TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: December 6, 2019


ACTION REQUESTED
The Board of Directors is asked to approve the facility planning area (FPA) modification request by the Village of Moreland Hills. Specifically, the item will:

- Add four (4) parcels (6.9 acres) currently not within an FPA to the NEORSD – Heights Hilltop FPA; and
- Change the Prescriptions for Wastewater Treatment (Prescriptions) for the parcels within the proposed modification area to make sanitary sewer connections consistent with the Clean Water 2000 Plan (208 Plan).

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
An area on the southeast corner of State Route 91 (Som Center Road) and Hiram Trail in the Village of Moreland Hills has been subdivided twice since 2014 to create four (4) lots. Three (3) of the lots are along Hiram Trail and are undeveloped residential properties. The fourth lot has an existing home that is served by an on-site sewage treatment system. A condition of the lot splits imposed by the Village of Moreland Hills was any new development would connect to sanitary sewers. However, NOACA’s 208 Plan shows the four (4) lots are not currently within an FPA and have a Prescription that does not allow for sanitary sewer connections (Attachment A). The extension of sanitary sewers to these lots is not consistent NOACA’s current 208 Plan. Under the federal Clean Water Act, Ohio EPA cannot issue a Permit-to-Install (PTI) for a sanitary sewer extensions that conflicts with NOACA’s 208 Plan.

The Village of Moreland Hills requested an FPA modification to transfer the parcels into the NEORSD – Heights Hilltop FPA and change the Prescriptions within the modification area to “sewers expected within 20 years” (Attachment B). The proposed changes would make sanitary sewer connections for all four (4) parcels consistent with NOACA’s 208 Plan and fulfill the lot split approval condition for the three (3) undeveloped parcels along Hiram Trail.
The affected jurisdictions are the Village of Moreland Hills and NEORSD. Both support the proposed 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/3099b
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 Village of Moreland Hills, with support from the Northeast Ohio Regional Sewer District (NEORSD), proposes a modification of the FPA boundary from an area not within an FPA to the NEORSD – Heights Hilltop FPA to allow for the connection of sanitary sewer within the Village of Moreland Hills for the benefit of regional water quality and economic development; and

WHEREAS, the FPA boundary change will transfer four parcels covering 6.9 acres not currently within an FPA to the NEORSD – Heights Hilltop FPA;

WHEREAS, the Prescriptions for Wastewater Treatment (Prescriptions) for the parcels within the modification area will be changed to make sanitary sewer connections consistent with the Clean Water 2000 Plan; 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 four parcels totaling 6.9 acres from an area not within an FPA to the NEORSD – Heights Hilltop 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 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 NEORSD
Moreland Hills
August 27, 2019

Ms. Grace Gallucci
Executive Director
NOACA
1299 Superior Ave.
Cleveland, Ohio 44114-3204

Re:  Facilities Planning Area (FPA) Modification – Moreland Hills
     Hiram Trail Sanitary Sewer Extension

Dear Ms. Gallucci:

On August 7, 2019, the Northeast Ohio Regional Sewer District (NEORSD) received a request seeking support for the proposed modification of the NEORSD Heights-Hilltop Facilities Planning Area (FPA) with the addition of four (4) parcels along Hiram Trail and SOM Center Road in Moreland Hills (see attached parcel list and map).

Based on the information submitted with the request, Moreland Hills is proposing to extend a sanitary sewer along Hiram Trail in order to facilitate new development on three (3) of the parcels. The area tributary to the Hiram Trail Sanitary Sewer extension is already within NEORSD's service area. Therefore, we concur with the proposed FPA modification.

If you have any questions or if you should need additional information, please contact Mary Maciejowski at (216) 881-6600, ext. 6466.

Sincerely,

Kyle Dreyfuss-Wells,
Chief Executive Officer

Attachment

C: Jeff Filarski, Moreland Hills Village Engineer, c/o CVE LLC
Frank Greenland, NEORSD
Mary Maciejowski, NEORSD
Facility Planning Area (FPA) Amendment 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 State Route 9/Som Center Road and Hiram Trail in the Village of Moreland Hills, Cuyahoga County

Transferring From:
Non-FPA (Attachment A)

Transferring To:
Northeast Ohio Regional Sewer District (NEORSD) Heights Hilltop FPA (Attachment B)

Total Acres:
6.9 acres

Total Parcels:
4 parcels

Permanent Parcel Numbers (PPN): 911-12-008, -023, -024, and -025

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) – NEORSD
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.

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

The Village of Moreland Hills requests an FPA Boundary and Prescription modification in order to allow four (4) parcels along State Route 91 and Hiram Trail to connect to sanitary sewers. The area was originally a single parcel that was split into four (4) parcels in 2014 and 2018. The three new parcels along Hiram Trail are not yet developed. A condition of the lot split approval from the Village of Moreland Hills was that newly constructed homes would connect to sanitary sewers. The proposed FPA modification area is currently not within an FPA and has the Prescription of “area served by on-site systems” which does not allow for extension of sanitary sewers.

The FPA modification area is within the sanitary sewer service agreement area between the Village of Moreland Hills and NEORSD. Both entities support the proposed transfer.

**Staff Disposition:**

Staff recommend approval of the proposed FPA modifications to extend the NEORSD – Heights Hilltop FPA along State Route 91 and Hiram Trail. The FPA Boundary and Prescription changes will allow for sanitary sewers to serve three newly split parcels along Hiram Trail. Both the Village and NEORSD are in support of the FPA modification.

**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