NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: September 7, 2018

RE: Resolution No. 032; Facility Planning Area (FPA) Modification Request: Chagrin Falls FPA Boundary and Prescriptions Modification Request in the Village of Moreland Hills

ACTION REQUESTED
The Board of Directors is asked to approve the facility planning area (FPA) modification requested by the Village of Moreland Hills. Specifically, the item will add 13 parcels (48.7 acres) currently not within an FPA to the Chagrin Falls FPA; and change the Prescriptions for Wastewater Treatment (Prescriptions) for the parcels within the modification area to make sanitary sewer connections consistent with the Clean Water 2000 Plan (208 Plan).

The Water Quality Subcommittee and Planning and Programming Committee have recommended this action.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION
The Village of Moreland Hills requests a boundary modification to allow for the extension of sanitary sewers to a proposed 8-unit development along Addison Lane in the Village of Moreland Hills. The FPA modification area also includes five residential parcels in Moreland Hills along Chagrin Boulevard that will have frontage to the proposed low-pressure sewer line to serve the development. In total, the modification would add all 13 parcels covering 48.7 acres into the Chagrin Falls FPA. The proposed modification area does not currently reside within an FPA (Attachment A). Under the federal Clean Water Act, all sanitary sewer connections must be within the FPA of the publicly owned treatment works (POTW) that treats the wastewater.

The FPA modification request also includes a change to the Prescriptions to allow for sanitary sewer connections within the area added to the Chagrin Falls FPA. The current Prescription for the parcels is "area served by on-site systems" (Attachment A). The proposed Prescription is "sewers expected within 20 years" which will allow for sewer connections within the entire modification area (Attachment B).

The affected jurisdictions of this FPA modification request are the Villages of Chagrin Falls and Moreland Hills. Moreland Hills and Chagrin Falls are preparing a sanitary sewer development agreement to allow the parcels within the transfer area to connect to the Chagrin Falls sewerage system. Both villages submitted a letter of support for the FPA modification request, which fulfills the notification requirements in Policy 4-6 of NOACA’s 208 Plan (attached).

FINANCIAL IMPACT
NOACA’s approval of the boundary change will not result in any financial impact to NOACA.
CONCLUSION/NEXT STEPS
Pending Board approval, NOACA staff will submit the updated FPA boundaries and Prescriptions to Ohio EPA.

GG/ea/3028b
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, the City of Cleveland and the areawide water quality management agency for the same region; and

WHEREAS, Clean Water 2000, the current update to the NOACA Section 208 Water Quality Management Plan, was adopted by the NOACA Board of Directors, certified by the Governor of Ohio, and approved by the United States Environmental Protection Agency; and

WHEREAS, Clean Water 2000 provides for modifications to wastewater treatment facility planning area (FPA) boundaries, subject to review by the NOACA staff, the NOACA Water Quality Subcommittee, and the NOACA Planning and Programming Committee; and

WHEREAS, The Village of Moreland Hills; with the support of the Village of Chagrin Falls; proposes a modification of the FPA boundary from an area currently not within an FPA to the Chagrin Falls FPA for the benefit of regional water quality and economic development; and

WHEREAS, the FPA boundary change will transfer all or portions of 13 parcels covering 48.7 acres an area currently not within an FPA to the Chagrin Falls FPA; and

WHEREAS, change the Prescriptions for Wastewater Treatment (Prescriptions) for the parcels within the modification area to make sanitary sewer connections consistent with the Clean Water 2000 Plan (208 Plan); and

WHEREAS, the NOACA Water Quality Subcommittee and the Planning and Programming Committee reviewed the request and recommended that the Board of Directors approve the modification request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-five principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, and the City of Cleveland that:

Section 1. The Clean Water 2000 Plan's FPA Boundary and Prescriptions Maps are amended to reflect the transfer of all or portions of 13 parcels (48.7 acres) from an area currently not within an FPA to the Chagrin Falls FPA and changes to the Prescriptions as shown in attachment B.

Section 2. The Executive Director is authorized to submit the new boundaries and prescriptions to Ohio EPA for certification by the Governor.

Section 3. The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 14th day of September 2018.

Secretary: __________________________
Date Signed: 9-19-18
ATTACHMENT A: CURRENT FACILITY PLANNING AREA (FPA) BOUNDARY AND PRESCRIPTIONS FOR WASTEWATER TREATMENT IN THE VILLAGE OF MORELAND HILLS

Current Prescriptions for Wastewater Treatment

- Currently Sewered
- Sewers Expected Within 20 Years
- Limited Sewers Likely Within 20 Years
- Local Wastewater Planning Options
- Area Served by On-Site Systems
- Sewer Plans Undeclared

DATA SOURCES:
- NOACA
- Moreland Hills
- Chagrin Falls
ATTACHMENT B: PROPOSED FACILITY PLANNING AREA (FPA) BOUNDARY AND PRESCRIPTIONS FOR WASTEWATER TREATMENT IN THE VILLAGE OF MORELAND HILLS

Proposed FPA Boundary
- Jurisdictions
- Parcels
- Gravity Sewer Line

DATA SOURCES:
NOACA

Proposed Prescriptions for Wastewater Treatment
- Currently Sewered
- Sewers Expected Within 20 Years
- Limited Sewers Likely Within 20 Years
- Local Wastewater Planning Options
- Area Served by On-Site Systems
- Sewer Plans Undeclared
June 7, 2018

BY REGULAR U.S. MAIL & E-MAIL EAkin@mpo.noaca.org

Eric Akin
Senior Environmental Quality Planner
Northeast Ohio Areawide Coordinating Agency (NOACA)
1299 Superior Avenue
Cleveland, OH 44114

RE: Moreland Hills/Chagrin Falls – Facilities Planning Area (FPA) boundary modification for Addison Lane and Chagrin Boulevard

Mr. Akin:

As you are aware, Chagrin Boulevard River Development, LLC desires to install a sanitary sewer line to serve its new Chagrin Bluffs subdivision located on Addison Lane in the Village of Moreland Hills. This sewer extension will be serviced by the Village of Chagrin Falls. The villages of Moreland Hills and Chagrin Falls and the developer are in the process of negotiating a sanitary sewer development agreement to set forth their rights and responsibilities with respect to the sanitary sewer extension. As part of this process, the developer has filed an application with NOACA for a FPA boundary modification to include the subdivision parcels and other parcels on Chagrin Boulevard in the Village of Moreland Hills (specifically, PPNs 913-28-003, 913-28-011, 913-28-012, 913-28-013, and 913-28-010).

To facilitate NOACA’s review of the FPA boundary modification application, the Village of Moreland Hills submits this letter to express its support for the FPA boundary modification and commitment to finalizing and executing the sanitary sewer development agreement with Chagrin Falls and the developer at the earliest time possible. The Village of Moreland Hills believes that the sanitary sewer extension which will benefit the parcels identified above is in the best interest of the Village and its inhabitants. If you have any questions or need additional information from the Village, please feel free to contact me.

Very truly yours,

[Signature]
Susan C. Renda, Mayor
Village of Moreland Hills

cc: Aimee W. Lane, Law Director
    Jeff Filarski, Village Engineer
OFFICE OF THE MAYOR

June 7, 2018

VIA E-MAIL eEAkin@mpo.noaca.org

Mr. Eric Akin
Senior Environmental Quality Planner
Northeast Ohio Areawide Coordinating Agency
1299 Superior Avenue
Cleveland, Ohio 44114

RE: Chagrin Bluffs Subdivision

Dear Mr. Akin:

As the Mayor of the Village of Chagrin Falls, I am advising you that the Village of Chagrin Falls is willing to provide sanitary sewer service to the Chagrin Bluffs Subdivision in Moreland Hills. The Village, along with the Village of Moreland Hills and the developer are working through the design requirements and a development agreement which have been drafted but are not yet completed.

The Village will support action being taken by NOACA to expand the service area to include the properties fronting on Chagrin Boulevard from the Chagrin Falls Village limits through the Chagrin Bluffs Subdivision including Addison Lane. It is our further understanding that the Village of Moreland Hills concurs with the expansion of the sanitary sewer service for this Subdivision, similar to the waterline service that was provided by the Village of Chagrin Falls to the Chagrin Bluffs Subdivision.

We request that this matter be retained on your Water Quality Sub-Committee Agenda as an action item and that the matter then be presented to NOACA for approval and modification of the 208 Sewer Service Area Plan.

Very truly yours,

William Tomko, Mayor of Village of Chagrin Falls

cc: Dale H. Markowitz, Esq. (via e-mail dmarkowitz@tdlaw.com)
Tim Lannon (via e-mail TLannon@etconsultants.com)
Jason Friedman (via e-mail jaf@jafriedman.com)
Joe Gutoskey (via e-mail jgutoskey@gutoskey.com)
Aimee Lane, Esq. (via e-mail alan@walterhav.com)
Ken Fisher, Esq. (via e-mail kfisher@fisher-lpa.com)
Facility Planning Area (FPA) Modification Request Form

Applicant:

Village of Moreland Hills

FPA Amendment Type:

The applicant requests a change to the Chagrin Falls FPA Boundary and Prescriptions for Wastewater Treatment (Prescriptions) within the Village of Moreland Hills.

Location:

The FPA modification area is located along Chagrin Boulevard between the Chagrin River and the village’s jurisdictional boundary with the Village of Chagrin Falls (Attachment A).

Transferring From:

Non-FPA

Transferring To:

Chagrin Falls FPA

Total Acres:

48.7 acres

Total Parcels:

13 parcels


Prescriptions Change Summary:

The applicant would like to change the Prescription within the FPA modification area to allow for the connection of sanitary sewer.

List of Affected Parties:

Designated Management Agency (DMA) – Chagrin Falls

Satellite DMA – Village of Moreland Hills
208 Plan Consistency Review
Facility Planning Area Review - Applicant Needs to Solicit Support from Affected Parties

- 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
    - Applicant has secured the approval of the entity or entities that are.
    - Applicant has not secured the approval of the entity or entities that are.

Service Extension/Community Plan Review – Amendment Should be Consistent with the Prescriptions for Wastewater Treatment

- 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.

- 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 Prescriptions for Wastewater Treatment for the affected area.
  - The proposed extension is not consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The applicant proposes new Prescriptions for Wastewater Treatment for the affected area.

- Another entity proposes the extension of sewer service to an area lying entirely within the established facility planning area(s).
  - The proposed extension is consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The proposed extension is not consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - The applicant proposes new Prescriptions for Wastewater Treatment for the affected area.

Plant Expansion Review (if applicable)

- 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.

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1 Prescriptions for Wastewater Treatment are referred to as Community Plans for Wastewater Treatment in the Clean Water 2000 plan.

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2 9/7/2018
Staff Comments:

The Village of Moreland Hills requests an FPA Boundary and Prescription modification in order to extend the Chagrin Falls sewerage system into the Village of Moreland Hills to serve an 8-unit development along Addison Lane off of Chagrin Boulevard. The modification request also includes five residential parcels along Chagrin Boulevard that will have access to the proposed low-pressure sanitary sewer line. The proposed FPA modification area is currently not within an FPA and has the Prescription of "area served by on-site systems" that does not allow for extension of sanitary sewers.

The Villages of Chagrin Falls and Moreland Hills are preparing a sanitary sewer development agreement for the proposed FPA modification area and both villages both submitted letters in support of the FPA modification request. There is an existing sewer line along Chagrin Boulevard that can be extended to serve the FPA modification area.

Staff Disposition:

The staff recommends approval of the proposed FPA modifications to extend the Chagrin Falls FPA into the Village of Moreland Hills. The FPA Boundary and Prescription changes will allow for sanitary sewers to serve a proposed 8-unit residential development along Addison Lane. Both the villages are in support of the FPA modifications.

Water Quality Subcommittee Disposition:

Recommended for approval at the June 15, 2018, meeting

Planning and Programming Committee Disposition:

Recommended for approval at the July 13, 2018, meeting

Executive Committee Disposition:

Included item on the September Board agenda at their August 24, 2018, meeting

Board of Directors Disposition:

Action item for the September 14, 2018, meeting