MEMORANDUM

TO: NEFCO General Policy Board
FROM: Laura Minnig, Environmental Planner
DATE: July 11, 2018

SUBJECT: Consideration of an Amendment to the Clean Water Plan for the City of Aurora Facilities Planning Area (FPA) to update the wastewater prescription for the Forest Ridge Subdivision located in the City of Aurora

What’s being requested:
The City of Aurora is requesting an amendment to the Aurora Facilities Planning Area (FPA) to include the Forest Ridge Subdivision in the “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years”. This site is currently in the “Areas That Will Be Served by On-Site Non-discharging System” (green). The proposed wastewater prescription for this location shall be as indicated in orange in (Areas Expected to be served with Sanitary Sewers within the Next 20 Years).

Background (adapted from information provided by the City of Aurora Engineering Department):
The City of Aurora Codified Ordinance Section 1153.04 (p), adopted in 2013, contains residential conservation development regulations to encourage open space development in Aurora’s “Parks and Natural Areas” where the environmental preservation is desired.

Forest Ridge, a residential conservation development, has been proposed on the south side of SR 82. The project is a 140 acre site, with 91 homes planned. The footprint of the parcels is about 35 acres with the remaining 105 acres being set aside in a conservation easement that is to be preserved in its natural state.

The frontage along the road is in an “Areas Currently Served by Sanitary Sewer” and is outside of Aurora’s “Parks and Natural Areas” planning area. The balance is in “Areas that will be Served by Home Sewage and Semi-Public Sewage Disposal Systems” and in Aurora’s “Parks and Natural Areas” (see Figures 1 and 2a).

The amendment is requesting that the area of the project in “Areas that will be Served by Home Sewage and Semi-Public Sewage Disposal Systems” be changed to “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years”. Without being sewered, these parcels would have to utilize the open space conservation acres for home sewage treatment systems (HSTS) which is not in keeping with Aurora’s codified ordinances for the residential conservation development. The 105 acres of the proposed
conservation easement will be included in the entire 140 acre amendment to keep the prescription parcel specific in case there are any changes to the open space design. The open space will be preserved in a conservation easement. Amending the FPA to include the balance of the Forest Ridge open space subdivision project to “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years” will allow the 91 residential lots to be served by Aurora’s sanitary sewer collection system (see Figures 2b and 3).

Since the City of Aurora is responsible for sanitary sewers located within the city limits, the City is requesting the current FPA map and text to be amended. As noted previously, the wastewater prescription for the Forest Ridge shall be changed from “Areas That Will Be Served by On-Site Non-discharging System” to “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years”. The proposed amendment is being requested at the present time, rather than as part of the City’s comprehensive update of areas under its jurisdiction under NEFCO’s Clean Water Plan (208 Plan) Chapter 3 update, in order to allow design and construction of the proposed subdivision to proceed in a timely manner.

Facilities Planning Area (FPA) boundary:  
There are no changes to the FPA boundary.

Wastewater prescription change:  
The wastewater prescription for the subject area will change from “Areas That Will Be Served by Home Sewage and Semi-Public Sewage Disposal Systems” to “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years”.

Local governments affected:  
City of Aurora, Portage County Health District

See attached letter from Portage County Health Department.

Public notification efforts:  
On July 2, 2018, the City of Aurora Engineering Department sent letters to affected management agency (Portage County Health District) and neighboring community (City of Twinsburg) impacted by the proposed FPA boundary change. Comment letters will be provided upon receipt.

A public notice and request for comments was published in the June 18, 2018 edition of the Records Courier. The comment period closed July 5, 2018.

A correction to the Original Public Notice was published on July 9, 2018. The June 18, 2018 public notice should have read that, for the Forest Ridge residential conservation development, “Areas that will be Served by Home Sewage and Semi-Public Sewage Disposal Systems” will be changed to “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years”, rather than as it was listed in the public notice: “Areas Currently Served by Sanitary Sewer”. The comment period for the revised public notice ends July 24, 2018.
Please refer to attached notices. Any comments will be provided upon receipt.

**Staff recommendation:**
NEFCO’s staff recommends conditional approval of the proposed amendment pending no public opposition comment is received by NEFCO or the City of Aurora by July 24, 2018 based on the correction to the Original Public Notice which was published on July 9, 2018.

Amending the FPA to include the balance of the Forest Ridge open space subdivision project to “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years” will allow 105 acres to be preserved in a conservation easement in accordance with the City of Aurora Codified Ordinance Section 1153.04 to encourage open space development in Aurora’s “Parks and Natural Areas” where the environmental preservation is wanted. Without being seweried, these parcels would have to utilize the open space conservation acres for home sewage treatment systems (HSTS) which is not in keeping with Aurora’s codified ordinances for the residential conservation development.

**Environmental Resources Technical Advisory Committee (ERTAC) Recommendation to the NEFCO General Policy Board:**
At the July 11, 2018 ERTAC meeting, the ERTAC recommended conditional approval of this amendment, with the condition being that no public comments are received by July 24, 2018 by NEFCO or the City of Aurora that are in opposition to the amendment.

**NEFCO General Policy Board Action:**
Conditional approval of Resolution No. FY2019-001.
RESOLUTION OF THE GENERAL POLICY BOARD OF THE NORTHEAST OHIO FOUR COUNTY REGIONAL PLANNING AND DEVELOPMENT ORGANIZATION (NEFCO) CONDITIONALLY APPROVING AN AMENDMENT TO THE CLEAN WATER PLAN FOR THE CITY OF AURORA FACILITIES PLANNING AREA (FPA) TO UPDATE THE WASTEWATER PRESCRIPTION FOR THE FOREST RIDGE SUBDIVISION LOCATED IN THE CITY OF AURORA

WHEREAS, NEFCO is the designated water quality management planning agency for Portage, Stark, Summit and Wayne Counties; and

WHEREAS, as part of that designation it is NEFCO’s responsibility to coordinate the use and update of its Clean Water Plan, also known as the 208 Plan; and

WHEREAS, the Aurora is responsible for sanitary sewers located within the city limits; and

WHEREAS, NEFCO has been requested by the City of Aurora to consider an amendment to the Clean Water Plan to modify the Aurora Facilities Planning Area (FPA) to update the wastewater prescription for the Forest Ridge Subdivision located in the City of Aurora; and

WHEREAS, the request from this City of Aurora includes amending the wastewater prescriptions from “Areas That Will Be Served by On-Site Non-discharging Systems” to “Areas Programmed for Sewers within the Next 20 years” for the Forest Ridge Subdivision; and

WHEREAS, amending the FPA to include the balance of the Forest Ridge open space subdivision project to “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years” will allow 105 acres to be preserved in a conservation easement in accordance with the City of Aurora Codified Ordinance Section 1153.04 to encourage open space development in Aurora’s “Parks and Natural Areas” where the environmental preservation is desired; and

WHEREAS, due to an error in the amendment’s public notice that was filed on June 18, 2018; and

WHEREAS, a corrected public notice for the amendment was filed on July 9, 2018, with a comment period ending on July 24, 2018; and

WHEREAS, all affected local governments and management agencies have indicated no objection to the proposed amendments; and

WHEREAS, the Ohio Environmental Protection Agency (Ohio EPA) has requested NEFCO’s approval of this amendment as a step in its permitting process; and
WHEREAS, the NEFCO Environmental Resources Technical Advisory Committee (ERTAC) performed a technical review of this request and recommended conditional approval of the amendment, with the condition being that no public comments are received by July 24, 2018 by NEFCO or the City of Aurora that are in opposition to the amendment;

NOW, THEREFORE, BE IT RESOLVED that the NEFCO General Policy Board conditionally approves this amendment to change the facilities planning area wastewater prescriptions for the Forest Ridge open space subdivision project from “Areas That Will Be Served by On-Site Non-discharging Systems” to “Areas Expected to be Served with Sanitary Sewers within the Next 20 Years”, with the condition being that no comments are received by July 24, 2018 by NEFCO or the City of Aurora that are in opposition to the amendment. Furthermore, the Board directs staff to incorporate this amendment into NEFCO’s Clean Water Plan and to transmit pertinent amendment materials to the City of Aurora, Portage County Health District, and the Ohio EPA.

Certified as action taken by the NEFCO General Policy Board at its regular meeting held on July 18, 2018.

[Signature]
Thomas A. Tatum, Secretary
NEFCO General Policy Board
Figure 1
Aurora Facilities Planning Area
208 Clean Water Plan Amendment
- Location of Proposed Amendment

* Please see Clean Water Plan text for a complete explanation of the mapping categories.
* Please see the FPA Reference Map (figure 3-1a) for names of adjacent FPAs.
Figure 2a
Aurora Facilities Planning Area
208 Clean Water Plan Amendment
Current Wastewater Treatment Prescriptions

* Please see Clean Water Plan text for a complete explanation of the mapping categories.
* Please see the FPA Reference Map (figure 3-1a) for names of adjacent FPAs.

Northeast Ohio Four County Regional Planning and Development Organization, December 21, 2011. modified 6/27/2018
Figure 2b
Aurora Facilities Planning Area
208 Clean Water Plan Amendment
Parcel Layout

* Please see Clean Water Plan text for a complete explanation of the mapping categories.
* Please see the FPA Reference Map (figure 3-1a) for names of adjacent FPAs.

Parcel boundary sources:
City of Aurora, Portage County GIS

Northeast Ohio Four County Regional Planning and Development Organization, December 21, 2011. modified 6/27/2018
Figure 3
Aurora Facilities Planning Area
208 Clean Water Plan Amendment
Proposed Wastewater Treatment Prescriptions

* Please see Clean Water Plan text for a complete explanation of the mapping categories.
* Please see the FPA Reference Map (figure 3-1a) for names of adjacent FPAs.

Northeast Ohio Four County Regional Planning and Development Organization, December 21, 2011. modified 6/27/2018
July 2, 2018

Mary Helen Smith, MPH, CPH, RS, REHS
Director, Environmental Health Services
Portage County Health District
705 Oakwood Street, 2nd floor
Ravenna, Ohio 44266

RE: Aurora Facilities Planning Area – 208 Clean Water Plan
   Map Amendment
   Forest Ridge Subdivision

Dear Ms. Smith,

The purpose of this letter is to inform you that the City of Aurora is requesting an amendment to the Aurora Facilities Planning Area (FPA) to include the Forest Ridge Subdivision located in the City of Aurora. Per Northeast Ohio Four County Regional Planning and Development Organization’s (NEFCO’s) guidelines for amending a Clean Water Plan (208 Plan), the neighboring communities and local governments affected by a proposed amendment are to be notified and given opportunity to review and comment.

BACKGROUND
The City of Aurora Codified Ordinance Section 1153.04 (p), adopted in 2013, contains residential conservation development regulations to encourage open space development in Parks and Natural Areas where the environmental preservation is wanted. Forest Ridge, a residential conservation development, has been proposed on the south side of SR 82 as shown on Figure 1.

The project is a 140 acres site with 91 homes planned. The footprint of the parcels is about 35 acres with the remaining 105 acres being set aside in a conservation easement that is to be preserved in its natural state. As shown on Figure 2a, the frontage along the road is in an Area Currently Served by Sanitary Sewer and is outside of the Aurora’s Parks and Natural Areas planning area. The balance is in Areas that will be Served by Homes Sewage and Semi-Public Sewage Disposal Systems and in the Parks and Natural Areas. The proposed layout of Forest Ridge lots is shown on Figure 2b.

The amendment is requesting that the area of the project in Areas that will be Served by Homes Sewage and Semi-Public Sewage Disposal Systems be changed to Areas Expected to be Served with Sanitary Sewers within the Next 20 Years. As shown on Figure 3, the 105 acres of the proposed conservation easement will be included in the entire 140 acre amendment to keep the prescription parcel specific in
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case there are any changes to the open space design. The open space will be preserved in a conservation
easement. Amending the FPA to include the balance of the Forest Ridge open space subdivision project
to Areas Expected to be Served with Sanitary Sewers will allow the remaining 31 residential lots to be
served by a publicly-owned sanitary sewer collection system since the existing 60 residential lots built in
Phase 1 are currently served by Aurora's sanitary sewer collection system.

Since the City of Aurora is responsible for sanitary sewers located within the city limits, the City is
requesting the current FPA map and text to be amended. As noted previously, the wastewater
prescription for the Forest Ridge shall be changed from Areas That Will Be Served by On-Site Non-
discharging System to Areas Expected to be Served with Sanitary Sewers within the Next 20 Years. The
proposed amendment is being requested at the present time, rather than as a part of the City’s
comprehensive update of areas under its jurisdiction under NEFCO’s 208 Plan Chapter 3 update, in order
to allow design and construction of the proposed subdivision to proceed in a timely manner.

FEEDBACK REQUEST
Please review the provided information by July 5, 2018 and respond to the City of Aurora Engineering
Department by noting the following:

☐ No objection to the proposed revision

☐ Recommend the comments written here or attached

☐ Recommend the approval be withheld until completion of further review

Mary Helen Smith
Director

Authorized Signature
Title

Date

If you have any questions about this letter or need further assistance, please contact Biljana Sverko, P.E.,
CFM, at (330) 995-9284 or via email at sverkob@auroraoh.com.

Sincerely,

Justin A. Czekaj, P.E., CPESC, CPSWQ, CESSWI
City Engineer
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Attachments:
    Figure 1 – Location of Proposed Amendment
    Figure 2a – Current Wastewater Prescriptions
    Figure 2b – Potential Parcel Layout
    Figure 3 – Proposed Wastewater Treatment Prescriptions

cc:
Laura DeYoung Minnig, NBFCO
Harry Stark, City of Aurora
Mark Kopeienski, WXZ Development Inc.
CORRECTION TO ORIGINAL PUBLIC NOTICE PUBLISHED ON JUNE 18, 2018 AND REQUEST FOR COMMENTS PERTAINING TO A PROPOSED FACILITIES PLANNING AREA AMENDMENT IN THE CITY OF AURORA

The City of Aurora is requesting a change in wastewater prescription for the Forest Ridge Subdivision located within the Aurora Facilities Planning Area (FPA) and served by the city operated sanitary sewer system. The wastewater prescription for this location shall change from "Areas That Will Be Served by On-Site Non-discharging Systems" to "Areas Expected to be Served with Sanitary Sewers within the Next 20 Years" under the jurisdiction of the City of Aurora in the current 208 plan for the Aurora FPA. The city would appreciate your comments within 15 days after the date of publication of this notice. Comments and requests for additional information may be directed to Justin A. Czekaj, City Engineer, City of Aurora Engineering Department, 158 W. Pioneer Trail, Aurora, Ohio 44202. Contact information is 330-562-9681 by telephone and czekajj@auroraoh.com by email. RC July 9, 2019 12465802