

Public Comment

03/16/2023

From: tom@tomgrundy.com
To: [Public Comment](#); [Lisa Schuette](#); [Lori Bagwell](#); [Stacey Giomi](#); [Curtis Horton](#); [Maurice White](#)
Cc: [Andy Hummel](#); [Randall Rice](#)
Subject: Southeast Sewer
Date: Friday, March 10, 2023 8:36:22 AM
Attachments: [Southeast Sewer.msg](#)

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Mayor and Supervisors,

Please accept this email as my comments on Item 16B of the March 16, 2023 Board of Supervisors meeting regarding the Southeast Sewer Project.

I previously submitted comments before the public meeting held in November regarding this project, indicating that I am a strong supporter of the SE Sewer Project. When I purchased my home on Ethel Way, I purchased it hoping that sewer would become available sooner rather than later, so I was excited to see that this project was coming to fruition. I believe it is good for my family as homeowners and I am certain it is good for our community. It is my intention to connect to sewer as soon as reasonable after it is available.

I was dismayed however when I read the letter sent 2/23/23 containing additional information. I am very concerned with several items mentioned in this letter. I responded via email (attached) the same day (2/25/23) I received the letter asking for more information to help me further understand some of my concerns. To date, I have not received a response to that email.

It is disconcerting that these additions are coming many months after the public meeting held regarding the project and were not mentioned during the meeting presumably intended to inform the public as well as gather public comment on this project. I believe these are significant changes which were added at the "eleventh hour" without giving the affected parties the same forum to provide comments as earlier items. I also wonder if they haven't been well thought out considering the serious negative consequences which may result if this resolution is approved as written.

My first concern is that the City proposes to record a document on the title of properties in the area. When I was involved as City staff during earlier phases of this project nearly 20 years ago, I recall discussions at that time regarding recording documents on the titles. As I recollect, it was decided at that time not to "cloud the title" of the property owners since it could have negative impacts on the even the best-intentioned property owners. Title issues could potentially impact property owners' ability to refinance their property which may be necessary for them to obtain the funds necessary to connect to sewer. Delays in financing may also cause property owners to lose their lock on interest rates requiring them to pay increased financing costs. Documents recorded on the title may also have negative impacts long after a property is connected to sewer if it scares away potential buyers or lenders or delays the sales process.

The language of the documents proposed to be recorded on the titles of properties in the affected areas also has not been disclosed making it impossible to have public comment on the proposed language. Further, I believe the 90-day period before filing documents is unrealistically short to prevent negative repercussions for property owners. I believe 90 days is simply not long enough for people to find a contractor, have plans drawn and permitted, make necessary financial arrangements and have the work performed – especially in today’s construction climate. I believe people should have the full time allowed to connect before any negative action is taken.

In my 2/25/23 email, I requested information to determine compliance rates for the previous 9 phases and enforcement actions taken for property owners who didn’t connect. Without that information, it is difficult to determine if additional measures are even necessary to get properties connected to sewer. If there is indeed a significant portion of properties that did not connect in previous phases, perhaps the City’s time would be better spent getting those properties connected while giving properties in this phase reasonable time to connect. It appears to me that CCMC 12.05 includes language allowing the City to require property owners to connect including by legal means noted in 12.05.020(3), but the City must take enforcement action. I don’t know if any enforcement action has taken place on previous phases. To hold property owners in this phase to a different standard without good cause seems unfair.

I am also very concerned with the statement in the 2/23/23 letter that the City will render my State permit for my septic system invalid-I wonder if that is even legal. That concern is magnified by the statement in the board packet that “once municipal sewer service is available adjacent to a property, the permit to operate the septic system will no longer be valid.” I believe invalidating permits to operate a septic system without giving property owners sufficient time to connect to sewer is beyond unfair-I believe it may make people’s homes unlivable and potentially expose them - and potentially the City - to significant liability.

I am also very concerned with the lack of clarity on the resolution. For example, Item 4 of the resolution states, in part “However, property owners may be required to connect to Carson City’s municipal sewer system before the end of the Incentive Period.” I believe if requirements are going to be placed on property owners, those requirements should be clear. I don’t mind meeting reasonable requirements, but I need to know what those requirements are. I believe the resolution should clearly lay out timelines; I believe that was the case with previous phases.

As previously mentioned, I am a strong supporter of this project, and certainly understand the need to eliminate septic systems in this area. I bought my home understanding I would eventually be able to connect to sewer. I did make the assumption that properties in this phase would be treated the same as properties in the previous 9 phases. I am strongly opposed to additional conditions being added to this phase which may result in property owners with even the best of intentions having unclear and unrealistic requirements placed on them as well as expose them to the potential for far reaching negative impacts to their property titles, possibly impact their use of their properties and possibly expose them (and the City) to significant liability. Property owners in this phase should be treated the same as in all other phases unless it is clear that what was done in previous phases was not effective despite the City’s best enforcement efforts, and then only reasonable and realistic changes should be made.

Tom and Sherry Grundy
5389 Ethel Way
775.882.2255

To: The members of the Carson City Board of Supervisors
From: Tom Glab
RE: SE Mandatory Sewer Extension Project
Date: 3/13/23

My address is 4511 Gentry Ln. We are located approx 10 houses south of Clearview on the east side of the street.

I understand the objective of this proposed project. I'm just concerned that you've designated the cause of the high nitrates to be from residential septic tanks without considering other possible sources. I don't know what information you've used to make this determination. I've found that the 12/20/93 report by Vector Engineering and Farr West Engineering's 8/11/22 report to be most useful.

Based on my review of these two documents I want to bring the information to your attention.

1. Vector Report Section 1.0. Gentry Ln was not included in Vector's study area. Vector's eastern study boundary was Conte Dr. I find this very curious as Gentry Ln is the next and only street east of Conte. There must have been a deliberate reason for excluding Gentry. I'd like to know why it was excluded.

Also, why is Gentry Ln included in the mandatory sewer connection project since it is outside the study area?

2. Vector Report Section 4.1 states that Eagle Valley is a north trending ground water basin. According to this my house is down gradient of both wells and therefore unable to contaminate them.

3. Vector Report Section 4.1.2 states that domestic wells are commonly 20-40 ft thick and located within 150 ft of land surface, with some as deep as 225 ft. Generally the city's eastern wells are deeper than western wells. Municipal wells are deeper (>400 ft) than domestic wells and are drawing water from a longer screened interval. I believe all homes east of I-580 are on city water, so I doubt domestic well data is available. So, what data do you have for the contamination caused by septic east of I-580?

4. Vector Report Section 4.1.3, paragraph 2 states the direction of ground water flow though the majority of the area of concern in this review is shown to be from southwest to northeast to the north end of Prison Hill. According to this my house is down gradient of both wells and therefore unable to contaminate them.

5. Vector Report Section 4.1.3 also states that in the area described by S Edmonds Dr and Conte Dr, south of Clerview Dr, ground water may ... In this instance it is likely to be east-northeast. Ground water movement in this area is complicated by the presence of a fault to the east of Conte Dr, which may act as a barrier on the flow regime. According to this information my house is down gradient of both wells and therefore unable to contaminate them. What is the impact of the fault?

6. Vector Report Section 4.1.4 also states that the rate of ground water flow may be expected to vary between 35-88 ft/yr. It later says flow velocities are more likely to be reflected by the low end of the range of values. Ground water would have moved approx. 1,050 ft to 2,64 ft in 30 yrs.

7. Vector Report Section 5.3 states that water quality samples from piezometers surrounding the area of land applications of **septage**, south of the prison compound were taken quarterly since January 1991. Elevated nitrate levels for 1993 in Piezometer #2 were reported as 18.6 ppm May, 42.5 ppm Jun and 48.0 ppm Aug. Nitrate dropped to 6.06 ppm in Nov, 93.

Please note: that May, Jun and Aug are summer irrigation months and the concentrations increased with the temperature. Nov is a winter non-irrigation month. No information has been provided for the subsequent 30 yrs.

8. Vector Report Section 5.6 states no feedlots are present in the study area. This section later states:

a. irrigation of pastureland has been minor over time. **Please note:** the prison irrigates with city effluent continuously throughout the growing season.

b. cumulative concentrations of animal wastes likely to be found on pastureland to be minimal. This report only identified 96 horses and 1 llama in the 1.7 sq mi study area. **Please note:** The prison relocated their mustang program to the prison south of Snyder Ave in 2008 with a capacity of 2,000 mustangs in a confined space, very similar to an animal feedlot.

9. Vector Report Section 5.7.2 states that almost 2/3 of the study area is mapped as Surprise soils which are described as deep, well-drained with moderately high permeability and an effective rooting depth of 60 inches. Less permeable soils named Indiano Variant occupy an area described by Valley View (south), Northview (west), Bennett (south) and Gentry Ln (east).

Gentry Ln's geology is different from 2/3 of the study area, more permeable and with a 29" rooting depth vs 60" for 2/3 of the study area. Why are we being included with areas having a different geology?

10. Vector Report Section 5.7.2.A reports the average output per residential septic tank to be 350 gal/day. We are empty nesters with an avg winter water consumption of 85 gpd. Most of our neighborhood are empty nesters.

This infers inaccurate information was used in assessing the influence of residential septic tanks.

11. Vector Report Section 5.7.2.B states that Indiana Variant soils have moderately slow permeability and a depth to bedrock and effective rooting depth of 29 ". Pls refer to item #8 of this document. A failure due to low permeability would result in effluent surfacing and forming a pond, not contamination of ground water. I'm not aware of this happening in our neighborhood.

12. Farr West Engineering Report, 8/11/22 presents two graphs on pg. 4. The top graph shows peaks from 2.8 ppm (1995) to 3.8 ppm (1996) and down to 2.1ppm (1998) and again 3.0 ppm (2010), 5.0 ppm (2012) and down to 3.3 ppm (2013). The graphic slope of the values also increases in 2012.

What caused the two spikes and the change in rate of nitrate increase?

The second graph shows a steady rate of increase, apprx 0.094 ppm/yr (1996-2013), then starting in 2013 there are several spikes. These spikes do not indicate steady and consistent waste loads neither Vector nor I would expect from residential use.

I would think an explanation for these spikes should be provided before you attempt to fix this problem.

Thank you for your time and consideration.

Tom Glab
775-720-4996

**Public Comments by Betsy Strasburg
Board of Supervisors – Dated March 16, 2022**

Does the City have \$15M funds?

The staff memo says:

"SHOULD THE PLAN BE APPROVED, STAFF WILL IMPLEMENT PRIORITIES INTO FUTURE BUDGETS FOR CONSIDERATION, WHILE SEEKING GRANTS, SPONSORSHIPS AND OTHER FUNDING SOURCES"

I welcome this comment as it tells me that the City can find hidden funds when needed. In any effective management of a budget, the first priority for any available funds should go to fund the deficit that exists now. Road maintenance funds should be funded first. I challenge the City staff and Board of Supervisors to find the funds for road maintenance instead of "nice to have" project such as Mills Park Renovation versus a "must have" roads maintenance which would benefit a greater proportion of City residents.

If given a choice of renovation Mills Park versus road maintenance, what would the residents prefer. I think road maintenance would be the priority which would benefit a higher proportion of residents.

Thank you for your consideration.

Mills Park Renovation Project Request

Description	Estimate
Splash Park and new Parking	3,345,000
Parking Expansion	2,603,400
Restrooms 1, 2, 3 at \$783,360 each	2,350,080
Foley's Forest Lane	2,247,000
Playground	1,572,000
Dog Park	757,200
PickleBall Courts	705,648
Basket Court and New Parking	684,840
Skate Park Expansion	660,720
Maintenance Road	610,800
Promenade	563,520
Maintenance Shop	483,600
Security Cameras	300,000
Fitness Loop	299,400
Wungnema House Improvements	120,000
Veterans Memorial Expansion	75,600
Repurpose Amphitheater	45,360
Total Budget for Project	17,424,168
Foley's Forest Lane not Approved by Commission	2,247,000
Parks & Rec Commission Approved	15,177,168
ARPA Funds (PickleBall and Restrooms)	3,055,728
Unbudgeted Amount	12,121,440
20% Contingency(due to HyperInflation of today)	2,424,288
Without Contingency Minimum Budget	9,697,152



March 15, 2023

Carson City Board of Supervisors
201 N. Carson Street
Carson City, Nevada 89701

RE: March 16, 2023 Board of Supervisors Meeting – Agenda Item 14.A

Dear Honorable Mayor and Supervisors,

The purpose of this letter is to provide input on item 14.A scheduled for Board consideration on March 16, 2023. Specifically, item 14.A proposes to repeal Chapter 17.10 of the Carson City Municipal Code relating to common open space development. As a professional planner with nearly 30 years of experience in northern Nevada, I am writing to express my opposition to this proposal.

The use of common open space is a powerful planning tool when applied under the proper circumstances. At a public workshop held to discuss Chapter 17.10 it was suggested that a Planned Unit Development (PUD) is the appropriate tool for addressing common open space subdivisions. While a PUD can certainly include common open space, the underlying rules and regulations related to PUD's are largely established by Nevada Revised Statutes (NRS), not Carson City. Thus, open space regulations mandated under a PUD are inflexible and limit Carson City's ability to evaluate a project on a case by case basis. PUD regulations also include additional provisions and eligibility requirements that would prevent smaller scale subdivisions from qualifying for a PUD altogether. In fact, the general purpose of a PUD is to accommodate larger scale projects that incorporate more than one use type. This approach is not necessarily appropriate for a smaller scale subdivision.

Rather than completely repeal Chapter 17.10, it would be my recommendation, as a professional planner, that Carson City consider amending the ordinance to better reflect what the City is trying to accomplish with its abolishment. There are a variety of changes that could be made that would directly address the concerns raised by staff, the Planning Commission, and general public. Modifications to the open space standards, required amounts, locational criteria, ownership, maintenance, etc. could all be made. Carson City could also consider an additional layer of required entitlements should a developer choose to utilize Chapter 17.10 with their subdivision (i.e. Special Use Permit in addition to a Tentative Map). This would give Carson City an additional level of discretion to determine if varying lot sizes is appropriate given the context of the proposed subdivision.

When properly applied, common open space subdivisions can serve to provide tremendous public benefit by creating public open space, preserving natural features and site amenities, providing new trails and links to the current network, and more. A simple amendment to the ordinance that better defines open space requirements, including demonstration of a public benefit, would address the majority of concerns raised and would not pigeon-hole the City into a PUD approach for such projects. In fact, loss of Chapter 17.10 could ultimately result in the development of smaller-scale subdivisions in Carson City that do not include amenities and take a more cookie-cutter approach. With proper implementation, common open space subdivisions provide for more amenitized communities, higher property values, and ultimately higher tax revenues for Carson City. Additionally, with the incorporation of covenants, conditions, and restrictions (CC&R's) and homeowners associations and/or landscape maintenance associations providing ongoing maintenance, these amenities can benefit the public with no burden to the municipality or taxpayers.

Rather than taking action on item 14.A, I would suggest that the Board consider tabling the matter and holding a workshop to determine changes that could be made to the ordinance to address community concerns rather than simply repealing the ordinance altogether. With proper changes, I am certain that a reasonable compromise can be made as to how the City considers and implements common open space developments in the future.

Thank you for your consideration of my concerns. If you would like to discuss the matter further or have any questions, I would welcome the opportunity to meet. I can be reached at (775) 250-3455 or mike@christynv.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Railey". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "Railey".

Mike Railey
Planning Manager

cc: Hope Sullivan – Carson City Community Development Director
Heather Ferris – Carson City Planning Manager

From: [Mariann Humphrey](#)
To: [Public Comment](#)
Subject: Title 17:10
Date: Wednesday, March 15, 2023 1:26:06 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

After attending the March 3 meeting of BOS/Planning Commission, I hope this is the end of 17:10 so we can stop destroying Carson City, and allow the developers to do whatever without being challenged. Remember, we must be a responsible city, making sure services can accommodate all people. We have a shortage of medical services, doctors, nurses, etc. Teachers, and roads, with extra cars cannot keep accommodating more people. Let's make sure our city stays beautiful and not get over congested, without services.
Mariann Humphrey
707-815-2543

Sent from my iPad

From: [Mariann Humphrey](#)
To: [Public Comment](#)
Subject: Mills Park
Date: Wednesday, March 15, 2023 1:31:42 PM

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Just a quick question.. Why can't the city use the funds for repaying the necessary streets instead of redoing Mills Park. We cannot afford to have our property taxes increased and added sales tax we are already being squeezed, plus the Democrat Legislature are trying to increase our taxes. We already pay 56% of our income in hidden taxes. This is not including our homes, food, gas, etc. Maybe the city should find ways to cut back like we have to do in our own household budgets. Start making cuts, you might find some hidden revenue.

Thank you
Mariann Humphrey
707-815-2543

Sent from my iPad



March 15, 2023

Carson City Board of Supervisors
201 N. Carson Street
Carson City, Nevada 89701

RE: March 16, 2023 Board of Supervisors Meeting – Agenda Item 14.A (Common Open Space Development)

Dear Honorable Mayor Bagwell and Supervisors,

I am respectfully requesting that the Board of Supervisors defer action on this item and engage the planning, development, and building community in a workshop to discuss the merits of amending Title 17.10 in lieu of repealing the ordinance.

Common Open Space development is a basic planning tool used all of the US and in industry. It has a very different purpose than a PUD. I'm confident if we work together, we will form an ordinance that serves all stakeholders. Frankly, the current Title 17.10 has some deficiencies that need to be addressed.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'John F. Krmpotic', is written over a light blue horizontal line.

John F. Krmpotic, AICP
Principal

From: [Leann Saarem](#)
To: [CCEO](#); [Public Comment](#); [Planning Department](#); [Lisa Schuette](#); [Stacey Giomi](#); [Lori Bagwell](#); [Maurice White](#); [Curtis Horton](#)
Subject: 17.10
Date: Wednesday, March 15, 2023 2:25:19 PM

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Dear Mayor Bagwell and Carson City Board of Supervisors,

I wanted to attend the BoS meeting in March 16, but I am out of town on business. I was very pleased to see 17.10 on the agenda, and appreciate you and city/legal staff's urgent work to get this change finalized.

I am writing to further expressed my support to repeal CCMC 17.10 in its entirety as proposed on the agenda item 14 A. As discussed in many letters from me and other citizens and also at the retreat on March 3, 17.10's true purpose to create neighborhoods with usable open space has not been achieved. Additionally, there are other drawbacks to 17.10's lenient guidelines about lot size reduction and true density which are also troublesome. I urge you to approve to entirely repeal this code.

It was also discussed at the retreat to have a review of 17.09 PUDs. I think it is imperative that we have public workshops during this review and update process to have full collaboration to help prevent further community dissatisfaction with 17.09 such as there has been with 17.10.

I appreciate your thoughtful consideration on these requests.

Thank you,

LeAnn Mankins Saarem

Dave Saarem

Carson City native residents