TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: June 7, 2019

RE: Resolution 2019-035: Geauga County Facility Planning Area (FPA) Prescription Modification Request in Chardon Township

ACTION REQUESTED
The Board of Directors is asked to approve the facility planning area (FPA) modification request by Geauga County. Specifically, the item will change the Prescriptions for Wastewater Treatment (Prescriptions) of 124 Chardon Township parcels covering 141 acres in the Geauga County FPA to allow for sanitary sewer service.

The Planning and Programming Committee and Water Quality Subcommittee recommend this action.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION
The Berkshire Heights Estates Subdivision in south Chardon Township was developed in the 1950s and 1960s and has a significant number of failing on-site home sewage treatment systems (HSTSSs). In 2013, the Chardon Township Trustees submitted a public health nuisance complaint for the subdivision to Ohio Environmental Protection Agency (Ohio EPA) after trustees found a drainage line near the subdivision that appeared to convey untreated sewage. Ohio EPA found the numerous failing HSTSSs resulted in unsanitary conditions and a public health nuisance. In 2015, the Ohio EPA issued a Director’s Final Findings and Orders (DFFO) to the Geauga County Board of Commissioners. The DFFO required the County to produce a sewage plan for the subdivision and install a sanitary sewage system within five (5) years. Geauga County plans to start construction of sanitary sewer lines and wastewater treatment plant (WWTP) in 2019.

The subdivision’s current Prescription in NOACA’s Clean Water 2000 Plan (208 Plan) is “no sewer service” (Attachment A). This Prescription does not allow for sanitary sewer extensions or connections. Ohio EPA cannot issue any permits that conflict with NOACA’s 208 Plan. Therefore, Geauga County requests the Prescriptions be changed to “may be sewered” for the parcels that that will be connected to sanitary sewers and the parcels where the WWTP will be constructed (Attachment B). The change will allow Ohio EPA to issue the needed permits to Geauga County to proceed with the Ohio EPA required sanitary sewer project.

Chardon Township and Geauga County are the only affected jurisdictions. Both the Chardon Township Board of Trustees and Geauga County Board of Commissioners support the proposed Prescriptions changes (attached) which fulfills the notification requirements in Policy 4-6 of the 208 Plan.
FINANCIAL IMPACT
NOACA's approval of the Prescription modification will not result in any financial impact to NOACA.

CONCLUSION/NEXT STEPS
Pending Board approval, NOACA staff will submit the Prescription modification to Ohio EPA.

GG/ea/3072b
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, Ohio EPA issued a Director's Final Findings and Orders (DFFO) to the Geauga County Board of Commissioners to construct a sanitary sewer system for Berkshire Heights Estates Subdivision in south Chardon Township due to numerous failing home sewage treatment systems (HSTSS) resulting in unsanitary conditions and a public health nuisance; and

WHEREAS, Geauga County Department of Water Resources (GCDWR) has produced sanitary sewer system plans to service the Berkshire Heights Estates Subdivision; and

WHEREAS, GCDWR; with the support of the Geauga County Board of Commissioners and Chardon Township; proposes a change to the FPA prescription for wastewater treatment for Berkshire Heights Estates Subdivision to allow for the connection of homes to sanitary sewers for the benefit of regional water quality and economic development; 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 prescription map is amended to reflect the change to Berkshire Heights Estates Subdivision in Chardon Township (attachment B) to allow the properties to connect to sanitary sewers.

Section 2. The Executive Director is authorized to submit the new 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 June 2019.

Secretary: [Signature]

Date Signed: 6-14-2019
ATTACHMENT A: CURRENT PRESCRIPTIONS FOR WASTEWATER TREATMENT IN CHARDON TOWNSHIP, GEAUGA COUNTY

Current Prescriptions for Wastewater Treatment

- Existing Sewer Service
- May Be Sewered
- Future Sewer Consideration
- No Sewer Service

NOACA makes no representations or warranties with respect to the accuracy and/or completeness of the map.
ATTACHMENT B: PROPOSED PRESCRIPTIONS FOR WASTEWATER TREATMENT IN CHARDON TOWNSHIP, GEAUGA COUNTY

NOACA makes no representations or warranties with respect to the accuracy and/or completeness of the map.

DATA SOURCES:
NOACA
Geauga County

0 750 1,500
Feet

Jurisdiction Boundary
Parcels
Proposed Modification Area

Proposed Prescriptions for Wastewater Treatment
- Existing Sewer Service
- May Be Sewered
- Future Sewer Consideration
- No Sewer Service

Geauga County FPA Boundaries
Chardon Township
Munson Township
Proposed Changes

3/8/19
DRAFT
February 21, 2019

Steven Oluic, Director
Department of Water Resources
470 Center Street, Building #3
Chardon, OH 44024

Dear Mr. Oluic:

Please be advised that during session on February 21, 2019, the Board of County Commissioners took the following action:

Motion: by Commissioner Dvorak, seconded by Commissioner Lennon to approve and execute the revision to the Water Quality Management Plan (208) for Chardon Township regarding the designation of 117 un-sewered properties within the Berkshire Heights Subdivision to "may be sewered".

Roll Call Vote: Commissioner Dvorak Aye
Commissioner Spidalieri Absent
Commissioner Lennon Aye

Very truly yours,

Christine Blair
Commissioners' Clerk
Water Quality Management (208) Plan
Chardon Township

Existing Sewers: 39.21 (0.27%)
May Be Sewered: 123.15 (0.84%)
No sewer service: 14,453.42 (98.89%)

Approved by the Chardon Township
Board of Trustees
This 11th Day of November 2022

Michael Brown, Trustee
Timothy M. McKenna, Trustee
Charles Strazinski, Trustee

Approved by the Geauga County
Board of County Commissioners
This 21st Day of January 2023

James W. Dyorak, Commissioner
Timothy C. Lennon, Commissioner
Ralph Spiklaleri, Commissioner

Map produced by:
Geauga County Department of Water Resources
January 2019