

Land Purchase: Key Facts

April 16, 2018



Many questions, concerns, and statements of inaccuracy have arisen regarding the decision by the Cumberland Valley School District Board of School Directors to pursue obtaining a 108-acre tract of land in Silver Spring Township that is for sale by the Lee family. To help clarify, here are some important facts that have often been misinterpreted.

Why did the district pursue this particular tract of land?

As we have said previously, we understand that our decision to pursue this particular tract of land may be unsettling to some. With 200 to 300 homes already being planned or under construction, as well as the immediate potential for additional large developments within the district, it is anticipated that the district will continue to see unprecedented growth in enrollment. Much of that growth is attributed to Silver Spring Township. It requires 4 to 5 years of planning and construction in order to open a new school building. The Board of School Directors made the decision to acquire the 108 acre farm from the Lee family in anticipation of building a new school facilities to address overcrowding in existing facilities and in anticipation of future development. At this juncture, the District anticipates building, at a minimum, a new 1,400-student middle school to replace Eagle View Middle School, which has been operating over capacity for several years. In light of these needs, Cumberland Valley selected this particular tract for a number of reasons, including but not limited to the following:

- The property has potential access to a signalized intersection at the Carlisle Pike, which will significantly reduce, if not altogether eliminate, the need for costly offsite road expansion and improvements which Cumberland Valley has experienced in other projects, and which Cumberland Valley would encounter with other sites.
- The property allows for easier development of infrastructure, to include public water and sewer and access to electric and natural gas.
- The property provides for direct stormwater discharge.
- The property has ideal topography.
- The property is centrally located within the areas where Cumberland Valley has been experiencing growth, and anticipates future growth.

Why does the district need 108 acres of land?

Simply put, when considering land purchases, we do not plan exclusively for the now. With 200 to 300 homes per year for the next three to five years being planned or under construction, as well as the immediate potential for additional large developments within the district, it is anticipated that the district will continue to see unprecedented growth in enrollment. The purchase of 108 acres of land will allow us to address current needs and will allow for future development as needed. The purchase also allows for ample greenspace and play space in and around our buildings.

- The Pennsylvania Department of Education (PDE) recommends approximately 35-40 acres for construction of an educational facility with an enrollment of 1,400 students, but this is only for reimbursement calculation purposes, and the calculation does not take into account additional acreage required for ancillary facilities and additional educational programming.
- Beyond the PDE recommendation as stated above, additional acreage may be necessary for impervious surfaces, as determined township ordinance related to the number of staff in our buildings and the number of visitors who may simultaneously utilize large venues such as gymnasiums, auditoriums, and the cafeteria. Further acreage is necessary for storm water management basins and an internal roadway network. Even further acreage may be needed to meet lot coverage requirements.
- While the tract Cumberland Valley is acquiring contains 108 acres, not all 108 acres are necessarily considered "usable" land, in terms of being able to accommodate the construction of a school building and related facilities. Because of the irregular shape of the tract, some of the acreage necessarily will be devoted to access road and internal driveways, and much of the acreage will necessarily be used as dedicated open space to meet township zoning and land development requirements for impervious coverage, stormwater facilities, and building setbacks. At this juncture, it is impossible to determine exactly how much additional open space will be required to accommodate the construction of a new school and related facilities. These issues are addressed through the land development process with Silver Spring Township and various state agencies.

How can the district take preserved farmland?

Technically speaking, this is not preserved farmland. Unlike farmland which has been preserved through farm preservation programs coordinated through local governmental agencies, such as Cumberland County and Silver Spring Township, the farmland in question is privately owned, and a conservation easement is being held by the Natural Lands Trust, which is a private entity. Upon legal review, it was determined that the conservation easement that was authored by the Natural Lands Trust included a provision which provided that the conservation easement would terminate automatically in the event the property was taken by a public entity (including a school district) via power of Eminent Domain. Inclusion of that specific clause into the Deed of Easement clearly suggests that the Natural Lands Trust realized the possibility that a portion or all of the land could be taken by a public entity via power of Eminent Domain when the Natural Lands Trust conveyed the property to the Lee family in 1986, reserving the conservation easement.

Who owns the preservation deed?

The land was placed into a private trust through the Natural Lands Trust and no tax dollars were spent by Cumberland County residents to restrict development of the property. This property is not in a farmland preservation program that is operated by Silver Spring Township or Cumberland County.

The property, owned by the Lee family, has been for sale multiple times over the years and was recently put back on the market when the district expressed an interest in a sizeable portion of the property. The 108-acres that the district has obtained does not include the farmhouse located on the Lee property and remains in control of the Lee family and the Natural Lands Trust.

In January 2018, the Board of School Directors approved a resolution for the taking of the Lee property. Subsequently, on March 5, 2018, the board formally filed the Declaration of Taking of the Lee property in the Cumberland County Courthouse.

What are the plans for the land?

While we have not committed to specific plans for the development of the property, current conceptual plans contemplate the construction of a new middle school, based on the same design for Mountain View Middle School, along with related facilities, with room for potential additional development. These conceptual plans are subject to change. In the interim, the district will be contracting with a local farmer to farm the land, as we have done on previous occasions with other undeveloped parcels, which results in the property being maintained at little-to-no cost to the district.

Many of the district's current properties were designed to give the public access outside of school day/year to greenspaces which include walking trails, playfields, tracks, pavilions, etc. As standard operating procedure, the district considers all of the above when developing any parcel of land.

Will final land acquisition cost more than the price negotiated with the owners of the property?

Potentially, yes. Cumberland Valley has engaged the services of two MAI-certified independent appraisers to determine fair market value of the property owned by the Lee family and to determine the fair market value, if any, of the conservation easement held by the Natural Lands Trust. If it is determined that the Natural Lands Trust is entitled to be compensated for the fair market value of its conservation easement, the Natural Lands Trust will have the discretion to determine how those proceeds are to be employed or utilized.

The district recognizes that development of the property will require additional dollars to meet the state, local, and district needs, much like was the case with development of the property along Bali Hai Road.

Is there a proposed tax increase to offset the purchase of the land? Why is the land included in the budget?

No. Any final tax increase for the 2018-19 school year is part of a multi-year plan necessary to open Winding Creek Elementary School and Mountain View Middle School. The increase is related to staffing of those buildings and not to the actual construction of the buildings.

Reflecting the purchase price in the budget indicates that the district contemplated purchase of the land but intends to use reserve funds to pay for the actual purchase. As the land will be paid from reserves, payment is not dependent upon board approval of the budget but rather board approval of an expenditure of reserve funds.

Why doesn't the district build up instead of out?

Educational best practices define building layout and design that is best suited for the educational needs of students. Existing buildings currently are not designed for additional floors and would require a greater expense than new construction. While doable, a construction of large venue areas such as gymnasiums, cafeterias, and auditoriums, the preferred construction of those venues is on the ground floor. Townships ordinances without variances outline maximum building height and necessary lot coverage space.

Additionally, renovating an existing building serves as a tremendous disruption to the educational environment. This process limits the scope of a project, impacts the timeline, and potentially compromises student safety (example: you should not have students in a building while moving steel overhead). Often times, it is more costly to retrofit an existing building than it is to construction a new facility.

Why doesn't the district use existing land for expansion?

On the main campus, the district currently owns 20+ acres to the east of Eagle View Middle School and an additional 20+ acres to the east of the High School. These two properties are not contiguous. A portion of the lower parcel is currently used for athletic facilities and the remaining acreage of the lower parcel and the entire upper parcel are tenant farmed. Simply stated, neither parcel of land is large enough to accommodate an elementary school that meets our current elementary building design (modeled after Winding Creek Elementary School) or our middle school building design (modeled after Mountain View Middle School).

While no formal decisions have been made regarding the future of the existing Good Hope Middle School, ongoing discussions have occurred regarding how to best utilize this facility. One such discussion is to utilize the building as an educational drop-in center, in which we would be able to both house and expand our dual enrollment/college courses, and develop workforce development programs.

Will the district honor the McCormick family?

The district hopes to meet with officials from the Natural Lands Trust to discuss our aligned interest in land preservation, development of greenspace, expansion of our existing nationally-recognized agricultural education program, and our duty, in conjunction with the Trust, to honor the McCormick family.

By the numbers: Enrollment Trends

- Current enrollment in the district is approximately 9,142 students, an increase of more than 1,700 students since 2010.
- The three-year average growth rate for the Cumberland Valley School District is 2.22% or 200 students per year. That growth rate is anticipated to continue for 3 to 5 years given housing starts and the demographics of the population living in existing homes.
- Much of that growth is attributed to Silver Spring Township where we are anticipating more than 200 new residential homes available to families for at least the next three years and a strong market for existing homes.
- The three-year average growth rate of students living in Silver Spring Township (K-12) is 3.61%.
- From the time CV announced new elementary attendance boundaries two years ago (phased in over multiple years), those boundaries had to be adjusted due to the growth in Silver Spring Township elementary schools.
- After redistricting, which begins with the 2018-19 school year, Silver Spring

- Elementary School will open with 92% of its seats filled. Its three-year average growth rate is currently 7.09%.
- After redistricting, which begins with the 2018-19 school year, Green Ridge Elementary School will open with 90% of its seats filled. Its three-year average growth rate is currently 2.21%.
- Winding Creek Elementary School will open with 95% of its seats filled.
- After redistricting (phased in over two years beginning in 2018-19), Eagle View Middle School will open with 90% of its seats filled. Its three-year average growth rate is currently 4.05%. Mountain View Middle School will open with 86% of its seats filled.
- From conception to opening, it can take 48-60 months for a new school to be built.
- CVSD schools located in Silver Spring Township: Silver Spring Elementary School, Green Ridge Elementary School, Winding Creek Elementary School, Eagle View Middle School, Cumberland Valley High School.