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STATEMENT FROM CONCORD TOWNSHIP TRUSTEES REGARDING RIVERSIDE LOCAL SCHOOLS COURT ACTION

Concord Township fully supports the mission of Riverside Local Schools and the district’s long-term goal to become a premier educational system. We wish to see nothing but success and improvement in the school system, and we wish to move forward together as community partners to best address the needs of the public that we both serve.

But we are disappointed the Riverside Local Board of Education decided to file a lawsuit against the Concord Township Trustees and the Board of Zoning Appeals regarding the school district’s proposed site for a new elementary school. This court filing will result in lengthy project delays and thousands of unnecessary dollars in legal fees for both Concord Township and Riverside Local Schools.

On September 13, 2017, the Concord Township Board of Zoning Appeals (BZA) ruled that the site chosen by Riverside at 12428 Concord-Hambden Road did not fully meet the general criteria required to grant the necessary conditional use permit to proceed with the construction of a school. For example, ODOT had not approved of the project’s traffic study, formal applications for required Ohio Environmental Protection Agency permits had not been filed, and a number of residents’ concerns about location, traffic and landscaping had not been fully addressed.

While we realize Riverside goes into exhaustive detail in its lawsuit of how the school district believes it has fulfilled the zoning requirements for a conditional use permit, that level of detail was not there on September 13th. The BZA had to make its decision based on the information presented to it, and ultimately, the information presented did not meet the general conditional use criteria stated in the zoning resolution.

The BZA is an autonomous entity empowered by Ohio Revised Code with complete review authority over all Concord Township conditional use applications. The BZA’s function is to act upon requests for variances, grant conditional use permits, and to hear and decide on administrative appeals. BZA decisions are not the purview of the Trustees. The BZA works independently of the Board of Trustees and outside its influence.

That said, it is the Township’s goal to find a constructive solution rather than litigating this matter. While the Township is required to defend the Trustees and the Board of Zoning Appeals if this case proceeds, we ask the Riverside board to reconsider its actions, drop its lawsuit and resubmit its application to the BZA with the necessary modifications to fully satisfy the conditional use zoning requirements.

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