MEMORANDUM

TO: NEFCO General Policy Board

FROM: Joseph Hadley Jr., Executive Director

DATE: April 10, 2019

SUBJECT: Consideration of an amendment to the Clean Water Plan (CWP) for the Barberton-Wolf Creek Facilities Planning Area to permit a wastewater prescription change for certain parcels in the City of Norton due to a proposed private wastewater discharging system at 3744 Wadsworth Road

What’s being requested:
The City of Barberton has requested a change to the wastewater prescription for three parcels in the City of Norton, within the Barberton Facilities Planning Area. Specifically, the amendment would change the prescription from “Areas Expected to Receive Sanitary Sewers within the Next 20 years” (orange), to “Areas that will be Served by a POTW or by On-site Non-discharging Systems” (green). As is described in the next section the text of the green prescription contains language of importance to the expansion of an existing business.

Background (adapted from information provided by the City of Barberton, and by Lewis Land Professionals representing Creekside Animal Clinic):
The Creekside Animal Clinic (Creekside), an existing veterinary business located at 3744 Wadsworth Road in Norton in Summit County (parcels 4603701, 4605124, 4608896) is planning to expand by adding a proposed kennel building behind the existing office, which will have 52 runs and have 4 employees on site during the weekdays and 5 employees during the weekend. The existing building has a drip irrigation septic system located near the right-of-way of Wadsworth Road. This existing system cannot be modified in order to handle the increased septic flow from the proposed site expansion. For this reason, a new NPDES permitted discharging system for the site is being proposed. The Barberton-Wolf Creek Plan Facilities Planning Area map (Figure 1) currently prescribes the site for future sewer expansion over the next twenty years (“orange” on the FPA map); however, there is no “orange” prescription text for the City of Norton within the Barberton-Wolf Creek facilities plan. Sewers are not expected in the subject area within the next twenty (20 years). Further, the area just to the west of the parcels are currently prescribed as “green”, which states that “all proposed new commercial, industrial, and institutional development, located where access to sanitary sewer is not currently available, may be considered for installation of a new semi-public or private sewage treatment system provided the local health department or Ohio EPA and the local Sanitary Engineer concur that a public wastewater collection system will remain unavailable for the foreseeable future. When sanitary sewers become available, all existing systems will be required to connect to sanitary sewers to ensure that wastewater will be treated at an existing POTW”.

Agenda Item No. 4
As previously stated, the City of Barberton has no plans to extend sanitary sewers to this area in the foreseeable future and the CWP does not contain an “orange” prescription for the City of Norton. The request is to consider a map amendment to the Clean Water Plan to change the prescription for the subject parcels from “orange” to “green”. A more comprehensive change to this area will occur with the upcoming 201/208 plan update. The Ohio EPA had the owner’s representative create an Antidegradation Report to explore the available options of treating the wastewater generated by the site. It was determined that the cost of extending the sanitary sewer to this site would be more than ten times the cost of a discharging system. A holding tank option was also considered, but it would require a very large tank that would have to be pumped roughly every two weeks. The on-going cost of pumping a holding tank would exceed the cost of maintenance for a discharging system. Soil tests have been conducted by two different soil scientists at the site and both the Ohio EPA and Summit County Public Health have determined that the soils are not suitable for a traditional on-site septic system. For these reasons and others outlined in the Antidegradation Report (available from NEFCO), an NPDES discharging system is being proposed for this site.

**Facilities Planning Area (FPA) boundary:**
Barberton-Wolf Creek Facilities Planning Area. No change to the boundary.

**Wastewater prescription change: Areas that will be Served by a POTW or by On-site Non-discharging Systems (green):**
The Barberton Wolf-Creek FPA map currently shows the parcels as “Areas Expected to be Served with Sanitary Sewers within the next Twenty Years” (orange) (Figures 2 & 3). However, there is no such prescription text for the City of Norton in the current CWP. The surrounding area is “Areas that will be Served by a POTW or by On-site Non-discharging Systems” (green). Additionally, this prescription permits that “all proposed new commercial, industrial, and institutional development, located where access to sanitary sewer is not currently available, may be considered for installation of a new semi-public or private sewage treatment system provided the local health department or Ohio EPA and the local Sanitary Engineer concur that a public wastewater collection system will remain unavailable for the foreseeable future. When sanitary sewers become available, all existing systems will be required to connect to sanitary sewers to ensure that wastewater will be treated at an existing POTW.” With approval of this amendment, the parcels will be in the green prescription as shown on Figure 4.

**Local governments affected:**
City of Norton, City of Barberton, and Summit County Public Health. (request for comment letter and responses received are attached)

**Public notification efforts:**
A Public Notice and Request for Comments was published in the March 16, 2019, Akron Beacon Journal. (attached)
Specific proposed changes to the current FPA Appendix in the Clean Water Plan:
Barberton-Wolf Creek Facilities Planning Area City of Barberton Wastewater Jurisdiction - City of Norton
There are no changes to the current prescription text.

Staff recommendation:
Approval of the amendment; noting Summit County Public Health’s request for the ERTAC and NEFCO Board to discuss the use of discharging systems as an option in the Clean Water Plan’s wastewater prescriptions.

Environmental Resources Technical Advisory Committee (ERTAC)
Recommendation to the NEFCO General Policy Board:
Noting that this is an expansion of an existing business the ERTAC recommended approval of the amendment.

NEFCO General Policy Board Action:
Approved Resolution No. FY2019-019
RESOLUTION OF THE GENERAL POLICY BOARD OF THE NORTHEAST OHIO FOUR COUNTY REGIONAL PLANNING AND DEVELOPMENT ORGANIZATION (NEFCO) APPROVING THE AMENDMENT TO THE CLEAN WATER PLAN TO CHANGE THE WASTEWATER PRESCRIPTION FOR THE STARK COUNTY FARM AREA, NOW COMMONLY KNOWN AS THE PROSPECT PARK AREA PROPERTY (STARK COUNTY PARCEL NUMBERS 8100002 (PART), 8900034, 10005243, 10005244, 10006262, 10011395, AND 10011396)

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, NEFCO has been requested by the Village of Navarre to consider an amendment to the Clean Water Plan to change the current wastewater prescription for the Prospect Park areas of the Village, formerly known as the Stark County Farm area; and;

WHEREAS, this amendment seeks to change the wastewater prescription for the Prospect Park area from “no prescription” (white) to “Areas Expected to be Served with Sanitary Sewers within the next 20 Years” (orange); and

WHEREAS, approval of this amendment will allow for a significant improvement to Stark County’s economy by facilitating the extension of sewer to the Prospect Park area, with the support of the Village and the Stark County Metropolitan Sewer District, and with the regulatory approval of the Ohio EPA; and

WHEREAS, within the Clean Water Plan, Navarre Facilities Planning Area, the “Wastewater Treatment Planning Prescription and Wastewater Planning Options” on pages 3-24-4 to 3-24-5 will be changed to include the addition of a prescription for “Areas Expected to be Served with Sanitary Sewers within the next 20 Years” (orange) under the Village of Navarre Jurisdiction as shown below in bold and italics:

Village of Navarre Jurisdiction:
“Areas expected to be served with sanitary sewers within the next 20 years (orange)” These areas contain large undeveloped tracts of land, with the only structure thereon being the Village of Navarre elevated 500,000 gallon water tank. These areas are adjacent to industrial zones and are anticipated to be used for further industrial development. New commercial, industrial, or other development in these areas shall be required to connect to existing sanitary sewers for removal and conveyance of sanitary wastewater to a POTW. Areas programmed for sewers within the next 20 years shall be required to extend new sanitary sewer service from the proposed area to be developed to the existing sanitary sewer system that is served by a POTW. Such connection to sanitary sewers is required even if that requires a pump system to ensure that wastewater will be transported and treated at a POTW. No HSTs are
known to exist within the Prospect Park property, but if any are, they are to be abandoned in accordance with Ohio Administrative Code, Sec. 3701-29-02. Variances to any provision of this prescription may be granted by the Stark County Board of Health based on sanitary sewer availability, threat to the public health, and other unique conditions.

WHEREAS, all affected local governments and agencies have been contacted regarding the proposed amendment; and none have objected to it; and

WHEREAS, a legal advertisement that described the proposed amendment and sought comments on it, has yielded no comments or questions; and

WHEREAS, the NEFCO Environmental Resources Technical Advisory Committee (ERTAC) performed a technical review of this request and recommended conditional approval, and the condition has been met.

NOW, THEREFORE, BE IT RESOLVED that the NEFCO General Policy Board approves this amendment to change the wastewater prescription for the Stark County Farm area, now commonly known as the Prospect Park area property (Stark County parcel numbers 8100002 (part), 8900034, 10005243, 10005244, 10005262, 10011395, and 10011396). Furthermore, the Board directs staff to incorporate this amendment into NEFCO’s Clean Water Plan and to transmit pertinent amendment materials to the Village of Navarre; Perry Township, Bethlehem Township, Stark County Metropolitan Sewer District; Perry-Navarre Joint Economic Development District; the Stark County Regional Planning Commission, the Stark County Board of Commissioners, the Stark County Health Department and the Ohio EPA.

Certified as action taken by the NEFCO General Policy Board at its regular meeting held on April 17, 2019.

Todd Peetz, Secretary
NEFCO General Policy Board
Figure 1
Navarre Facilities Planning Area
Proposed Amendment (Currently Approved)
208 Clean Water Plan 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 2
Navarre Facilities Planning Area
Proposed Amendment (Proposed Changes)
208 Clean Water Plan 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.
March 2019

Stark County Health Department
3951 Convenience Circle NW
Canton, OH 44718

Attn: Mr. Paul DePasquale, RS, MPA

Re: Village of Navarre 201/208 Facilities Planning Area (FPA) amendment to change the wastewater prescription for Stark County Farm area, now commonly known as the Prospect Park area property (Stark County parcels #10005243, 10005244, 10006261, 10006262, and 1201235; herein "Prospect Park property"), to be served by sanitary sewer

Dear Mr. DePasquale:

The Village of Navarre is proposing a 201/208 Facilities Planning Area (FPA) amendment to change the wastewater prescription for the Prospect Park property in the Village of Navarre to be served by sanitary sewer.

BACKGROUND:

The Prospect Park property is currently agricultural in use, but most of it is zoned for industrial uses, with Parcels 10005243 and 10005244 being zoned for multi-family dwelling (though none are present on those two parcels). Stark Board of Trade is an entity created by the largest charitable foundations in Stark County for the express purpose of bringing industrial development to the property, and owns most of the Prospect Park property. The other parcels are owned by Massillon Development Foundation (for the same purpose) and the Village of Navarre (containing its new 500,000 gallon elevated water tank that will serve the Prospect Park area). The property is a Job Ready Site, as designated by the Ohio Development Services Agency. However, without access to sanitary sewer service, the property cannot be developed for industrial uses. Currently, part of the property is being considered for a new industrial facility employing up to three hundred persons.

The Navarre Wastewater Treatment Works (a POTW) is served by both Navarre and Stark County Sanitary Engineer lines. A Stark County truck line runs north-southeast of railroad tracks less than one-half mile from the Prospect Park property. While not yet designed,
it is anticipated that a new twelve inch main gravity system will connect the property to the present Stark County line.

All new development in the two parcels will be required to connect as a condition of their development.

WASTEWATER PRESCRIPTION CHANGE:

The prescription for the Prospect Park property, both within the Village of Navarre and Perry Township, will be changed from “Areas without a Wastewater Treatment Prescription” to “Areas Expected to be Served with Sanitary Sewers within the next 20 years” (See attached maps).

The Village of Navarre requests that you please review the attached amendment information and provide your comments for the proposed 201/208 Facilities Planning Area Amendment to my attention. You may respond by using the attached comment response form. These may be faxed by at 330-572-1269, emailed at tseeberger@stark-knoll.com or mailed to the address shown above. While you have until May 3, 2019 to comment, we would like to request that you respond by April 8, 2019. This letter will be included in the documentation that is submitted to NEFCO.

Please feel free to contact me at (330) 376-3300 (tseeberger@stark-knoll.com) with questions or need for additional information.

Sincerely,

Terrence L. Seeberger
Law Director, Village of Navarre

TLS/emm
Enclosures
736917v1

cc: James Troike, P.E., SCMSD, Scott Ellsworth, P.E., SCMSD, Joseph Hadley, NEFCO
Navarre 201/208 Facilities Planning Area Amendment  
Prospect Park Property  
Comment Response Form

Please review the letter, maps, and text provided regarding the Navarre 201/208 Facilities Planning Area (FPA) Amendment for the Village of Navarre, to change the wastewater prescription for the Prospect Park property in the Village of Navarre FPA from “Areas without a Wastewater Treatment Prescription” to “Areas Expected to be Served with Sanitary Sewers within the next 20 years”.

_____ No objection to the proposed revision

_____ Recommended comments written hereon or attached.

_____ Recommend the approval be withheld until completion of further review

________________________________________
Authorized Signature

_____________________________  ___________________________  ____________
Printed Name    Agency Name/Title    Date
These letters are to go to:

1. Stark County Health Department  
   Attn: Paul DePasquale, RS, MPA  
   3951 Convenience Circle NW  
   Canton, Ohio 44718

2. James F. Troike, PE  
   Stark County Sanitary Engineer  
   Stark County Metropolitan Sewer District  
   1701 Mahoning Road NE  
   PO Box 9972  
   Canton, Ohio 44711-0972

3. Perry-Navarre Joint Economic District  
   Attn: Charles Snyder, Chairman  
   c/o Clerk-Treasurer, Village of Navarre  
   27 Canal Street West  
   Navarre, Ohio 44662

4. Perry Township, Stark County, Ohio  
   Attn: Joe Schlegel, Fiscal Officer  
   3111 Hilton Street NW  
   Massillon, Ohio 44646

5. Stark County, Ohio Board of Commissioners  
   Attn: Richard Regula, President  
   110 Central Plaza South  
   Canton, Ohio 44702

6. Village of Navarre  
   Attn: Mayor Robert C. Benson  
   27 Carrol Street West  
   Navarre, Ohio 44662

7. Stark County Regional Planning Commission  
   Attn: Wayne Schillig, President  
   301 - 3rd Street NE, Suite #201  
   Canton, Ohio 44702

8. Northeast Ohio Four County Regional Planning and Development Organization  
   Attn: Joseph Hadley, Jr., Executive Director  
   175 South Main Street, Room 211  
   Akron, Ohio 44308

9. Bethlehem Township Board of Trustees  
   Attn: Jody Mattics, Fiscal Officer  
   8600 Blough Road  
   Navarre, Ohio 44662
Navarre 201/208 Facilities Planning Area Amendment
Prospect Park Property
Comment Response Form

Please review the letter, maps, and text provided regarding the Navarre 201/208 Facilities Planning Area (FPA) Amendment for the Village of Navarre, to change the wastewater prescription for the Prospect Park property in the Village of Navarre FPA from “Areas without a Wastewater Treatment Prescription” to “Areas Expected to be Served with Sanitary Sewers within the next 20 years”.

☐ No objection to the proposed revision

☐ Recommended comments written hereon or attached.

☐ Recommend the approval be withheld until completion of further review

[Signature]
Authorized Signature

[Printed Name]  [Agency Name/Title]  [Date]

Robert Non
Stark RPC Executive Director  2/13/19
Navarre 201/208 Facilities Planning Area Amendment
Prospect Park Property
Comment Response Form

Please review the letter, maps, and text provided regarding the Navarre 201/208 Facilities Planning Area (FPA) Amendment for the Village of Navarre, to change the wastewater prescription for the Prospect Park property in the Village of Navarre FPA from “Areas without a Wastewater Treatment Prescription” to “Areas Expected to be Served with Sanitary Sewers within the next 20 years”.

✓ No objection to the proposed revision

____ Recommended comments written hereon or attached.

____ Recommend the approval be withheld until completion of further review

[Signature]
Authorized Signature

Paul DePasquale, Stark Co. Health Dept. 4-2-19
Printed Name Agency Name/Title Date
Navarre 201/208 Facilities Planning Area Amendment  
Prospect Park Property  
Comment Response Form

Please review the letter, maps, and text provided regarding the Navarre 201/208 Facilities Planning Area (FPA) Amendment for the Village of Navarre, to change the wastewater prescription for the Prospect Park property in the Village of Navarre FPA from "Areas without a Wastewater Treatment Prescription" to "Areas Expected to be Served with Sanitary Sewers within the next 20 years".

☐ No objection to the proposed revision

☐ Recommended comments written hereon or attached.

☐ Recommend the approval be withheld until completion of further review

Authorized Signature

__________________________

JAMES TROIKE  
Stark County Sanitary Eng.  
4-2-19

Printed Name             Agency Name/Title             Date
Navarre 201/208 Facilities Planning Area Amendment
Prospect Park Property
Comment Response Form

Please review the letter, maps, and text provided regarding the Navarre 201/208 Facilities Planning Area (FPA) Amendment for the Village of Navarre, to change the wastewater prescription for the Prospect Park property in the Village of Navarre FPA from "Areas without a Wastewater Treatment Prescription" to "Areas Expected to be Served with Sanitary Sewers within the next 20 years".

1. No objection to the proposed revision

2. Recommended comments written hereon or attached.

3. Recommend the approval be withheld until completion of further review

[Signature]
Authorized Signature

[Printed Name] [Agency Name/Title] [Date]
Robert L. Benson Navarre Mayor 6/19/19
Affidavit of Publication

STATE OF OHIO}
COUNTY OF STARK}
CITY OF CANTON}

Diane Hamilton, being duly sworn, says:

That she is an authorized Clerk of the Canton Repository, a daily newspaper of general circulation, printed and published in Canton, Stark County, OHIO; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

April 02, 2019, April 09, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

an authorized Clerk

Subscribed to and sworn to me this 9th day of April 2019.

Lucy McFee, Notary Public, Stark County, OHIO

My commission expires: April 28, 2023
Publisher's Fee: $176.40
Case Number:

00000551 00044427

L-NAVARRE VILLAGE
27 CANAL ST W
NAVARRE, OH 44662
Appendix 3-24

Navarre
Facilities Planning Area
Navarre Facilities Planning Area

I. Existing Situation
   A. County/Basin:
      Stark / Ohio River Basin
   
   B. Facilities Planning Area:
      Navarre
   
   C. Designated Management Agency:
      I. Primary DMAs
         a) Village of Navarre
      II. Secondary DMAs
         a) Stark County Metropolitan Sewer District
   
   D. Publicly-Owned Treatment Works:
      Navarre WWTP, 1.0000 MGD
   
   E. Facilities Plan:
      The Navarre Facilities Plan, a segmented facilities plan, was prepared by George A. Fielder and Associated of Dover, Ohio, October 17, 1983. The Navarre plan addresses all of the FPA except the northeast portion (Richville area). The Richville area, known as P-352, is northeast of the village wholly within Perry Township. P-352 has an existing plan which has been update by Frank A. Thomas and Associates.
   
   F. Area Served:
      Stark County – City of Massillon (part), Village of Navarre, Bethlehem Township (part), Sugar Creek Township (part), and Perry Township (part)
   
   G. Receiving Stream:
      Tuscarawas River
   
   H. Contact Person/Address/Phone/Fax:
      a. Mr. Jeff Seward, Mr. Zach Wisselgren Village Administrator and Utility Superintendent Village of Navarre 27 West Canal Street West Navarre, Ohio 44662 Phone: (330) 879-5902 309-5447 Fax: (330) 879-1167 Email: administrator@navarreohio.net
b. Mr. Jim Troike Jones, P.E., Sanitary Engineer
Stark County Metropolitan Sewer District
P.O. Box 9972 7906
1701 Mahoning Road, N.E.
Canton, Ohio 44705-0972 7906
Phone: (330) 438-9303
Fax: (330) 453-9044

I. **Population Served:**
The population projections used in the 201 Plan and those in the NEFCO 208 Clean Water Plan are compared below.

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The above population projections (Approved 208) were prepared in 1990. Updated projections are scheduled to be prepared after county population projections are produced by the Ohio Department of Development Office of Strategic Research.

II. **Wastewater Treatment Planning Prescription and Wastewater Planning Options**
Original source information provided by the Village of Navarre, (in progress) and the Stark County Metropolitan Sewer District, January 15, 2004.

*Village of Navarre Jurisdiction (in progress)*

Areas currently sewered with sanitary sewers (yellow):
Areas expected to be served with sanitary sewers within the next 20 years (orange):
Areas that will be served by a publicly-owned treatment works (POTW) or by home sewage treatment systems (HSTSSs) and semi-public sewage disposal systems (SPSDSs) (green):
Areas that will be served by HSTSSs and SPSDSs (cream):
Areas without a wastewater treatment planning prescription (white):

These areas currently lack wastewater treatment prescriptions. Future wastewater treatment options will be determined by documented impacts to water resources and “best science” which is defined as the regulatory standards as set by current State and Federal regulations.

*Village of Navarre Jurisdiction:*
"Areas expected to be served with sanitary sewers within the next 20 years (orange)" These areas contain large undeveloped tracts of land, with the only structure thereon being the Village of Navarre elevated 500,000 gallon water tank. These areas are adjacent to industrial zones and are anticipated to be used for further industrial development. New commercial, industrial, or other development in these areas shall be required to connect to existing sanitary sewers for removal and conveyance of sanitary wastewater to a POTW. Areas programmed for sewers within the next 20 years shall be required to extend new sanitary sewer service from the proposed area to be developed to the existing sanitary sewer system that is served by a POTW. Such connection to sanitary sewers is required even if that requires a pump system to ensure...
that wastewater will be transported and treated at a POTW. No HSTSs are known to exist within the Prospect Park property, but if any are, they are to be abandoned in accordance with Ohio Administrative Code, Sec. 3701-29-02. Variances to any provision of this prescription may be granted by the Stark County Board of Health based on sanitary sewer availability, threat to the public health, and other unique conditions.

**Stark County Metropolitan Sewer District Jurisdiction**

**Areas currently served with sanitary sewers (yellow):**

These areas are currently served with sanitary sewer. However, there still may be undeveloped parcels of land that are subject to improvement and isolated structures that are not connected to sanitary sewer.

All new developments in yellow areas will be required to connect to existing sanitary sewer or construct a new sanitary mainline sewer to ensure that wastewater will be transported to an existing publicly owned treatment works (POTW). Properties served by household sewage treatment systems (HSTS), small flow on-site sewage treatment systems (SFOSTS), or semi-public sewage treatment systems will be required to connect to sanitary sewer when it becomes available. The cost of such sewer connection shall be born by the property owner. Properties with failing HSTS, SFOSTS, or semi-public sewage treatment systems will be required to connect to existing sanitary sewer, or a mainline sanitary sewer must be constructed by the property owner to ensure that wastewater will be transported to and treated by a POTW. HSTS, SFOSTS and semi-public sewage treatment systems shall be abandoned in accordance with law. For both new and existing developments, the Stark County Sanitary Engineer will determine whether or not the sewer connection is acceptable. If it is determined by the Stark County Sanitary Engineer that the POTW and/or sanitary sewer do not have capacity to accept the connection, or there are other physical, legal or financial barriers prohibiting connections, then documentation that adequately and reasonably supports the claim must be provided to the Stark County Board of Health and/or Ohio EPA. The Board of Health or Ohio EPA, whichever has legal authority over the development, after review of the information, may permit the use of onsite sewage treatment systems. In no case shall a system producing an off-lot discharge of effluent be permitted for new construction. For HSTS and SFOSTS, limited variances to any provision of this prescription may be granted by the Stark County Board of Health, based on sanitary sewer availability and/or accessibility, threat to public health or other unique conditions.

**Areas that will be served by a POTW or home sewage or semi-public treatment systems (green):**

**(Subdivisions)**

New commercial, industrial and residential subdivisions required to be platted by state and/or local regulations will be required to provide sanitary sewer service to ensure that sanitary wastewater will be transported to and treated at an existing POTW when:
1. An existing sewer, owned and operated by a Designated Management Agency (DMA), is within 2,500 ft. of the property proposed for development. For subdivisions which require pumping to reach an existing sewer, the development must comprise a minimum of 50 single-family lots, or the development must be projected to produce the equivalent sewage flow of 50 single-family lots.

2. It is determined by the Stark County Sanitary Engineer that the POTW and existing sanitary sewer have capacity to accept flow from the proposed development.

3. The Stark County Sanitary Engineer deems the connection to sewer as acceptable.

4. There are no other physical, legal or financial barriers prohibiting such connection.

If it is determined that such a barrier exists, then documentation that adequately and reasonably supports the claim must be provided to the Stark County Board of Health and/or the Ohio EPA. The Stark County Board of Health or the Ohio EPA, whichever has legal authority over the development, after review of the information, may permit the use of onsite sewage treatment systems. In no case shall a system producing an off-site discharge be permitted for new development. For HSTS and SFOSTS, limited variances to any provision of this prescription may be granted by the Stark County Board of Health based on sanitary availability and/or accessibility, threat to public health or other unique conditions. New, centralized wastewater treatment systems serving new developments with more than one lot/parcel, excluding approved SFOSTS, will not be approved.

(Individual Lots- residential)
New residential development on existing, individual parcels/lots or newly created, unplatted parcels will be required to provide sanitary sewer service to ensure that sanitary wastewater will be transported to and treated at an existing POTW when:

1. An existing sewer, owned and operated by a Designated Management Agency (DMA), is within 400 ft. of the parcel/lot proposed for development.

2. It is determined by the Stark County Sanitary Engineer that the POTW and existing sanitary sewer have capacity to accept flow from the proposed development.

3. The Stark County Sanitary Engineer deems the connection to sewer as acceptable.

4. There are no physical, legal or financial barriers prohibiting such connection.

If it is determined that such a barrier exists, then documentation that adequately and reasonably supports the claim must be provided to the Stark County Board of Health. The Stark County Board of Health, after review of the information, may permit the use of onsite sewage treatment systems. Where sanitary sewer is currently not accessible, individual parcels may be improved with new HSTS or SFOSTS, provided the Stark County Health Department finds that conditions are suitable. In no case shall a system producing an off-site discharge of effluent be permitted for new construction. An owner of an existing parcel served by an HSTS or a SFOSTS may extend a mainline sanitary
sewer to the parcel so that wastewater is transported to an existing POTW, when and if the Stark County Sanitary Engineer deems the extension and connection as acceptable. When sanitary sewer becomes available, existing HSTS, SFOSTS and semi-public sewage treatment systems shall be abandoned in accordance with law, and the parcel shall be connected to sanitary sewer at the cost of the parcel owner. For HSTS and SFOSTS, variances to any provision of this prescription may be granted by the Stark County Board of Health based on sanitary sewer availability and/or accessibility, threat to the public health or other unique conditions.

New POTW and sanitary sewer intended to serve areas of existing residential development served by HSTS, SFOSTS and semi-public sewage treatment systems are acceptable.

(Individual Lots- non-residential)
New commercial development on existing individual parcels or newly created unplatted parcels will be required to provide sanitary sewer service to ensure that sanitary wastewater will be transported to and treated by an existing POTW when:

1. An existing sanitary sewer, tributary to a POTW, is within 1,000 ft. of the property proposed for development.
2. It is determined by the Stark county Sanitary Engineer that the POTW and existing sanitary sewer have capacity to accept flow from the proposed development.
3. The Stark County Sanitary Engineer deems the connection to sewer as acceptable.
4. There are no physical, legal or financial barriers prohibiting such connection.

If it is determined that such a barrier exists, documentation shall be provided to the Stark County Board of Health and/or Ohio EPA. The Board of Health or Ohio EPA, whichever has legal authority over the development, after review of the information, may permit the use of onsite sewage treatment systems. In no case shall a system producing an off-site discharge of effluent be permitted for new construction. For HSTS and SFOSTS, limited variances to any provision of this prescription may be granted by the Stark County Board of Health based on sanitary sewer availability and/or accessibility, threat to public health or other unique conditions. New, centralized wastewater treatment systems serving new development with more than one lot/parcel, excluding approved SFOSTS, will not be approved. Proprietary served by existing, failing semi-public treatment systems or SFOSTS, when deemed necessary by the Stark County Board of Health or Ohio EPA, will be required to connect to existing sanitary sewer, sanitary sewer service must be provided by the property owner to ensure that wastewater will be transported to and treated by an existing POTW. Otherwise, failing semi-public treatment systems and SFOSTS must be repaired or replaced to current standards. At the cost of the property owner, all properties served by semi-public treatment systems or SFOSTS, including functioning systems, shall be connected to sanitary sewer when it becomes available or
when the property owner is so directed by the Ohio EPA, Stark County Board of Health or Board of Stark County Commissioners.

Areas that will be served by HSTS, SFOSTS, and semi-public sewage treatment systems (cream):

These areas are, for the most part, a great distance from existing sanitary sewers. Approval of connections to sanitary sewer for treatment of effluent at a POTW will be rare. Cream areas that appear closer to existing sewers are often burdened with other limitations to sanitary sewer to connection, such as: sanitary sewer capacity, physical obstructions to sewer construction, and flood plains.

Where sanitary sewer is not accessible, as determined by the Stark County Board of Health in conjunction with the Stark County Sanitary Engineer, new HSTS, SFOSTS or semi-public treatment systems may be permitted for subdivisions or individual parcels, based on evaluation and approval of the Stark County Board of Health or Ohio EPA, depending on authority granted by statute. In no case shall a system producing an off-site discharge of effluent be permitted for new construction. New, centralized wastewater treatment systems serving new development for more than one individual parcel, except approved SFOSTS, will not be approved. If sewer is not available, failing sewage treatment systems will be required to be repaired in accordance with Stark County Board of Health or Ohio EPA requirements, depending upon authority granted by statute.

Upon sanitary sewer becoming available, properties served by HSTS, SFOSTS or semi-public treatment systems will be required to connect to sanitary sewer to ensure that wastewater will be transported to and treated by a POTW. When sanitary sewer is available, HSTS, SFOSTS and semi-public sewage treatment systems shall be properly abandoned in accordance with law and the property shall be connected to sanitary sewer at the cost of the property owner. For HSTS and SFOSTS, variances to any provision of this prescription may be granted by the Stark County Board of Health based on sanitary sewer availability and/or accessibility, threat to public health or other unique conditions.