

Montgomery to sell school building to private academy

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Montgomery County will sell a former high school building to the private academy that has leased the property for more than a decade, after the County Council voted Tuesday to approve the controversial sale.

The vote means that the Melvin J. Berman Hebrew Academy will be allowed to buy the former Robert E. Peary High School under terms of its 1996 lease, despite the objections of some school officials. The county Board of Education, county PTA and others had opposed the deal, saying the county should not be selling school buildings when enrollment is growing and many classrooms are crowded. Critics also questioned the sale price, which is substantially less than the property's assessed value.

An intense lobbying effort, including the intercession of Sen. Benjamin L. Cardin (D-Md.), helped seal the deal. Council members said they were flooded with e-mails, calls and letters on the issue, and the academy hired a Washington-based public relations firm to help it.

Council Vice President Roger Berliner (D-Potomac-Bethesda) told several people that Cardin had called to urge him to vote for the sale, according to people with knowledge of the conversations. Cardin's office did not respond to repeated requests for comment.

"The academy no doubt has earned a permanent place in our community," said outgoing council member Duchy Trachtenberg (D-At Large). "This building was really abandoned by" Montgomery schools.

The final vote was 8 to 1, with council member Phil Andrews (D-Gaithersburg-Rockville) opposing the deal.

County school leaders restated their opposition to the decision Tuesday. "Somewhere off in the future, some Board of Education is going to say, 'Oh, my gosh, I wish that property was still available,'" said board President Patricia O'Neill (Bethesda-Chevy Chase).

"We've reclaimed and reopened many closed schools. And we anticipate that by 2016, we'll have 155,000 students," up from 144,000 now, O'Neill said, though she added that there is no current need for the Peary High site.

The property is being sold for \$1.9 million, the amount set in the 1996 lease. The assessed value of the land is \$14.5 million, but county officials have said that figure is based on a commercial use for which it is not zoned. Berman Hebrew has spent \$8.2 million renovating the building since 1996. School officials said it costs about \$100 million to build a new high school in the county.

The value of the building is not part of the purchase price in the lease because the school was in poor condition when the private academy took it over.

A 2005 proposal to sell the property to the academy for \$1.6 million did not make it to a vote in the council. Current council members Nancy Navarro (D-Eastern County) and Valerie Ervin (D-Silver Spring), who were both on the school board at the time, opposed the proposal.

Under the terms of the sale, the county will have the right to repurchase the property if the academy offers the site for sale to a purchaser that is not another school or if the academy ceases to use the building for education purposes for more than 180 days and is not engaged in a renovation. The county also could attempt to condemn the property for use as a public school.

Under either scenario, the county would have to repay the \$1.9 million purchase price, adjusted for inflation, plus the costs of renovations that Berman Hebrew has made. If the school decides to sell the property and the county does not repurchase it, the next owner would not be subject to the stipulations.

One council member said that the county wasn't getting a good deal but that he thought he should support it anyway.

"The only redeeming thing about this price is that if we need to buy it back, we'd also get it back at what I think is an artificially low price," said council member Marc Elrich (D-At Large).