NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: December 6, 2019

RE: Resolution No. 2019-058: Facility Planning Area (FPA) Modification Request: Transfer of one (1) parcel from the Willoughby-Eastlake FPA to the Lake County FPA in City of Willoughby

ACTION REQUESTED
The Board of Directors is asked to approve the facility planning area (FPA) modification request by Lake County Department of Utilities (LCDU). Specifically, the item will transfer one (1) parcel (5.4 acres) from the Willoughby-Eastlake FPA to the Lake County FPA in the City of Willoughby.

The Water Quality Subcommittee unanimously voted to support this recommendation, but lacked a quorum to take official action. The Planning and Programming Committee recommended this action.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION
The Ridgewood Green Subdivision is proposed at the former Johnnycake Ridge Golf Course in the Cities of Mentor and Willoughby. The majority of the 55.2-acre development will be within the City of Mentor and the Lake County Facility Planning Area (FPA), but 5.4 acres will extend into the City of Willoughby and the Willoughby-Eastlake FPA. Both municipalities have approved the project.

The approved subdivision plan calls for Lake County Department of Utilities (LCDU) to provide sewer service. However, the portion of the development within the City of Willoughby is not within the Lake County FPA (Attachment A). With the current FPA boundary location, LCDU future sewer connections within the City of Willoughby are inconsistent with NOACA’s Clean Water 2000 Plan (208 Plan). All sanitary sewer connections must be within the FPA of the WWTP that treats the wastewater. Under the federal Clean Water Act, Ohio EPA cannot issue a Permit-to-Install (PTI) for a project that conflicts with NOACA’s 208 Plan.

The FPA boundary modification is needed so the entire subdivision can be served by gravity sewers that will flow to the LCDU sanitary sewer line along Mentor Avenue in the City of Mentor (Attachment B). The developer investigated the extension of the City of Willoughby sewers to serve the portion of the subdivision within the City of Willoughby. However, the nearest sewer along Johnnycake Ridge Road would require a pump station for the homes to connect to the sewer. This option was determined not to be feasible due to the small number of homes planned for that portion of the subdivision. The Willoughby sewer line along Gardenside Drive to the west of the subdivision has limited capacity and the Willoughby City Engineer recommended against adding additional flow to that sewer.
The affected jurisdictions are the City of Willoughby and Lake County. The City of Eastlake is a co-owner of the Willoughby-Eastlake Water Pollution Control Center (WPCC) which serves the Willoughby-Eastlake FPA. All three (3) jurisdictions submitted letters of support for the FPA modification request, which fulfills the notification requirements in Policy 4-6 of the 208 Plan.

**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 boundary to Ohio EPA.

GG/ea
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, and Medina, and 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 Lake County Department of Utilities, with the support of the City of Willoughby and City of Eastlake, proposes a modification of the FPA boundary between the Lake County FPA and the Willoughby-Eastlake FPA to allow for the connection of sanitary sewer connections within the City of Willoughby for the benefit of regional water quality and economic development; and

WHEREAS, the FPA boundary change will transfer one parcel covering 5.4 acres from the Willoughby-Eastlake FPA to the Lake County FPA; and

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

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, and Medina and the City of Cleveland that:

Section 1. The Clean Water 2000 Plan's FPA Boundary Map is amended to reflect the transfer of one parcel totaling 5.4 acres from the Willoughby-Eastlake FPA to the Lake County FPA as shown in Attachment B.

Section 2. The Executive Director is authorized to submit the new boundaries 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 13th day of December 2019.

Secretary: [Signature]

Date Signed: 12-13-2019
ATTACHMENT A: CURRENT WILLOUGHBY-EASTLAKE AND LAKE COUNTY FACILITY PLANNING AREA (FPA) BOUNDARY FOR THE CITIES OF MENTOR AND WILLOUGHBY, LAKE COUNTY

DRAFT
8/6/2019

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

DATA SOURCES:
NOACA
Lake County
City of Willoughby

Current FPA Boundary
Jurisdiction Boundary
Parcels
Proposed Transfer Area
Proposed Ridgewood Greens Subdivision
Gravity Sewer Line
Force Main Sewer Line
ATTACHMENT B: PROPOSED WILLOUGHBY-EASTLAKE AND LAKE COUNTY FACILITY PLANNING AREA (FPA) BOUNDARY FOR THE CITIES OF MENTOR AND WILLOUGHBY, LAKE COUNTY

DATA SOURCES:
NOACA
Lake County
City of Willoughby

Proposed FPA Boundary
Jurisdiction Boundary
Parcels
Proposed Transfer Area
Proposed Ridgewood Greens Subdivision
Gravity Sewer Line
Force Main Sewer Line

DRAFT
8/6/2019

NOACA makes no representations or warranties with respect to the accuracy and/or completeness of the map.
Re: Request for Facility Planning Area Change
Ridgewood Greens Subdivision

Dear Mr. Berzin, Mayor Morley and Mayor Fiala:

Please accept this correspondence in response to a request to a proposed change in sewer service for the Ridgewood Greens Subdivision located in the City of Willoughby.

We are in receipt of the formal request from the property owner, Bedaos, LLC to each party dated May 21, 2019. The Lake County Board of Commissioners understands that the subdivision lies within Willoughby-Eastlake Facility Planning Area (FPA) for sanitary sewer service, but the Lake County Sewer System can more economically serve the proposed subdivision. The Lake County sanitary sewer system has the capacity for the additional flow.

Based on this understanding, the Lake County Board of Commissioners has no objection and supports this change in service that will best meet the needs of our community.

Respectfully,

LAKES COUNTY BOARD OF COMMISSIONERS

Jerry C. Cirino, President
Ron Young, Vice President
John R. Hamercheck

cc: Thomas B. Gwidir, Jr., P.E. Eastlake City Engineer
James T. Sayles, P.E., Willoughby City Engineer
Laura K. Schwickerath, P.E. Barrington Consulting Group, Inc.
Dustin R. Keeney, P.E., Polaris Engineering and Surveying
Randall J. Rothlisberger, P.E., Lake County Sanitary Engineer
City Of Willoughby

Mr. Russell Berzin
Bedaos, LLC
2775 Bishop Road, #D
Willoughby Hills, OH 44092

Mayor Dennis Morley
City of Eastlake
35101 Lakeshore Blvd.
Eastlake, OH 44095

June 19, 2019

President Jerry Cirino
Vice President Ron Young
Commissioner John Hamercheck
Lake Co. Bd. of Commissioners
P.O. Box 490
Painesville, OH 44077

Robert A. Fiala
Mayor and Safety Director

RE: Request for Facility Planning Area Change
Ridgewood Greens Subdivision

Dear Mr. Berzin, Mayor Morley and Commissioners:

Please accept this correspondence in response to a request to a proposed change in sewer service for the Ridgewood Greens Subdivision located in the City of Willoughby.

I am in receipt of the formal request from the property owner, Bedaos LLC, to each party, dated May 21, 2019. The City of Willoughby understands that the Subdivision lies within Willoughby-Eastlake Facility Planning Area (FPA) for sanitary sewer service, but the Lake County Sewer System can more economically serve the proposed Subdivision. The Lake County sanitary sewer system has the capacity for the additional flow.

Based on this understanding, the City of Willoughby has no objection and supports this change in service that will best meet the needs of our community.

Very truly yours,

Robert A. Fiala
Mayor

RAF/cll

cc:
David W. Novak, President, Barrington Consulting Group, Inc.
Thomas B. Gwidir, Jr., P.E., Eastlake City Engineer
James Sayles, P.E., Willoughby City Engineer
Laura K. Shwickerath, P.E., Barrington Consulting Group, Inc.
Dustin R. Keeney, P.E., Polaris Engineering and Surveying
Randall Rothlisberger, P.E., Lake County Sanitary Engineer

“The Courtesy City”

One Public Square • Willoughby, Ohio 44094 • (440) 951-2800 • Fax (440) 953-4167 • www.willoughbyohio.com
Ms. Laura K. Schwickerath, P.E.
Barrington Consulting Group
9114 Tyler Boulevard
Mentor, Ohio 44060

RE: Request for Proposed Facility Planning Area (FPA) Amendment
   Ridgewood Greens Subdivision – Willoughby / Mentor
   Bedados, LLC
   Letter of Support

Dear Ms. Schwickerath:

Reference is made to your letter with attachments dated April 24, 2019, detailing a new subdivision located in the Cities of Mentor and Willoughby and in specific, the proposed point of connection for the new sanitary sewers to service the subdivision.

It is understood from the documents provided that of the 119 lots in the subdivision, 112 lots exist within the Lake County Utilities Department (LCUD) FPA while the remaining 7 exist in the Willoughby-Eastlake FPA. It is further understood that having considered several alternates, the best and most effective way to service the 7 lots would be to have them connected to sewers in the LCUD FPA. To effect the best alternative requires that the 7 lots be placed under the auspices of the LCUD FPA.

As a community within the Willoughby-Eastlake FPA, The City of Eastlake by copy of the letter offers its support in favor of the proposed change in FPA for the aforementioned 7 lots. Should additional documentation or legislation related to this matter be required, please contact me.

Thank you for your consideration.

Mayor Dennis Morley

Cc: Randy Rothlisberger, P.E., LCUD
Applicant:

Lake County Department of Utilities

FPA Amendment Type:

The applicant requests a change in the FPA boundary between the Lake County FPA and the Willoughby-Eastlake FPA.

Location of Transfer Area:

The FPA modification area is located along Johnny Cake Road in the City of Willoughby, Lake County

Transferring From:

Willoughby-Eastlake FPA (Attachment A)

Transferring To:

Lake County FPA (Attachment B)

Total Acres:

5.4 acres

Total Parcels:

One (1) parcel: 27-A-032-0-007-0

Prescriptions Change Summary:

No prescription changes proposed

List of Affected Parties:

Designated Management Agencies (DMAs) – Lake County, City of Willoughby and City of Eastlake
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 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.

---

1 Prescriptions for Wastewater Treatment are referred to as Community Plans for Wastewater Treatment in the Clean Water 2000 plan.
Staff Comments:
A new residential development, Ridgewood Greens Subdivision, is planned for the former Johnnycake Ridge Golf Course in the Cities of Mentor and Willoughby. The majority of the development, 112 out of 119 single family lots, is within the City of Mentor. The remaining seven (7) lots will be in the City of Willoughby. Both municipalities have approved the subdivision.

The approved development plans show the homes served by gravity sanitary sewers connected to the existing Lake County Department of Utilities (LCDU) sewer line along Mentor Avenue. This sewer line is within the Lake County FPA. However, the portion of the proposed subdivision within the City of Willoughby is in the Willoughby-Eastlake FPA and not the Lake County FPA. Under the federal Clean Water Act, sanitary sewer connections must be within the FPA of the plant that treats the sewage. Therefore, the portion of the development within the City of Willoughby needs to be transferred into the Lake County FPA in order to be served by LCDU sewers.

Alternative sewer plans to maintain the existing FPA boundary were considered. However, the existing City of Willoughby sanitary sewer along Johnnycake Ridge Road is not deep enough to serve the seven (7) proposed lots within the City of Willoughby. A pump station would be needed to connect these parcels to the sewer along Johnnycake Ridge Road, but would not be cost effective with so few lots. The City of Willoughby sewer line along Gardenside Drive to the west is not a viable sewer option because of existing capacity issues, according to the Willoughby City Engineer.

The current Prescriptions for Wastewater Treatment (Prescriptions) allow for sanitary sewer connections to the proposed site, so no change is required.

The affected jurisdictions are Lake County and the City of Willoughby. Both jurisdictions support the proposed FPA modification. The City of Eastlake co-owns the Willoughby-Eastlake Water Pollution Control Center (WPCC) and is also in support of the request. The FPA modification notification requirements in Policy 4-6 of NOACA’s Clean Water 2000 Plan (208 Plan) have been fulfilled.

Staff Disposition:
The staff recommends approval of the proposed FPA boundary modification between the Lake County FPA and Willoughby-Eastlake FPA. The Lake County sanitary sewer line along Mentor Avenue can serve the entire proposed subdivision with gravity sewers. The nearest sanitary sewers within the City of Willoughby are either not deep enough to provide gravity sewer service to the new lots or do not have the capacity for additional flow from the subdivision.

Water Quality Subcommittee Disposition:
Voted unanimously to support the request, but lacked a quorum for official action

Planning and Programming Committee Disposition:
Supports FPA modification request