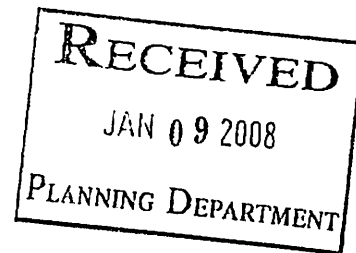


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Mayor, City of North Olmsted, Members of Council, Planning Commission and Landmarks Commission

Subj. Biddulph Trail proposal.

The proposed re-zoning would be a breach of city's implied covenant to people who have purchased property in the historic district and would be done for no other reason than to increase the profit to an owner who wants to sell off his property. It would not be done for any of the reasons the law requires as far as the welfare of the community.

On the City's application for rezoning of an area, Item 4 indicates that the applicant must provide *"a statement of the relation of the proposed change or amendment to the general welfare of the community, to appropriate plans for the area, and to the changed or changing conditions influencing the request to rezone."* With the sewer issue alone, which I will later describe, I can not see how any one could claim the proposed Buddulph Trail would improve the general welfare of the community. The facts are that it makes the general welfare would be much degraded with the re-zoning and the resulting high density housing. I am told by lawyers the increased revenue for the city and or increased profit for the developers is NOT an increase in general welfare under Ohio law.

The developers are entertaining a change in zoning that would be substantially higher density than any of the zoning around it. It is truly "spot zoning" in a designated historic area...Planners from another city in Ohio tell me that such an **"island of density" devalues the properties adjacent to it. And also, if the project is approved, there could be little grounds to stop "the domino effect" in the future.** In fact, the developers hinted at the "domino effect" in their remarks at the Nov. 28 meeting when they mentioned the property immediately East (another 10 acres) would be ripe for re-zoning in the future or something to that effect.

The developers stated that they feel that the project will result in only 100 automobiles per day increase in traffic on Butternut Ridge Rd. in the historic district. I submit that Butternut Ridge can not absorb even that increase in traffic. On most mornings, traffic is stopped eastbound back past the cemetery

and in the late afternoon, it is next to impossible to exit driveways onto the street, especially if entering from the south side and desiring to go west. This is aggravated by continuous right turns on red at both ends of Butternut. Left turns from Butternut to this subdivision will cause backups on Butternut and there is scarcely room for a left turn lane because of the cemetery. In 1997 a development of this land was proposed which used Columbia Road for one entrance. Why is Columbia not proposed for the sole egress to the back property, keeping egress completely out of the historic area?

Planning Commission member, Mr. Bohlmann was concerned about the devaluation of properties adjacent to the proposed Senior Center development on Barton Road. Mr. Bohlmann, speaking as a private citizen, requested that the developer provide an appraisal report on the adjacent properties both before and after the Senior Center was built. He was aware that this development could adversely affect property values in the area. The Commission adopted this recommendation and I am glad they are concerned about property devaluation as a result of new development. For the proposed Biddulph Trail project, it would be easy to get appraised values of existing properties adjacent to the project. To keep any new project from devaluing existing properties, the City should require that properties developed in the Biddulph project have at least the same square footage of living area, lot size and appraised value.

The proposed project is a safety and health hazard. The 36 inch sewer where they propose to empty their sanitary effluent is already overloaded. At least one manhole cover is now bolted down to prevent it from lifting off in heavy rain. At one time, before the bolting, that sewer shot a manhole size stream of raw sewage into the air in the residential area between PPN 236-23-018 and -029. I am told that this manhole cover still leaked two times in the last year. Another 29 residences will exacerbate this condition. The Butternut sanitary was not designed to handle the additional load, so taking the sanitary effluent that way is probably not a viable solution. This overloading of the sanitary is a result of the storm water getting into the sanitary sewers in the west part of town and has existed for over 20 years with virtually nothing being done about it. It is so bad that I am told that at times of heavy rain the sewer plant by passes directly into the Rocky River. Bolting down manhole covers and even replacing the whole sewer with a larger one is just treating the symptoms not fixing the problem. What needs to be done is stop the influx of storm water into the sanitary sewer.

An item on the plans stating "Maintenance of the (storm water) basin and easement will be the responsibility of the Homeowners Association." This would be unacceptable in that I do not believe that a homeowners association can be depended upon to do that in the long run. This is based on my observations of how homeowners associations work in other places. Who will be responsible to see that this homeowner's association does this? North Olmsted Engineering? This same question applies to maintenance of the swale on the east boundary as I will discuss later.

Hopefully, the project will die based on legal or other issues.

But if this is not the case, then here are some of the issues that I feel need to be addressed:

The water table in this area is high. I can show you on my property where I hit water digging a post hole and the water rose to 28 inches below grade. In this regard I have some questions and comments:

1. Has it been verified that the water table is at least 5 feet below the level of the retention basin as described in chapter 927 for stone basins? I have never seen drilling equipment on the property.
2. What is the level of the 36 inch sanitary in relation to the bottom of the retention basin?
3. Is it proposed that the outlet of the basin will pass above or below the sanitary sewer?
4. Why is the basin located north of the sanitary sewer? If it were to be located south, then homes could be where the basin is and vice versa. Unusual overflow from the basin in heavy rain would then go directly into the ditch and not have to pass under the sanitary sewer on the property immediately north of the sanitary. This underpassing is a worry to the former city engineer because the sewer in that area was above the former ground level and is sitting on fill dirt – not very solid when wet.
5. I have spent the last 40 years filling mosquito hatcheries on my property. One especially which was created over 50 years ago when the city allowed a builder to create a borrow pit. How will mosquitoes be prevented from using the basin as a breeding ground?
6. The last and most important point that I wish to make is that the swale shown on along the east boundary of the property is inadequate and there is insufficient room for a mound. The city engineer told me that even grass clippings will change a swale over time to say nothing about the effect of leaves and humans. I see is no assurance that the proposed homeowners association will keep that open and as designed. And, who will be responsible for


inspections. I think the swale should remain on the design as the first defense. Any water crossing the east boundary of the property north of the sanitary sewer will increase the storm flow through the natural gully which drains my property. This is where the gully passes underneath the sanitary where it is on fill dirt. That homeowner, the former city engineer, diligently watches the culvert there to assure it is kept open because if it is blocked, the underpinnings of the sanitary are lost and could collapse with disastrous consequences. There is a possible back up to the swale which I have described on an enclosed cross section sketch and with photographs. A curb could be built along the east boundary about 18 inches high that would be a backup to the swale. This backup would prevent water crossing the east boundary and take that water south of the sanitary and out of the picture and should be incorporated. I would also request a privacy and security fence above the curb and my neighbors to the south will request it be extended past their property as well. See attached illustration with photos of three similar installations in North Olmsted and one in Strongsville.

Before any work is begun on the site it is imperative that **all** runoff water be channeled to the south and into the existing large ditch that feeds through a large culvert that crosses under SR 252.

The property immediately east of the proposed development is a working farm registered with the USDA and contains a FAA licensed Heliport also registered with the state of Ohio.

In conclusion I contend that the proposed plans will devalue adjoining properties, increase sewer and traffic problems and contribute nothing to the general welfare of Ward 4.

Thank you for your consideration in these matters.

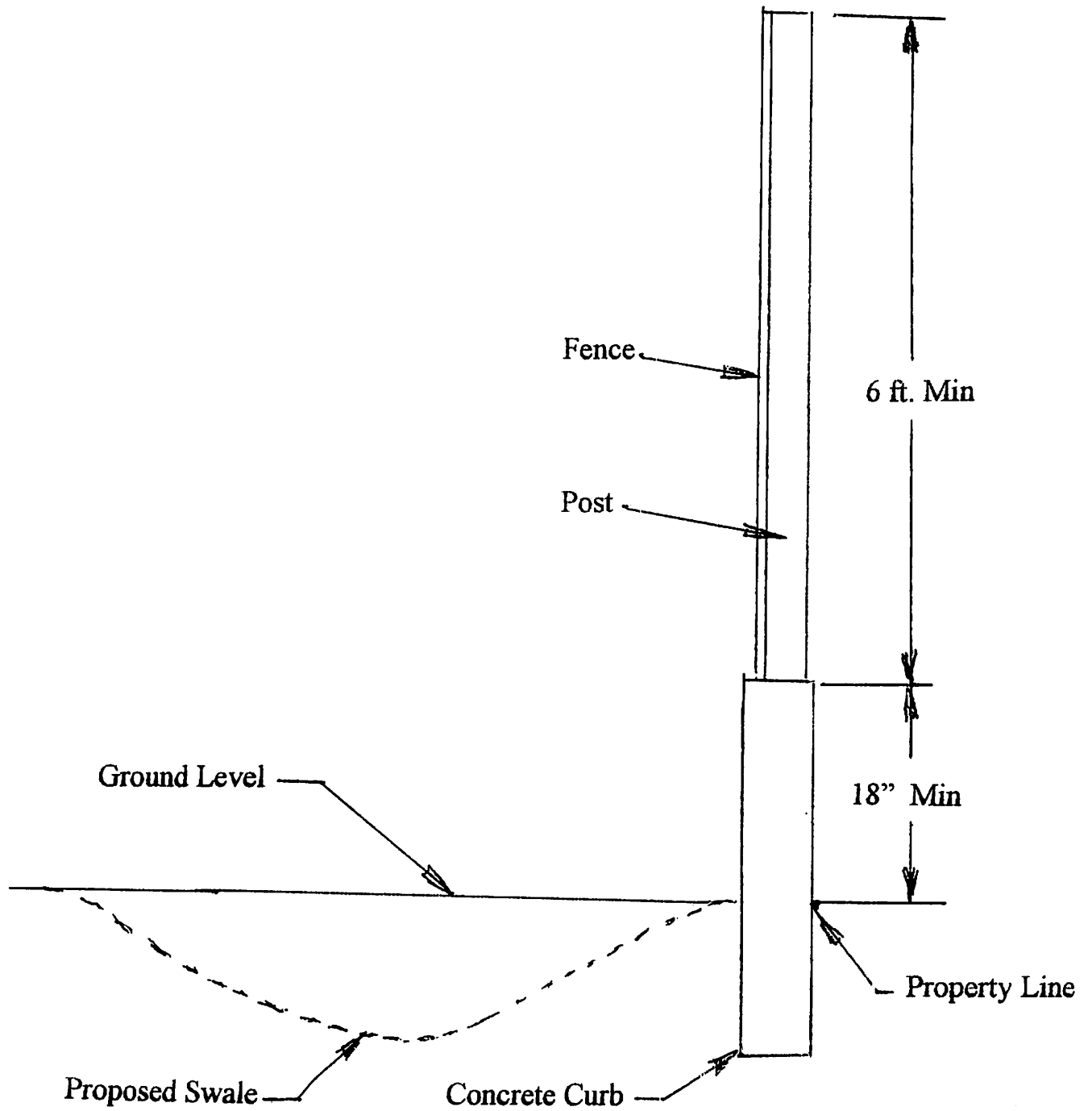


Clifford Crabs, PE # 042412

Attachments:

Curb and fence description

Photos of existing privacy fences in North Olmsted (3) and Strongsville (1)



Cross Section Looking North

Not to Scale

