

COMMISSIONERS PUBLIC HEARING – JULY 30, 2007

Sharon A. Ray called the meeting to order at 10:30 a.m. with Patricia G. Geissman and Stephen D. Hambley present.

The purpose of the public hearing was to discuss the Flood Damage Reductions Regulations. An attendance sheet is attached as Exhibit A.

Ms. Ray asked Dan Willhoite, County Engineers' Office, to give a recap of the proposed changes. Mr. Willhoite said, in 2004, the County Commissioners saw a need to review some of the existing floodplain management regulations more closely so they formed a committee to study its two different areas, Medina County Flood Damage Reduction Regulations and flood prevention.

The Medina County Flood Damage Reduction Regulations first came into existence in the early 1980's when FEMA created floodplain maps (commonly referred to as flood insurance rate maps) on the major streams and rivers in the county. It is all part of the National Flood Insurance Program implemented by the federal government. There is a flood insurance study that goes with the maps and those designate the areas where certain standards and regulations apply if people wish to construct or place fill within those floodplain areas. It is basically a flood insurance program so the federal government also requires that each community that participated in the national flood insurance program have regulations and they are mostly based on the federal model provided by FEMA. Over the years they have had to be updated and, most recently in 2003, they needed to be updated because a couple of FEMA map models around the City of Brunswick had changed based on some new study information.

Since 2004, the Flood Prevention Committee has met on a few different topics regarding floodplain management. One study was how the regulations could be enhanced or improved to do a better job of managing what happens in those floodplains in preserving flood storage areas. The minimum standards based on federal requirements do not necessarily preserve flood storage areas; they basically describe how to build in a flood zone so they can keep their structure safe from flooding. For example, in Medina County the requirement is if you build a structure in a FEMA-designated flood plain, the lowest floor of the structure has to be a minimum of two feet higher than the 100-year flood elevation. That does not prevent filling or constructing within the flood zone itself. The Committee decided that one priority would be to try to see what could be done to preserve flood storage areas, the volume that exists in the natural valley cross section where the flood plain is and not lose that flood storage volume.

Another priority of the Committee was to study some enhancements to the standards that the Ohio Department of Natural Resources (ODNR) had recommended. Their staff prepared a manual with many different types of higher standards that communities might want to consider for enhancing their current floodplain regulations. A sub-group of the Floodplain Committee studied these and chose those that were useful and important for Medina County.

Mr. Willhoite summarized the higher standards that are being considered to be incorporated into the Flood Damage Reduction Regulations:

- 1.) Materials storage – trying to prevent new users who would store hazardous materials within a FEMA-designated floodplain.
- 2.) Critical development – certain types of institutional-type development such as a hospital, jail, and nursing homes be held to a higher standard to be even safer from flooding. This would require the lowest floors of those structures be placed a minimum of two feet higher than the 500-year flood elevation.
- 3.) Access – new developments that create new public roadways they would incorporate a standard that would require the elevation of the new road would be at or above the 100-year flood elevation.

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- 4.) Compensatory storage – where someone is proposing to fill or build in the flood zone they would also be required to analyze how much volume they are removing from the floodplain and come up with a plan to create or replicate the flood storage volume that they are proposing to remove. The desired result would be maintaining and preserving the flood storage volume. There are technical standards built into this as to how they would do the analysis to evaluate the volume that they would be removing and replacing.

Mr. Willhoite said there were also some minor wording changes that ODNR recommended that they make to try to clarify their regulations; they have been incorporated as well. His office prepared a memo of the changes listing the pages and sections in which the changes can be found.

Mr. Hambley thanked the members of the committee for working on the regulations. He knows it has been an arduous task, balancing between the desires of many people to stop building in the floodplain and working within the legal parameters that the County Prosecutor's Office has outlined for the county, as well as working with ODNR. All in all, it certainly is an advancement of the current regulations and it is a good step forward.

Ms. Ray opened the floor to comments and questions.

Jim Kamps, Hinckley Township Zoning Commission Chair and Soil & Water Commission member, commented that he is in favor of the proposed rules. A major concern has been that a great portion of the water in Medina County drains to the north to Lake Erie. There has been a big effort to enhance Lake Erie and to keep its water clean. A large part of Medina County uses it for drinking water. The floodplain areas have been a concern in the Chippewa Lake area that drains to the south. Many houses were bought by the federal government three or four times in insurance payouts and they finally ended up purchasing the properties and eliminating the houses. The regulations are a very valuable tool and it is time for them to be enhanced. It is not going to stop new development in the floodplains, but it will require the builders to take another look and reconfigure some of their building envelopes, lot sizes, etc. The updated regulations will enhance the county's ability to control Medina County.

Rosemary Balsinger, City of Medina homeowner, asked Mr. Willhoite about the property by the Medina First Baptist Church on S.R. 18 that is obviously in the floodplain. She asked what impact the regulations would have on development of that property that is for sale. Mr. Willhoite said he could talk about the effect that the curb regulations would have, as well as the proposed revisions. The curb regulations would require that any structures that are proposed there would need to be built so that the lowest floor's elevations would be two feet higher than the 100-year flood elevation. With the proposed compensatory storage standard, if any structure or fill were being proposed to be placed within the floodplain below the elevation of the 100-year flood, the developer would have to show how they were going to recreate to make up for the volume of the floodplain they were proposing to take out with fill or buildings before it could be approved. There are many detailed steps that need to be taken to demonstrate that before they can even start the project. One of the goals was to perhaps discourage and deter someone from building in the floodplain, but if they choose to do that, they must show how they would mitigate their impact.

Mrs. Balsinger asked how they figure the volume. Mr. Willhoite said it is based on the topography. The county has topographic mapping and when someone proposes a development, they do a more detailed topographic survey of the land. They do a proposed grading plan and for every foot of elevation being filled they can calculate how many cubic feet of volume would be taken out by that fill or structure. First, they would have to analyze what is proposed to be removed and then show where they plan to provide an excavated area to make up for that area providing the same type of volume as before. For every one-foot rise in elevation, they must provide the same amount of storage area they were losing.

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Mrs. Balsinger asked if there were any considerations about the rapidity of fill volume of water for future developments because water on a roof or pavement accumulates more rapidly. For example, an area could be fine for forty years but some type of development goes in their watershed and suddenly they have a flooding problem that was never before experienced. Mr. Willhoite said the county also has stormwater management regulations that require that new development provides some type of control to restrict the increase in runoff that is created. One of the common ways is some type of stormwater retention or detention basin, or an underground retention facility - something that will capture the runoff on that property through some sort of restriction to choke down the release of that water to the pre-developed levels. Those types of standards would still be in effect with the other regulations.

Mrs. Balsinger asked if there was consideration of the impact on the overall water system such as the temperature of the water. Mr. Willhoite said there are other regulations that address that such as the Environmental Protection Agency (EPA) instituting some new requirements in recent years, commonly referred to as “Phase 2 Stormwater Requirements”. Stormwater quality is a factor that is considered, as well as stormwater quantity impact. They are also requiring communities to try to do a better job of overseeing those requirements. The Medina County Stormwater Management Regulations are also in the process of being updated to meet some of the EPA standards. Mr. Hambley added that, by itself, the Flood Damage Reduction Regulations do not address those particular issues, but in combination with others, it makes a step toward addressing the overall water system. The floodplain regulations are a compromise because the best way is not to build within the floodplain. The Homebuilders Association was part of this committee and they recognize the desirability of staying out of the floodplain whenever possible.

Mr. Willhoite said there are some side benefits to preserving floodplain areas. If they can preserve flood storage volume in the floodplain, there are a lot of natural functions in a floodplain that take place. Keeping a wider path of flow, for example, reduces the velocity of the flow and by reducing the velocity of the flow, naturally-occurring sediment in the water will drop out. There are habitat issues and by slowing the water down, it filters into the ground and recharges the groundwater. Mr. Hambley suggested visiting the Medina County Soil & Water District’s web site that does a great job of describing the function.

There were no further questions or comments. There was a motion by Mrs. Geissman and a second by Mr. Hambley to close the public hearing. There was no discussion. Roll call showed all Commissioners voting AYE.

Ms. Ray said there would be another hearing on the same subject next Monday, August 6, 10:30 a.m. in the Commissioner Hearing Room.

The meeting adjourned at 10:53 a.m.

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this thirtieth day of July, 2007.

Respectfully submitted,

Pam Vereb, Clerk

COMMISSIONERS

Sharon A. Ray

OF

Patricia G. Geissman

MEDINA COUNTY

Stephen D. Hambley