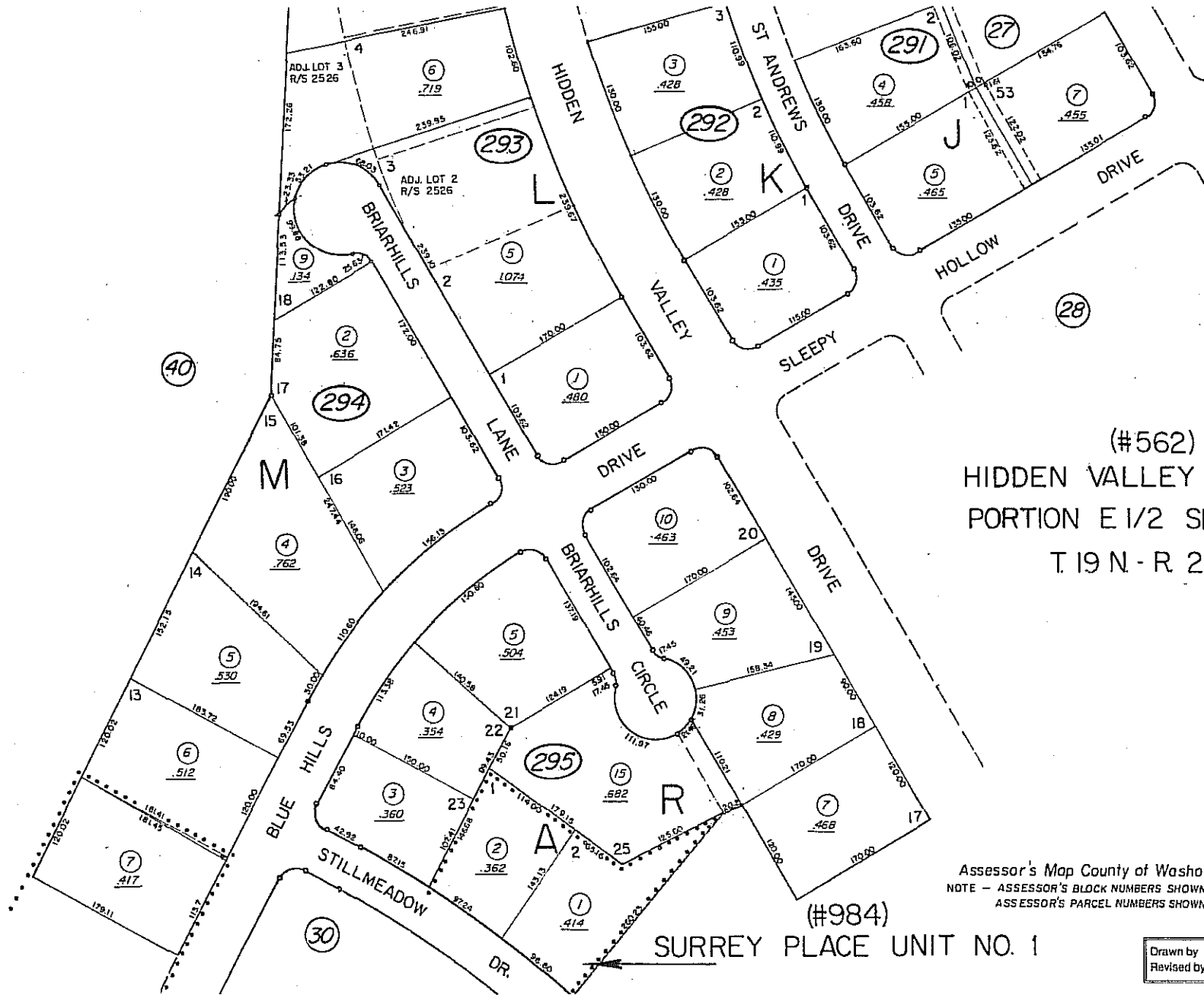
1. To obtain a permit to construct an on-site wastewater disposal system, the two lots must be serviced by the available public water system.
2. As part of the permitting process, the submittals for each lot must include:
 - A. All percolation test results and accompanying information;
 - B. Grading and driveway location and elevations; and
 - C. All other information as required for the permit application.

Possible Motion

Should the SWS Hearing Board agree with staff's recommendation, a possible motion would be "Move to support staff to present to the District Board of Health for approval Variance Case #1-13S (Richard Cook) to allow for the reversion of parcel 051-293-05 from 1.0 acre +/- acre, to two 0.5 acre +/- lots."

cc: Richard S. Cook
Brown Bear Engineering Inc.
Jim English, Environmental Health Specialist Supervisor

51-29

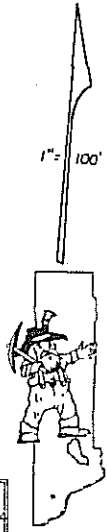


(#562)
 HIDDEN VALLEY SUB. NO. 1
 PORTION E 1/2 SECTION 27
 T. 19 N. - R. 20 E.

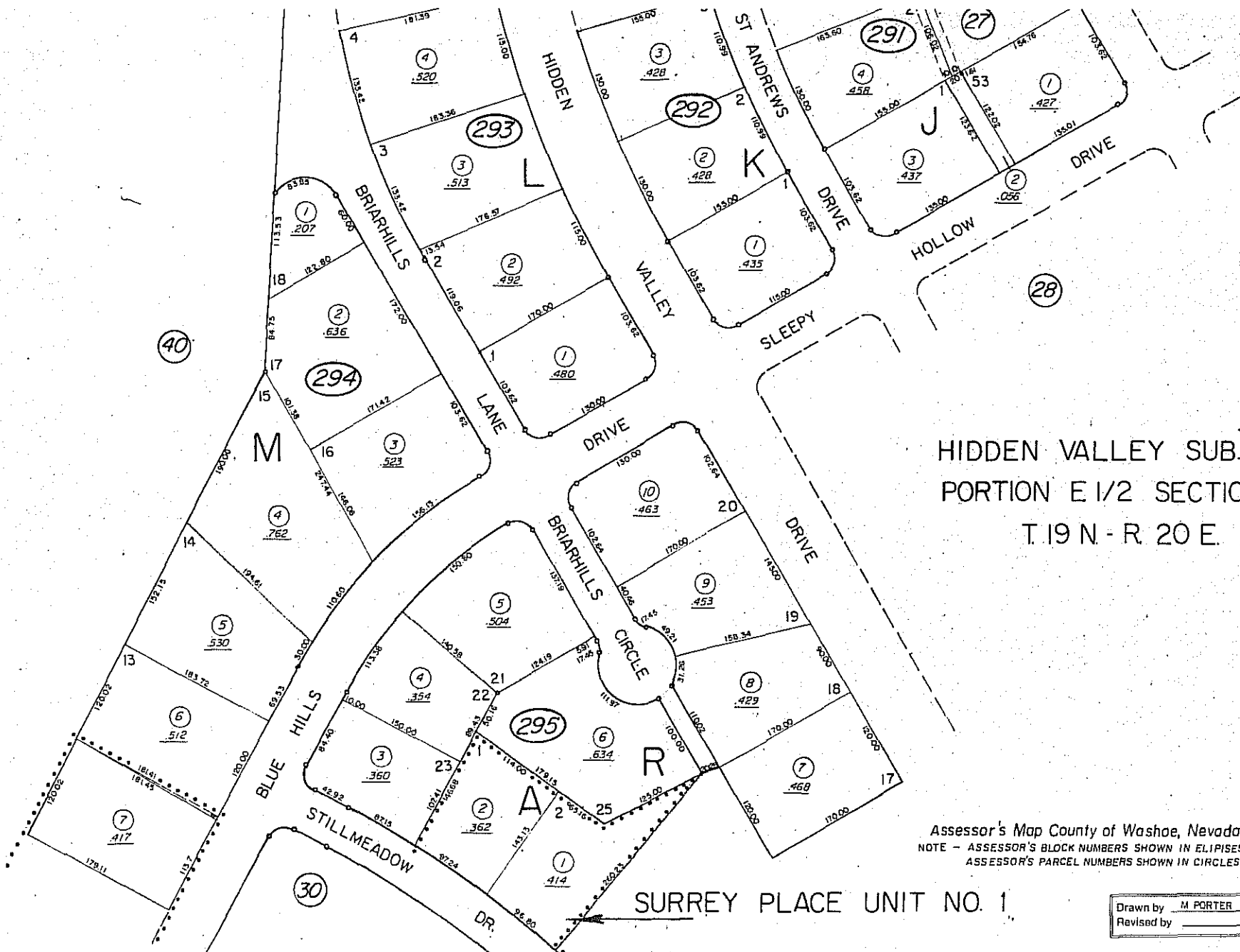
(#984)
 SURREY PLACE UNIT NO. 1

Assessor's Map County of Washoe, Nevada
 NOTE - ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES
 ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

Drawn by M PORTER 2/88
 Revised by 7/80 4/91 5/93 7/93 4/94
 5/96



51-29



HIDDEN VALLEY SUB. NO. 1
 PORTION E 1/2 SECTION 27
 T. 19 N - R. 20 E.

Assessor's Map County of Washoe, Nevada
 NOTE - ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES
 ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

SURREY PLACE UNIT NO. 1

Drawn by M PORTER 2/88
 Revised by _____

