

ACTION MINUTES

LAND USE & COMMUNITY DEVELOPMENT COMMITTEE

September 20, 2007

MEMBERS PRESENT: Rich Escamilla, Supervisor, District I
Louis Boitano, Supervisor, District IV

Supervisor Boitano called the meeting to order at 9:00 a.m.

AGENDA: Approved

CORRESPONDENCE: None.

APPROVAL OF MINUTES: The minutes of the August 16, 2007 meeting were approved as submitted.

PUBLIC MATTERS NOT ON THE AGENDA: None.

ITEM 1. DISCUSSION AND POSSIBLE AUTHORIZATION TO PROVIDE HAM'S STATION RELIEF FROM CERTAIN FEES RELATIVE TO THE SMALL WATER SYSTEM PROGRAM--Environmental Health

(Present: Mike Israel and Lance Salisbury, Environmental Health; Tom Newcomer, Ham's Station)

Mr. Newcomer requested relief from paying late penalties and water system hourly rate fees. He said he could not afford to pay his annual permit fees when they become due because it is his slow time of year. The reason he did not submit his water sample results when they were due is because he forgot to take the sample but took it as soon as he remembered. Mr. Newcomer requested that he be allowed to pay his future annual permit fees in June and he requested a reminder be sent out prior to the water sample results becoming due.

Mike Israel said he and Terri Daly, Acting Land Use Agency Director, had agreed on a policy for the payment of late penalties which allowed for payment of the penalties by the end of the year. If payment of late penalties was not received by the end of the year, the annual permit to operate would not be issued for the upcoming year.

Mike Israel said reminder notices could be sent out by the Department; however, there would be additional costs associate with doing so in addition to taking more staff time. Lance Salisbury said the water systems are currently sent a chart indicating when the various samples are due.

Committee Action: The Committee waived 1/2 of the penalties and fees due on Mr. Newcomer's account with the remaining 1/2 due and payable prior to the next Land Use Committee meeting. If the fees owing are not paid prior to the next meeting, the matter will be placed back on the agenda. The Committee further recommended that the Environmental Health Department allow Mr. Newcomer to pay his annual permit fees in June. The Committee asked that the Environmental Health Department look into sending out notices to the water systems reminding them when their water sample results are due.

ITEM 2. APPEAL OF ENVIRONMENTAL HEALTH STAFF'S DECISION REGARDING A SEPTIC TANK INSTALLED ON APN 033-290-034 (THUKRAL) THAT COULD BE LOCATED WITHIN A SANITARY SETBACK AND WATER LINE EASEMENT AND POSSIBLE REQUEST FOR RECOMMENDATION TO THE BOARD OF SUPERVISORS FOR A VARIANCE TO THE SETBACKS--Environmental Health
(Present: Mike Israel and Lance Salisbury, Environmental Health; Vijay Thukral, Property Owner and Doug Ketron, Engineer for Property Owner.

Mike Israel said Mr. Thukral's property is served by a community leachfield overseen by the Amador Water Agency. The location of the septic tank was changed from what was shown on the building permit plot plan due to the terrain making installation almost impossible. The septic tank was installed within a sanitary setback and may encroach on a water line easement. It has been determined that the water line is not located within the easement but rather in a different location and that the spring, which may be a mine shaft, is located up gradient from the septic tank. The tank installation was inspected by the Amador Water Agency, tested water tight and met all the installation requirements. No seepage from the spring/mine shaft was encountered when the septic tank was installed. The Environmental Health Department has no objection to recommending a variance to the sanitary setback and the abandonment and relocation of the water line easement.

Mr. Thukral requested the appeal fee be waived.

Committee Action: The Committee recommended to the Board of Supervisors that the requested variance to the sanitary setback be granted. The Committee further requested the current water line easement be abandoned and a new easement indicating the location of the water line be recorded. The Committee agreed to waive the \$192 appeal fee.

The meeting adjourned at 9:30 a.m.