

RE: Winchester Heights Addition
Johnson County, Iowa

VARIANCE REQUEST

Iowa Department of Natural Resources

✓ 9-11-06

14.2.3

1. Date: 12/15/00
2. Review Engineer: Fred Evans
3. Date Received: 8/1/00, 11/29/00, 12/15/00
4. County Number: 52
6. Program Area: CP (Wastewater)
7. Facility Type: C05
8. Subject Area: 308
9. Rule Reference: 567-64.2(3)a
10. Design Stds Ref: 14.2.3
11. Consulting Engr: Hart-Frederick
12. Variance Rule: 567-64.2(9)c

13. Decision: Approved
Date: 11/5/00
14. Appeal:
Date:

15. Description of Variance Request This project is for the addition of a new residential subdivision to the City of Shueyville. Inasmuch as the subdivision does not have a sanitary sewerage system, a new collection system and 3 separate mound systems have been provided to serve the subdivision. Each residence will have an individual septic tank system including effluent filters which discharge to a gravity collection system. There are a number of existing residences in the area which are located within 1000 feet of the mound systems. An attempt has been made to obtain written waivers from the existing property owners. The West Site System, which includes two mound systems, is the most remote from existing residences. Written waivers have been obtained from all property owners within 1000 feet from the two West site mound systems with the exception of a vacated residence located 844 feet from the nearest mound system. (See continuation on attached sheet)

16. Consulting Engineer's Justifications

* The mound system installed in the Winchester Heights Subdivision is a closed system with absolutely **NO** discharge above the ground. B&L Zimmerman Construction who installed the system took photographs to verify the system was in compliance with Hart-Frederick Engineers system design. I believe these photographs have been sent to you previously.

* It is the consensus of the Johnson County Department of Health, City of Shueyville, Hart-Frederick Engineers, B&L Zimmerman, MMS Engineers and Al Goldberg from the regional DNR office that the 1,000 rule should be waived for WHS.

* There does not seem to be a consistency when lot owners in the development can be within 25' of the mound system and neighboring houses outside the development need to be 1,000 foot away.

* Al Goldberg personally met with me at the site and took photos of the mound sites. It is my understanding in talking with him that he has also written letters to your office underscoring the 1,000 foot criteria is not necessary in all situations and that would include on this site.

* An agreement is in place for an outside firm to perform waste water management (attached)

The advantages to the mound systems are that generate no odor as it is a sealed system completely underground with no open discharge above ground and the system itself is not visible.

Iowa Dept. of Natural Resources has control and the development's covenants provide for a contract with outside management to monitor mound system.

17. Department's Justifications *It is recommended that a variance be granted based upon the submitted justification and the following additional reasons*

1. Inasmuch as the mound system is a buried non-discharging system, any possible adverse affects on the environment, water quality or aesthetic should be minimized.

2. The developer has made an effort to contact the owner of the residence for which a waiver has been requested without success.

3. Since the residence in question is located 844 feet from the nearest mound system, any private well serving this residence would be located at a greater distance than the required minimum 400 ft in our department rules and design standards.

(Continued on attached sheet)

18. Precedents Used *Riverview Estates - Approved 11/10/86*

Chillicothe - Approved 3/31/90

Meadow Lawn Nursing Center - Approved 9/28/92

Beachland Inn MHP - Approved 4/25/94

Sidney Community Schools - Approved 2/2/96

Stoney Pointe Subdivision - Approved 12/2/99

19. Staff Reviewer: *Bred Evans*

Date: *12/20/00*

20. Supervisor: *Wayne Farrand*

Date: *1/4/01*

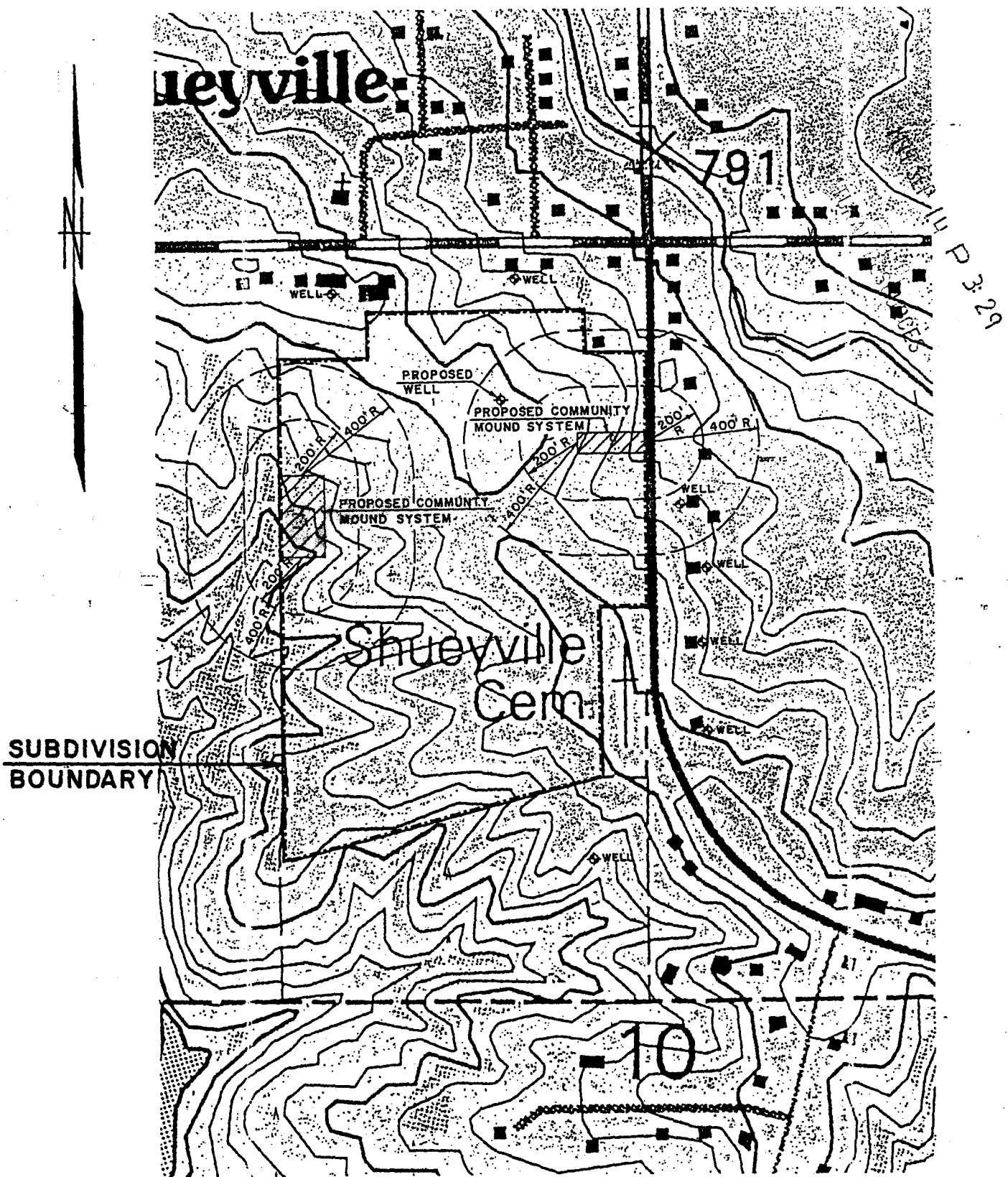
21. Authorized by: *[Signature]*

Continuation of Item # 15

The developer has sent information to the owner this residence by certified mail but has not received any response; therefore, a variance from design standard 14.2.3 has been requested for the West Site System. Two plats of the site area are included with this request.

Continuation of Item # 17

4. The DNR has an internal committee preparing revisions to Rule-64.2 (455B) to revise the requirements for the minimum separation distance between wastewater treatment plants and residences to 400 feet for treatment plants with a design capacity of 50 pers. (5,000 gpd) or less. A copy of the proposed revision is attached.
5. A survey of the Ten States which are members of the GLUMR board indicates that only Iowa and Illinois have a minimum distance of 1000 feet between wastewater treatment facilities and residences, regardless of the type of facility. A copy of this survey is attached.



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**SITE PLAN, PROPOSED COMMUNITY
MOUND SYSTEM
WINCHESTER HEIGHTS SUBDIVISION**