

**WESTFIELD TOWNSHIP  
BOARD OF ZONING COMMISSIONERS  
SPECIAL MEETING-INFORMATIONAL MEETING  
OCTOBER 26, 2010**

Chair Sturdevant called to order the special meeting of the Westfield Township Board of the Zoning Commissioners at 7:35 p.m. Board members Anderson, Kemp, Brewer, and Sturdevant were in attendance. Alternate Commission member Greg Brezina sat in for a full Board. Other individuals in attendance: Ron Oiler, Gary Harris, Stan Scheetz, Kristin Hildreth, David Straub, Jeff VanLoon, Mr. and Mrs. Drake, Ken Beckman, Kathleen LeMar, Jim Troike, Sandy Mirleo, Shane Haumesser, Wirtie Kratzer, Forrest Thompson, Dennis Haumesser, Karen Micklas, Irish & Rick Blankenberg, Bill Thombs, Carol Rumburg, Larry Bensinger, Russ Zupanic, Mr. & Mrs. Kerr, Gayle Foster, Beth & John Lawton and Zoning Inspector Matt Witmer.

Chair Sturdevant stated there would be no public comment taken this evening as tonight's meeting was for the Zoning Commission to hear presentations from expert speakers.

**Speakers:**

**Debbie Russell (Chippewa Sub district of the Muskingum Watershed Conservancy District)** Ms. Russell handed out maps on the Chippewa Subdistrict of the Muskingum Watershed Conservancy District. She stated the subdistrict is a sub watershed of the Muskingum Watershed District which consists of 18 counties. The Chippewa sub district is at the upper end of the watershed. The Chippewa watershed empties into the Tuscarawas River then the Muskingum River and ultimately the Ohio River. The watershed consists of 120,000 acres with 51,000 acres located in Medina County, 67,000 acres in Wayne County and 456,000 acres in Summit and Stark County. Ms. Russell continued that in 1956 local businessmen and farmers were concerned about flooding and determined the Chippewa Creek was undersized and had many log jams and restrictions. The result was the implementation of small watershed act through the natural conservation service. This Act was used to put a plan in place to build a flood control project to help protect this area from flooding. In order to accomplish this, the Chippewa subdistrict was formed in the early 60's. Eight flood control dams were built, 5 in Medina County and 3 in Wayne County. These were created to provide extra flood storage when large storm flooding occurs. Hubbard Valley Lake is one of those flood structures. Ms. Russell stated that her job with the subdistrict is to oversee the maintenance of those dams and the channels.

She continued when this project was first started it was supported by the Medina and Wayne County Commissioners, the Medina and Wayne County Soil Conservation District, the Muskingum Watershed Conservation District and the Natural Resource Conservation Conservancy. Federal and local dollars were put into this project. Initially

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when this project was started only those who lived along the channel were assessed because they received direct flood benefit. Several years ago it was realized that everybody who lives in a subdistrict contributes to the flooding problem so by law an assessment could be placed on all the properties located within the subdistrict. The money assessed could only be spent used on the project and maintenance of the improvement of the watershed.

Ms. Russell stated over the last several years the Muskingum Watershed District has been doing a lot more work because the funding has been in place to do so. The number one task is the maintenance of the dams which involves mowing and cleaning of the dams. Structures have also been placed in the channels which help to drain the land such as culverts, berm drains and drop inlets. Ms. Russell explained that drop inlets were large pipes that move flood waters through the channels. The pipes have reached their life expectancies and will need to be replaced in the not to distance future.

Ms. Russell continued there are easements all along the Chippewa Creek 100 ft. on both sides of the Creek for them to do work in that area and to have access to that area. Some of this access has been compromised over the years and they were in the process of renewing some of those areas. A GPS study was undertaken over the past 2 yrs. to collect data on all of the structures in the channels. This information would be used to set up a work schedule to determine what structures need to be repaired and for the development of future construction projects in the coming years. Projects have been undertaken to remove sediments from two dams one in Medina and one in Wayne County.

Ms. Russell stated regarding Hubbard Valley, there is a lot of dam area above the water. That is because it is designed to hold the normal flows when we get rain water until it backs up and would go out the emergency spill way before it would get to the top of the dam. Ms. Russell stated she would now turn over the meeting to Mr. David Straub to talk about the hydric soil study that has been undertaken and to explain the results of the study.

**Mr. David Straub United Geological Survey Service**-Mr. Straub began by stating that the USGS has entered into an agreement with the Muskingum Watershed District and is developing a hydric model for the entire Tuscarawas River to above Chippewa Lake. This model has just been completed and will be used as a tool to determine for example what would happen if trees were removed in a certain area in terms of the watershed. Also as part of the project, ODNR and FEMA entered into an agreement with the USGS to update the flood insurance study for Chippewa Creek. The flood plains would be updated and should be forwarded to FEMA September 2011. FEMA would then map the areas but the new effective date of the flood study has not been determined at this time.

Chair Sturdevant asked when the study information would be available for public review and utilization? Mr. Straub stated the information from the model study was turned into

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the MWCD and it was up to them when or if they would release that data or the model. The information on the flood study would be forwarded to FEMA in September 2011 and it would be up to them when they would release that information but one was looking at 4-6 months after their mapping was completed.

Ms. Russell stated the majority of the easements on Chippewa Lake are within the floodplain. The MWCD is very concerned about what happens within those easements and the floodplains such as the impact that may occur downstream and the impact to the structures. The easement states that any work done within those easements has to be approved by the MWCD.

**Kristin Hildreth-Director of Health Promotions of the Medina County Health Dept.**

Ms. Hildreth gave a background of the services the Medina County Health Dept. provides and handed out a pamphlet entitled Health Impact Assessment. Ms. Hildreth stated her job encompasses health in the broadest sense such as mental health, physical activity, and nutrition. Medina County was ranked 4<sup>th</sup> overall for health in the State but did not have access to fresh fruit and vegetables. Public health and zoning are interconnected i.e. air quality, water quality and environmental quality. People tend not to live and work in the same community so they tend to drive. With Medina County being a rural community there are obstacles for being able to walk and drive such as ditches, no sidewalks or lighting. Ms. Hildreth continued that we have improved health in one way but in the process limited ourselves to hospital access to physicians to grocery stores, etc. The question now is how does public health work with community zoning as the County continues to grow. There is a new project called a health impact assessment which looks at cancer rates, heart disease, obesity rates and physical activity. As a community grows we look at how we can impact health not only for those who live in a certain community but those who may live 5 miles away, 20 miles away.

Ms. Hildreth continued that health impact assessments have 5 steps which can include a rapid health impact assessment where you bring experts and communities together to talk about the issues. In the U.S. this is a new concept. Some of the concepts to be addressed are noise, air quality, and walkability in communities as well as access to good nutrition. Lastly, Ms. Hildreth stated she met with Patrice Theken the Director of Planning Services about how zoning and planning can work together with the Health Dept. in exploring the option of providing a connection between the two.

Chair Sturdevant stated she provided Ms. Hildreth with a copy of the text and map amendments before the Zoning Commission and would provide her with the information given by the experts at the last meeting as well as those who would be in attendance on November 18, 2010. Ms. Hildreth would then come back on November 18<sup>th</sup> to discuss some of the issues to be address regarding the applications before the board. Ms. Hildreth stated she would also pull the expertise from her own department to address some of the issues that might arise from the proposed amendments.

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**Mr. Jim Troike Medina County Sanitary Engineer's Office**-Mr. Troike handed out maps to the Commission. He stated the availability of sewer and water for the proposed project would be developer driven. Typically the County Commissioners do not install sanitary sewer and water improvements unless there is a developer interested in paying for those improvements. Regarding what the cost of this project would be; the first thing that would need to be considered is flow volumes, which is difficult to project unless one knows exactly what was going to be built. Mr. Troike stated it was the understanding of the County Sanitary Engineer's Office that is project would be similar to Wadsworth Crossings. The County Engineer's used flow volumes based on Medina Grande Shoppes which was a similar development to the one being proposed that uses 25,000 gallons of water per day. Therefore the usage they came up with for the proposal before the Commission was 100,000 gallons of water per day when completely built out and 10,000 gallons of sewer capacity per day as well.

Mr. Troike continued that the water for this project could come from the Westfield Water Plant located in Westfield Center and the Chippewa Water Plant located Lake Rd. which was now combined in the same district. Recently the Westfield Water Plant was upgraded with a new well located in Westfield Township. The water lines coming from Lake Rd. and extending across Greenwich Rd. to the east under 71 and down to Hulbert Rd. are a dead end lines. The County prefers looped lines for equalized pressure and alternate feeds if there is a break. However, for the time being it would be a dead-end line which would be feed off the Speedway Dr. tower location. In addition a line would be run further up Greenwich Rd. to the west to Ironwood Dr. in Westfield Village to provide a second feed from a separate tower source for fire flow projections. The cost is \$1.5 million in water lines.

Regarding capacity, Mr. Troike stated the Westfield Water Plant is sized for a ½ million gallons per day. The capacity right now is a 250,000 gallons per day so there is additional capacity however the Westfield Water Plant could be expanded and a new well tapped both at an additional cost but there does not seem to be a need for that at this time.

Chair Sturdevant asked if there was a need to upgrade the well would the cost be borne to the developer? Mr. Troike responded if the upgrade was associated with a specific development the developer would have to pay his share.

Regarding sewer, Mr. Troike stated right now this project is in Medina County Sewer Facility Planning Area but it is not in any facility plan. What that meant is the property in question was not taken into account of being sewerred. The 208 Plan shows that this area to be serviced by septic. That can be changed with NOACA.

Mr. Troike continued that there were three options to sewerding this area:

1. The Village of Westfield Center with waste water treatment plants and sewers



2. The Village of Seville with waste water treatment plants and sewers
3. Chippewa Lake Plant

Mr. Troike stated the Village of Seville has preliminarily stated they are not interested in servicing this area. They would service to the west of the Chippewa ditch but no further. The Village of Westfield Center indicated they would be interested and had sufficient capacity to do so.

Potential Sanitary Sewer Option #1 showed gravity sewers from Hulbert Rd. down to Greenwich Rd. to interstate 71 and going to a pump station. There would also be a gravity sewer coming from Daniels Rd. to the east to the pump station. There would then be a forced main that would take water from the pump station back up to Westfield Village to their sewers and ultimately to their waste water treatment plant. The area south of 71 and south side of Greenwich Rd. would go to Westfield Village. The areas already sewered on Lake Rd. would continue to go to the Chippewa Plant. The cost of this was just under \$1million. Mr. Troike stated in order for this option to occur there would have to be an agreement with Westfield Center. Pump station ownership could be held and maintained by the County and directed to the Village or the County could give it to the Village to operate it. There would need to be a lot of negotiation to make this occur such as what rates would be charged, etc.

Potential Sanitary Sewer Option #2 has the waste water going to the Chippewa Lake Plant. The cost of that would be approximately \$800,000. Under this scenario, the pump station would stay under the jurisdiction of the County and be operated by the County. The issues the County has is the Chippewa Lake Waste Water Plant capacity is below 900,000 gallons a day. Currently during the hot summer months it is below capacity at 300,000 gallons a day but during the fall and winter months due to the amount of rain/snow fall in conjunction with the age of the pipes etc. sometimes the capacity is over a million gallons a day. Therefore there is work to do for this sewer system as it is an old plant. The last upgrade was done in 1988. The last estimate to upgrade the Chippewa Plant is \$20 million. The project would consist of replacing the entire plant and therefore has been put on hold due to the extent and cost factors involved until it was absolutely necessary. The County has however purchased land next to the sewer plant in anticipation of improving the water treatment facility. Lastly, Mr. Troike commented about the Chippewa Landings Project and their potential capacity, the County has really not received any sound proposal from them.

Chair Sturdevant asked what option would the County prefer to go with regarding sanitary sewers for this area? Mr. Troike responded Option 1 is immediately available and was the direction he would prefer. Chair Sturdevant asked, if option 1 was to occur would there be an annexation risk? Mr. Troike stated that would have to be discussed.

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Chair Sturdevant stated one of the Commission members submitted questions (Mr. John Miller) because he was out of the country and could not attend tonight's meeting. She asked Mr. Troike if he would respond to the following questions.

Q 1. If the water is to come from the new Westfield Rd. well field, is there enough extra water capacity to safely provide treated water to such a large development, without jeopardizing Westfield Township farmers and/or surrounding private resident water?

A. Yes, the County has the capacity. Private wells were being monitored and they are watching the ground water tables as we are pumping at half the capacity as expected.

Q.2. Would the County need or consider expanding the Westfield well field or drill another new water well in order to provide enough water to such a large new development district?

A. We don't need to do that right now.

Q.3. We have been told at one time that the Medina County existing Chippewa Sewage Plant on Lake Rd. is in need of a multi-million dollar improvement and that the county has purchased land next to the Chippewa Plant improvements are not scheduled to happen anytime soon because of a lack of funding at the County level. Certain developers have not provided the Sanitary Engineer's Office with the necessary information in order for your office to calculate and determine the amount of extra capacity required to improve the facility. Please explain if that information is correct and please expand upon, how this would affect Medina County by providing sewers to this proposed General Business District on Greenwich Rd. in Westfield Twp. If the Zoning Commission and Trustees were to approve the application for all 407 acres, less the flood plain acres as a general business district, does Medina County have the available capacity and ability to provide sewers to such a large development on Greenwich Rd.?

A. Mr. Troike stated what if our assumptions aren't always correct? What if the flows are going to exceed 100,000 gallons a day in that area then the County would have to say no to a large water user. This area is predicated on just typical commercial and industrial development not a large water user.

Q. 4 The General Business District application, as it is currently being proposed, would allow the development for several large scale anchor or big box-type retail stores, plus amusement arenas, hospitals, nursing care facilities, gas stations, car dealerships and several apartments and condo complexes etc.

Does Westfield Center have the capacity to provide sewers to this size and scale of development? Can they provide sewers without annexation?

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A. Mr. Troike stated the County Commissioners don't want to be held to an annexation agreement or make water availability contingent or included only with annexation. He added he knew that was bold for him to say on behalf of the Commissioners but that was typically how it went.

Q. 5 If approved does the developer or Medina County pay to extend the new sewer lines to this proposed development?

A. Mr. Troike stated often the County would give the developer a restricted main. The developer makes the improvements and as tenants come on board, the County charges a tap in fee that would go back to the developer. It doesn't full reimburse what the developer paid but it helps and the County makes those arrangements.

Q. 6 Have any of these developers approached the County about tax abatements to upgrade the Sewer Plant? Explain what the Township should know and consider about tax abatements affecting our local revenue or the Cloverleaf revenue with regards to upgrading the utilities for this development?

A. Mr. Troike stated his department does not deal with tax abatements so he would have no clue.

Q.7 At a previous meeting it was stated that the Medina Sanitary Engineer's Office has limited information about how much sewer capacity will be required for the proposed Chippewa Resort. Can you please update the board on that project and what their projected sewer capacity needs will be; and explain what impact the Chippewa Resort development could have Medina County being able to provide sewer to Westfield Township General Business District.

A. Mr. Troike stated we still don't know.

Q. 8 During past meetings on a similar rezoning application at the Kratzer property, Mr. Troike had stated that Medina County Sanitary Engineers Office does not allow a sewage pump station, unless an exception is granted by the County Commissioners. Does the County allow pump stations? Explain.

A. Mr. Troike stated the County's policy is not to allow pump stations. The County's plan for development of sanitary sewers is based on a gravity plan. The exception was Rt. 18. The County Commissioners wanted to sewer that area before improvements on Rt. 18 happened and made an exception and there are 3 pump stations to bring the waste water back. The area unless in the Facility Plan is not to have pump stations unless specifically permitted by the County Commissioners.

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Q. 9 Do the Greenwich Rd. properties need a pump station because of their low elevation?

A. Mr. Troike stated yes.

Q. 10 Is there any environmental concern that the Township or Commissioners should be aware of regarding the use of a pump station so close to Chippewa Creek, near the flood plains or because of the shallow water table around the Greenwich Rd. corridor?

A. Mr. Troike stated even in the County's EPA submittal for the design construction of a pump station, the 100 yr. flood plain has to be dealt with so yes it is taken into consideration with the design.

Q. 11 During the annexation attempt last year, the Village of Seville hired an engineering firm, GPD Associates to complete the sewer study and design for Greenwich Rd. The Seville Study area extended past the proposed annexation area, to include the Kratzer parcels, and other properties on south Greenwich Rd., which were not being requested to be annexed at the time. Mr. Andy Vidra of NOACA passed out a map

A. Mr. Troike responded that would be dependent on what option was chosen. If we go with Westfield as the owner of the pump station in the area, the 208 Plan would then move that area to them otherwise it would stay with the County.

Q. 12 Does the Medina County Sanitary Engineer's Office intend to keep Greenwich Rd. in its 208 Facility Planning Area during this update?

A. Mr. Troike stated it would stay with the County unless the option was chosen to go with Westfield.

Q. 13 Could Medina County keep this territory on Greenwich Rd. and extend sewer to meet the Seville Planning Territory at the Westfield/Guilford line, and the County pay Seville to treat the sewage, if this District is approved and developed?

A. Mr. Troike stated the Village was not interested. The County could keep the pump station dependent on the agreement with the Village.

Chair Sturdevant stated Mr. Vidra from NOACA and the other members, who sat on the Upper Chippewa Balanced Growth Initiative board, have developed a map that shows the area in question as a "growth area". Will NOACA then change the 208 Facility Planning Area or will they wait to see how this area develops?

Mr. Troike responded how the 208 Facility Planning Area map came about was that NOACA spearheaded the Plan for the 208 and worked with the different counties



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involved. Medina County then looked at the areas where sewers could be expanded in the next 20 yrs. and that became the 208 Facility Planning Area with the input of the surrounding townships, villages and cities as to where each entity saw development occurring in their community. That was given back to NOACA and the plan became the tool for the EPA to see where development is targeted and if the area was to be serviced based on such development by septic or sanitary sewers. The 208 Plan is at the 10 yr. update mark and it is being look<sup>at</sup> to refine the map based on property lines instead of random lines so it is more defined. If the Township makes a decision on the development of this proposed area then that can be included, but if the Township ends up not being ready when the map is updated it could still be changed by a written letter to NOACA. On the map it states specifically 20 yrs. with community approval so it is a decision the community makes and not one that would be forced upon a community.

The Commission thanked the speakers for coming and presenting valuable information to the board.

### Correspondence

- Letter from the County Pros. Office dated October 21, 2010 on Ethical Issues Zoning Commission i.e. Recusal of Commission member Scott Anderson (See approved minutes)
- Letter from the Trustees dated October 21, 2010 on decision to return Comp Plan Update 2009-2010 back to Commission. Commission is to hold public hearing and prepare letter to Trustees to recommend only one plan to the Trustees for approval. (See Approved Minutes)
- Outline of procedure for consideration, recommendation and final vote of Trustees to adopt Comp Plan Update (See Approved Minutes)
- Letters from Larry Bensinger dated October 18, 2010, and December 8, 2009 and supporting documentation (See Approved Minutes)

Chair Sturdevant stated she spoke with Bill Thorne about setting public hearing for the reconsideration of the Comp Plan Update. Mr. Thorne stated the current applications must move forward legally and the public hearing could be set at anytime. After much discussion about schedules, Mrs. Kemp made a motion to set the public hearing for the 2009-2010 Comprehensive Land Use Plan Update for December 7, 2010 at 7:30. It was seconded by Mrs. Brewer.

ROLL CALL-Kemp-yes, Brewer-yes, Anderson-yes, Brezina-yes, Sturdevant-yes.

### Announcements:

Special Meeting/Continuation of the public hearing on the proposed map and text amendments for a proposed General Business District-November 18, 2010 at 7:30 p.m.

Chair Sturdevant stated there would also be expert speakers at that meeting as follows:

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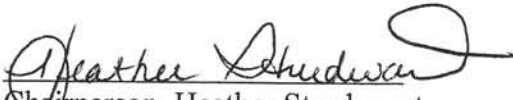
Bethany Dentler-Medina County Economic Development  
Sherriff Dept.  
Buck Adams-Emergency Management  
Chief Fletcher-Westfield Fire and Rescue

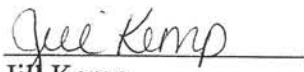
Public comment to be taken time permitting.

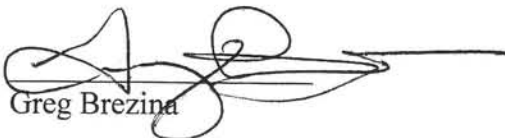
October 28, 2010 from 6-9 pm -2010 Fair Housing and Zoning Law Workshop-. Fee-\$10.00.

Having no further business before the Commission, Ms. Kemp made a motion to adjourn the regular meeting. It was seconded by Mrs. Brewer. All Zoning Commission members were in favor. The meeting was officially adjourned at 8:49 p.m.


Respectfully  
Kim Ferencz, Zoning Secretary

  
Chairperson, Heather Sturdevant

  
Jill Kemp

  
Greg Brezina

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Sue Brewer

  
Scott Anderson