

BOARD OF COUNTY COMMISSIONERS
RON AMSTUTZ • JONATHAN HOFSTETTER • SUE A. SMAIL

WAYNE COUNTY PLANNING COMMISSION MEETING
WAYNE COUNTY ADMINISTRATION BUILDING
3:00 PM WEDNESDAY: March 13th, 2024
A g e n d a

“Please turn off your cell phones during this meeting. Thank you.”

CALL TO ORDER:

ROLL CALL:

OATH: **“Please state your name when speaking to help with today’s minutes**

MINUTES: January 10th

OLD BUSINESS: None

NEW BUSINESS:

SUBDISIVION REPORT: Listed on Attached Agenda
(Splits, Annexations, Large Lots, Re-Plats/Re-numbers, MCADs)

EXTENTIONS: None

VARIANCES: None

COMMON ACCESS DRIVES: None

MAJOR SUBDIVISIONS: None

INTERGOVERNMENTAL REVIEW: **Consideration of an amendment to the Clean Water Plan for Wayne County- Sterling Facilities Planning Area**

OTHER BUSINESS: **Chippewa Township Zoning Change
Wayne County Planning Commission By-Laws**

NEW BUSINESS:

SUBDIVISION REPORT: (Splits, Annexations, Large Lots, Re-Plats/Re-numbers, MCADs)

APPLICATION NUMBER	OWNER	PARCEL	LOCATION	LOT ACREAGE
M-23-40	DENNIS MILLER	39-00478	PAI 10 SE	2.3 & 10.4
M-23-44	PLAIN TWP BOARD OF TRUSTEES	43-00973.00	PLA 20 NE & SE	3.0 & 4.8
M-23-68	BADOJA HERTIAGE LLC/ RYAN STEINER	76-01927.003	SUG 5 & 8	7.7
M-23-104	AVENELL YERIAN		BAU 18 SE	1.9 & 7
M-23-108	IVAN & BARBARA GINGERICH	45-00292.001	SAL 4 SE	1.045
M-23-110	ELAM STUTZMAN	47-01493.004	SUG 31 SE	2
M-23-113	PAUL RICH	30-00707.00	FRA 1 NW	3.7 & 2.5
M-23-114	NORMAN MILLER	30-00884.00	FRA 11 NW	4.1 & 6.6
M-23-115	SCOTT & KRISTINA PATSOLIC	30-00700.004	FRA/WOO 22/21	7.275 & 9.566
M-23-116	ELI MILLER, TRUSTEE	29-00116.014	EAU 32 NW	5.7 & 10
M-24-01	JOHN YODER	45-00280.005	SAL 9 NW	7.72 & 6.006
M-24-07	LARRY AND SUSAN ORR	45-00320.00	SAL 5 SE	15.2

VARIANCES: None

COMMON ACCESS DRIVES: None

MAJOR SUBDIVISIONS: None

INTERGOVERNMENTAL REVIEW: **Consideration of an amendment to the Clean Water Plan for Wayne County- Sterling Facilities Planning Area**

INTERGOVERNMENTAL REVIEW (IGR):

Title: Wayne County Sterling Facilities Planning Areas.

Applicant: Wayne County Environmental Services Department.

What's being requested:

The Wayne County Office of Environmental Services (WCOES) is requesting an amendment to the [Clean Water \(208\) Plan](#) to create a new Sterling Facilities Planning Area (FPA) to allow the

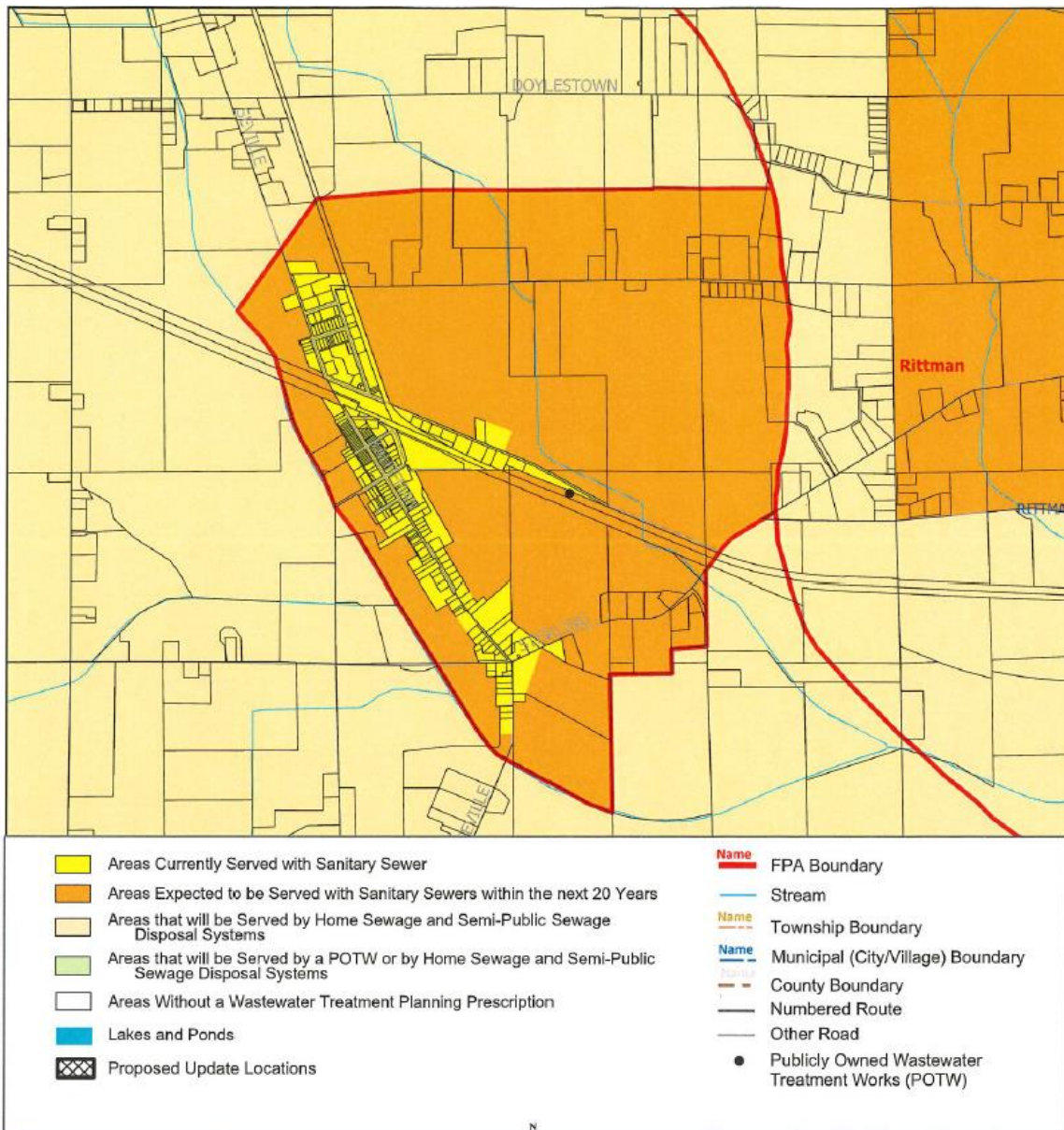
construction of a publicly owned wastewater treatment plant and to provide sanitary sewer service to the Sterling neighborhood in Milton Township in Wayne County (Figure 1).

Background (adapted from information provided by Wayne County Office of Environmental Services):

The Sterling neighborhood in Milton Township has previously been identified by the Wayne County Health Department and Wayne Soil and Water Conservation District as having a high rate of failing home sewage treatment systems (HSTs). Because of this, Sterling was included in NEFCO's collaborative [priority unsewered areas](#) mapping project in state fiscal year 2022. To address the resulting public health nuisance and negative water quality impacts caused by these failing HSTs, WCOES is in the design phase of constructing a publicly owned wastewater treatment plant (WWTP) to provide sewer service to Sterling. The new WWTP, which will be located at the east end of Atlantic Avenue, is being designed to have the capacity to treat all flow and loading from Sterling within the new Sterling FPA. The new WWTP's receiving stream will be Fall Creek, tributary to Chippewa Creek.

WCOES made the decision to design and build the new WWTP only after exhausting all other sewer service options for Sterling – the City of Rittman in Wayne County didn't want the additional flow and loading of wastewater from Sterling, nor did the Village of Creston in Wayne County, nor did the Village of Seville in Medina County. WCOES has been communicating with Ohio EPA and plans to apply for the permit-to-install (PTI) through the agency this spring and get bids from contractors this summer. The Wayne County Board of Commissioners has authorized using American Rescue Plan Act (ARPA) and OPWC funds to pay for the WWTP design and construction costs. Under federal guidelines, the ARPA funds must be appropriated by December 31, 2024, and expended by December 31, 2026.

Figure 2 - Clean Water Plan (208) Update
FPA-Sterling Facilities Planning Area
 Proposed FPA Boundary and Wastewater Treatment Prescriptions



OTHER BUSINESS:

Chippewa Township Zoning Change

Zoning Change Application from R-1 (Suburban Residential District) to M-1(Light Industrial District), this additional 1.0-acre lot, which the applicant annexed to an existing 2-acre parcel #12-02419.000 at 12340 Warwick Road, Marshville, OH 44645. The exiting parcel is Zone M-1 now.

The Commission "...shall recommend the approval or denial of the proposed amendment or the approval of some modification of it and shall submit its recommendation to the township zoning commission. The recommendation shall be considered at the public hearing held by the township zoning commission on the proposed amendment." Ohio Revised Code 519.12 (E).

STAFF RECOMMENDATION

In Staff's opinion, the Planning Commission should recommend item to be APPROVED. The proposed zoning change does align with the Chippewa Township Comprehensive Plan, which suggests that future land uses at 12340 Warwick Road be a Light Industrial.

PC By-Laws

**BY-LAWS OF
THE**

WAYNE COUNTY PLANNING COMMISSION

PREAMBLE

By virtue of the adoption of Resolution No. 80-702 by the Board of County Commissioners of Wayne County, Ohio, the County Planning Commission has been established with the powers given to the county planning commissions under the laws of the State of Ohio, particularly Revised Code 713.22 et. seq. Subject to the provisions of all applicable statutes and in order to carry out the duties and functions vested in the Commission by virtue of the Resolution of Organization and the Statutes of the State of Ohio, it is hereby determined to be necessary and desirable that the following by-laws be adopted.

ARTICLE I - MEMBERS

SECTION 1

The Commission shall consist of eight citizens of Wayne County appointed by the Board of County Commissioners, together with the three members of the Board. The appointive member shall be appointed for terms of three years, except that of the eight members first appointed, three shall be appointed for terms of two years and two shall be appointed for a term of one year. The

members shall serve without pay.

Members of the Commission are encouraged to take such time as is necessary to prepare themselves for meetings and hearings upon receipt of the agenda packet, including seeking clarification of agenda materials and viewing sites. In the event a member is unable to attend a Commission meeting, it is the member's responsibility to contact their alternate to attend in their place. If either the member or their alternate is unable to attend the Commission meeting, it is the member's responsibility to notify either the Director or the President at least three (3) days prior to the meeting date. This notification is required to provide the member and alternate with an "excused absence".

If a member, appointed as indicated above, misses three consecutive meetings of the Planning Commission, or misses more than one-half of the stated meetings in any calendar year, the Planning Commission shall so certify to the Board of County Commissioners of Wayne County. The Board of County Commissioners may then remove said member and appoint a new member to serve in his stead for the remainder of the unexpired term.

Each member may designate an alternate. To designate an alternate for a member of the Board, the Board member will send a letter of appointment to the alternate and deliver a copy of that letter to the clerk of the Board. At the next meeting of the Board, the clerk shall inform the Board of the designation of the alternate, and the designation shall be entered on the journal. To designate an alternate for any other member of the planning commission, the member must send a letter of appointment to the clerk of the Board designating an individual to serve as that member's alternate. At the next meeting of the Board, the clerk shall inform the Board of the designation of the alternate which designation the Board may either approve or disapprove. The Board shall enter its decision on the Board's journal and, if the alternate is approved, designate the name of the alternate on the journal. The clerk of the Board shall notify the Commission of the Board's action, and the commission member shall inform the alternate.

A designated alternate shall serve at the pleasure of the member who makes the designation. Removal of an alternate shall be made by a letter of removal, delivered and journalized by the same method that the alternate was designated.

Once an alternate is designated for a member of the Commission, if that member is absent from a planning Commission meeting, the alternate has the right to vote and participate in all proceedings and actions of the Commission at that meeting as if that alternate was the Commission member.

ARTICLE II - OFFICERS

SECTION 1

The officers of the Commission shall be:

A Chairman, who shall preside at all meetings of the Commission, sign all Commission meeting minutes, and, except as otherwise provided, execute any and all written contracts and obligations of the Commission. He shall appoint all committees and be, ex officio, a member of all committees and shall perform all the duties incident to the office, and such other and further duties and may from time to time be required or requested of him by the Commission. When

feasible, the Chairman will give the Vice Chairman at least 24 hours' notice of his inability to preside at any Commission meeting.

A Vice Chairman, who shall perform all the duties of the Chairman in event of the Chairman's absence or disability and such other, and further duties as may from time to time be required or requested of him by the Commission. In case the Chairman and Vice Chairman are absent or unable to perform their duties, the Commission may appoint a Chairman Pro Tempore who shall have the authority to conduct the meetings of the Commission.

A Secretary, who shall keep or supervise the keeping of minutes of all meetings of the Commission, is authorized to issue and sign a Notice of Official Action, and shall perform such other and further duties as may be required or requested by the Commission. The Secretary shall not be a member of the TRC.

Other offices may be elected or appointed by the Commission as it deems necessary who shall have such authority and shall perform such duties as from time to time shall be assigned by the Commission.

SECTION 2

The Chairman and Vice Chairman who shall be members of the Commission, and the Secretary who may be, but not need be a member of the Commission, shall be elected by the Commission at its first regular meeting in December of each year and shall hold office until the first regular meeting of the succeeding December, and until a successor is elected and qualified. If any of these officers shall not be able to perform their duties by reason of death, resignation, disqualification, or any other cause, the Commission shall elect at the next regular meeting a successor to hold office for the unexpired term in respect to which such vacancy occurred or was created.

Once elected, the Chairman shall preside over that first meeting of the year. The first order of business shall be approval of the previous year's minutes

ARTICLE III - MEETINGS

SECTION 1

A schedule of regular meetings will be posted on bulletin boards in the County Administration Building, on the Commission's webpage, and in the office of the County Planning Department.
_____ Regular meeting shall be held on except for legal holidays and days on which a majority of the Commission may be disabled, unavailable, on vacation, or out of town. If the regular date of the month be a legal holiday, the meeting may be called by the Chairman (or Vice Chairman fulfilling the Chairman's duties), or by any three members of the Commission.

SECTION 2

Each member shall be notified of the place and date of each meeting by the Secretary by written notice mailed to the email address of the member, not less than five days previous to the date set

for the meeting. All meetings of the Commission are to be guided by Robert's Rules of Order.

SECTION 3

All regular and special meetings shall be open meetings available to the public meetings except in the event of an executive session held in accordance with Ohio Revised Code Section 121.22(G). A special meeting is any meeting other than a regular meeting. Notice of the meeting must be given to the public at least 24 hours in advance notification to all media outlets that have requested such notification, informing them of the time, place, and purpose of the meeting. The Commission may only discuss those issues identified as the purpose of the special meeting.

Proper procedure is required to move into executive session. Meetings must always begin and end in open session. A motion on the record to enter into executive session must be made and seconded. The specific reason for executive session must be put in the motion and recorded. A roll call vote must be taken and approved by a majority of a quorum of the Commission. The motion and vote recorded must be included in the meeting minutes. Executive session may only be held for certain personnel matters, purchase or sale of property, pending or imminent court actions, collective bargaining matters, matters required to be confidential, security matters, hospital trade secrets, confidential business information of an applicant for economic development assistance, and Veteran Service Commission applications. The Commission may not vote or make any decisions in executive session.

SECTION 4

All special meetings shall be public meetings except in those cases specifically outlined in relevant sections of the Ohio Revised Code.

SECTION 5

Special meeting notices, including a summary of the purpose of said meeting, shall be posted in the manner provided in Article III, Section I, provided, however, that said notices shall be posted at least 24 hours prior to a special meeting. Any news media requesting notification of special meetings shall be given 24 hours' advance notice and immediate notice of any emergency meetings.

ARTICLE IV - THE ORDER OF BUSINESS

SECTION 1

The order of business of the Commission shall be as follows:

- a. Roll call
- b. Reading and approval of minutes, with or without corrections
- c. Report of standing committees
- d. Reports of special committees
- e. Unfinished business
- f. New business
- g. Announcements and reports of the County Planning Director

SECTION 2

A majority vote of the members present and constituting a quorum at a regular meeting may allow

revisions to the agenda.

ARTICLE V - VOTING

SECTION 1

For the transaction of business at any meeting, a quorum of six members shall be necessary. Resolutions and other official actions shall require the approval of a majority of the members present and constituting a quorum, except otherwise provided by these by-laws.

SECTION 2

Whenever a matter is brought before the Commission in which a member believes that he may possess a conflict of interest, by reason of employment, financial, or professional interest, membership in another body, or otherwise, he may in his discretion disqualify himself from discussion or voting. However, no member can be compelled to refrain from voting in such circumstances. A vote may be taken so long as there is a quorum present, even if not all members present cast a vote. A majority of votes is necessary for a motion to pass.

ARTICLE VI - MINUTES

SECTION 1

The Commission shall keep a set of minutes of all meetings and these minutes shall become public record.

SECTION 2

The Secretary and the Chairman shall both sign all minutes, and by so doing, certifies that the minutes are a true and correct copy.

ARTICLE VII - SUBCOMMITTEES

SECTION 1 - PERMANENT COMMITTEES

- a. A permanent committee of the Planning Commission shall be the Development Planning Review Committee
- b. The Planning Commission shall create at such times as it deems necessary such other permanent committees to assist the Planning Commission in the performance of its duties.

SECTION 2

The Planning Commission shall create at such times as it deems necessary temporary committees to perform specific functions for a specified period of time.

ARTICLE VIII - AMENDMENT

SECTION 1

These by-laws may be amended from time to time only in accordance with the following procedure:

- a. The Chairman may, or on petition of at least four members shall, deliver a copy of the proposed amendment to the Commission Staff at least fifteen days in advance of the next regular meeting of the Commission.
- b. The Commission Staff shall thereafter, but not less than ten days prior to the next regular meeting of the Commission forward to each member of the Commission a copy of such proposed amendment together with a notice that it will be the subject of action at the next regular meeting of the Commission and such amendment shall be deemed adopted upon receiving the affirmative vote of a majority of the members of the Commission.