

**PRAIRIE TOWNSHIP ZONING COMMISSION
MINUTES OF OCTOBER 30, 2007 MEETING**

Members Present: Howard Balzer, Christopher Finn, Glen Hymer, Hulda Moffitt, and Judy Stalter

Members Absent: None

Others Present: Dana Scott, Zoning Clerk; Molly Mooney, Field Inspector; Connie Swisher, Zoning Inspector; and Pam Williams, Township Resident

Call to Order: The meeting was called to order by Howard Balzer, Chairman, at 3:00 p.m.

Meeting Minutes:

Mr. Balzer asked for a motion to approve the September 25, 2007 Zoning Commission Meeting Minutes.

Ms. Stalter moved to approve the September 25, 2007 minutes. Mr. Hymer seconded the motion.

Roll call as follows:

Howard Balzer, Aye
Christopher Finn, Aye
Glen Hymer, Aye
Hulda Moffitt, Aye
Judy Stalter, Aye

Old Business: None

New Business:

BIG DARBY ACCORD ADVISORY PANEL: CASE AP-07-06
PRAIRIE TOWNSHIP 2007 COMPREHENSIVE PLAN UPDATE

Ms. Swisher stated that she was going to review and discuss the Big Darby Accord Advisory Panel: Staff Report, October 9, 2007, Case AP-07-06 (copy distributed).

The Staff Report, prepared by Connie Swisher is a request made by the Prairie Township Zoning Commission (applicant) to the Big Darby Accord Advisory Panel to recommend approval of the update to the 2003 Prairie Township Comprehensive Plan to incorporate the recommendations of the 2006 Big Darby Accord Watershed Master Plan.¹

Ms. Swisher said that Franklin County Economic Development and Planning Department staff and the Big Darby Accord Advisory Panel both issued a recommendation to approve the 2007 Comprehensive Plan Update. However, in reviewing the case the Darby Panel raised a question about including package plants, in particular, among acceptable alternative wastewater

¹ In a letter addressed to Howard Balzer, Chairman, dated October 10, 2007, the Big Darby Accord Advisory Panel recommended approval of the Comprehensive Plan amendment (copy of letter sent to Zoning Commission members prior to 10/30/07meeting).

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treatment systems (reference: 2007 Comprehensive Plan Update; *Services*, page 20). She stated that it was apparent during a lengthy discussion about package plants that the Darby Panel does not have a positive view of them (see Endnote; re: package plant).

Ms. Swisher asked Ms. Stalter, who has first-hand knowledge about package plants, to comment on the Darby Panel's reservations. Ms. Stalter said that package plants are frowned upon because they are small units and have numerous problems associated with them. She said that at one time there were several package plants located in the Township. Specifically, she recalls that there was one located in Young Estates and one in Village Park. The Franklin County sanitary engineer had serious problems with these systems and had them removed. Thereafter they were included in a force junction that flowed into a normal sanitary sewer system.

Ms. Stalter described a package plant as an "overgrown septic system"—large enough to accommodate multiple homes—the one at Young Estates serviced the entire subdivision. She said that a package plant is almost like a "private septic system."

Mr. Balzer inquired if the abandoned wastewater systems that one could see throughout the County were package plants. Ms. Swisher said, "Yes." She told the Commission that during the late '80s and early '90s, Franklin County spent millions of dollars to upgrade or phase out existing package plants.

Although she did not know what they were called, Ms. Stalter said that she thought newer and better alternative wastewater systems have been developed since the package plant model with which she is familiar.

Ms. Swisher pointed out that the "package plant" wording was new, that it was not included in the original 2003 version of the Comprehensive Plan. It was added by MSI, the firm hired to update the Plan.

Mr. Balzer asked Commission members what they thought about eliminating the term "package plant," as it is a "hang-up" that tarnishes an otherwise great document. He also said that he did not think that its elimination would materially change the intent of the statement.

Ms. Stalter expressed earnest approval for eliminating the words, explaining that she adamantly objects to package plants because she personally knows about the problems the wastewater systems caused in Young Estates and Village Park—health hazards such as dangerous and frequent overflow as well as expensive operation. She said that she clearly remembers the nearly insurmountable roadblocks associated with getting them removed from these two locations in the Township.

Regarding the following language (*Services*, pg 20) in the 2007 Prairie Township Comprehensive Plan Update . . .

*Therefore, in order to encourage this type of development the township must work with Franklin County to establish mechanisms to allow for **package plants, or alternative wastewater treatment systems to service clustered home sites.***

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Ms. Stalter made a motion to delete the following three words and comma: "**package plants, or**"; thereafter, the statement is to read as follows:

Therefore, in order to encourage this type of development the township must work with Franklin County to establish mechanisms to allow for alternative wastewater treatment systems to service clustered home sites.

Mr. Balzer seconded the motion.

The motion was unanimously approved. Roll call as follows:

Howard Balzer, Aye
Christopher Finn, Aye
Glen Hymer, Aye
Hulda Moffitt, Aye
Judy Stalter, Aye

NEW PRAIRIE TOWNSHIP LOGO

Ms. Swisher gave a recently published Prairie Township brochure & map to each of the Zoning Commission members. She asked them to direct their attention to the new, multicolor Township logo on the front cover. She inquired if they wanted to incorporate it into the final version of the Prairie Township 2007 Comprehensive Plan Update.

Following a brief discussion among Commission members, Ms. Moffitt made a motion to include the new Prairie Township logo on the cover of the 2007 Comprehensive Plan Update and throughout the document wherever esthetically appropriate and technically possible.

Mr. Finn seconded the motion.

The motion was unanimously approved. Roll call as follows:

Howard Balzer, Aye
Christopher Finn, Aye
Glen Hymer, Aye
Hulda Moffitt, Aye
Judy Stalter, Aye

Since the Township does not own the software, which costs \$600.00, used to create the Comprehensive Plan, Ms. Swisher cautioned that making the desired changes might not be straightforward. However, staff does have the Plan on disc, so we will do our best to work around the software issue.

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NEXT STEPS

- NOVEMBER 27 (TUESDAY) MEETING: Zoning Commission makes a motion to recommend acceptance of the Prairie Township 2007 Comprehensive Plan Update.
- DECEMBER 12 (WEDNESDAY) MEETING: Zoning Commission transmits copy of motion to Franklin County Development and Planning Department, which will recommend approval or denial, or the approval of some modification, thereof.
- DECEMBER 18 (TUESDAY) PUBLIC MEETING: Zoning Commission holds a public meeting at 7:00 p.m. concerning the adoption of its motion.² At least ten days before the public meeting, legal notice of such meeting will be published in newspapers of general circulation in the Township.

**BIG DARBY ACCORD ADVISORY PANEL
MINUTES OF THE OCTOBER 9, 2007 MEETING**

Ms. Swisher informed Commission members that at any time they could go the www.franklincountyohio.gov/BigDarbyAccord web site and click on Accord Panel to find out about meeting dates and locations and to access meeting minutes. Minutes are not available for the most recent meeting until one week before the next scheduled meeting. The Accord Panel meets the second Tuesday of each month at 1:30 p.m.

Ms. Swisher requested that members of the Commission read the October 9 Meeting Minutes of the Big Darby Accord Advisory Panel (copy distributed). First, she highlighted the part of the minutes that concerned Prairie Township's Comprehensive Plan request, the last item on the meeting agenda (pgs mid-3 to 5).

Then she provided background on the first section of the minutes (pgs 1 to mid-3). The contents relate to the previous meeting on September 11, 2007, which was an unprecedented 6½ hours in length. During that time frame, the sole case reviewed was the request by Blauser Capital Limited (6145 West Broad Street) to rezone approximately 159 acres. The Panel issued a recommendation to approve. Ms. Swisher said that the written transcript is a condensed version of the entire proceedings. For example, she said that there was a lengthy discussion about package plants, but the subject is covered in the minutes by two sentences (pg 4).

Ms. Swisher stated that Mr. James Schimmer, director of Economic Development and Planning for Franklin County, spent about 20 minutes on his opening remarks at the October 9 meeting. He told members of the Panel that a 6½ meeting was too long to hear one case. He advised them "to be above the fray" and balance personal beliefs with what they should be doing as a cohesive body. Mr. Schimmer encouraged the Panel to focus on its roles and responsibilities as spelled out in its bylaws, namely, "to provide advice back to the jurisdictions." He pointed out a need for greater flexibility in interpreting the Plan³ and reminded the Panel that interested people were watching what they were doing (Panel Minutes, pg 2.).

² Meeting has been changed to the 3rd Tuesday of December because Christmas Day falls on the 4th Tuesday. Time has been changed to 7:00 p.m. to accommodate attendance of the public.

³ "Plan" refers to the Big Darby Accord Watershed Master Plan.

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Following Mr. Schimmer's remarks, the minutes include several explanations for the length of the September meeting, criticisms of the hearing process, and comments about Panel members' need for more education and better communication with staff.

Discussion about the Big Darby Accord Advisory Panel Minutes

Ms. Stalter inquired about the relevant experience possessed by appointees to the Darby Panel. Ms. Swisher responded that zoning and site development review experience ranged from having very little working knowledge to being highly qualified professionals.

Mr. Hymer noted that Mr. Martin⁴ commended "Columbus staff," in particular, for doing an excellent job—implying that Columbus was more important than other jurisdictions (pg 2).

Ms. Swisher responded that probably Mr. Martin was referring specifically to the Blauser rezoning request. He was likely just defending Columbus staff, whose responsibility it was for Blauser, but not making a value judgment about other areas.

With regard to the excessive length of meetings, Ms. Swisher said that a further consideration is that nearly all applicants are represented by counsel who is being paid a substantial hourly rate. Darby Panel members need to put personal feelings aside and remember that is not their job to expend time trying to make an applicant change his mind but only to issue a recommendation about his request.

Ms. Swisher said that the Panel has decided to hold a couple of meetings that are strictly educational in nature, although there may be nothing else on the agenda. Hopefully, many of the questions and concerns that members have will be resolved at these meetings. For example there appears to be a misconception about the 50 percent open space requirement even if the applicant is not in some of the tiered areas and conservation zone districts. Also, there is considerable debate about how various jurisdictions do stream crossings. However, there is a need to understand that when the case goes to check/review, the County engineer will regulate stream crossings.

Ms. Swisher remarked that each member of the Darby Panel, who is accustomed to representing only his or her particular jurisdiction or profession, is experiencing frustration working in unity with multiple cities, townships, and the County. Prairie Township is fortunate because it has a history of collaborating with the Franklin County.

Ms. Williams⁵ expressed her concern that at a time when the Township is on the "threshold" of implementing the Darby Accord, upon reading the Darby Panel minutes, she sees nothing but "dysfunction." Or, she reflected, that this particular set of minutes might make it seem that way.

Ms. Swisher said that she thought that "dysfunction" is not an accurate description, but her perception is that there are Panel members with strong personal feelings and biases who ask a lot of time consuming, repetitive questions in an attempt to strong arm others into changing their

⁴ Joe Martin is president of Martin Control Systems and was appointed by Brown Township.

⁵ Pamela Williams is a Prairie Township resident; she regularly attends Township meetings.

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minds, or their plats. Ms. Swisher counseled patience, saying that the Darby Panel is “new,” and she believes that with more experience and education—it will get over its “newness” and learn to work together effectively and efficiently.

However, in order to become effective, Ms. Swisher said that the Darby Panel will need more information. When a case leaves the Panel, members must be assured about document flow and accountability, that is, where it is going and who is responsible for looking at it. They have a need to know that all the next steps are being taken care of competently. Toward that end, it was announced that a person from the Board of Health and someone from County Sanitary Engineering have been invited to the next meeting.

Mr. Hymer agreed that, in general, strong personal feelings vented in a group setting could be counterproductive. Nevertheless, he said that he sees why Hilliard is holding out signing the Accord—the city maintains a very tough stance against building starter homes, as does Grove City. Mr. Hymer stated that the Darby Panel will have to take control and insist on better quality homes, or it will not get the cooperation of either Hilliard or Grove City.

Speaking from personal experience having started as a novice on the Prairie Township Zoning Commission, Ms. Stalter said that she empathizes with anyone who finds himself or herself suddenly appointed to the Darby Panel, especially if the individual has little or no zoning experience, and has not be following the news about the Darby Accord. Considering the different agendas and professions represented, the huge geographic area to oversee, the weight of the decisions to be made, and the scope of knowledge needed to perform the work, it is understandable that members of the Panel are absolutely overwhelmed.

Perhaps, Ms. Stalter said that largely because people do care passionately about what they are advocating is the precise reason why they volunteer to be on zoning panels and commissions, and that one cannot fault them for that. In the long run, she said that feedback from a mixture of interests is necessary to achieve desirable balance.

FRANKLIN COUNTY SOIL & WATER CONSERVATION DISTRICT

Ms. Swisher directed the Commission’s attention to a letter (copy distributed) from the Franklin Soil & Water Conservation District dated September 24, 2007, and signed by Martha Gilson, CPESC⁶. Ms. Swisher read from the letter:

Franklin County and the 17 Townships are considered Phase II communities under the National Pollutant Discharge Elimination System (NPDES) mandated by the Federal EPA as part of the Clean Water Act. As part of this Federal mandate the communities are required to “develop, implement and enforce a program to reduce pollutants in any storm water runoff from construction activities that result in a land disturbance of greater or equal to one acre.” In March of 2003 the Townships, along with Franklin County, signed a Notice of Intent (NOI) agreeing to comply with all Federal NPDES regulations.

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Townships that have their own Zoning codes are not covered under the Franklin County Zoning Resolution and must implement regulations that require erosion and sediment

⁶ CPESC = Certified Professional in Erosion and Sediment Control

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controls as well as sanctions to ensure compliance for all construction activities that disturb an acre or more.

Ms. Swisher stated that because Soil & Water has no enforcement authority, it is asking Prairie Township to implement in its Zoning Resolution the regulations to meet the Federal NPDES.

Ms. Swisher said that she recently talked with Tracy Hatmaker, Township Administrator, and he thinks that because Prairie is a home rule township, there is a faster and better way than through the zoning code to provide enforcement as required by the Federal NPDES regulations. Tracy is researching the possibility of enforcement by resolution through Township code enforcement.

Ms. Swisher remarked that there are numerous instances of construction sites in the Township, for example, church buildings and associated parking lots, which disturb an acre or more—and that there are likely going to be many more in the future. Therefore, either through ordinance or zoning code, the Township will be obligated to enforce the Federal regulations.

She then proposed that—since Prairie Township still has riparian buffers and setbacks to the creeks to implement, and that since the amendment to Article 21, Big Darby Critical Resource Protection District, is still an open issue, and because the Floodplain Section (1530) of the Zoning Resolution has never been amended—it would be prudent to bundle all these issues into one package of amendments.

Further, Ms. Swisher informed the Commission that the Planning Commission stopped the amendment process to Section 650, Big Darby Creek Watershed Riparian Setbacks, of the Franklin County Zoning Code, which Prairie Township's amendment to Article 21 is modeled upon. She stated that the Planning Commission had questions, and the amendment has not been approved.

Ms. Williams remarked that she would hate to see Prairie Township lose control over enforcement of soil and water issues because she has been witness to the extensive damage caused by lack of enforcement in other areas.

Ms. Stalter responded it seemed to her that Soil & Water, rather than losing control, was trying to take ownership and seeking the Township's help in doing so. She remarked that whichever way we proceed, Prairie will be responsible for enforcement of riparian regulations, and Soil & Water will be responsible for observation of violations and notification to the Township about them.

Next Meeting:

Mr. Balzer announced that the next meeting of the Prairie Township Zoning Commission would be Tuesday, November 27, at 3:00 p.m. at the Township Hall, 23 Maple Drive.

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There being no further business, Mr. Balzer adjourned the meeting at 3:50 p.m.

Respectfully submitted,

Hulda Moffitt, Secretary
Prairie Township Zoning Commission

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NOTES

Package Plants

Package plants are pre-manufactured treatment facilities used to treat wastewater in small communities or on individual properties. The most common type of package plants are extended aeration plants, sequencing batch reactors, oxidation ditches, contact stabilization plants, rotating biological contactors, and physical/chemical processes. The first three types of package plants—extended aeration plants, sequencing batch reactors, and oxidation ditches—are all biological aeration processes. These systems function by creating an environment with sufficient oxygen levels and agitation to allow for bio-oxidation of the wastes to suitable levels for discharge. Biological treatment systems make use of bacteria and microorganisms to remove contaminants in wastewater.

In general, package treatment plants are applicable for areas with a limited number of people and small wastewater flows. Extended aeration package plants are typically used in small municipalities, suburban subdivisions, apartment complexes, highway rest areas, trailer parks, and small institutions where flow rates are below 0.1 million gallons per day.

Excerpts above are taken from the following resources:

United States Environmental Protection Agency
Office of Water, Washington, D.C.
Wastewater Technology Fact Sheet, Package Plants, EPA 832-F-00-016
September 2000

Pollution Control Systems, Inc.
Millford, Ohio
Package Wastewater Treatment Systems
2007

Sewage/Wastewater Treatment

Sewage treatment, or domestic wastewater treatment, is the process of removing contaminants from wastewater, both runoff and domestic. Sewage is created by residences, institutions, and commercial and industrial establishments. It can be treated close to where it is created (in septic tanks, bio-filters, or aerobic treatment systems), or collected and transported via a network of pipes and pump stations to a municipal treatment plant.

Typically, sewage treatment involves three stages: primary, secondary, and tertiary treatment. First, the solids are separated from the wastewater stream. Then dissolved biological matter is progressively converted into a solid mass by using indigenous, water-borne bacteria. Finally, the biological solids are neutralized then disposed of or reused, and the treated water may be disinfected chemically or physically.

The final effluent can be discharged into a stream, river, bay, lagoon, or wetland—or it can be used for the irrigation of a golf course, greenway, or park. If it is sufficiently clean, it can also be used for groundwater recharge.

Excerpt above is taken from the following resource:

www.wikipedia.org
Wikipedia, the free encyclopedia (a multi-user created and edited online encyclopedia)
Sewage Treatment