

Walnut Township Special Trustees Meeting

April 17, 2017

The meeting was called to order at 7:00 PM. Trustees William Yates, Doug Leith and Terry Horn were present.

The sole purpose of this meeting is to:

1. Address possible zoning amendment for dust control in the Township
2. Response to Army Corps of Engineer's invitation to submit opinions pertaining to the Buckeye Lake Dam project.

Trustee Horn discussed with the Fairfield County Prosecutor regarding whether the township can make changes to the Zoning Resolution to address dust control. The Prosecutor is not certain whether this is a Zoning issue or something else.

The trustees want to have a plan that is consistent with Licking County to increase the enforceability. Also, the issue was raised as to whether the timing is right or if there are more important issues to address.

Trustee Yates requested that the Prosecutor continue to review the issue.

This is on the Regional Planning agenda for May 2nd.

Kreig Babbert, resident of West Bank, stated that they had tried to work with the ODNR and don't think they should be concerned about ODNR's reaction at this point. He also expressed his concern about unintended consequences if the trustees don't move forward with the dust control measures.

Trustee Horn distributed proposed Zoning Resolution Amendments dated 4/12/2017. Amendment 1: Purpose is to protect nearby residents from potentially hazardous and noxious emissions from air contaminant sources that are required to obtain a Permit to Operate from Ohio EPA or USA EPA and are operating within 25 feet of the property line by requiring the owner/operator to install best available technology as described in ORC 3704.03(1).

Amendment 2: Purpose is to protect nearby residents from airborne particulate emissions of fugitive dust from construction activities conducted within 25 feet of the property line when the adjoining property is a residential district. On-farm agricultural operations are exempt. Construction activities within 25 feet of the property line must take reasonably available control measures to minimize or eliminate visible particulate emissions.

The steps would be to first send to RPC, then to the Zoning Commission with a Public Hearing, then to the Trustees with a Public Hearing. The process takes about 3 months.

The Army Corp of Engineers has an Open Comment Period to comment on the proposed Buckeye Lake Dam Project that expires April 29th. The Trustees encourage all residents to send letters addressing their concerns.

Brad Smith, President of the West Bank Homeowner's Association, has composed a sample letter to be emailed to everyone on their email list to encourage residents to send a letter. Ron Craig, Present of the Buckeye Lake Civic Association, has agreed to send the email to everyone on his email list.

The letter from May 28, 2003, from ODNR to Tim Weisert regarding drainage discharging on to the backside of the Buckeye Lake dam. Copies of the information will be included in the email.

Trustee Horn stated that there are several options that could be used to allow the pump houses and storm water to drain over or through the Buckeye Lake Dam.

Kreig Babbert asked if it might be helpful to hold a Public Hearing.

Trustee Yates stated that at the meeting with Tim Schaffer, Schaffer stated he could find \$300K for the engineering study. It was implied at the meeting that the state is tiring of listening to the residents. Jeremiah Upp, Fairfield County Engineer, has experience building dams and would like to assist in the process.

Trustee Horn has prepared a letter that the Trustees will be jointly sending to the Army Corp of Engineers. It addresses the sewer and septic issues and the health and safety issues. It will be updated to request a Public Hearing and address the sanitary sewer issue.

Trustee Yates asked about obtaining an Environmental Impact Statement.

8:00 PM, Trustee Yates made a motion to adjourn. Trustee Horn seconded the motion. The motion passed with 3 yes votes.

Lynn Kraner, Fiscal Officer

William Yates

Terry Horn

Doug Leith, Chairman