

**SEWAGE, WASTEWATER, AND SANITATION HEARING BOARD  
MEETING NOTICE AND AGENDA**

**Members**

Ronald J. Anderson, P.E., Chair  
Steven H. Brigman, P.E., Vice Chair  
Michele C. Dennis, P.E.  
Matthew Buehler  
Vonnie Fundin

**Thursday, February 11, 2016**

**6:00 p.m.**

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

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**Items for Possible Action.** All items numbered or lettered below are hereby designated for possible action as if the words “for possible action” were written next to each item (NRS 241.020). An item listed with asterisk (\*) next to it is an item for which no action will be taken.

**6:00 p.m.**

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

**2. \*Public Comment**

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

**3. Approval of Draft Minutes**

August 8, 2013

**4. Discussion** of Washoe County District Board of Health consent approval at the August 8, 2013 meeting regarding Case No. 1-13(S) (Richard Cook) reviewed by the SWS Hearing Board on August 8, 2013.

**5. Public Hearing** to consider staff’s recommendation to approve the request to vary the requirements of Section 120.075 of the Washoe County District Board of Health Regulations Governing Sewage, Wastewater, & Sanitation – Minimum lot size for on-site septic.

Variance Case #1-16S

Mr. John Lindberg

20957 Eaton Rd.

Reno, NV 89521

Assessor’s Parcel Number 045-337-11

Parcel 2, Block D

Pleasant Valley Estates

Washoe County, NV

**6. \*Public Comment**

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

**7. Adjournment**

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**Possible Changes to Agenda Order and Timing.** Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting, moved to or from the Consent section, or they may be voted on in a block.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 agenda.

**Special Accommodations.** The District Board of Health Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Administrative Health Services in writing at the Washoe County Health District, PO Box 1130, Reno, NV 89520-0027, or by calling 775.328.2415, 24 hours prior to the meeting.

**Public Comment.** During the “Public Comment” items, anyone may speak pertaining to any matter either on or off the agenda, to include items to be heard on consent. For the remainder of the agenda, public comment will only be heard during items that are not marked with an asterisk (\*). Any public comment for hearing items will be heard before action is taken on the item and must be about the specific item being considered by the Board. In order to speak during any public comment, each speaker must fill out a “Request to Speak” form and/or submit comments for the record to the Recording Secretary. Public comment and presentations for individual agenda items are limited as follows: fifteen minutes each for staff and appellant presentations, five minutes for a speaker representing a group, and three minutes for individual speakers unless extended by questions from the Board or by action of the Chair.

**Response to Public Comment.** The Board of Health can deliberate or take action only if a matter has been listed on an agenda 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 of Health. 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 of Health 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 of Health may do this either during the public comment item or during the following item: “Board Comments – Limited to Announcement or Issues for future Agendas.”

**Posting of Agenda; Location of Website.**

Pursuant to NRS 241.020, Notice of this meeting was posted at the following locations:

Washoe County Health District, 1001 E. 9th St., Reno, NV  
Downtown Reno Library, 301 S. Center St., Reno, NV  
Reno City Hall, 1 E. 1st St., Reno, NV  
Sparks City Hall, 431 Prater Way, Sparks, NV  
Washoe County Administration Building, 1001 E. 9th St, Reno, NV  
Washoe County Health District Website [www.washoecounty.us/health](http://www.washoecounty.us/health)  
State of Nevada Website: <https://notice.nv.gov>

**How to Get Copies of Agenda and Support Materials.** Supporting materials are available to the public at the Washoe County Health District located at 1001 E. 9<sup>th</sup> Street, in Reno, Nevada. Ms. Dawn Spinola, Administrative Secretary to the District Board of Health is the person designated by the Washoe County District Board of Health to respond to requests for supporting materials. Ms. Spinola is located at the Washoe County Health District and may be reached by telephone at (775) 328-2415 or by email at [dspinola@washoecounty.us](mailto:dspinola@washoecounty.us). Supporting materials are also available at the Washoe County Health District Website [www.washoecounty.us/health](http://www.washoecounty.us/health) pursuant to the requirements of NRS 241.020.



# Washoe County Health District



**Public Health**  
Prevent. Promote. Protect.

CASE NO. 1-13S – AS REVIEWED BY THE SEWAGE, WASTEWATER AND SANITATION  
HEARING BOARD

In Re: Application of RICHARD COOK )  
for a variance request pertaining to )  
property located on East Hidden Valley )  
Drive, Washoe County, Nevada, from )  
the requirements of Section 040.015 )  
(Areas and Location Requirements for )  
Construction of On-Site Sewage Disposal )  
Systems) of the Washoe County District )  
Board of Health Regulations Governing )  
Sewage, Wastewater and Sanitation.)

**CASE NO. 1-13S**  
**RICHARD COOK**

At a hearing of the Sewage,  
Wastewater and Sanitation Hearing  
Board at Wells Avenue and Ninth  
Street, Reno, Nevada  
August 8, 2013

PRESENT: Chairman Ron Anderson, PE  
Vice Chairman Steve Brigman, PE  
Member Michele Dennis, PE  
Member Jeanne Rucker, REHS

ABSENT: Member George Georgeson, PE  
Member Bruce MacKay  
Member Mark Simons, Esquire

STAFF: David Boland, REHS, Senior Environmental Health Specialist  
Janet Smith, CAP-OM, Recording Secretary

**STATEMENT OF THE FACTUAL QUESTION BEFORE THE HEARING BOARD**

**SECTION 040                    AREAS AND LOCATION REQUIREMENTS FOR CONSTRUCTION OF  
ON-SITE SEWAGE DISPOSAL SYSTEMS**

**SECTION 040.015**        Lots created after March 21, 1991, and before October 23, 2001 that are to be served by on-site sewage disposal systems shall be a minimum of one acre and shall comply with minimum requirements stipulated by 040.020 of these Regulations.

**GENERAL COMMENTS**

On August 8, 2013, 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. Mr. Brandon Bennett, PE, Brown Bear Engineering, representing the applicant; and Mr. Richard Cook, applicant were present at the aforementioned hearing.

Mr. Dave Boland, REHS, Senior Environmental Health Specialist, advised the Richard Cook Family Trust has submitted a request for a variance to allow for the construction of a single family dwelling on two (2) lots. Mr. Boland advised when Assessor's Parcel No. 051-293-05 was originally created 1988 it consisted on two (2) one-half acre lots; however, no construction occurred at that time. Mr. Boland advised the lots were then combined into a single one acre +/- lot; that Mr. Cook, the current owner, now proposes to split the 1.0 acre +/- lot reverting the original two (2) lots, which is consistent with the majority of the lots in the adjacent vicinity. Mr. Boland advised the proposed single family dwellings will be "on septic systems"; that one (1) of the lots will require an engineered sand filter system; and the other "qualifies for a standard system." Mr. Boland advised both lots will be connected to the public water system. Mr. Boland stated one of the lots (2B) has very sandy conditions resulting in a percolation rate of "just less than five (5) minutes per inch." Mr. Boland stated Staff is recommending approval of the request as the reversion of acreage will be consistent with the lot sizes in the area.

In response to Mr. Anderson regarding any failed systems in the area, Mr. Boland stated he is not aware of any systems in this area that have failed; that, there is a "pocket of very sandy soils in this particular location." Mr. Boland advised the percolation test hole on the other proposed lot (2A) was approximately ten (10) minutes per inch, which will allow for the construction of a standard system.



In response to Mr. Anderson regarding the proximity of the lots to the 100-year flood plain, Mr. Richard Cook, applicant, stated he has been advised the 100-year flood plain is adjacent to the west side of the golf course. Mr. Cook advised the proposed lots are on the east side of the Hidden Valley Country Club golf course.

Mr. Brandon Bennett, PE, Brown Bear Engineering, representing the applicant, Mr. Richard Cook, advised the proposed two (2) lots are located "on the hill just south of the Country Club; at the high point of the roadway."

In response to Ms. Rucker regarding the status of the adjacent properties, Mr. Bennett advised all of the adjacent lots are developed and are serviced by septic tanks.

In response to Mr. Brigman regarding the location of the nearest sewer line, Mr. Bennett advised the closest is approximately 700 feet in distance "across the roadway." Mr. Bennett stated he met with representatives of Washoe County public works and was advised these lots could not be serviced without the installation of a pump system. Mr. Bennett advised connection would be cost-prohibitive.

Mr. Boland advised the Regulations mandate connection if sewer is within 400 feet of the "most logical route" to the sewer location, for a residence; and within 200 feet from the property edge of an empty lot.

The applicant, Mr. Richard Cook, owner of Assessor's Parcel No. 051-293-05, Lot ADJ2, Block 293, is requesting a variance to the aforementioned Regulation.

The reason for the variance is:

1. To allow for the construction of a single family dwelling on each of the proposed lots.

#### **FINDINGS OF FACT**

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

No contamination of surface or groundwater is expected as a result of this Variance request.

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

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?

There are no other alternatives, as the Health District does not recommend reverting to lots of anything less than 0.5 acres specific to this variance request.

### **RECOMMENDATION**

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

1. A notice shall be **recorded** against Assessor's Parcel No. 051-293-05 indicating the conditions of approval for the variance prior to septic construction permit approval.
2. To obtain a Permit to Construct an on-site wastewater disposal system, the two lots must be serviced by the available public water system.
3. As a component of the permitting process, the submittals for each lot must include:
  - A. All percolation test results and accompany information;
  - B. Grading and driveway location and elevations; and
  - C. All other information as required for the permit application.

### **MOTION**

Ms. Dennis moved that based upon the testimony presented, it be recommended to the District Board of Health that Variance Case No. 1-13S (Richard Cook), be approved, stipulating to the Findings of Fact; and subject to the three (3) conditions as outlined.

SEWAGE, WASTEWATER AND SANITATION HEARING BOARD

Variance Case No. 1-13S (Richard Cook)

August 8, 2013

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



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RONALD ANDERSON, PE, CHAIRMAN  
SWS HEARING & ADVISORY BOARD



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JANET SMITH, CAP-OM  
RECORDING SECRETARY

**SWS Hearing Board Agenda Item**  
**Meeting Date: February 11, 2016**

DATE: January 30, 2016  
TO: Sewage, Wastewater and Sanitation (SWS) Hearing Board  
FROM: Wesley Rubio, Senior Environmental Health Specialist  
[wrubio@washoecounty.us](mailto:wrubio@washoecounty.us) 775-328-2635  
RE: Variance Case #1-16S; Conversion of Existing Structure, Parcel 045-337-11  
20957 Eaton Rd, Washoe County, NV  
John Lindberg, 20957 Eaton Rd, Reno, NV 89521

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**Recommendation**

Staff recommends the Sewage, Wastewater and Sanitation (SWS) Hearing Board support the presented Variance Case #1-16S (John Lindberg) to allow the approval of the building permit BLD 15-1410 and associated septic system requirements. Upon SWS Hearing Board review, staff recommends the Variance Case #1-16S be presented to the District Board of Health for approval.

**Background**

During the process of obtaining building permits for the existing construction on the parcel, it was identified that this parcel has an existing Second Dwelling utilized as a living quarters. The total acreage for the parcel is 1.123 acres. The Sewage, Wastewater, and Sanitation regulations require that a parcel have a minimum of 2 acres with a Second Dwelling on a parcel served by an onsite sewage system and a domestic well, Section 120.075.

The current owner of the parcel, Mr. Lindberg, is seeking to correct the construction issues on the parcel by obtaining and correcting the building permit issues on the lot. Mr. Lindberg has hired a contractor and all components of the existing septic system have been located and field verified by Health District staff. The contractor has coordinated and worked with staff to adequately evaluate the site and establish primary and repair leach line locations that meet the minimum sizing requirements for the entire proposed usage on the parcel.

The contractor has proposed to add an additional septic tank and additional leach line to meet the minimum requirements, and an equal area has been located for septic repair upon the septic failure of the primary system. All proposed septic components meet all required setbacks and will be able to serve both the existing Single Family Dwelling and the Second Dwelling.

**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:** There will be no contamination of water that would be a threat to the existing or expected uses.





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

**Reply:** No, allowing for the Second Dwelling to be permitted on this parcel will not impact or pose any threat to public health. The additional septic tank and additional leach line that are required to be installed will further protect the public health and groundwater concerns.

3. Are there other reasonable alternatives?

**Reply:** Since the current property owner is seeking to correct conditions that were previously present on this parcel, the Health District is requiring the installation of an additional septic tank and leach line to meet the minimum required sizing and treatment of sewage. The Health District staff believes there are no other reasonable alternatives that allow for this parcel to maintain the current buildings and meet all requirements.

### **Conditions of Approval**

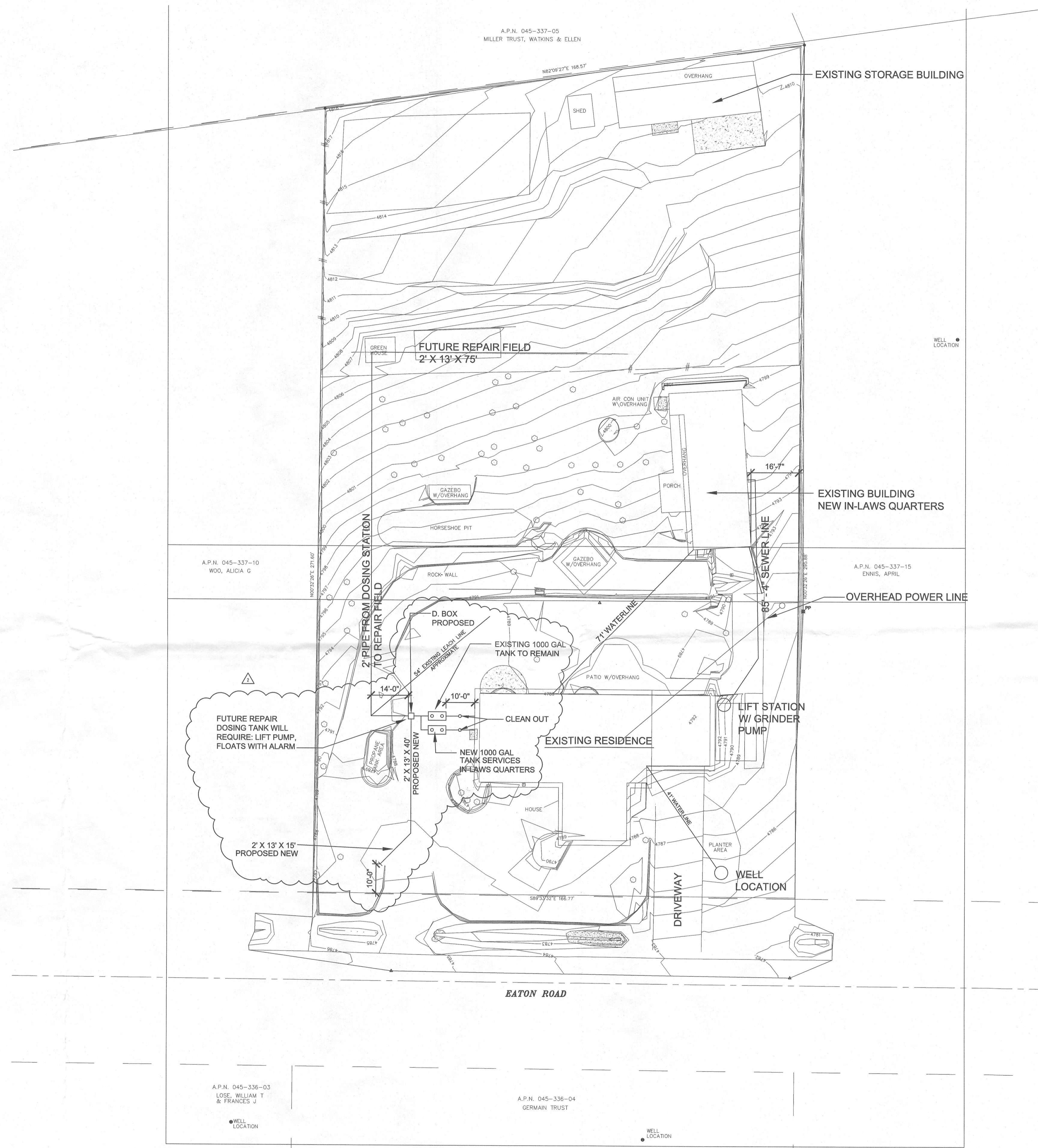
1. Complete the installation of the proposed septic tank and the additional leach line as required. The Certificate of Occupancy will be held until the installation has been inspected and meets all requirements of the Health District.

### **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 #1-16S (John Lindberg) to allow for the approval of a septic system to serve an existing SFD and a Second Dwelling on a parcel that is less than 2 acres."

xc: Richard S. Cook  
Building Tectonics Inc.  
Jim English, Environmental Health Specialist Supervisor/Program Manager





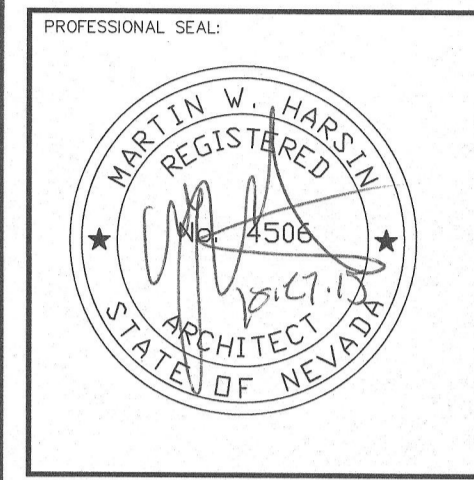
**DEMOLITION NOTES:**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF THE BUILDING DURING CONSTRUCTION AND SHALL PROVIDE ADEQUATE SHORING AND BRACING DURING CONSTRUCTION, CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE SAFETY REGULATIONS.
2. THE CONTRACTOR SHALL PROPERLY SCHEDULE AND COORDINATE THE WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE DESIGNER AND SHALL BE RESOLVED BEFORE PROCEEDING WITH THE WORK AFFECTED.
3. NO STRUCTURAL MEMBERS SHALL BE CUT, NOTCHED OR OTHERWISE PENETRATED UNLESS SPECIFICALLY APPROVED BY THE ENGINEER IN ADVANCE OR AS SHOWN ON THESE DRAWINGS.
4. THE DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISH STRUCTURE, UNLESS NOTED OTHERWISE INDICATED. THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR AND SUB-CONTRACTORS SHALL PROVIDE ALL MEASURES NECESSARY TO PROTECT THE STRUCTURE, WORKMEN, AND OTHER PERSONS DURING CONSTRUCTION. SUCH MEASURES SHALL INCLUDE, BUT ARE NOT LIMITED TO, PREPARING AND FOLLOWING THE WRITTEN SAFETY PROGRAM FOR THE CONSTRUCTION PROJECT, BRACING, SHORING FOR CONSTRUCTION EQUIPMENT, SHORING FOR THE BUILDING FORMS AND SCAFFOLDING AND ALL RETAINING WALLS.
5. REMOVAL OF EXISTING EXTERIOR FINISHES TO ACCOMMODATE NEW CONSTRUCTION, SHALL BE REPAIRED OR REINSTALLED TO MATCH ADJACENT SURFACES, UNLESS NOTED OTHERWISE.
6. NO PUBLIC SEWER EXISTS WITHIN 400'
7. NO 100 YEAR FLOOD PLAIN EXISTS WITHIN 100'



P.O. BOX 50522  
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FAX: 775-273-6020

WWW.ORIGIN8ARCHITECTURE.COM



CLIENT/PROJECT:  
**JON LINDBERG**  
20957 EATON ROAD  
RENO, NEVADA 89511  
APN: 045-337-11

A RESIDENTIAL PROJECT FOR:

ACCEPTED  
NOV 16 2015  
Washoe County Health  
Environmental

**REVISED**  
NOV 16 2015

**HEALTH**

REVISION AND DESCRIPTION:	PLAN CHECK
△	HEALTH DEPT.

SHEET DESCRIPTION
<b>SITE PLAN</b>

DRAWING SCALE:	08-A PROJECT NUMBER:
<b>NOTED</b>	<b>A-173</b>
PROGRESS PRINT DATE:	<b>1-12-2015</b>
SHEET NUMBER:	<b>A2</b>