

RECORD OF PROCEEDINGS

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF TRUSTEES

11420 Millersport Rd., Millersport, OH 43067

SPECIAL MEETING MINUTES

September 18, 2023 - 9:00 AM

Fairfield County Commissioners Hearing Room – 210 East Main St., Lancaster, OH

Township Officials present/absent:

Officials present – Trustees, Terry W. Horn, William R. Yates and Douglas G. Leith. Officials absent – Fiscal Officer, Underwood.

Department Heads present: None

Invited guest(s) present:

Kari Machenbach, ms consultants; Alicia Silverio State of Ohio Floodplain Administrator; ODNR. David Levacy, County Commissioner & Aundrea Cordle, Fairfield County Administrator; Holly Mattie, Interim Administrator, & Joshua Hilberry, County Regional Planning; Steven Darnell & Ausin Lines - County Prosecutor's Office; Jonathan Ferbrache, County Soil & Water Conservation District; and Jason Grubb, County Engineer's Office.

Number of members of the public present: 0

The meeting was called to order by Trustee Chairman Yates and the Pledge of Allegiance to the Flag was recited.

Advertised Purpose of Meeting:

The purpose of this meeting was to:

1. To consider the regulating of fill materials in the north Walnut Township Floodplain.
2. Properties clean up per ORC 505.87

Discussion:

Item #1 - Considering regulating fill in the north Walnut Township Floodplain:

This meeting was for discussion and exploratory purposes.

Currently the County Floodplain Regulations require utilizing fill when building in the floodplain.

There are options to consider that other jurisdictions in Ohio have considered. One is Paulding County in an area called Flat Rock Creek, where fill has been prohibited.

The 2-D model (that shows velocity and depths of flood waters) that ms consultants created as part of the north Walnut Stormwater Conveyance Study was completed this past April (2023). As a result ms consultants was able to make recommendation to the Township for a 25-year level of service. These are the frequent (almost yearly) nuisance flooding events that have become a problem for the residents over the years.

Two issues, nuisance flooding and the 100-year flood area.

Flooding issues have been an on-going problem for years. However, with the dam rehab project that was completed approximately five (5) years ago, ODNR would not allow homeowner downspouts and sump pumps to drain into Buckeye Lake. All of these now drain onto the residential neighborhoods and roadways on the tow side of the Buckeye Lake Dam.

J Ferbrache noted:

This problem is related to regional flooding from the South Fork of the Licking River. The South Fork Conservancy District has been working on these issues since 1964. The Conservancy District is working to improve the flow of the river and removal of the river debris field down-stream that restricts water flow down stream of Walnut Township.

We have invested in a \$418,000 Concept Stormwater Drainage Plan design as a drainage project. We do not want people filling in the flood plain where we have targeted stormwater design to relieve the flooding based on current conditions. Placing fill in the study area or any place in the north Walnut Township flood plain will have an adverse effect on these future plans to relieve flooding in this area. Soil and Water continues to receive drainage complaints from residents when neighbors build new homes next to them and force water onto them. The only remedy to the homeowner is to take the matter to court.

There is an option that his office has helped with for Violet and Liberty Township and Lithopolis Village. These entities utilize a Drainage, Erosion, Settlement Control (DESC) permit. A master grading plan is developed that is associated with a new subdivision. Target grades are noted to reduce adjacent nuisances between landowners as they fill between homes. This also sustains flood routing as established by the

professional engineer. A similar type of concept could work where Walnut Township utilizes a zoning overlay district. Where we could have strict controls for fill within five (5) feet of the building perimeter and the property line. This would allow a void space between a 5 foot perimeter line from the structure to the property line, where water can be stored and dried out and does not push onto the next door neighbor, intentionally. A surveyor would record grade elevations on a possible 30' grid prior to construction (as part of the permit process). The concept is not to provide a path for the water to move at that point. Once the master stormwater concept plan is constructed in the future the water would then have a means to be directed away from the property.

A second option would be to utilize columns, piles, walls and posts to raise the structures. This would require designs that need to consider the underlying soil conditions. At the present time there is no building department in place to review plans for this option.

A third option is to acquire greenspace land within the floodplain through Clean Ohio at market price programs to create parks and conservation corridors that coincide with the South Fork Licking Conservancy improvement projects. This would allow stormwater to be held during flooding events. There are options for funding where the cost to the Township would be minimal.

These are the three (3) conceptual options:

1. Utilizing a Zoning Overlay and regulate fill within the footprint of the building project using the DESC concept.
2. Don't allow any fill and construct structures on columns, piles, piers and walls and allow flood waters to pass under the structures. Plans would need to be designed and sealed by a professional engineer and submitted to Regional Planning as part of the floodplain permit.
3. Acquire greenspace within the floodplain area that would take areas that are in the floodplain out of future construction.

Holly Mattie noted that it seems from her viewpoint when she was RPC Director a few years ago to now, that it seems like she is getting more flooding complaints in the area.

A Silverio noted that her office works with communities that participate in the National Flood Insurance Program (NFIP) like Fairfield County to help implement regulations to ensure development in their communities is compliant with those regulations. These regulations are based on minimum Federal criteria that is provided by the NFIP. All communities have a base line, these regulations do not prohibit development. The minimum standards say how development can occur. Communities have the option to develop standards that exceed the minimum requirements. Communities can collaborate and develop their standards that are unique to their community. And they can utilize different methods within their own communities. Such differences could be requiring fill in one area and requiring compensatory storage in another.

Alicia noted and we should be aware of, flood risks within our FEMA Region 5. 40% of flood insurance claims for structures happened outside the range where flood insurance is required.

When considering solutions, we should be looking at what the priorities are within the area and what are the effective means to achieve them? Do we want development or do we want to restrict it? Allow some types and not others. A recent study just came out from the Association of State Floodplain Managers. Options are building on columns, piles and posts.

Holly M asked if the County can have separate requirements within the same county. Alicia said yes, we can carve out separate areas that have differing requirements.

For context Alicia mentioned that Butler County regulates all Blue Line streams in the county and may be a good resource for Fairfield County to look into.

Holly will be reviewing the options discussed and will return to the group with feedback.

Alicia noted that Medina County is another entity that has some guidelines that we may want to review.

It was agreed by everyone to return in approximately 30 days to continue the discussion.

The invited guests were dismissed and the Trustees continued the Item #2 discussion.

Item #2 - Properties clean up per ORC 505.87

We are considering the clean up of two (2) properties:

1. 13567 Richards St., Millersport and
2. 0 Lancaster-Thornville Rd. Parcel #04702119300.

Alan Underwood has submitted a quote of \$2,000 for the clean-up of Richards St and \$1,000 for the clean-up of 0 Lancaster-Thornville Rd. Parcel #04702119300.

Trustee Horn made a motion to accept the quotes with a provision to pay \$85/hr. for any additional scope of work. Second by Trustee Leith, motion passed with 3 yes votes.

Adjournment: At 10:43 AM, Trustee Yates made a motion to adjourn. Trustee Leith seconded the motion. The motion passed with 3 yes votes.

Minutes Recorded By: Terry Horn

Pam Underwood, Fiscal Officer

William R. Yates , Chairman

Terry W. Horn, Vice Chairman

Douglas G. Leith