

Rezoning would affect wells, say property owners

Site in Huber Heights in question

By Anne Wainscott
SPECIAL WRITER

A request by a Huber Heights family to rezone 107 acres of farmland to light industrial is opposed by neighbors who fear their wells would be affected.

The site, in southern Miami County on the west side of Wildcat Road and 1,700 feet north of Kellenburger Road, was annexed to Huber Heights last year.

"Miami County turned down that rezoning request eight years ago," said Harold Jones, a resident of 2388 U.S. 40 since 1976.

"All that's happened is a bigwig who owns a lot of property, a lot of industry and employment in Huber Heights wants something done and they're just doing it."

The land is owned by Huber Heights residents Dave Studebaker, his brother, Terry, and his sister, Marsha Kohler.

"Our desire to have industrial zoning . . . is to promote the growth of industry in the city of Huber Heights and those positive attributes that are jobs and increased revenue," Dave Studebaker told the Huber Heights Planning Commission in June.

"Obviously," he added, "there is some commercial interest on our part to grow this property and hope to make a profit on it."

Studebaker said they intend the land for industrial use but have no specific industries or buyers in mind.

Assuming the zoning is approved, Studebaker said, "It's conceivable that it could be sold to a single buyer or to a number of buyers."

Residents concerned

The zoning the property owners want is light industry, which would permit office buildings, business and service facilities, warehouses and laboratories. It also would include the manufacture or treatment of business machinery, electronic products, dies and pharmaceuticals.

The property is now zoned for agriculture.

The planning commission approved the rezoning in June and the city council will give a third reading to the proposal in September.

Residents are concerned, though, that the land, which is higher in elevation than most of their properties, will not drain properly and industrial run-off will foul their wells.

Bethel Twp. in Miami County denied the rezoning in 1981 because officials believed there were inadequate water and sewer facilities to handle the development.

The water and sewer concerns also contributed to the Miami County commission's initial rejection of efforts to annex the property to Huber Heights. The move was eventually upheld by the courts.

According to Miami County Commissioner Don Hart, "Annexation was denied on our end because we didn't think it was better for the property involved. At that time, Ohio Suburban (Water Co.) in Huber Heights could not extend sewer and water to the area."

Huber Heights City Engineer John Geiger said the city agreed to the annexation, though, because of the expansion of Ohio Suburban Water Co.'s services, specifically the proposed development of a new well field on Rip Rap Road. That wellfield is critical for the site's development, he said.

"Development of that well is required before this (industrial park) can come in," he said.

Residents with property that adjoins the proposed industrial site presented a petition with 24 signatures opposing the rezoning at the June 27 planning commission meeting.

"I felt that they (officials) gave us the courtesy of speaking but (that) they had already made up their minds before the meeting began," said Miami County resident Sheri May. "We can't even vote on these people's positions but they're making decisions on our lives."

Drainage a problem

Mike Duckett, of 2356 U.S. 40, spoke at the city council's first public reading of the proposal on Aug. 7.

According to Duckett, the homes on U.S. 40 are on a lower incline than the Studebaker property.

"If we were on the same level or

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higher, we really wouldn't have much to say about it (proposed rezoning)," said Duckett, who contends that surface drainage from the site flows west over his property and U.S. 40 into the Great Miami River in Taylorsville Reserve.

Studebaker told the Huber Heights City Council on Aug. 7 that city engineer John Geiger "made it clear that there are city, county and state regulations — a sufficient body of law to deal with it — that eliminate the question of water contamination."

Geiger said based on his survey of the Studebaker property, only 40 percent of the drainage goes westward.

He thinks the Huber Heights zoning code, revised in February, now has provisions to address the residents' concerns.

Some of the provisions require developers to meet standards set by the state and federal Environmental Protection agencies.

He also said developers will have to meet the guidelines of the Montgomery County Stormwater Management Plan, which states that the amount of run-off cannot exceed the one-year average of the run-off from the land before development occurred.

"That means water can't run off any faster after you build than before you build," said Geiger, noting that detention and retention ponds would be used to control the flow.

Studebaker told the planning commission in June that "about half of the land drains to the west and would be dealt with by a detention pond and that sort of thing."

Not enough planning?

Dayton and Montgomery County Parks Director Marvin Olinsky had no comment about the possible damage the proposed industrial site could have on the Taylorsville Reserve.

Bob Reemelin, assistant secretary for the Miami Conservancy District, which leases the Taylorsville Reserve to the parks district, said the district stays out of local zoning negotiations except when they are directly affected by it.

The neighboring property owners are not convinced there has been enough planning by the city to ad-

dress the dangers of well contamination, especially if development gradual over a period of years.

"If the land up there is divided," Duckett said, "each business has to abide by the current regulations. . . but once the runoff off their property . . . there's no idea on what will happen . . . point."

Huber Heights City Manager Thompson said that meeting guidelines of the EPA, the water Management Plan, and standards does not occur until project is proposed.

"The time you meet those requirements is not when the land is rezoned (but when) some use is proposed."

Harold Jones is helping dig a retention pond in Duckett's yard that contain fish sensitive to chemicals.

"If we get an excess of some of chemical in the water and these fish, then we'll have a warning," he said.

"We have such a minimal amount of topsoil on the land around that you don't get very far at all you're in clay or solid rock," said. "It (water) doesn't have opportunity to really seep in ground."

Limestone near surface

Geiger agreed drainage is difficult because the limestone is near the surface.

"If there was a pollutant, it would carry it on a horizontal path rather than deep in ground."

Steve Boeder, conservator of the U.S. Soil Conservation Service, doubts the feasibility of storm retention ponds and dry basins deal with the runoff problem 60 percent of the soil contains rock or limestone.

Boeder, who based his findings on the Montgomery County Soil Report, thinks potential developers should be aware of the limits of soil, including the run-off pattern determined to be toward the east and west — and the cost associated with blasting to put in retention ponds.

"Any use of the property has to address the bedrock," said.