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Committee Assignments

Judiciary – Criminal Justice, *Chairman*
State and Local Government
and Veterans' Affairs, *Vice Chairman*
Agriculture
Environment and Natural Resources
Joint Committee on Agency Rule Review

November 15, 2007

Mr. Alan Wilson
Parkman Township Trustee
PO Box 688
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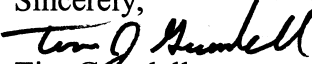
Dear Alan,

I was recently contacted by several Parkman Township residents who raised concerns regarding two proposed amendments to the Parkman Township Zoning Ordinance. The proposed amendments that our mutual constituents brought to my attention concern riparian setbacks and water management.

As the author of Ohio's newly revised eminent domain law, an attorney with some considerable experience in constitutional and zoning law, and as a legislator who has seen a number of similar proposals in Geauga County brought forward only to be defeated or overturned, I am concerned that pursuing these amendments would likely be an expensive exercise and contrary to the constitutionally protected private property rights enjoyed by Parkman residents.

Under Ohio law, the authority to control storm water runoff (storm water management) is exclusively vested with Geauga County, not the Township. Oversight of water quality in streams rests with the Ohio EPA and Geauga County Soil and Water Conservation. Moreover, any zoning change that prevents a current property owner from using their land along streams and waterways would unconstitutionally infringe upon the fundamental rights of those property owners. While I hesitate to interject my views in most township issues, my overriding respect for private property rights protected by both the U.S. and Ohio Constitutions, necessitates my writing this letter to reflect my strong objection to the proposed riparian setbacks and water management zoning amendments.

I would be happy to speak with you and members of the zoning board commission about my concerns.

Sincerely,

Tim Grendell
State Senator, 18th District