

# MINUTES OF A REGULAR VOTING MEETING OF THE

## FAIRFIELD PLANNING COMMISSION

March 12, 2014

Scott Lepsky, Chairman, called the Regular Meeting of the Fairfield Planning Commission to order.

Members present: Scott Lepsky, Bill Woeste, Tom Hasselbeck, Don Hassler and Bob Myron.

Scott Lepsky, seconded by Bill Woeste, made a motion to excuse Mark Morris which passed 5 – 0.

### MINUTES OF THE PREVIOUS MEETING:

The minutes of the previous meeting, held February 26, 2014, were approved as submitted.

### NEW BUSINESS:

Tim Bachman stated Ben Mann, City Engineer, would be reviewing the changes to the Storm Water Quality Management Plan and he would discuss the ordinance changes proposed. At the last meeting, the Construction Handbook and water ordinances were split from the storm water changes.

The second item pertains to signage in the D-1 district. This will be a discussion regarding a proposed amendment to the verbiage in the Town Center Development Plan pertaining to signs. The Design Review Committee will also be discussing the change and making a recommendation back to the Commission but staff wanted the Commissions input prior to presenting it at the next Design Review meeting.

### Proposed Changes to the City's Storm Water Quality Management Plan

Ben Mann gave the Commissioners the "When it Rains, Fairfield Drains" pamphlet which is given out to the public. The Storm Water Quality Management Plan was originally created in 2003 when Fairfield procured the NPDES (National Pollutant Discharge Elimination System) Permit. This was an EPA mandate for cities our size and was accepted by the EPA in 2005. For municipalities with storm water systems, a five year permit is issued by the OEPA; this will be our 3<sup>rd</sup> permit which applies to all of Ohio. As part of our last review, they said that our Plan needed to be updated. There are not many changes but the major change addresses quality of the run off. Any site over an acre will be required to have not only a quantity control but also a quality control for the storm water run-off.

The back of the pamphlet lists six minimum controls that have to be met in order to obtain the 5 year permit:

1. Public Education and Outreach – The City has a storm water web page and from time to time, publishes newsletter articles in the Flyer. The pamphlet is passed out at the schools and displays are set up at various buildings. The City also works with the Groundwater Consortium; they go to the schools and educate the kids about the repercussions of polluting the groundwater.

2. Public Involvement - Storm drain catch basins are marked to inform the public that if you dump in the catch basin, it's going to eventually end up in the river. There is also a hot line the public can call to report someone dumping into the catch basins.
3. Illicit Discharge Detection – All the public storm sewers have been mapped on the City's GIS system. Private lines are also being mapped. The City inspects all outfalls where any pipe from the public system outlets into a creek. This inspection was done during the last permit period and is being implemented again. They're checked during dry weather to make sure there is no soapy water, connection to a sanitary line or illegal connection.
4. Construction Site Storm Water Run-Off Control – Most of this is enforced through our Erosion and Sedimentation Control ordinances and checked when plans are reviewed and also in the field. There is a lot of coordination between Construction Services and Public Utilities to protect the aquifer.
5. Post Construction Storm Water Management – Construction Services staff inspects all the residential and regional basins for needed maintenance and/or repair. Also, post construction best management practices were added to the ordinances to address the quality of the run-off. It can be as simple as a grass filter strip where the water impurities are caught by the grass before reaching a catch basin.
6. Pollution Prevention Good Housekeeping – The City's street sweeping and leaf and brush pick up fall under this category. Both keep debris and leaves from ending up in the catch basins. The quantity of salt used during winter storms is also monitored to make sure it's not over spread.

Mr. Woeste asked if there are special inspections completed in the industrial areas to check for illicit discharge into the system. Mr. Mann replied all the industrial property has already been checked for this inspection period. There were a few issues but they haven't had to write any orders or take anyone to court.

Mr. Bachman explained the Storm Water Quality Management Plan is a mandate. The City already has a plan which is being updated through this process. Mr. Mann added the City hired a consultant to assist with updating the 2005 plan to assure it'll be in compliance with the new mandates. The new plan was submitted last year to the EPA for comments but to date, the City has not received anything back.

#### Proposed Ordinance Changes:

Page 19 – Chapter 927 - Tim Bachman stated the majority of changes discussed by Mr. Mann regarding quality of storm run-off are in Section 927.07. Development of anything greater than one acre whether it be one or several parcels, requires a storm water permit from the OEPA. Storm water management controls and routine and remedial maintenance are also discussed. The owner of the property on which a basin is located is responsible for grass cutting, debris removal, etc. The city will still maintain the structure.

Page 20 (J) – This section adopts the City’s Storm Water Quality Management Plan. Item (K) is new and addresses storm water facility maintenance correction procedures. The City can now put the owner on notice to repair or maintain something in the basin and if they don’t, the City will have the work done.

Page 22 (L) – The City has the authority to charge an administrative fee of \$100 along with the cost of the repair and if not paid, place the amount on the tax duplicate. The City currently does this with grass not being maintained on private property. Section (M) discusses the responsibility of maintenance by the homeowner or HOA. This new provision starts after May 31, 2014 for any drainage structure (basin, swale, etc.) approved by the City.

Page 23 – This section covers the facets of the post operations plan in regard what the City expects after development. This completes Chapter 927 where most of the new items are being introduced.

Mr. Woeste asked if we would still enforce the proposed changes if we weren’t under a mandate to do so. Mr. Bachman replied some of the requirements are fairly strict. Quality of storm water is important but how to achieve it may be difficult for some. The State is mandating it so it is something we have to follow. The design engineers appear to be ahead of this though. When the plans were submitted for the new addition at Rolling Hill Baptist Church, a lot of storm water quality changes were proposed for the new retention basin. Adjacent owners were concerned about kids getting into the basin, mosquitoes, algae, etc. Their engineer explained that from a qualitative standpoint, the pollutants are held back in a wet basin and they settle out or evaporate. They didn’t have to design for quality run-off but chose to.

Mr. Hasselbeck asked if the adjoining communities are also under the mandate since Fairfield receives their run-off. Ben Mann replied Fairfield is slightly behind in getting the code changed. Most municipalities have already adopted the storm water quality change.

Page 33 – Chapter 1117 – This chapter covers development in subdivisions. The one acre rule also applies for determining if a NPDES permit is needed.

Page 35 – The requirements for the storm water management plan to be submitted to the City are discussed.

Page 41 – Chapter 1182 - This section addresses properties not in a subdivision. These will also have to comply with the storm water requirements. This section ties back into the Construction Handbook and the storm water qualitative issues for designing projects not in a subdivision.

Page 45 – Chapter 1196 – Mr. Bachman stated Koch Foods, Port Union Road, had a lot of dirt they took off their site and filled a gully on property next to them. They had to get a cut and fill permit and the City makes sure that silt fencing is installed, area is reseeded, etc. The addition in this section introduces requirements discussed in the previous 3 chapters.

Mr. Woeste asked if Chapter 1182 covers all properties not in a subdivision and was informed it does.

Scott Lepsky, seconded by Don Hassler, made a motion to recommend to City Council, the approval of the updated Storm Water Quality Management Plan and the corresponding changes to the ordinances.

Motion carried 5 – 0.

### Town Center Signage

Erin Donovan stated the Design Review Committee reviews colors, materials, etc. for buildings and signs in the Downtown area. The section of the guidelines that discusses signage is nebulous and doesn't address colors. A slide was shown containing the verbiage from the Town Center Development Plan regarding signage which states: "Signs should add to the Town Center's character, not detract from it causing a negative image". The balance discusses types of signs permitted, size, etc. The verbiage regarding colors is meant for the buildings but Design Review has adopted it for signage also. It states "Bright colors may be used as focal points such as doors, architectural detailing, etc. Staff felt signs fell under the "et cetera". Slides were shown of existing signs approved by Design Review and the Planning Commission. Ms. Donovan discussed the signage for Urban Limit. Design Review felt it was not appropriate in the downtown area and asked the business owner to change it. Staff is asking if the Commission would be comfortable with adding the following to the existing wording: "Signs are to be considered a focal point of a structure, therefore, bold colors are permitted but cannot detract from the overall intent of the Design Guidelines. The Design Review Committee has the authority to require colors to be muted or altered in order to create a complementary appearance. Corporate logos and colors are acceptable provided they meet the intent of the Design Guidelines". This is still broad but gives the Design Review Committee the ability to ask the applicant to modify their colors and not just say their colors are unacceptable.

Mr. Hasselbeck said discussion at Design Review was that the signs should be earth tone colors. Elite Photography submitted a very bright yellow sign and the Committee asked that it be toned down a few shades. Ms. Donovan added the Committee has done that for several signs. Elite Photography is not an earth tone but was approved with the color modified. Mr. Hasselbeck discussed the Thyme Treasure sign. They used multiple colors but the Committee felt the font made the sign illegible. Mr. Woeste stated Design Review's job is to determine if the sign detracts from the intent of the guidelines. Mr. Woeste felt the new language is acceptable.

Being no further business, Tom Hasselbeck, seconded by Don Hassler, made a motion to adjourn. Motion carried 5 – 0.