



November 29, 2018
For Immediate Release

**Union Township Citizens Committee and Cincinnati Nature Center
Oppose Miller Place Development in Union Township, Clermont County**

Milford, Ohio... Cincinnati Nature Center (CNC) has joined with the citizens committee, Committee for the Protection of Avey's Way (the Committee), to oppose the Miller Place Revised Development Plan, Resolution 2018-52, which was approved by Union Township trustees on October 25, 2018. The property in question is located at Rumpke Road, north of Deervalley Drive and Surrey Trail. The resolution allows the developer to increase the number of residential units from the original plan of 575 units permitted in a 2000 federal consent decree to 1,445 units, and include multifamily apartment buildings. These increases pose the potential risk of significant detrimental impact on the Nature Center's Rowe Woods, the neighborhood and the surrounding region due to:

- 1) Increased surface run-off during construction and ongoing afterwards harming Avey's Run and Barg Salt Run streams due to erosion, increased sediment and pollutants from automobiles
- 2) Increased traffic on Old Route 74 beyond its capacity
- 3) Unplanned financial demands on the township due to increased services for police, fire, streets and schools

Cincinnati Nature Center and the Committee for the Protection of Avey's Way emphatically state they accept the stipulations of the Consent Decree and are not opposed to the development of the property on Rumpke Road. CNC is not motivated by a desire to own the property as has been stated by the Union Township trustees. Their sole intent is to insure the development of the land is done in an environmentally responsible way. However, the Consent Decree provides that the protected greenspace could be owned by either the township or the Nature Center. CNC believes it will be a better steward of the land.

Ohio law provides citizens the right to a Ballot Referendum for zoning issues. If a sufficient number of registered voters in a township sign a petition, the issue must be put before the voters at the next election. On Wednesday, November 21, 2018, the Committee for the Protection of Avey's Way filed with Union Township, 299 petitions with 3,879 signatures calling for the Resolution to be put to a vote by the citizens of Union Township. Additionally, on Tuesday, November 27, 2018, the Nature Center, The Committee for the Protection of Avey's Way, and two individual plaintiffs filed a complaint in Clermont County Common Pleas court claiming the trustees' action is illegal because:

- 1) it violates the express terms of the Consent Decree entered into between the parties,
- 2) it illegally rezones the property in violation of Union Township's approved plan and the mandatory requirements of Ohio Revised Code Section 519.12,
- 3) it violates the Citizens of Union Township's First Amendment Right to Petition their government via Referendum,
- 4) it violates the Citizens due process rights, and
- 5) it unconstitutionally lends the government's credit to a private developer and proposes to use eminent domain for the sole benefit of a private developer in violation of the Ohio Constitution.

In summary, the Union Township Trustees have not followed the law for rezoning in Clermont County. The plan should have been submitted to the Clermont County Planning Commission, the Township Zoning Commission and the Township Trustees, where there would have been ample opportunity to obtain traffic studies, storm water & sewage planning and public input prior to making such a drastic zone change.

CNC Executive Director Bill Hopple states, "The Nature Center wants to ensure Miller Place is developed in an environmentally responsible way that protects the water quality of Avey's Run and the natural habitats of Rowe Woods and preserves the character of Rumpke Road subdivisions."

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