

WestBend Development, Type III Variance

First Submittal - January 13, 2023

DATE RC'D	COMMENT	INQUIRER	RESPONSE
1/30/2023	Pg. 4 -"This project is committed to providing a preservation type easement along the Scioto River corridor..." The applicant should commit to providing a conservation easement from Franklin Soil and Water Conservation District. There are numerous mentions of the importance of the VAP that Ohio EPA has yet (as of the time of the SW variances application to the City) to finish reviewing. What happens if Ohio EPA requires changes be made to the VAP document? Wouldn't that potentially affect information included in the SW variances application to the City?	Anita Ruiz Scioto Watershed Resident	VAP has been approved by the OEPA on April 4, 2023.
1/30/2023	Pg. 6 - "...the project will be able to significantly improve conditions within the Scioto River's SCPZ..." Please explain exactly how significant the condition improvements will be and how these are/will be measured. Please state exactly what the ratio for the "...SCPZ directly adjacent to these areas on-site..." will be. Generalizing that it will be greater than 1:1 provides no meaningful information especially given the approximate ratio is noted on page 11 as 1.13:1. It would greatly help reviewers if that is specifically noted each time instead of tucking it away further into the document. The only place in the text where trees are mentioned is on page 9. It would be nice to know if any native trees can be planted on the capped areas to help replace some of the trees/vegetation the applicant plans to strip from the developed areas. Can this be done given the nature of the capping? If not, can native shrubs be used instead?	Anita Ruiz Scioto Watershed Resident	The question was addressed with the subsequent submittals. Please refer to the 3rd submittal dated September 22, 2023, Section 3 - Demonstration of Adequate Mitigation.
1/30/2023	Pg. 8 - "Additionally, a lack of development across the project's eastern parcels would eliminate the opportunity to provide unique recreational opportunities at the areas around existing Larrison, which is planned to public use park space as a part of the project." Please explain how a lack of development across the project's eastern parcels would affect the recreational opportunities.	Anita Ruiz Scioto Watershed Resident	The question was addressed with the subsequent submittals. Please refer to the 3rd submittal dated September 22, 2023, Section 2 - Site Development Alternatives, Full Compliance Alternative.
1/30/2023	Pg. 10 - "This additional storage requirement would introduce significant financial hardships on the project, which would threaten to make the project not economically viable." And "With these additional costs, the development may not be economically viable." I have a hard time understanding how the storage requirement would so adversely affect the economics of this project. Plus, the applicant doesn't state that it will make it economically unviable but rather that it may make it economically unviable. Big difference. Please explain.	Anita Ruiz Scioto Watershed Resident	The subsequent submittals removed the Variance Type II items from the application.
1/30/2023	Larrison Lake - Please explain the history of this waterbody. Its configuration and proximity to the Scioto River are odd. What is the width and elevation of the eastern vegetated edge and what soils/geology comprise it? How stable is it? Is the opening on the north end of the lake an ingress? Is the opening on the southeastern end of the lake an egress? If not, what are they? How does your development plan deal with periods of increased river water flow entering the lake?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/30/2023	Who will oversee and maintain the proposed "future park land" (pg. 3)"public use park space" (pg. 8)? What "unique" recreational opportunities are envisioned to be available to park visitors? Where would visitors park? Would visitors have/be allowed to access the river from this park?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/30/2023	Quarry lakes can have safety issues associated with them. Are there any safety issues with this quarry lake? Did the quarry company leave any equipment or other solid waste in the bottom of the quarry?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/30/2023	How does the SCPZ delineation apply to the Larrison Lake water system?	Anita Ruiz Scioto Watershed Resident	Larrison Lake is neither a wetland nor a stream, therefore the SCPZ protection requirements do not apply. Larrison Lake is not included in its entirety within the SCPZ. SCPZ delineation follows the river floodway line within the lake.
1/30/2023	Will contaminated water be discharged via the three temporary construction basins (A, B, C) to Larrison Lake? What assurance is there that the water quality of the Scioto will be protected? Does the applicant plan to have sampling done? If so, when and for what?	Anita Ruiz Scioto Watershed Resident	The final revised application has removed the previously proposed SWPPP basins from the plan. No such basins will be placed within the Rule 513 area due to OEPA prohibition of such infiltration practices.
1/30/2023	How have the projected effects of climate change been incorporated in this proposed project? The projected heavier rain events in the future due to climate change (that we are experiencing now) could well cause the Scioto River to increase its meander, scouring out the eastern vegetated edge of Larrison Lake, opening it up to the river. How would this be addressed?	Anita Ruiz Scioto Watershed Resident	The Division of Sewerage and Drainage has embarked on a path of researching the issue to determine the appropriate response to the climate change issues. This effort is conducted outside of this variance application review process.
1/30/2023	A FEMA map showing the flood zones in this area, including the development site(s), would be helpful.	Anita Ruiz Scioto Watershed Resident	Refer to Appendix J of the final application
1/30/2023	Minimal Impact Alternative, pg. 25 - This alternative has no buildings located on the site to indicate how capping and development can occur with minimal impact. It looks exactly like the No Impact Alternative except for Buildings Q and R on the west side of McKinley Avenue. The current Minimal Impact Alternative should be replaced with, at the very least, a site plan delineating where parking lots and buildings would be sited. Can two-story parking garages be used to reduce the amount of impervious area and subsequent stormwater runoff as part of a minimal impact alternative? Also, Can the applicant modify the Minimal Impact Alternative, where some of the waste nearest the river is removed so that no cap is needed? This way a real restoration to the most ecologically significant areas can be completed.	Anita Ruiz Scioto Watershed Resident	The Minimal Impact Alternative had been revised to remove the proposed development features (building/parking lot) from the Barbee Ditch SCPZ, leaving the rest of the development similar to the Preferred Alternative.
1/30/2023	Appendix D, pg. 26 - According to this Preferred Alternative site plan, the applicant plans to put 18 buildings on this site. Two of the buildings will be on the west side of McKinley Avenue. There is no indication what the use (residential v office) and number of stories each building will have. There is no indication how many parking spaces the applicant plans to create or how many dwelling units in the residential buildings.	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/30/2023	Appendix E, pg. 26, Appendix F, pg. 28 - Neither of these Preferred Alternative site plans depict the location of Basins A, B, and C. The reviewers have to look at the storm sewer improvements plan on page 30 to see where they would be situated. The basins should be included in the drawings on pages 26 and 28 to present a clearer picture of the proposed development.	Anita Ruiz Scioto Watershed Resident	The final revised application has removed the previously proposed SWPPP basins from the plan. No such basins will be placed within the Rule 513 area due to OEPA prohibition of such infiltration practices.
1/30/2023	Appendix F, pg. 28 - Give the prominent depiction of a swimming pool on the cover of the application and a rectangle drawn above Building G on the Preferred Alternative plan, it appears the applicant plans to include a swimming pool on site. Is this correct? If so, it appears about half of the swimming pool will be developed in the 100 year floodplain. Will this require digging into the cap? Is this wise?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.

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1/30/2023	Appendix H, pg. 43 – According to this, the applicant plans to put 23 buildings on this site: sixteen multi-story residential buildings and seven, primarily one-story office buildings. This development concept obviously has been replaced by what appears on page 26. If any of this conceptual plan holds over and applies to what is on page 26, it seems to me the number of buildings can be reduced by eliminating the one-story office buildings and making them all multi-story. This way you can decrease the amount of impervious surface and reconfigure the plan to have less environmental impact while still reaching the desired number of office spaces.	Anita Ruiz Scioto Watershed Resident	Type II Variance items are no longer included in the final application.
1/30/2023	The Geotechnical Report recommends installation and use of a methane extraction system and vapor barrier below floor slabs. Will the applicant do this?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/30/2023	WestBend Development Phase I, pg. 30 – The existing and proposed zoning information appears nowhere in the text before this page. It really should be included in the early text; reviewers should not have to hunt for it.	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/30/2023	Appendix I, pg. 73 – It would be helpful if the applicant would show how the SCPZ was calculated for the stream that runs along the north end of the property. Its drainage area is 6.54 square miles, running mostly through impervious areas (I know, I live in this drainage area).	Anita Ruiz Scioto Watershed Resident	Please refer to the final application dated September 22, 2023, Appendix I for this information.
1/30/2023	Other - I found no water quality sampling data mentioned in this document. What water quality sampling has been done to determine the extent/types of pollution leaving the site? When was it done? How does the applicant plan to deal with the vehicular detritus (oil, gas, radiator fluid, brake fluid, tire particles, etc.) that can result from the use/parking of vehicles on this site?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/30/2023	What quantity of stormwater from the site be discharged to the stream on the north end of the property?	Anita Ruiz Scioto Watershed Resident	The application does not request any deviations from the SWDM water quality requirements.
1/30/2023	The proposed project site is tricky at best given its location and previous uses. It appears the applicant is trying to force 50 pounds into a five pound bag with all the uses, buildings, and parking proposed. And all this is in addition to capping a landfill! While there is only one, count 'em, one, use of the word "pervious" on page 7 ("pervious pavers"), there is no indication where these would be used or how much of the pavement this would constitute so there is no way to know how much stormwater would be able to percolate into the soil rather becoming runoff. How is this smart design if no stormwater retention is provided on this site? Is this wise?	Anita Ruiz Scioto Watershed Resident	Stormwater detention will be provided per the SWDM requirements.
1/30/2023	There is no indication in the application that trees will be planted at the required ratio in parking lots. Does the applicant plan to do this? With Columbus being the nation's leader in Heat Islands, an alternative would be to use multi-story parking garages with green/blue/cool roofs (and maybe even sides...) to provide shade, absorb precipitation and airborne pollutants, reduce impervious surfaces, and replace canopy lost in the "stripping" of all trees from the site (pg. 9).	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/30/2023	Can the applicant plant native trees in the new SCPZ area (0.134 ac) as part of the planned mitigation?	Anita Ruiz Scioto Watershed Resident	Native trees are proposed to be planted within the mitigation area - refer to the final September 22, 2023 application, Appendix K.
1/28/2023	1. Glad to see that this brownfield area will be cleaned up. But have questions about the potential hardships. An increased cost of \$4,754,960 to remove the trash and build this riparian development seems like a small percentage of the overall cost for this 18 building, multiple parking lot mixed residential use area. Also the narrative says this may mean the project is not economically viable and not a hardship.	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	2. According to the graphic below, the stream Corridor Protection Zone should be expanded to include the wetlands. Should it be included to include the entire Larrison Lake and also the unnamed stream along the northern border of the property? 	Laura Fay Scioto Watershed Resident	In accordance with the Surface Water Delineation Report prepared by Central Ohio Wetland Consulting, LLC, no wetlands contiguous with/overlapping the SCPZ exist on the project site. Larrison Lake is not viewed by the OEPA as a wetland. Larrison Lake is neither a wetland nor a stream, therefore the SCPZ protection requirements do not apply. Larrison Lake is not included in its entirety within the SCPZ. SCPZ delineation follows the river floodway line within the lake.
1/28/2023	Larrison Lake does not appear to be an actual lake since it has a northern and southern egress. How does the SCPZ delineation apply to this open flow system? Northern egress from Larrison Lake 	Laura Fay Scioto Watershed Resident	Larrison Lake is neither a wetland nor a stream, therefore the SCPZ protection requirements do not apply. Larrison Lake is not included in its entirety within the SCPZ. SCPZ delineation follows the river floodway line within the lake.
1/28/2023	Southern egress from Larrison Lake 	Laura Fay Scioto Watershed Resident	Larrison Lake is neither a wetland nor a stream, therefore the SCPZ protection requirements do not apply. Larrison Lake is not included in its entirety within the SCPZ. SCPZ delineation follows the river floodway line within the lake.
1/28/2023	4. Is this industrial area zoned for mixed use residential?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.

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1/28/2023	5. Concern about the cap needed for the riparian area. Does this mean that trees cannot be planted on capped riparian areas? Can a modified plan be developed as the Minimal Degradation Alternative, where some of the waste nearest the river is removed so that no cap is needed and a real restoration to the most ecologically significant areas can be complete??	Laura Fay Scioto Watershed Resident	4 ft. clay cap is proposed to allow planting of trees within the Rule 513 areas in SCPZ. From the applicant: Removal of landfill waste within the SCPZ would be very difficult and expensive as opposed to installation of a clay cap. The former quarry operations excavated stone quite deep throughout the site prior to dumping of landfill waste. According to borings taken trash extends from 22 to 30 plus feet deep, the general limit of the borings, in areas within and near the SCPZ. Removal of this trash would likely cause greater impact within SCPZ due to the methods needed to excavate 30 plus feet down. The depths involved would put the excavation lower than the normal level of the Scioto River which may require some temporary levee system as well. From the boring information and the areas within the SCPZ the volume of trash that would need removed would be a minimum of 55,000 cubic yards. The cost of excavating the trash is approximately \$30 per cubic yard without accounting for the depth or Scioto River proximity. The clean fill required to replace the trash is approximately \$16 per yard. Additionally, this volume of trash would be too great to transfer to another location within the site meaning it would need to be sent to another landfill. Tipping fees for the trash come to \$55 per ton. The density of the trash is unknown, but if we assume it comes to 1 ton per cubic yard the cost to completely remove the trash in the SCPZ would be approximately \$5,500,000.00. This cost would be prohibitive to development or landfill mitigation to this site.
1/28/2023	6. The Proposed minimal degradation alternative should actually be called the non degradation alternative and another minimal deg alternative submitted. See above.	Laura Fay Scioto Watershed Resident	The final revised application replaced the original Minimal Impact Alternative. The Minimal Impact Alternative had been revised to remove the proposed development features (building/parking lot) from the Barbee Ditch SCPZ, leaving the rest of the development similar to the Preferred Alternative.
1/28/2023	7. Will contaminated water be discharged via the 3 temporary construction basins (A, B, C) to Lake Larrison? What assurance is there that the water quality of the Scioto will be protected? Can sampling be conducted? What is currently in the runoff from this site?	Laura Fay Scioto Watershed Resident	The final revised September 22, 2023 application has removed the previously proposed SWPPP basins from the plan. No such basins will be placed within the Rule 513 area due to OEPA prohibition of such infiltration practices.
1/28/2023	8. Will a methane extraction system and vapor barrier below floor slabs be installed as recommended in the Geotechnical Report?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	9. Please show how the SCPZ was calculated for the stream along the north property boundary. Per stream stats it has a 6.54 square mile drainage area which looks highly impervious. 	Laura Fay Scioto Watershed Resident	Please refer to the final September 22, 2023 application for this information, Appendix I.
1/28/2023	10. How much stormwater from the site will be discharged to this northern stream?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	11. It is not clear from Appendix F why the areas need to be removed from the SCPZ especially since a portion of the areas are outside the Rule 13 area, that needs to be capped. Please explain.	Laura Fay Scioto Watershed Resident	The question was addressed with the subsequent submittals. Please refer to the September 22, 2023 final revised application, Appendix F.
1/28/2023	12. Can the new 0.134 acre SCPZ area be treed with native canopy trees as part of the mitigation?	Laura Fay Scioto Watershed Resident	Please refer to September 22, 2023 final revised application, Appendix K.
1/28/2023	13. Can 2 floor parking garages be designed to reduce the amount of impervious area (URBAN HEAT ISLAND) as part of a minimal degradation alternative and to reduce the stormwater water quantity runoff that is not being provided?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	14. Can green roofs, blue roofs or cool roofs be installed to lessen the water quality impact to this part of the Scioto from this site?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	15. Please provide information about this statement: "Additionally, a lack of development across the project's eastern parcels would eliminate the opportunity to provide unique recreational opportunities at the areas around existing Larrison Lake, which is planned to public use park space as a part of the project." What unique recreation opportunities will be provided and will the public be allowed to access the river from here?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	16. It appears that the swimming pool is being developed in the 100 year floodplain. Will digging into the cap here be necessary? Is this wise?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	17. It appears that the applicant is trying to force too many functions in this difficult project area. Eighteen buildings plus how many parking spots? Is it wise to allow so much impervious surface if no stormwater quantify retention is provided?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	18. Will trees be planted in the parking lots at the required amount? One tree for every 10 parking spaces? If not, a garage would be a better solution for mitigating urban heat island impacts. Maybe trees could be planted on the garage roof to provide shade?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
1/28/2023	19. Are there any safety issues with this quarry lake like there is at Antrim Lake? Did the quarry company leave any equipment in the bottom of the quarry?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.

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Second Submittal – May 25, 2023

DATE RC'D	COMMENT	INQUIRER	RESPONSE
6/8/2023	1. On the Tree Mitigation Plan page-The counts for the shade and ornamental trees per species do not sum correctly. The chart says 50 trees and 100" but the rows only add to 40 trees and 80". I would like to request that the full 50 trees and 100" is provided by this project. With more shade trees making up the difference.	Laura Fay Scioto Watershed Resident	Addressed - please see September 22, 2023 final revised application Appendix K.
6/8/2023	2. Now that the Stream Corridor Protection Zone for the northern boundary stream has been delineated, I am concerned about Building O and the parking lot proposed to impact areas outside the Rule 513 areas. It is difficult to determine if these impacts are necessary for remediation. Please verify.	Laura Fay Scioto Watershed Resident	Please refer to Appendix I of the September 22, 2023 final revised application.
6/8/2023	3. Can you please tell me what type of stormwater BMP's will be put in place for this site? With the clay cap and the extensive development it seems impossible that there will be underground retention.	Laura Fay Scioto Watershed Resident	Per the applicant: Underground storage chamber supplemented with pervious pavers will be used as the post construction stormwater practice for the site. These are allowed by the OEPA solid waste regulations as they drain out and do not hold water indefinitely. These chamber fields will be required to have a 2' thick clay liner as is the case with all utilities within the Rule 513 limits. They will also be required to be lined with a Geomembrane to keep water from infiltrating into the clay liner. This is the same system that was approved and installed at Quarry Trails within the clay cap (CC-18703). Please see attached for plan sheets from the Storm and Grading Plan (CC-19922) for the site that is currently under review.

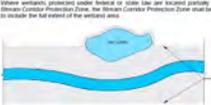
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Third Submittal – July 20, 2023

DATE RC'D	COMMENT	INQUIRER	RESPONSE
7/21/2023	Please accept the following comments and questions about the 2nd Revision to WestBend Development for their Type 3 Stormwater Variance 1. This project still lacks clarity due to the remediation strategy (2 ft cap) and the 100 year floodplain filling. Please explain why the 4 ft cap is proposed? Does the city allow floodplain fill for development reasons in the SCPZ? Is part of the SCPZ impact for 100 yr Floodplain fill to accommodate development? If so, this seems short sighted in light of the potential in the future for larger rain events.	Laura Fay Scioto Watershed Resident	4 ft. cap is proposed to facilitate planting of trees within the Rule 513 areas. Floodplain fill within the SCPZ to accommodate the proposed development requires a Type III variance and is a subject of this application.
7/21/2023	2. What amount of land is being donated by the City of Columbus for this development from parcels 010-153709, 010-146289 and the unnumbered parcel east of McKinley Rd?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer and the City Department of Development if further information is needed.
7/21/2023	3. Please explain the 8.71 acre conservation easement shown on page 34 and who will hold this?	Laura Fay Scioto Watershed Resident	The proposed conservation easement is to protect the remaining SCPZ and the proposed mitigation areas, and it will be granted to the City of Columbus.
7/21/2023	4. What unique future recreational opportunities will this project provide? How far in the future is this public park amenity going to occur? It still implies that there will be public access for the community and surrounding area, but no information is provided? Is this business confidential information?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
7/21/2023	5. According to the graphic below, the stream Corridor Protection Zone should be expanded to include all of Larrison and the northern tributary. No revisions to the maps for the tributary have been made. Why not? It makes it difficult to evaluate the project without all the detail. 	Laura Fay Scioto Watershed Resident	In accordance with the Surface Water Delineation Report prepared by Central Ohio Wetland Consulting, LLC, no wetlands contiguous with/overlapping the SCPZ exist on the project site. Larrison Lake is not viewed by the OEPA as a wetland. Larrison Lake is neither a wetland nor a stream, therefore the SCPZ protection requirements do not apply. Larrison Lake is not included in its entirety within the SCPZ. SCPZ delineation follows the river floodway line within the lake.
7/21/2023	6. The narrative discusses the benefit of preventing leachate from discharging to the Scioto River in the future. Will a leachate collection system be added? Also is there likelihood that a gas explosion plan will be needed as mentioned by the Ohio EPA 513 Authorization?	Laura Fay Scioto Watershed Resident	Cap installation and its details/requirements are based on the Ohio EPA Rule 513 VAP permit. Questions related to the Ohio EPA Rule 513 program should be directed to the Ohio EPA.
7/21/2023	7. Please provide clarification about the cap needed for the riparian area. Does this mean that trees cannot be planted on capped riparian areas? The Ohio EPA 513 approval letter says that 2 ft of cap is required but the Applicant is proposing a 4 foot cap. Is this to raise the area about the 100 yr floodplain?	Laura Fay Scioto Watershed Resident	4 ft. clay cap is required to facilitate tree planting within the Rule 513 areas.
7/21/2023	8. Is it acceptable to provide one alternative for both the minimal degradation alternative and the non degradation alternative?	Laura Fay Scioto Watershed Resident	The September 22, 2023 final revised application has three distinctly different alternatives as required by the SWDM for a Type III variance application.
7/21/2023	9. Will contaminated water be discharged via the 3 temporary construction basins (A, B, C) to Lake Larrison? What assurance is there that the water quality of the Scioto will be protected? Can sampling be conducted? What is currently in the runoff from this site?	Laura Fay Scioto Watershed Resident	The September 22, 2023 final revised application has removed the previously proposed SWPPP basins from the plan. No such basins will be placed within the Rule 513 area due to OEPA prohibition of such infiltration practices.
7/21/2023	10. Will a methane extraction system and vapor barrier below floor slabs be installed as recommended in the Geotechnical Report?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
7/21/2023	11. How much stormwater from the site will be discharged to this northern stream? Will detention be required?	Laura Fay Scioto Watershed Resident	The application does not request an exemption from the stormwater detention requirements, so the SWDM detention requirements will be applicable to this development.
7/21/2023	12. Can the new 0.134 acre SCPZ area be treed with native canopy trees as part of the mitigation?	Laura Fay Scioto Watershed Resident	Please refer to September 22, 2023 final revised application, Appendix K.
7/21/2023	13. Can 2 floor parking garages be designed to reduce the amount of impervious area (URBAN HEAT ISLAND) as part of a minimal degradation alternative and to reduce the stormwater water quantity runoff that is not being provided?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
7/21/2023	14. Can green roofs, blue roofs or cool roofs be installed to lessen the water quality impact to this part of the Scioto from this site?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
7/21/2023	15. It appears that the swimming pool is being developed in the 100 year floodplain. Will digging into the cap here be necessary? Is this wise?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
7/21/2023	16. It appears that the applicant is trying to force too many functions in this difficult project area. Eighteen buildings plus how many parking spots? Is it wise to allow so much impervious surface if no stormwater quantify retention is provided?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
7/21/2023	17. Will trees be planted in the parking lots at the required amount? One tree for every 10 parking spaces? If not, a garage would be a better solution for mitigating urban heat island impacts. Maybe trees could be planted on the garage roof to provide shade?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
7/21/2023	18. Please explain sheet 6 of 7, 100 Year Cut and Fill. Why does it say that the fill above the base flood elevation is not included in the compensatory calculation? This means that 10 to 13 feet of fill will be added and potentially causing flooding elsewhere downstream?	Laura Fay Scioto Watershed Resident	Per SWDM, only fill within the floodplain located between the ordinary high water mark and the 100-year flood elevation (Base Flood Elevation – BFE) requires compensatory storage. The SWDM does not regulate floods larger than 100-year.
7/21/2023	19. The only floodplain cut area is in Larrison Lake (1,097 cubic yards) which is part of the Stream Corridor Protection Zone (SCPZ). Is this an allowable activity?	Laura Fay Scioto Watershed Resident	The DOSD has reviewed the applicability of the SCPZ requirements to Larrison Lake, and has determined that the Lake does not qualify, per the current SWDM requirements, to be included to the Olentangy River SCPZ. Larrison Lake is neither a wetland nor a stream, therefore the SCPZ protection requirements do not apply. Larrison Lake is not included in its entirety within the SCPZ. SCPZ delineation follows the river floodway line within the lake.
7/21/2023	20. Please explain what "Reasonably Safe from Flooding" means? Will residents be aware of this designation? Will Floodplain insurance be provided to residents or will they be notified that they should purchase it?	Laura Fay Scioto Watershed Resident	Per FEMA: When an individual applies for a Letter of Map Revision Based on Fill (LOMR-F), the community will be required to determine that the filled area is reasonably safe from flooding before the LOMR-F will be issued. As indicated in the LOMR-F requirement "reasonably safe from flooding" means: base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area (SFHA) and that any subsurface waters related to the base flood will not damage existing or proposed buildings. (https://www.fema.gov/glossary/reasonably-safe-flooding)
7/21/2023	21. Regarding Seed Mix 2 for the Mitigation areas, please do not use Centaurea cyanus (Cornflower) a European native, unless it is part of a plan for the Phytoremediation of Lead (Wikipedia).	Laura Fay Scioto Watershed Resident	Please refer to September 22, 2023 final revised application, Appendix K for the revised seeding/planting plan.
7/21/2023	22. The plan shows the construction diagram for a bioswales but there is no other mention of this in the plan. Please explain the stormwater management plan and were discharges will occur.	Laura Fay Scioto Watershed Resident	The application included plans for the approved Mass Grade and Fill Plan, which includes diversion swales as part of the SWPPP. We found no bioswales indicated within the application documents.

WestBend Development, Type III Variance

Third Submittal – July 20, 2023

8/3/2023	<p>Pg. 4 – "...all areas within the project site's Rule 513 boundary are to be capped to obtain a minimum clay cover of four (4) feet, including those found within the Scioto River's SCPZ." Please explain why a minimum clay cover of four (4) feet is proposed.</p> 	Anita Ruiz Scioto Watershed Resident	4 ft. clay cap is required to facilitate tree planting within the Rule 513 areas.
8/3/2023	"This variance will allow necessary capping and grading to improve these former landfill areas in addition to adjacent areas either with deeper trash or without contaminated materials for future development." This sentence is confusing. Will additional trash be used as fill for future development? Please explain exactly what the sentence means.	Anita Ruiz Scioto Watershed Resident	No trash will be used as fill material on this development.
8/3/2023	"Capping of the solid waste in the SCPZ will improve the riparian area along the river and reduce the potential of pollution from the landfill entering the river..." How much of a reduction in the potential pollution from the landfill entering the Scioto River be accomplished with the proposed capping? Will a leachate collection system be installed?	Anita Ruiz Scioto Watershed Resident	Cap installation and its details/requirements are based on the Ohio EPA Rule 513 VAP. Questions related to the Rule 513 program should be directed to the Ohio EPA.
8/3/2023	"This project is committed to providing a preservation type easement..." The applicant should commit to providing a conservation easement from the Franklin Soil and Water Conservation District.	Anita Ruiz Scioto Watershed Resident	Based on the SWDM requirements, the proposed conservation easement will be granted to the City of Columbus.
8/3/2023	Pg. 5 – "Approval of this variance will allow the project site to be fully developed and mitigated, with all required stormwater control practices for post-construction water quality and detention put in place per the COC SWDM." An explanation of the stormwater management plan, including discharge locations, should be included in the application.	Anita Ruiz Scioto Watershed Resident	The proposed variance is not requesting any exemptions from the required water quantity and quality controls. Strict adherence to the SWDM stormwater quantity and quality control requirements will be enforced during the upcoming plan preparation process.
8/3/2023	Pg. 6 – "...the project will be able to significantly improve conditions within the Scioto River's SCPZ..." Please explain exactly how significant the condition improvements will be, what they will be, and how these are/will be measured.	Anita Ruiz Scioto Watershed Resident	Per the applicant: A significant portion of the SCPZ along the Scioto River, approximately 1.10 acres, is currently in use as a junkyard/auto-parts retailer. These areas consist of gravel and recycled asphalt roads along with bare landfill where scrapped vehicles are stored. Currently no provisions beyond the current vegetation and streambank of the river are in place to prevent erosion in the SCPZ or runoff of potentially hazardous chemicals from the landfill or scrapped vehicles. The capping of the landfill with clean clay and change in land use will prevent harmful runoff from trash or junkyard activities while providing a less erodible ground condition within the SCPZ. These areas will then be planted per the mitigation plan extending the vegetated zone along the river from approximately 40' to 80' feet. This area falls along an outer bend where the additional riparian width of the SCPZ can be beneficial against erosion during flooding events.
8/3/2023	Please state exactly what the ratio for the "...SCPZ directly adjacent to these areas on-site..." will be. Generalizing that it will be greater than 1:1 provides no meaningful information especially given the approximate ratio is noted on page 11 as 1.13:1. It would greatly help reviewers if that is specifically noted each time instead of tucking it away further into the document.	Anita Ruiz Scioto Watershed Resident	The revised application provides on-site replacement SCPZ acreage at the ratio of 1.14 to 1 (Page 9).
8/3/2023	The only place in the text where trees are mentioned is on page 9. It would be nice to know if any native trees can be planted on the capped areas to help replace some of the trees/vegetation the applicant plans to strip from the developed areas. Can this be done given the nature of the capping? If not, can native shrubs be used instead?	Anita Ruiz Scioto Watershed Resident	Please refer to September 22, 2023 final revised application, Appendix K for the existing tree survey and the proposed tree mitigation plan.
8/3/2023	<p>Pg. 7 – "...a lack of development across the project's eastern parcels would eliminate the opportunity to provide unique recreational opportunities at the areas around existing Larrison Lake, which is planned to public use park space as a part of the project." Please explain how a lack of development across the project's eastern parcels would affect the recreational opportunities.</p> 	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	Larrison Lake – What is the width and elevation of the eastern vegetated edge and what soils/geology comprise it? How stable is it? How does the development plan deal with periods of increased river water flow entering the lake?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	Who will maintain Larrison Lake and what exactly does "public use park space" mean here?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	What "unique" recreational opportunities are envisioned to be available to park visitors? Where would visitors park? Would visitors have/be allowed to access the river from this park? Will the lake area be accessible to the public 24/7?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	Quarry lakes can have safety issues associated with them. Are there any safety issues with this quarry lake? Did the quarry company leave any equipment or other solid waste in the bottom of the quarry?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	How does the SCPZ delineation apply to the Larrison Lake water system?	Anita Ruiz Scioto Watershed Resident	The DOSD has reviewed the applicability of the SCPZ requirements to Larrison Lake, and has determined that the Lake does not qualify, per the current SWDM requirements, to be included to the Olentangy River SCPZ. Larrison Lake is neither a wetland nor a stream, therefore the SCPZ protection requirements do not apply. Larrison Lake is not included in its entirety within the SCPZ. SCPZ delineation follows the river floodway line within the lake.
8/3/2023	The three temporary construction basins included in the original SW Type II and III Variance application have vanished from this revised application. Please explain why they are no longer in the application. Will contaminated water be discharged via the three temporary construction basins (A, B, C) to Larrison Lake? What assurance is there that the water quality of the Scioto will be protected? Does the applicant plan to have sampling done? If so, when and for what?	Anita Ruiz Scioto Watershed Resident	The final revised application has removed the previously proposed SWPPP basins from the plan. No such basins will be placed within the Rule 513 area due to OEPA prohibition of such infiltration practices.
8/3/2023	How have the projected effects of climate change been incorporated in this proposed project? The projected heavier rain events in the future due to climate change (that we are experiencing now) could well cause the Scioto River to increase its meander, scouring out the eastern vegetated edge of Larrison Lake, opening it up to the river. How would this be addressed?	Anita Ruiz Scioto Watershed Resident	The Division of Sewerage and Drainage has embarked on a path of researching the issue to determine the appropriate response to the climate change issues. This effort is conducted outside of this variance review process.
8/3/2023	Ohio EPA OAC Rule 513, Item 9 - Pg. 23 – "Any person engaging in Chapter 513 activities shall perform activities in a manner that prevents...explosive gas..." There is no mention of a gas explosion plan in the application (in response to Item 9). Will one be needed?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.

WestBend Development, Type III Variance

Third Submittal – July 20, 2023

8/3/2023	No Impact and Minimal Impact Alternatives, Pg. 26 – In the original (1/23) application, these maps are separate. In the revised application, they are combined. Is combining these two maps acceptable/appropriate?	Anita Ruiz Scioto Watershed Resident	The final revised application has three distinctly different alternatives as required by the SWDM for a Type III variance application.
8/3/2023	Preferred Alternative pg. 27 – Can two-story parking garages be used to reduce the amount of impervious area and subsequent stormwater runoff?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	Can the applicant modify this Alternative, where some of the waste nearest the river is removed so that no cap is needed? This way, a real restoration to the most ecologically significant areas can be accomplished.	Anita Ruiz Scioto Watershed Resident	From the applicant: Removal of landfill waste within the SCPZ would be very difficult and expensive as opposed to installation of a clay cap. The former quarry operations excavated stone quite deep throughout the site prior to dumping of landfill waste. According to borings taken trash extends from 22 to 30 plus feet deep, the general limit of the borings, in areas within and near the SCPZ. Removal of this trash would likely cause greater impact within SCPZ due to the methods needed to excavate 30 plus feet down. The depths involved would put the excavation lower than the normal level of the Scioto River which may require some temporary levee system as well. From the boring information and the areas within the SCPZ the volume of trash that would need removed would be a minimum of 55,000 cubic yards. The cost of excavating the trash is approximately \$30 per cubic yard without accounting for the depth or Scioto River proximity. The clean fill required to replace the trash is approximately \$16 per yard. Additionally, this volume of trash would be too great to transfer to another location within the site meaning it would need to be sent to another landfill. Tipping fees for the trash come to \$55 per ton. The density of the trash is unknown, but if we assume it comes to 1 ton per cubic yard the cost to completely remove the trash in the SCPZ would be approximately \$5,500,000.00. This cost would be prohibitive to development or landfill mitigation to this site.
8/3/2023	WestBend Development Phase I, pg. 31 – The zoning information appears nowhere in the text before this page. It really should be included in the early text; reviewers should not have to hunt for it.	Anita Ruiz Scioto Watershed Resident	Such zoning information, while potentially helpful, is not required to be submitted as part of the SWDM variance application.
8/3/2023	Mass Grade and Fill, Sheet 6, Cross Section B-B, Pg. 36 – “Fill above base flood elevation (not included in compensatory calculation)” Please explain this statement and the potential ramifications downstream, including flooding.	Anita Ruiz Scioto Watershed Resident	Per SWDM, only fill within the floodplain located between the ordinary high water mark and the 100-year flood elevation (Base Flood Elevation – BFE) requires compensatory storage. The SWDM does not regulate
8/3/2023	Geotechnical Report Pg. 40 – Will the applicant implement all the recommendations as written in this report? If not, why not? Please explain if there will be modifications made.	Anita Ruiz Scioto Watershed Resident	The City will enforce all applicable regulations, including SWDM requirements, during the plan preparation phase.
8/3/2023	Stream Corridor Protection Zone, Pg. 73 – “Northeastern Portion – Larrison Lake Area From the southern edge of Larrison Lake to the north, the SCPZ has been determined to be the same as the Federal Emergency Management Agency designated 100-year floodway. See Mass Excavation plans sheet 5 (Appendix G) for exact locations.” Why are Larrison Lake and the northern tributary excluded from the SCPZ? Why have no revisions to the maps for the tributary been made? Accurate maps need to be included in the application so a fully informed evaluation can be made of this project's merits.	Anita Ruiz Scioto Watershed Resident	The DOSD has reviewed the applicability of the SCPZ requirements to Larrison Lake, and has determined that the Lake does not qualify, per the current SWDM requirements, to be included to the Olentangy River SCPZ. Larrison Lake is neither a wetland nor a stream, therefore the SCPZ protection requirements do not apply. Larrison Lake is not included in its entirety within the SCPZ. SCPZ delineation follows the river floodway line within the lake.
8/3/2023	Other - I found no water quality sampling data mentioned in this document. What water quality sampling has been done to determine the extent/types of pollution leaving the site? When was it done? How does the applicant plan to deal with the vehicular detritus (oil, gas, radiator fluid, brake fluid, tire particles, etc.) that can result from the use/parking of vehicles on this site? How can you determine the modifications you've made to this site result in improved water quality if you don't know the "as-is" state?	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	I saw no mention of the applicant committing to have water quality sampling conducted during and after construction. This information is important as a measurement of how successful the applicant is with keeping harmful runoff/leachate onsite. This application should not move forward until a commitment is secured from the applicant.	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	What quantity of stormwater from the site be discharged to the stream on the north end of the property?	Anita Ruiz Scioto Watershed Resident	Details of stormwater management will be worked out as part of the plan preparation process.
8/3/2023	I see nothing in the revised application that speaks to addressing issues associated with increased frequencies and quantities of precipitation from storm events. With the very real changes to our weather patterns and events attributed to climate change, to ignore the potential seriousness of the impacts strikes me as poor planning.	Anita Ruiz Scioto Watershed Resident	The Division of Sewerage and Drainage has embarked on a path of researching the issue to determine the appropriate response to the climate change issues. This effort is conducted outside of this variance review process.
8/3/2023	There is no indication in the application that trees will be planted at the required ratio in parking lots. Does the applicant plan to do this? With Columbus being the nation's leader in Heat Islands, an alternative would be to use multi-story parking garages with green/blue/cool roofs (and maybe even sides...) to provide shade, absorb precipitation and airborne pollutants, reduce impervious surfaces, and replace canopy lost in the "stripping" of all trees from the site (pg. 9).	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
8/3/2023	Is the applicant willing to plant native trees in the new SCPZ area (0.134 ac) as part of the planned mitigation?	Anita Ruiz Scioto Watershed Resident	Please refer to the September 22, 2023 final revised application, Appendix K of the application for the tree mitigation plan.
8/3/2023	The applicant should commit to notifying residents/businesses prior to purchasing/renting that the area is within the floodplain and that floodplain insurance will be necessary.	Anita Ruiz Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.

WestBend Development, Type III Variance

Fourth submittal – September 22, 2023

DATE RC'D	COMMENT	INQUIRER	RESPONSE																																
10/2/2023	I did not see any environmental improvements in this submittal that allays any of my concerns from the first and 2nd reviews. The applicant responds but the answers are not responsive. I feel that I wasted another 2 days of my life by reviewing this application. For future submittals can you ask for a redlined version (aka Track Comments) so that reviewers can see what is new? I am trying to be fair but I feel that there are hidden agendas with this project. Please reject this variance request.	Laura Fay Scioto Watershed Resident	The City will take these comments into consideration when making changes to the variance application review process. The City is working on revising the Variance Guidance Document.																																
10/2/2023	From my environmental regulatory background, I understand that remediating Superfund and other landfill sites is complex, so I am concerned that when I have reviewed this project for the 3rd time, that there are still so many unclear issues and that I still have many of the same questions from the 1st and 2nd reviews. I am more unsure than before that this is a wise development for water quality since the Scioto River is the drinking water source for over 2 million people or for the people that might live here. Were responses to my first two comment letters provided to the city? If so, could you please share them with me?	Laura Fay Scioto Watershed Resident	Please refer to the City's responses to your previous questions related to the Original and Revision 1 applications within this document.																																
10/2/2023	1.Landfill Cap versus Floodplain filling is still an unclear issue The issue of 2 foot of fill versus 4 ft of fill seems to have been modified by the February 21st, 2023 application from Thrive to Ohio EPA and the 4 foot cap requirement must be in their revised application. Possibly this is to achieve the minimum 2 foot cap above their utilities as shown in one of their drawings. Of concern is the amount of fill that is proposed to be placed above the Base Flood Elevation (BFE) that will not be compensated. As a resident of the Scioto, I feel that this is an unacceptable fill in the Stream Corridor Protection Zone (SCPZ) because it is for extensive development, which would not be authorized in other cases. <small>(E) Upon completion of the chapter 213 activities, restore the facility cap to the condition specified in the provisions of Chapter 3734. of the Revised Code and the rules adopted thereunder as they were applicable at the time the owner or operator of the facility originally submitted certification of closure. If certification was never submitted, the facility cap shall be restored to the condition specified in the provisions of Chapter 3734. of the Revised Code and the rules adopted thereunder as effective at the time the facility was required to close, unless otherwise specified in the application or required by the Director.</small>	Laura Fay Scioto Watershed Resident	Per SWDM requirements, only fill within the floodplain located between the ordinary high water mark and the 100-year flood elevation (Base Flood Elevation – BFE) requires compensatory storage. The SWDM does not regulate floods larger than 100-year.																																
10/2/2023	2.Please have the applicant clarify the amount of development details in the following table to clarify the project (both Phases 1 and 2 combined)	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 10%;">No Impact</th> <th style="width: 10%;">Minimal Neg. Impact</th> <th style="width: 10%;">Preferred</th> </tr> </thead> <tbody> <tr> <td>Size of development (residential and commercial)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Number of Parking Spaces</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amount of Fill (below and above the BFE)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amount of Fill for Capping Only</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Size of Larrison Lake to be excavated for floodplain capacity</td> <td></td> <td></td> <td></td> </tr> <tr> <td>SCPZ Impact (sq ft)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Compensation Easement (sq ft)</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		No Impact	Minimal Neg. Impact	Preferred	Size of development (residential and commercial)				Number of Parking Spaces				Amount of Fill (below and above the BFE)				Amount of Fill for Capping Only				Size of Larrison Lake to be excavated for floodplain capacity				SCPZ Impact (sq ft)				Compensation Easement (sq ft)					
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10/2/2023	3.Is the City gifting portions of parcels 010-153709 and 010-146289 to the developer? If so, how much, what is the value of the land for development? This amount should be added to revenue gained for the financial analysis.	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
10/2/2023	4.Are there zoning issues with building a residential development on a zoned industrial Landfill/scrap yard adjacent to industrial properties (Colvin Gravel Co (010-146231) and Paine McKinley Prop (010-104705))?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
10/2/2023	5.Is the proposed fill sufficient justification because the applicant is proposing some "unique recreational activities"? What are these activities?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
10/2/2023	6.My understanding of this landfill site is that it is a properly closed landfill, meaning that it has been capped. The need for the 513 is because the applicant wants to excavate utility trenches and add "deep foundation elements" to support all the new structures. Always glad to get rid of car junkyards but wouldn't this site be better as a future park?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
10/2/2023	7.Still concerned about the vagueness of the OEPA requirement to submit an explosive gas management plan and the language about living in a Special Flood Hazard Area with an understanding that the structures will be "Reasonably Safe from Flooding". Will it be clear to renters that there is a potential flooding issue? Will these residences be for low income residents? Renters do not typically have insurance so this is a reasonable concern.	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
10/2/2023	8.If the goal is to maximize the developable space, why not reduce parking, create 2 story garages, or request a reduced number of parking space variance. My concern is about the predictions for urban heat island impacts and stormwater runoff.	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
10/2/2023	9.Clarity how the SCPZ variance area can be 1.778 acres for the minimal deg design and 1.777 acres for the preferred design. Based on this fact, I recommend approval of the minimal degradation design, if it truly has reduced impacts.	Laura Fay Scioto Watershed Resident	Possible typo or a rounding difference. Going out to the thousands place in acres is atypical. Given the number of other variables and consideration for significant figures (both would round to 1.78 acres) and therefore not something the City is going to comment on.																																
10/2/2023	10.Page 8- Please explain paragraph 4. How is the applicant able to create 0.276 acres of new area to be protected from future development? Will fill be placed in the river?	Laura Fay Scioto Watershed Resident	The area immediately outside, and contiguous with the existing SCPZ will be mitigated and protected by a conservation easement, to provide the required SCPZ mitigation.																																
10/2/2023	11. Page 9- Fixed Cost- The development is required to provide 10,000 sq feet of business incubator space as part of the amenities as well as a public park area with access to the river as part of the Development Agreement with the City. If this is the case, will the incubator space be provide free of charge to the public? Where will the park be and why isn't it shown on the map? Is this just a river access for the proposed Scioto Blueway Trail?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
10/2/2023	12. Page 9 Fixed Cost Analysis-This analysis implies no buildings would be authorized and the applicant would lose \$4,950,000 in lost revenue by not building. But what would be the lost revenue from the minimal degradation alternative or a none deg alternative that does not allow buildings or floodplain fill in the SCPZ or the 100 year floodplain?	Laura Fay Scioto Watershed Resident	The Full Compliance Alternative would require no construction/no Rule 513 cap between the river and McKinley Ave. Only two out of the proposed under the preferred alternative 25 buildings could be built, making this alternative unfeasible. The provided cost summary analyzes the financial difference between the Minimal Impact and the Preferred Alternatives.																																
10/2/2023	13.How will the addition of "deep foundation elements" affect the trash in the closed landfill especially for methane generation? And why is so much fill needed?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.																																
10/2/2023	14.I am concerned by the lack of detail about how stormwater will be managed on a capped landfill and if trees will be allowed on this cap? Will trees be planted to replace those cut and will one tree for every parking spot be required?	Laura Fay Scioto Watershed Resident	Stormwater management details will be provided during the plan preparation phase, to show full compliance with the SWDM water quality and quantity requirements.																																

WestBend Development, Type III Variance

Fourth submittal – September 22, 2023

10/2/2023	15. Preferred Alternative SCPZ Encroachment- Is the artificial movement of an SCPZ to 15 feet outside of the building footprint going to be precedent setting? Will all developers ask for this as part of their variance requests?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
10/2/2023	16. Has the City of Columbus Floodplain Administrator already approved the proposed filling?	Laura Fay Scioto Watershed Resident	Floodplain impact review will be conducted during the plan preparation phase of the project.
10/2/2023	17. Should a pool be excavated into a landfill footprint? Is an Infinity Pool justified for the Stream Corridor Protection Zone impacts?	Laura Fay Scioto Watershed Resident	The proposed pool is indicated to be outside of the SCPZ.
10/2/2023	18. Still concerned about storm sewer runoff from a highly impervious surfaced development area (26 structures and innumerable parking spots and roads, capped with clay soils and how the runoff will impact the Scioto River. Where will the storm sewer discharges be?	Laura Fay Scioto Watershed Resident	Stormwater management details will be provided during the plan preparation phase, to show full compliance with the SWDM water quality and quantity requirements.
10/2/2023	19. WestBend Development 100 Year Cut and Fill, Mass Grade and Fill Sheet 7/8 Contract Drawing CC-19850. Is the symbology correct for Floodplain Cut (Typical) for both the Cross Sections and the plan view? How much fill is going to be added above the BFE and not be compensated for?	Laura Fay Scioto Watershed Resident	The question is outside of the SWDM Variance Type III purview. Suggest contacting the developer if further information is needed.
10/2/2023	20. Sheet 2 of 8 – Is this 8.71 acre easement proposed? Why is it on project sheet 2? Who will hold this easement? 	Laura Fay Scioto Watershed Resident	The easement will be granted to the City of Columbus.
10/8/2023	Please accept my comments/concerns/questions regarding the third revision to the Stormwater Type III Variance application for the proposed WestBend development. This is ridiculous. The applicant makes no effort to indicate what part(s) of the application were revised due to comments received or what the changes are. This puts an undue burden on ALL reviewers (Columbus government and citizens alike) to once again plow through the application while comparing it to the previous version of the application and the previous comments. It's a waste of ALL the reviewers' time to have to do this; I do not want my tax dollars going toward application reviews where the bulk of the City employee's time is spent re-reviewing the same material that he/she previously reviewed (that didn't change!). It feels as though the applicant is trying to wear down the reviewers, hoping they will finally throw up their hands and say, "okay, okay, okay; you win!". This must change and the applicant is the logical one responsible for tracking and reporting revisions to the application(s) since it is the one making the revisions. This needs to be a requirement of ALL revised applications.	Anita Ruiz Scioto Watershed Resident	Thank you for your valuable suggestions. The City strives to continually improve the stormwater variance review process, and will consider your suggestions. The Department is working on revising the Variance Guidance Document.
10/8/2023	In addition, I am unaware of any response(s) the applicant made to the previous (two sets of) comments/concerns/questions I submitted. Did you receive any? If so, why weren't they shared with me (and the other commenters)? If you do receive from the applicant responses to comments, please be sure to share them with all commenters. We're flying blind here and that's not right.	Anita Ruiz Scioto Watershed Resident	Please review the City's responses to your questions directed at the previous versions of the application within this document. As with the previous question, we appreciate you sharing your concerns with us, and will consider making changes to the variance application review process.
10/8/2023	This application's vagueness/ambiguity in key areas gives me heartburn. Given the information that has been provided, there is no way I am assured this project and a stormwater type III variance will not harm the Scioto River water quality. With the Scioto River currently the drinking water source for more than two million people, with more people arriving every day, the proposed development is not a wise use of this site.	Anita Ruiz Scioto Watershed Resident	Many details will be further clarified/developed during the plan review process.
10/8/2023	Please consider my comments/questions/concerns to be the same as what other commenters/reviewers have prepared and submitted for this third revision application and that my earlier two sets of comments/questions/concerns still stand.	Anita Ruiz Scioto Watershed Resident	Please review the City's responses to your questions directed at the previous versions of the application within this document.
10/8/2023	I request this application be denied until the applicant has satisfactorily responded to ALL comments/questions/concerns submitted by reviewers/commenters for EACH of the application versions and the commenters/reviewers have no further comments, concerns or recommendations.	Anita Ruiz Scioto Watershed Resident	The City is following the variance review process as generally outlined in the SWDM. Your suggestions and requests related to the current review process are appreciated and will be reviewed by the City. The City will take these comments into consideration when making changes to the SWDM variance application review process.