From: Eric Pottenger
Sent: Tuesday, September 24, 2019 10:03 AM
To: Dan Ferguson
Cc: Adrienne Rice
Subject: Drainage Diversion
Attachments: Photographs.pdf

Dan,

During winter of 2018/2019 the Hanover Township Trustees notified our office that the owner of 4004 Stahlhaber Road regraded a portion of their property and diverted runoff into roadside ditch. The owner created an earthen mound and ditch redirecting runoff, that used to flow across his driveway and front yard, and directed that water into the roadside ditch of stahlhaber Road. A majority of the work/diversion occurs outside of the road right-of-way. As you can see from the attached images, the diversion of water eroded his driveway and undermined a portion of Stahlhaber Road. To prevent additional damage to pavement and icing of roadway, the township placed stone where runoff had washed-out soil and jeopardized the road.

Throughout the spring and summer of 2019, erosion continued to occur along Stahlhaber Road due to this diversion. With colder weather approaching the township is concerned the diversion will create a similar situation as last winter. Hanover Township would rather address this problem before winter months arrive. To date, the property owner has been uncooperative in removing the diversion or in resolving this matter, with both Hanover Township or County Engineer's Office.

Since this portion of Stahlhaber Road is maintained by Hanover Township, who is required to approach the property owner; Hanover Township or County Engineer's Office?

Is there a statute or section of Ohio Revised Code which allows a Township or County to remedy diversions of runoff outside of the right-of-way?
If so, how can Township or County recover its costs?

Sincerely,
Eric

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