

Westfield Township Stakeholders' Meeting

May 19, 2020

Trustees Special Meeting

Attending: Trustee Michael Schmidt, Trustee Kent Patterson, Trustee Craig Horner, Assistant Prosecutor Gerald Innes, Jason Dawson (Welser Attorney), Zoning Inspector Carolyn Sims, Chris Westbrook (Langan Project Consultant), Bill Johnson (Superior Role Forming), Tobias Obenaus (Superior Role Forming), Bethany Dentler (Medina County Economic Development Corp. Director), Amy Lyon-Galvin (Medina County Sanitary Engineer)

Trustee Schmidt opens the Zoom Meeting at 1:30 pm.

Assistant Prosecutor Innes explains that this meeting is to discuss the Kratzer Project and the proposed sewer options. The biggest problem is the proposed sewer lines from Westfield Center. Innes states that he is puzzled that there is not another option for sewers, including possible on-site treatment.

Dawson states they would like to address other options for sewers and work with the Township. There are some practical limitations to the Kratzer site that Chris Westbrook of Langan could explain better.

Westbrook states they looked at onsite and offsite options and tested onsite for infiltration. We have called the Health Department to discuss the spray solution. Ohio EPA was contacted to ask about septic onsite options and also evaluated County systems and Westfield Center Village systems for sewer waste. The discussions were regarding the commercial project and the system that would best work for them. The Health Department was not aware or support infiltration results for the sewer demand of approximately 100 plus employees. According to the Health Department the spray system they did not think would be an option - due to the size and scale of the sewer project. Infiltration testing was 0 per hour and it is not a great area for septic and for 100 plus employees. This led us to the option to send to a treatment plant.

Schmidt clarified that on the zoning application reflected 42 employees, not 100. Verified by ZI Sims and Dodson.

Schmidt said he had talked to Lewis Land Professionals an Engineering Firm. Kyle Salsberry Lead Designer about the situation and the sewer going to Westfield Center and other properties not being able to tie into the sewer system. Salsberry told Schmidt that the EPA is more rigid than the local Health Department, but both agencies can assist review designs for on site systems. The EPA works on 20 gallons per person per day for a commercial application (1000 gallons per day). Schmidt stated that the septic is for toilets, the new toilets only use 2 gallons. Schmidt confirmed no water proposed to be used for production.

Schmid said the EPA does not allow a spray irrigation system. But the test that Welser performed was not for septic systems - but was for engineering basements and ponds. A soil scientist would take core samples (1 -foot down). A geotechnical report that your company has done is not for septic systems. Schmid said the Steve Mazach at the Health Department can help you with finding someone for the

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proper tests. The property topography is higher at the front of the property and runs down the property to the creek and neighboring property have on site systems.

Schmidt recalled the Village Sewer proposal estimated to cost over a million dollars. A typical commercial onsite sewage treatment systems costs between \$25,000- \$50,000. Schmidt said the people he spoke with questioned why Welser would want to spend a million dollars, when on site was so less expensive? Does seem to make sense? Schmidt asked why would you spend so much money on sewer and not an onsite sewer?

Westbrook asked when technical reports are submitted to the Township, who will be reviewing? What is the process? What if there is more testing... and the onsite does not work? What is the process? Westbrook stated, if Langan does more testing for an onsite system and it works then it works. But questioned what are the other options...if it does not work?

Schmidt and ZI Sims explained that the Zoning Commission will be reviewing the information and have the option to have other experts and professionals further evaluate the information. The trustees will have the same option for experts, during their review process of the application.

Innes asked Westbrook if the Health Department stated the onsite wouldn't work because of the infiltration testing results?

Westbrook stated that the Health Department was not in favor of the spray system.

Innes stated that other tests should be explored.

Westbrook stated that suitable soil tests would be needed to meet code... and based on the volume needed.

Schmidt said Welser project is a great fit for the Township zoning; except for the sewer system proposal because it hinders the other properties in the township. The township is excited about Welser being low impact to the community. Schmit said Attorney Dawson application was well written and organized, but the biggest hold up is the sewer system or commercial septic.

Schmidt stated the ideal situation would be to have Medina County sewer service the project area; either from the Lake Road connection, or under the highway overpass to the campground sewer connection.

Schmidt the township will need to talk to the Sanitary Engineer about County sewer options and the Zoning Inspector has additional questions about sewer services in general - related to township zoning.

Bill Johnson asked to clarify the problem is being with the septic, and not with the water? And Is this a problem because it is a private sewer system?

Schmidt said that this project has been a discussion for about year with township. And Welser discussed onsite systems, even with the Medina County Planning Department. But now that changed, this proposes mile and ½ sewer line would go through 5 different districts within the Township. The districts

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are Highway Commercial, Local Commercial, Rural Residential, Conditional Use Residential Planned Development and East Greenwich Overlay District

Schmidt said the township has concerns that the residents would have a sewer run across their front yards... but not able to tap into it. The township must look at how the entire community would be affected. Welser would be the only ones who would be able to use the sewer system. Other property owners would have expense to run gravity lines to the pump station on the Kratzer parcel and need other approvals.

Dentler asked for Sanitary Engineer Lyons to speak on the project.

Sanitary Engineer Amy Lyon stated that because of the way the ground falls there is not a gravity sewer connection option for the Kratzer farm to any of the existing public sewer treatment plants, village or County.

Lyon stated for clarification that if the sewer is privately owned, then Welser would need to acquire easements along Greenwich Road; and not be permitted to install in the road right of way.

Lyon said the current sewer proposal is for Welser to pay and construct sewer along Greenwich Road and the pump station built on the Kratzer parcel. Then Welser would give the sewer system to the Village of Westfield Center; which would then make the system a public sewer. This would allow the sewer line to be installed in the road right of way.

Lyon continued the Village of Westfield Center would be in charge of the sewer system, including the lines along Greenwich Road in the road right of way, since it would be a Village public utility. However, residents would not be able to connect to the sewer system, even if their septic tanks failed over time, because it's a pressurized sewer line system... and not gravity fed.

Bethany Dentler asked if the gravity fed system is technically feasible?

Lyon stated there has not been a demand by this area (the Kratzer parcel). However we can look into that from an engineering perspective.

Lyon If this Village force main and pump station is connected, there could be potential for a gravity system being added uphill from the proposed Kratzer parcel lift station. The cost would be paid by the next developer.

Lyons said the Village would control the approval of the "characteristics" of any development discharging into their system. Plus future development would need to go through the Village and other approval processes (ie: NOACA 208-plan amendment) to decide if allowed to tap into the Village lift station.

Lyons wondered if the township would expect or want future developments to tap into the Village sewer? Or future developments could develop using an onsite system?

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Johnson asked Lyons - the map showing sanitary improvement has two options; to run to the subdivision off of Ironside Drive... or Lake road force main connection. Johnson asked if that is the potential to tie into the Lake Road County force main sewer located behind Pilot on Lake Road?

Lyon stated the Lake Road sewer connection is not an option.

Lyon said the conversation started about a year ago while exploring sewer connection into the county system. But the requirement would be for a private pump station and a private force main.

Lyon continued, as we discussed the process of discussing sewer with the Highway Engineer and Road Authority, the Lake Road connection would require easements, because you could not put a private force main in the public road right of way.

Lyon stated due to heavy rains and the Chippewa Waste Water Treatment Plant has challenges during wet weather. The sewer territory will not be expanded. For those reasons the discussion was to only allow the Chippewa Plant to serve customers on Lake Road, north of Greenwich; but will not be expanded south, east or west.

Lyon We were exploring different ideas in case the soils at the Kratzer site did not support an onsite system. Denter talked to the Village of Seville, but the conversation continued with the Village of Westfield Center to understand the possibilities of their system.

Johnson said if we send a proposal in the application to the ZC, what is the criteria to the acceptance of this project? Will it be sent to a Professional Engineer reviewing the information?

Trustees asked ZI Sims to answer.

ZI Sims stated she considered the Waste Water Treatment concerns are two pronged: 1) The Welser application which is supported by the Trustees, yet Sims concerned that the Village sewer proposal will hinder the zoning application process because it requires other township and agency approval processes (NOACA 208 Water Quality Plan Amendment). The Trustees would have to review those process separate but related to the zoning application. 2) The Sanitary Engineer not extending the Medina County Sewer in that area or in general.

Sims explained the current Village sewer proposal related to the Welser's application calls for a pump station on the Kratzer parcel and 8300' foot sewer force main running along Greenwich Road to Ironwood Drive and the Village limits. The pressurized sewer line would run through the five zoning districts options - including Highway Commercial Zoning. Highway Commercial zoning requires sewers hook up for all new development zoning approval. Several large parcels in the HC district expressed interest in development, each would need sewer access. The Village sewer being pressurized sewer, means those properties could not readily tap in. Sims felt that may jeopardize land owners commercial development potential cause a zoning problem

Innes ask about the Village concerns about accepting certain types of business waste?

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Sims agreed. The other concern with the Village sewer proposal is it gives Westfield Center the control to decide who can tap into their sewer system. The Township's Zoning allows business "Uses" that Village doesn't want discharging into their sewer line. By controlling the sewer, the village essentially controls the zoning uses having the authority to decide the type of business allowed to tap in to the sewer, and again, Sewer required for zoning approval. That's a problem.

Johnson discussed the idea of adding and allowing an additional sewer pipe that was gravity feed leading back to the Kratzer parcel pump station, in the same trench. Wondered if that might provide an opportunity for other properties to tap into a sewer as well?

Trustee Patterson clarified that it would be a Village sewer line in the Township.

Dodson cautioned that the pump station design would need to be increased to accommodate additional capacity - beyond Welsers sewer needs. Would cost more.

Lyon added that the conversations with the Village have not included that large of a service area. The Village would absolutely have to weigh in. To see if they would be interested in increasing sewer territory that would be tributary to the Kratzer lift station. Or interested in taking additional waste water at their facility. Running of 2 pipelines would allow the properties to tie into the gravity side.

Innes and ZI Sims reference the Sanitary Engineer's memorandum regarding the Village Sewer Project - stated the Village will control the sewer; And only accept certain waste (domestic only) and all other surrounding properties are encouraged to develop using an onsite septic system.

The trustees feel a responsibility to the township commercial property owners

Westbrook asked about the risk involved and what if the septic system fails? Ten years, twenty years, what would happen? If there is nowhere to put a septic system, in then what would the business do? How would the Township work with the business if there is a failure of the septic system and the business needs a sewer?

Schmidt states that if there is a public sewer system available and a residential septic system fails they must tie into the public sewer system. However, if on site systems are correctly designed they last and the spray system does not have pipes in the ground that clog up over time. Schmidt and Sims referred the question to the Sanitary Engineer.

Innes stated that in his experience the Health authority and the EPA do not like pressured systems that would not allow the public to have access to this system. The public health departments encourage a system that gets sewers to the greatest amount of properties. He wondered if the health agency understood that this proposed sewer would close out the opportunity for public sewers to other properties.

Westbrook said he believed others might be able to tap into our sewer line, but only if they put in their own pump stations as a public utility and depending on the topography. Yet cautioned that others

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would have to get their own approvals to do so (208-plan amendment, Village, Township, etc) based on the merits of their own project; plus their own pump station and pressurized line.

Westbrook wondered what would be happen if the onsite solution is ruled out? Because Welser is only looking at our project - and what relates to our project.

ZI Sims stated that project proposal meets the zoning as a business use, .but is not meeting the zoning as far as the utilities. The 308 Zoning Section is an optional overlay and the project must meet the zoning criteria. Sims expressed concern that Welser may be complicating their own zoning application process with the Village sewer proposal because of the reasons being stated during this discussion.

Dawson asked that if the application had an onsite solution, than the township would not send the application to a engineering firm?

Dodson said seems like that if the Zoning Application proposed an onsite solution then the application would be acceptable to the Township. He questioned what would happen if the Township would not allow the Village sewer... What would happen if the onsite solution is ruled out? Then the Kratzer property would not have any these uses? He wanted to confirm that if the application had an onsite waste solution, than the Township would not send the application to an engineering firm?

Schmidt said he didn't see a reason to send the application out but the information for soil tests and sustainability to an onsite sewer...That would require the county health authority to approve.

Dawson asked if Welser went forward with the application then the ZC would the Township seek an expert and is there an approach that Welser could do now to move the application forward?

Trustee Patterson asked, If there is an onsite solution than would Welser be open to it?

Johnson stated that he has never had an onsite septic and would like to look at scalability of an onsite. Our application is 42 people but the proposed growth of the site - concerned we would they be locked into an onsite system. Spending money to have new tests. I would have to understand the scalability of this system.

Schmidt mentioned that a huge onsite septic sewer system at Cloverleaf School District Campus that services 3000 people and was designed and installed over 25 years ago. It's not industrial but does have a kitchen facility, so that is more than just domestic household waste. It isn't on a lot of land, but uses a pond system and designed by EPA.

Westbrook put it up on the internet - stated it looks like a Waste Water pump station the size of a baseball field

Innes, Dawson and Westbrook decided to more talk to their clients and with the public health officials to get different types of on-site soil testing, and the other concepts such as duel lines. They agreed to talk again in a couple of days to resolve.

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Patterson stated recapped that the sewer proposal limits our potential development of our township properties. Asked Lyons if the County ever talked about any purchasing the Westfield Center sanitary plant, like they did the water plant?

Lyons said she has not heard anything like that discussed in her 17 years at the county. But down the road anything is possible, so I would never say never. There have not been any discussions on that that she aware of.

Schmidt states one of the obstacles is that Westfield Center would only accept household waste. If there are 2 pipes (one gravity to the pump station) and properties are able to tie into the system than this would be more palatable for the residents that live in this area.

Johnson asked if the Village will not accept commercial waste than how is this an option?

Westbrook stated the Village would accept domestic waste (holdhold waste) and not "industrial" waste.

Patterson stated that Village council passed a resolution that they would accept the domestic waste from Welsler.

Sims recapped with an overviewed the Township concerns and questions up for more future discussion. Sims said the project has Township Trustee support and the Industrial "use" is permitted in the Zoning. However Welsler's project starts to deviate from the plan with the Village Sewer proposal. At this point, Welsler's proposing 14 toilets and kitchenette, so Sims asked the group to explore the other septic or Medina County sewer options.

Sims says if Welsler continues forward with the Village sewer proposal - the Township's Development Policy Plan and NOACA documents calls for a CEDA or JEDD agreement between Township and Village to be negotiated. And the Township would also need to consider Village Sewer effects on the Township Zoning as well. Sims felt the force main sewer jeopardizes land owner's future development options long term, especially lands zoned Highway Commercial because that Zoning requires sewer for new development.

Sims asked group to consider possibility of Welsler putting their proposed 1- million dollar sewer investment towards the Medina County plant sewer improvements, rather than improvements to the Village Sewer system? Because Sims has had other Township properties inquiring about County sewer extension, including Deer Pass Golf Course and the old truck wash and stop properties. The Sanitary Engineer or Bethney Dentler aware of the sewer interest from past and recent meetings.

Sims hopes by working together the group could come up with better solution, benefiting a larger area and be more cost effective.

Johnson clarifies that the developer would build a pump station and force main to Ironwood Drive and bequith the system to the Village.... to use however the Village wanted?

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Dawson said Correct, the Village is going to regulate what goes into their plant. No fats, oils or greases from restaurants or businesses which cost more to treat. But the project must be acceptable to the township. Dodson suggested that Welser should have additional discussion to navigate the dynamics of this proposal - so it's acceptable to the Township, as well as the Village.

Sims said restaurants and automotive service are permitted uses in Highway Commercial zoning that the proposed Village sewer would go through, which is the concern.

Sims asked Lyon to clarify why Welser cannot connect to County sewer at Lake Road? Plus explain the County plans for the Chippewa Sewage Plant to the Trustees. Sims learned in a one-on-one conversation that the County proposing to downgraded the sewage plant to a pump station. Sims concerned that the County sewer plan will effect not only Welser project, but the Township in general, including other recent zoning proposals at truck stop and golf course.

Amy said that sewer brought south across 224 has a shallow pump station to service Speedway Drive businesses. The old truck stop site, on south east corner of Lake Road across from Pilot gas station used to connect with a pump station. While the County tries to be creative with solutions, individual pump stations across 224 is not practical. As for former Sanitary Engineer Jim Troikes conversations, letters or ideas, that would have been 7 or more years ago, she not aware of them.

The County recently put 35-million dollars into the Liverpool Plant expansion. The County expectation is to convert the Chippewa Sewage Plant on Kennard road into a pump station, pump the waste north to the Liverpool Treatment Plant as a regional facility; Instead of investing millions into the Chippewa Plant or reconstruct it. Lyon stated that County sewer will not be extended beyond Greenwich and Lake Road to new developments, only existing customers, but including Ricarddis old truck wash.

ZI Sims concerned that the lack of County sewer undermines the zoning, especially Highway Commercial. Sims asked effects on Township future potential for commercial development? Explained sewer is required by zoning for those commercial uses to develop...but the County is limiting the sewer availability along Lake and Greenwich Road. That's a problem.

Lyon said the County does not provide a solution. Must look to Seville or Westfield Center for a public sewer option. Or Westfield Township could operate their own Waste Water Treatment Plant, like Chatham township, that operates their own plant.

Sims asked if County sewer changes were written to confirm the County sewer plan is to convert the Chippewa Sewer Plant into a pump station, pump the sewage north to Liverpool Plant in Valley City which is north of the Continental Divide?

Lyons confirmed and agreed

Sims asked if pumping sewage north over the continental Divide is an issue?

Lyon agreed, saying that why the County has had conversations with ODNR, so that ODNR and the EPA are aware that.

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Sims expressed concern that the County would be essentially be limiting the Township's future development options by limiting County sewer availability and capacity.

Lyons disagrees. Saying a public sewer option is available (through Village sewer) although maybe not what Township wants for the Welser project or others. However other sites could develop with an onsite system.

Sims and Lyon agreed that the NOACA 208-Plan specifies and encourages "on-site" sewage treatment for the Kratzer site and surrounding areas in the NOACA 208-Plan Sewer Planning Territories Prescriptions required by statewide 2000 -Water Quality Plan). Sims asked if there is opportunity for County to consider sewers know that Welser and Golf Course development expressed interest?

Lyons said no – there is not a County sewer solution.

Sims asked the sanitary engineer the timeframe when the County decided to no longer extend sewer within the Township? Stating it came as a surprise to the Township- only hearing the changes shortly after the meeting at the Village about Welser considering Village sewer to the Kratzer site. Sims recalled past meetings together with the Sanitary Engineer to consider extending county sewer to Deer Pass Golf Course, wondered what had changed. Sims expressed disappointment, that commercial landowners, especially in highway commercial should have been informed and the zoning commission provided accurate information.

Lyon answered, during the past 5-6 years while putting together and executing that project (Liverpool Treatment Plant). County had not heard a need for sewer in that area, other than the one-on-one inquiries.

Lyons stated that she thought the Township Zoning code was brilliantly written because it is consistent with the 208-Plan – by allowing commercial on site waste treatment and not mandating public sewers.

Sims agreed. Explained the 208-Plan was studied during the Comprehensive Plan update with a Professional Land Planner, Greenwich Road's topography, low elevation and floodplains next to Chippewa Creek were considered. The Zoning Commission used the plan's recommendations to write the newest zoning district (section 308) that Welser is now applying for on the Kratzer parcel.

Sims suggested trustees hold separate meeting with the sanitary engineer to gather more in depth information on County sewer and planning changes in order to understand the impacts on landowners, future development potential and zoning within the township – separate from the Welser application.

Sims encouraged Sanitary Engineer to reconsider, stating the township is supportive of the Welser Application and does not want the Welser zoning application bogged down in other processes, such as negotiating a CEDA/JEDD with the Village or NOACA amendments for sewer planning territory changes, because Welser interested in moving forward quicker.

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Lyons agreed to attend separate meeting to explain Chippewa Plant changes in a future. Lyon said the Kratzer project does not preclude other properties from developing by using on-site systems. Lyon stated that it would only be a problem if their onsite tests would not allow a septic system.

Johnson asked Schmidt about soil testing, requested referenced contacts to get more information. Schmidt will forward some information and encouraged discussing with the health department.

Sims recalled Welser discussing at the zoning pre conference that on site system could work near the pond on the Kratzer?

Johnson stated that it was an option - but it showed a 0 infiltration test and then we went to Lyon to ask about solutions. Westbrook stated that the tested site was on the south-east side of the property and we will come back to discuss with the township and what would work so we can proceed.

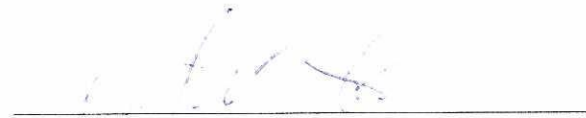
Innes said he would talk with Dodson later in the week.

Meeting closed at 1:25:45 minutes after the start of the meeting.

Respectfully submitted by:

Zoning Secretary


Date Approved: _____



Trustee Michael Schmidt



Trustee Kent Patterson



Trustee Craig Horner