

NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Governing Board

FROM: Andy Vidra, Senior Environmental Planner

DATE: September 5, 2007

RE: **Madison Woods Transfer Request-Resolution 2007-034**

NOACA's Clean Water 2000 makes provision for modifications to wastewater treatment facility planning area boundaries subject to consent of affected parties, review by NOACA staff and the NOACA Water Quality Subcommittee, and authorization by the NOACA Governing Board.

NOACA has received a request to transfer a portion of the Village of Bentleyville in Cuyahoga County to the Chagrin Falls Wastewater Facility Planning Area (see attached map). NOACA has secured letters of support from jurisdictions affected by this request. The transfer area includes the Madison Woods development. It also contains an area that is currently serviced by Chagrin Falls. The transfer request will correct the FPA boundary to match the service area in these locations as well as extending service to Madison Woods.

The NOACA Water Quality Subcommittee reviewed the Madison Woods Transfer Request at its meeting of August 15, 2007. The Water Quality Subcommittee recommended the request for support by the NOACA Board. **Resolution 2007-034** has the effect of amending NOACA's Clean Water 2000 Plan to incorporate the requested change. The sewer planning option designation for the transfer area will be changed by this action to declare the transferred areas "Currently Sewered."

RESOLUTION NO. 2007-034
(Clean Water 2000 Plan Amendment -Facility Planning Area Boundary Change)

**RESOLUTION OF THE GOVERNING BOARD
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is an organization of local public officials of the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina established to perform certain regional planning functions under local direction and in accordance with federal and state mandates; and

WHEREAS, NOACA is the areawide planning agency designated by the Governor of Ohio pursuant to Section 208 of the Federal Water Pollution Control Act, as amended, to engage in water quality management planning in the Northeast Ohio Lake Erie Basin, including the Cuyahoga, Chagrin, Grant, Rocky and Black River basins, on behalf of the counties of and municipalities and township within Cuyahoga, Geauga, Lake, Lorain and Medina; and

WHEREAS, Clean Water 2000, the current update to the NOACA 208 Plan was adopted by the NOACA Governing Board, certified by the Governor of Ohio and approved by USEPA; and

WHEREAS, Clean Water 2000 makes provision for modifications to wastewater treatment facility planning area boundaries subject to consent of affected parties and review by NOACA staff and the NOACA Water Quality Subcommittee; and

WHEREAS, NOACA has received a request to transfer a portion of the Village of Bentleyville to the Chagrin Falls Wastewater Facility Planning Area known as the Madison Woods Transfer Area; and

WHEREAS, NOACA has noted an inconsistency between the existing Chagrin Falls Facility Planning Area boundary and the actual service area of the Chagrin Falls Wastewater treatment Plant requiring an additional transfer of a portion of the Village of Bentleyville to the Chagrin Falls Wastewater Facility Planning Area; and

WHEREAS, the requestor has secured letters of support from affected jurisdictions and has been reviewed by the NOACA staff; and

WHEREAS, the NOACA's EAC Water Quality Subcommittee has reviewed the request to transfer a portion of the Village of Bentleyville to the Chagrin Falls Wastewater Facility Planning Area as shown in Exhibit A and is recommending Board approval.

RESOLUTION NO. 2007-034
(Clean Water 2000 Plan Amendment -Facility Plan Area Boundary Change)

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NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Northeast Ohio Areawide Coordinating Agency, consisting of thirty-eight principal elected and other officials of general purpose local government throughout and within the Counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, that:

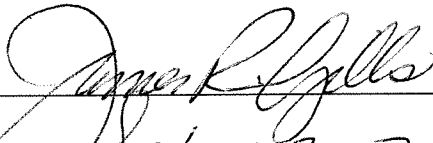
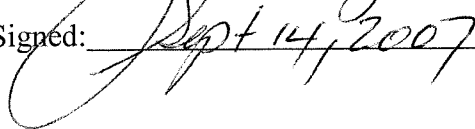
Section 1: The Clean Water 2000 Plan is hereby amended to incorporate the transfer of a portion of the Village of Bentleyville to the Chagrin Falls Wastewater Facility Planning Area Wastewater Facility Planning Area as detailed in Attachment A:

Section 2: The Executive Director be and he is hereby authorized and directed to forward certified copies of this to affected jurisdictions, to the Ohio EPA Director and to other appropriate officials in the executive branch.

Certified to be a true copy of a Resolution of the Governing Board of the Northeast Ohio Areawide Coordinating Agency adopted this 14th day of September 2007.

Secretary: _____

Date Signed: _____

Date received: July 24, 2007

Project Applicant: Chagrin Falls Village

Project Title: Madison Woods Transfer

- Applicant is the Designated Management Agency for all of the affected area.
- Applicant is not the Designated Management Agency for all or part of the affected area, but **has** secured the approval of the entity or entities that are.
- Applicant is not the Designated Management Agency for all or part of the affected area, but **has not** secured the approval of the entity or entities that are.

- The applicant **does not** propose the extension of any sewer service.
 - The proposed project is limited to sewer system rehabilitation work.
 - The proposed project is limited to a plant expansion or modification to better handle wet weather flow volumes.

- The applicant **does** propose the extension of sewer service to an area lying entirely within the established facility planning area of the project sponsor.
- The proposed extension **is** consistent with the current Community Plans for Wastewater Treatment for the affected area.
- The proposed extension **is not** consistent with the current Community Plans for Wastewater Treatment for the affected area.

- The application involves a plant capacity expansion that **is** consistent with extant population projections included in the Clean Water 2000 Plan as most recently updated.
- The application involves a plant capacity expansion that **is not** consistent with extant population projections included in the Clean Water 2000 Plan as most recently updated.
- The applicant **has** provided information that **has** sufficiently resolved any population project discrepancy.
- The applicant **has not** provided information that sufficiently resolved the population projection discrepancy.

Staff Comments: The Madison Woods Transfer moves the Madison Woods subdivision in the Village of Bentleyville from an area without a designated FPA into the Chagrin Falls FPA. The Village of Bentleyville has agreed to this transfer. The transfer action will also alter the Chagrin Falls FPA boundary to reflect its actual service area.

Staff Disposition: Staff recommends that this FPA boundary change be approved and that the Sewering Option for the transferred area be amended to reflect the intent to service that area with sanitary sewers.

Committee Disposition: Project was submitted to the Water Quality Subcommittee for a recommendation on August 15, 2007 and the Subcommittee recommended support for the project.

Board Disposition: The project will be forwarded to the NOACA Board for action at its meeting on September 14, 2007.