

GUNNISON COUNTY ENVIRONMENTAL HEALTH BOARD

AGENDA: WEDNESDAY, OCTOBER 16, 2013

- 10:00 a.m.**
- **Call to order; determine quorum**
 - **Approval of Minutes from the May 15th, meeting**
 - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Board or County Staff about items which are not scheduled on the day's agenda.
- 10:15 a.m. Environmental Health Board and County Staff Discussions:**
Items to be discussed by the Board and County Staff:
- A. Introductions – Russ Forrest & Crystal Lambert
 - B. Meeting Organization: Overview of Board & Staff Roles, Overview of how applications are reviewed by Staff, minutes, scheduling of future meetings
 - C. Colorado Public Health & Environment, Water Quality Control Commission-On-Site Wastewater Treatment System Regulation: Deadlines for adoption, overview of major changes, scheduling for meetings
- 12:00 p.m. Lunch at Marios Pizza**
- 1:15 p.m. William & Marcia Stamm, 1175 Trappers Way, Special Review, application for a permit to install a third ISD system on their parcel. The parcel is 56.7 acres and has two separate building envelopes that are approximately 250 feet apart and separated by a small stream in a gully channel. Two existing ISD systems are currently installed on the parcel. The ISD system for which the owners are applying for will be located in a separate building envelope and will receive wastewater from a proposed barn. The Gunnison County Individual Sewage Disposal System Regulations, Section 5-107, C., *More Than One ISDS On A Single Parcel Requires Special Review.* "No more than one ISDS shall be permitted for an undivided parcel without approval of a Special Review pursuant to Section 3-121: *Special Review.*"**
Items to be discussed by the Board and County Staff:
- 2:15 p.m. Crossbar Ranch Holdings, LLC, 3535 County Road 888, Special Review, application for a permit to install a third ISD system on their parcel. The parcel is 2,032 acres and currently has two ISD systems. The Crossbar Ranch is an active ranch operation with a residential component comprised of an existing single family residence, a tack house and several agricultural sheds and outbuildings. The owners are asking for a third ISD system for a proposed garage with a single, efficiency apartment for additional ranch employee housing. The Gunnison County Individual Sewage Disposal System Regulations, Section 5-107, C., *More Than One ISDS On A Single Parcel Requires Special Review.* "No more than one ISDS shall be permitted for an undivided parcel without approval of a Special Review pursuant to Section 3-121: *Special Review.*"**
- 3:30 p.m. George, Emily, Joseph & Geoffrey Luchetta, 205 Roller Street, Ohio City, Special Review, application for a permit to install an ISD system on a parcel less than one-acre. The parcel is 7,555.618 Square Feet (0.17-acre). The Gunnison County *Individual Sewage Disposal System Regulations, Section 5-107, A., Minimum One-Acre Lot Required.* An individual sewage disposal system shall not be permitted to be installed on a parcel of land less than one-acre in size unless Special Review approval has been given (Section 5-107, 4. *Has Received Special Review.*)**

Adjourn

NOTE: Unless otherwise noted, all meetings are conducted in the Blackstock Government Center Meeting Room at 221 N. Wisconsin Street in Gunnison, across the street from the Post Office. Anyone needing special accommodations please contact the Community Development Department (641-0360) before the meeting.

GUNNISON COUNTY ENVIRONMENTAL HEALTH BOARD SCHEDULED MEETING
October 16, 2013

The Gunnison County Environmental Health Board conducted a meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission room.

Present Were:

Lucinda Lull, Chairperson	Larry Parachini, Vice-Chairperson
Rodney Due, EH Board Member	Jeff Sellen, EH Board Member
Eddy Balch, EH Board Member	Steve Glazer, EH Board Member Alternate
Ed Bavouset, EH Board Member Alternate	Russ Forrest, Asst. County Manager Economic Dev.
Crystal Lambert, Building and Environmental Health Official	Michelle Spain, Admin. Assistant

Absent Were: None

Other attendees as listed in text.

- 10:23:41 AM • Call to order; determine quorum, by Lull.
- 10:23:01 AM • Approval of Minutes from the May 15th, meeting, corrections requested, Motion to approve with corrections by Parachini, Balch 2nd. Passed
- 10:23:15 AM • Unscheduled citizens: A brief period in which the public is invited to make general comments or ask questions of the Board or County Staff about items which are not scheduled on the day's agenda.

Environmental Health Board and County Staff Discussions: Meeting times were discussed. Quarterly meetings discussed again. Forrest discussed the purpose of this board that was verified by the county attorney. This board was set up to review variances and ISDS applications.

Glazer indicated that this board was needed for additional topics other than review of applications. This board would like to be more involved in decision making for review of regulations etc.

Forrest asked where the purpose statement was for this board. Forrest indicated that this may be the time to review and update a purpose statement and review it with the BOCC.

Lull indicated that at this time the purpose statement was generic.

Forrest stated that the attorney indicated that any additional responsibilities by this board was at the request of the BOCC.

Glazer requested an agenda item to be added D) today. He would like more discussion of the two special districts reviewed. He requested that we add this as an agenda item today or in the near future.

Forrest indicated that items set in the agenda need to be kept to what is published. Items can be added for another meeting date.

Sellen asked if air quality issues or other environmental issues would be reviewed by this board.

Forrest responded that other items could be added to this board's review. The purpose statement needs to be discussed and then formally brought to the BOCC for approval.

10:25:44 AM Neal Starkebaum seated in the audience.

Items to be discussed by the Board and County Staff:

A. Introductions – Russ Forrest & Crystal Lambert

Russ Forrest introduced his introductions. Lots of changes in our current staff and within the County. Russ apologized for the lack of communication. Russ started in August and was appointed the Assistant County Manager and the Director of Community Development. Russ will be working with Jim Cochran, Wildlife Coordinator and Mike Pelletier, GIS Manager, on various projects. Priority at the time he started was the building office and the environmental health office. Crystal has been appointed as the new Building and EH Official. Crystal has a good strong background in water quality, science and building inspector certifications. We will also be looking for an extra staff person. That job description will be reviewed and analyzed in the next few months.

Crystal indicated that this person should be hired as an inspector.

Russ has a Bachelors and Masters degrees in urban and regional planning. His main back ground is in water quality. He worked for the US Army, and dealt with base closures and realignment issues. He relocated to Vail and then to Snowmass Village. ISDS is new to him but water quality is not.

Crystal Lambert started her introduction. She has worked for the County since 2008. She worked at Buckhorn Geotech, designing septic systems and analyzing soil reports for foundations. She also worked at the water plant at Mt Emmons. She went to the University of Washington for geological sciences. Worked in environmental chemistry for 8 years.

Eddy Balch worked for the City of Gunnison for 23 years. Then to Crested Butte as the public works director. After he left the town of Crested Butte he was employed by Colorado Rural Water Association for 4 years doing source water protection planning. Currently employed for M & H Kennedy Valves and is their district manager.

Rodney Due is currently the Crested Butte public works director. He currently carries licenses in water and waste water collections and distributions. Has a CDL license and operates heavy equipment. He has business management back ground. He has relocated from Hawaii to Crested Butte. Spent time working in Alaska. He also is active with the Coal Creek Watershed Coalition.

Ed Bavouset is currently retired from the Postal Service in the asset management department. He has just returned from doing some emergency response work for the Corp of Engineers.

Jeff Sellen is the Chair and, Assistant Professor of Environmental Studies at WSCU. Teaches water policy classes and environment and sustainability classes at WSCU. He was employed at Western State University in Washington for 20 + years.

Larry Parachini settled in the Gunnison Valley 20 some years ago as restaurant owner. Got into waste water due to his experience with the restaurant. He had to replace that system 3 times. He took classes and bought an existing business to install and clean systems. Retired a few years ago.

Lucinda Lull introduced herself. She has lived in the Pitkin area since 1975. She has been a real estate agent since 1984. Her main area is in Pitkin, Colorado. She is actively involved in septic and building. She was the mayor of Pitkin for 10 years. She has been on this board since 1995. She has an Elementary Ed degree from WSC.

Steve Glazer has been a resident of this valley for 43 years. Started the cable company and the Crested Butte State Bank. 1991 became the water director for High Country Citizen Alliance. Has a degree in Business Administration. Started the Coal Creek Water Shed Coalition in 2003. He has been one of the original EH Board members.

Lull indicated that the continuing education that was offered by the county was very helpful for this board. They went to one in Eagle, Colorado and learned more about soils testing, reviewed upcoming State regulation changes.

Crystal indicated that she will be watching for more training sessions to be offered by the State.

Glazer indicated that the State did not have the funding to put on more training.

Forrest indicated that there may be more funding in other areas.

Parachini had asked Joanne Williams if there were CPOW membership that is available for 2 members of this board. Williams never did get back on this.

Sellen indicated that he was a member of the Colorado Water Workshop.

Lull indicated that with the diverse back ground of this board they are all willing to learn more. Lull thought that maybe a training program offered for the community would be good.

Due indicated that the realtors need the training for this.

Glazer indicated that the Governor passed a law that mandates all counties have a water plan in place. All basins will need to comply with this proclamation. The round table is 33 people from the basin. Jennifer Bach at HCCA is a good source.

Forrest indicated that this is once again a matter of purpose. Baumgartner has indicated to him what the actual purpose statement of this board is the review of ISDS applications. Again the purpose of the board is expanded then the BOCC needs to approve of those additional responsibilities.

Lull indicated that this board should put in writing what the responsibilities should be.

Forrest indicated that these items should be discussed prior to bringing it to the BOCC. Forrest indicated that we could look at some other purpose statements and email to each member for review prior to the next meeting. Forrest indicated that this board should review the strategic plan that he County has adopted.

Discussion of the new website that we have now. Not all members are happy with it.

Sellen indicated that we should be broad in the purpose. Not just ISDS systems. Look at the other environmental health items that could be brought up.

Forrest indicated that the afternoon items are Quasi-Judicial in nature.

Glazer indicated that ground water (discharge) is an area that we need to be more knowledgeable about. Surface water and ground water regulations were discussed.

11:10:26 AM B. Meeting Organization: Overview of Board & Staff Roles, Overview of how applications are reviewed by Staff, minutes, scheduling of future meetings.

Staff recommendations will be brought out and packets will be in a more timely manner than in the past.

Balch would like to be notified when packets are out. Could we shoot him an email.

Forrest reviewed the protocol of reviews. Forrest indicated that the packets will be out earlier. Also we will assist each one of the board members with Citizen Access/Innoprise, which is the County's permit tracking system which contains all relevant information on an application submittal. The Innoprise information is available to all.

Glazer would like to be able to use the PDF writer to make comments, or to have the packets sent in some format that can be edited, i.e. Microsoft Word.

Paper VS electronic format. This was discussed. Reading of paper items was discussed.

Due indicated that some of the board members are able to use electronic only. Pick up or mail.

Forrest indicated that the attorney is not in recommendation of vault systems. This was not brought to the BOCC.

Due indicated that this board had requested it be brought before the BOCC. The attorney did not. Now that the state allows the vault systems what will we do.

Forrest indicated that this board will review, make a recommendation on the new ISDS regulations, which could include the use of vaults, and the director will bring these recommendations before the BOCC for review.

Balch indicated that he had issues about restructuring of this position. What about additional staff.

Crystal responded that it is a concern of all.

Forrest indicated that the numbers of ISDS are down, but we will be addressing an additional staff person.

Crystal responded that there are permits in special districts that need to be monitored.

Forrest indicated that this follow up inspection could be contracted out. We are looking at all aspects.

Due asked about coordination with the Crested Butte Watershed District.

Crystal reviewed the lack of mapping on the boundaries of the districts. Crystal asked for data so we could map this area.

Due indicated that this was being done in the past.

Crystal indicated that the overlays from mapping are available. Discussion of the water flows to the various zones.

Due explained various areas of flows in Irwin etc.

Glazer indicated that the Town of Crested Butte shall be notified when the county receives an application.

Due indicated the redundancy of certain items in the ISDS County regulations and the State regulations.

Sellen had a question on voting. Voting and votes were discussed. Abstaining was discussed.

Forrest indicated that there must be a good reason for abstaining. If there is a financial relationship with the applicant, or that there is a relationship with the application/applicant where a board member does not feel they can be impartial. Forrest encouraged board members to acknowledge and as the questions about any potential conflicts.

Crystal asked about receiving minutes. We need to get these out prior to the next meeting. Minutes in the past have been sent very late.

Spain will have staff take a look and then email to the board. Then we will have them reviewed and officially approved at the next meeting.

Spain reiterated that minutes are a synopsis of meetings and not transcripts. Meetings all also recorded.

Parachini indicated that new regulations were adopted back in 2010.

Crystal responded that new items will be sent to all ISDS installers. These new regulations are always posted on the web site.

Parachini indicated that the contractors or engineers or tank producers need to be notified of these latest adoptions.

Crystal indicated that the letter was out to each one. Possible more education of these regulations will need to be given to all.

11:52:13 AM C. Colorado Public Health & Environment, Water Quality Control Commission-On-Site Wastewater Treatment System Regulation: Deadlines for adoption, overview of major changes, scheduling for meetings

Meeting times and dates discussed.

Next meeting 11-13-2013 @ 1:30pm.

1:17:47 PM

William & Marcia Stamm, 1175 Trappers Way, Special Review, application for a permit to install a third ISD system on their parcel. The parcel is 56.7 acres and has two separate building envelopes that are approximately 250 feet apart and separated by a small stream in a gully channel. Two existing ISD systems are currently installed on the parcel. The ISD system for which the owners are applying for will be located in a separate building envelope and will receive wastewater from a proposed barn. The Gunnison County Individual Sewage Disposal System Regulations, Section 5-107, C., *More Than One ISDS On A Single Parcel Requires Special Review*. "No more than one ISDS shall be permitted for an undivided parcel without approval of a Special Review pursuant to Section 3-121: *Special Review*."

Lull requested the applicant's presentation. Engineer Jerry Greene started his review. He indicated that this was a separate area for a wash area only for the barn. It is a relatively small system and close to the barn with minimal disturbance. They would not have to cross a swale or stream by doing it as designed. Assumed the perc rate for this next one. The final design would be based on the actual perc test once they are able to continue. Questions for engineer.

Parachini asked how the flow rates were calculated.

Lee Dillenback, Alpine Dwelling indicated that there will be 2 bathroom areas. These bathrooms are only for cleanup for working in the barns etc. The main home and the barn are approximately 250 feet away from each other.

Lull asked about the level of the building site. Crystal indicated that the site visit verified that the area was good until crossing into the swale.

Due what is the distance from the gully to the stream? 150 feet.

Dillenback commence review the entire plat with the board showing all items and the location of the current septic, well etc. The guest barn and SFR are one and the same. 200X200 foot building envelope.

Crystal had the sight brought up on GIS and let the board review the layers of the plat. Dillenback then reviewed each item of the site.

Due questioned if this property is located in the CB Watershed District and what location to certain roads that it borders.

Location of well was discussed.

Requested that the incorrect map be deleted from the record.

Glazer asked question on the pictures submitted. Crystal indicated that there was a cleared area on her site visit. That is what she submitted in the packet.

Crystal started her review. Verified the application date and the review process by Cathie Pagano. Application was denied, and preliminary design was received by Jerry Greene. Crystal was initially inclined to say she did not need a 2nd system until she completed her site visit. At this time she was able to determine that this in fact was a 3rd system. Size of the existing tanks were discussed.

Glazer asked who designated the building envelopes.

Dillenback indicated that the subdivision was probably the initial people to design the lots and envelopes.

Glazer asked about the dates on the prior installations. Why was the 2nd not reviewed? It was disclosed as an oversight by the county.

Due and Glazer requested that a total plat of the parcel should have been presented.

Forrest indicated that an entire plat be submitted and come back to this board.

Dillenback reviewed the formal request of this board.

- 1) Complete plat
- 2) Location of well, tanks, absorption areas
- 3) Swales, location.
- 4) Proposed water line, copy of well permit is in file
- 5) Effluent filters should be listed on the plans
- 6) Who is installing the filters, the precast company are sending them already completely installed
- 7) Sand and grit trap how this will be maintenance. The engineer will have a manhole cover to clean.
- 8) Engineer asked for the board to require cleaning 2-3 years.
- 9) Depth correction on infiltrators to be corrected in record.

Crystal explained her inspection process on the final.

Parachini indicated that the concrete tanks are much better in this climate.

Lull asked about any items that Crystal saw.

Crystal responded that the number of current units.

Motion to continue this public hearing by Due until 11-13-13. Parachini 2nd. Roll call vote, Unanimous

Forrest asked if with a good site plan this could be, approved.

Crystal indicated that this was information only that was submitted.

Plats need to be more detailed for all applicants.

Parachini commented that the last site plan was inadequate.

Glazer indicated that if Crystal requested the information and it was not supplied she can cancel the hearing.

Further discussion on site plans in general.

2:23:03 PM

Crossbar Ranch Holdings, LLC, 3535 County Road 888, Special Review, application for a permit to install a third ISD system on their parcel. The parcel is 2,032 acres and currently has two ISD systems. The Crossbar Ranch is an active ranch operation with a residential component comprised of an existing single family residence, a tack house and several agricultural sheds and outbuildings. The owners are asking for a third ISD system for a proposed garage with a single, efficiency apartment for additional ranch employee housing. The Gunnison County Individual Sewage Disposal System Regulations,

Section 5-107, C., *More Than One ISDS On A Single Parcel Requires Special Review*. "No more than one ISDS shall be permitted for an undivided parcel without approval of a Special Review pursuant to Section 3-121: *Special Review*."

Crystal verified that there was proper notice give and declining of original request.

Jennifer Barvitski, Architect commenced her review. She is the architect for the entire project. She described the location and presented her site plan. Areas of concern were discussed and possible tie-ins were located.

Robert Williams, Engineer then started his review of the existing location of the current system. The future addition of 9000sq to the main house was discussed and the present location of the system. This will be reviewed at a future date. The secondary system was reviewed and the unique site of the proposed garage was discussed. Williams indicated that the system can be designed to conform to all of the current county requirements. Setbacks can be met. Locations were discussed.

Parachini indicated that he has worked on this ISDS in the past and he discussed the location of the leach field etc. The deck does over hang on the current system. System design has been submitted to the file and meeting. Perc has been completed and the perc was good enough to pass the county requirements. The new absorption field for the main house and future addition was discussed.

Due responded that the 2nd system was not permitted. He had concerns on the trend that is being set.

Parachini indicated that he had worked on the systems in general on the entire project.

Glazer asked about the design that is being submitted.

Crystal indicated that she has not reviewed this design that was just presented on Tuesday of this week.

Crystal started her review. Application submitted, reviewed, declined in a very timely manner. Site inspection was not performed since she had been on this site numerous times.

Forrest asked about any life safety, environmental issues that could arise.

Crystal responded none at this time.

Tying in to the existing system was not feasible, or financially responsible.

Crystal did review the new State regulations indicated if the site was suitable. Crystal felt that this is a very suitable site. The state indicated that the .50 acre requirement is not applicable in the old regulations or new regulations. Proposed site will not damage public health. It will not result in injury to the public.

Glazer asked the engineer about the design factor 3a, garbage disposals. This is only listed in the Crested Butte Water Shed and the Marble Water District.

Williams indicated their stance on disposals involving temporary residences. Some organic material is needed. If used and not maintained these system filters will fail.

Balch indicated that the garbage disposal on ISDS system need to be explained in any of our educational material.

Williams indicated that engineers need to be invited to participate in review of the new State regulations.

Bavouset indicated that the information presented on this application was excellent. This was also reiterated by Sellen.

Parachini complemented Williams on his design.

Hearing closed. Motion by Balch, 2nd Parachini. Further discussion. Vote called. Unanimous yes.

Lull any further conditions to be considered.

Glazer requested that garbage disposal be encouraged to not be installed. Since it is not in our regulations Due indicated that it was not appropriate to require.

Motion to approve by Balch, 2nd Due. Vote Called. Unanimous yes.

Break

In the Audience - Lance Nelson

3:31:55 PM George, Emily, Joseph & Geoffrey Luchetta, 205 Roller Street, Ohio City, Special Review, application for a permit to install an ISD system on a parcel less than one-acre. The parcel is 7,555.618 Square Feet (0.17-acre). The Gunnison County *Individual Sewage Disposal System Regulations*, Section 5-107, A., *Minimum One-Acre Lot Required*. An individual sewage disposal system shall not be permitted to be installed on a parcel of land less than one-acre in size unless Special Review approval has been given (Section 5-107, 4. *Has Received Special Review*).

Crystal confirmed public notice has been given and all posting met.

Jeff Luchetta was introduced and started his review. This cabin was originally owned by the applicant's family. This cabin will remain in the family. His grandparents originally owned this cabin.

Robert Williams commenced the review of his design. This is a fairly complicated parcel and the issues will be discussed. Plat map was submitted and reviewed. Adjacent property owners were listed and all notices were given to them. Vacation of alleys and streets were discussed. Williams then submitted a site plan of an enlargement of the parcel. Well locations were shown and marked on the plat. Within the 100 feet from existing wells were shown. Setbacks were listed and marked. Ground water was listed as a concern in the past and this is incorrect. Wells were discussed and which one was abandoned. Influence zones were then located and discussed. Absorption fields then were discussed and possible locations identified.

Parachini asked about how large the zones were. Williams responded one was 40X40 and the other 30X30.

Balch asked about the Mother Lodes septic. Original file was under Stout in 2005. Spain pulled the records to show. The application was reviewed but tabled.

Williams continued his review. What he presented is the worst case situation.

Question to audience if the county plows these roads. It was confirmed that they do.

Williams indicated the infiltrators will be designed for any condition that could come up. Ground water was not seen. The design is for a 3 bedroom house. They may only go 2 bedrooms.

Crystal then started her review. It was originally submitted in 2010. Nothing was done after it was designed until recently and Williams Engineering submitted the design. Crystal did complete a site inspection and submitted pictures. The reason for denial was due to the 1 acre minimum. As submitted the requirements can be met. Regulation 43 OWTS, parcel size section was discussed.

Lance Nelson introduced. He is a residence of Ohio City and as a neighbor he feels this will not impact his property.

Other adjacent owners commented in writing and will be attached to this meeting.

Due's issue. How do you define substantial injury? And what about the abandoned well. Has it been properly sealed?

Balch asked about the well and contamination, and how do you define substantial injury.

Lull commented on the building sites (3) stated by Santorineos' emailed comments.

Bavouset stated that she may or may not have impact. This must be brought to this board's attention.

Lull requested that the well show records of formal abandonment. The state will have record of this.

Balch indicated that just because the State shows this abandoned it may not have been terminated properly.

Bavouset asked if the owner is responsible for the proper termination of the well.

Luchetta also had the old well abandoned in order to have the new one drilled. The old one was hand dug. This one was sealed.

Parachini stated concerns on the ISDS system on the adjacent property.

Williams responded that this does not impact the well.

Glazer asked if the existing well was in use. Luchetta responded that it was being used. They have a spigot and hook it to the RV.

Williams commented on the adverse letter.

Sellen asked if she were to ask for variance will the Luchetta's have an adverse reaction to this.

Williams indicated that the outhouse would be eliminated and a new system will be installed. So this would improve the occupancy.

Due disagreed on this. Due would like further information on the abandoned well. And more information on the ground water.

Forrest indicated that the continuation of the hearing may be warranted. Discussion ensued on other items that may be needed.

Sellen, Bavouset, Balch, Due, Lull all want determination on wells.

Forrest asked whether the well was properly abandoned.

Williams indicated that the state shows it abandoned.

Due wants Crystal to research the abandonment. Has it been abandoned properly? What are the ground water levels?

Glazer commented on action taken could be president setting.

Williams responded that if Santorineos can bring it to this board and prove the aspects of compliance she will be fine.

Parachini wanted to review the septic system to the north.

Williams indicated the setbacks from the well.

Crystal quoted the setbacks from wells to absorption fields. Discussion on what kind of system this was. Very old.

Motion to continue the public hearing until 11-13-13 by Due, 2nd by Sellen. Unanimous. Yes.

Motion by Parachini to adjourn 2nd by Sellen. Adjourned.

/S/ Michelle Spain
Administrative Assistant
Gunnison County Community Development Department