

Rochester High School Repurposing Committee 2022 Town Report

In 2022 the Rochester High School (RHS) Repurposing Committee (herein referred to as "the Committee") worked in cooperation with the Town of Rochester and the Rochester Stockbridge Unified District (RSUD), and together with Fairweather Consultants of New Paltz, NY and GBA Architects of Montpelier, VT, on a feasibility study to explore the possibility of an adaptive re-use proposal for the former high school building. The proposal was developed through an extensive community engagement process to meet community-identified needs that include (but are not limited to) childcare, older adult services, Intergenerational Lifelong Learning and Arts Center, local job creation, and economic development. The final report was presented to the public on July 13, in the RHS auditorium, with the concluding opinion being, that although challenging, the project is achievable.

In 2019 RSUD commissioned an engineering study by Black River Engineers that assessed needs of all the buildings now owned by the district. The consultants conducting the 2022 Feasibility Study—that was funded by a VCDB planning grant in the amount of \$50,000—stated that the building has "good bones" but needs upgrades to make it energy efficient. Phase 1 of the Feasibility Study includes building upgrades, based on information contained in the Black River Report that in 2019 were about \$2 million. Adjusted to the current rate of inflation at 35%, the consultant increased the amount to \$3.1 million. Grant funding is anticipated to cover much of the cost of building upgrades.

In the Feasibility Study, consultant Peter Fairweather conservatively estimated the base annual operation costs of the repurposed building at \$91,000/yr. When the cost of maintenance staff and an annual \$50,000 capital reserve fund were included, operation cost estimates increased to \$160,000 a year. Currently the Town does not have a \$50,000 capital reserve fund for any of its property. Fairweather recommends a reserve fund in order to attract reliable well-paying tenants. Information solicited from the Rochester Town Clerk shows that if the Town's budget were to increase by the base annual operating costs of \$91,000, it would necessitate an increase of the tax rate by 16 cents on the dollar value. Therefore, for every \$100,000 in property value, that rate increase would calculate out to be an additional \$16.00. That being said, the goal is for the repurposed building be financially self-sustaining, with tenant rental income covering the annual operation costs.

For many months, the Committee was encouraged by Senator Sanders' Congressionally Designated Funds for this project, in the amount of \$1.5 million through the USDA Community Facilities account. However, expectation of actualized earmark-funding need to be managed, as we learned in late August when we were notified that the project did not receive Congressional approval. In October, Eric Law from USDA did a high school site visit. He reviewed the reuse proposal, and responded that we meet the USDA Community Facilities criteria for funding. He encouraged us to proceed with our project development planning, outlining the important steps to take for a strong USDA application, and suggesting we reapply for the next Congressional earmark opportunity as well.

With ongoing support and guidance from Two Rivers Owtawquechee Regional Commission (TRORC), Green Mtn. Economic Development Corp., VT Council on Rural Development, the VT Dept. of Housing and Community Development, the Committee is proceeding with project development. Currently, the property is undergoing an environmental study of the building and surrounding property, according to regulation protocols established by the National Environmental Protection Act (NEPA), a requirement for most federal funding sources.

Environmental Assessment: Phase 1 of the NEPA includes an assessment of Brownfields and Hazardous Materials (Haz Mat). Environmental consultants appointed by TRORC were onsite in late October to complete both the Brownfields and Haz Mat assessments. The Phase 1 report has been drafted. The hazardous building materials assessment (PCBs, lead, mold, and asbestos) is still in the process of being drafted. TRORC hopes to be able to submit both drafts to the state for review by the end of January. After the state approves them, the reports can be released to the public, possibly in March.

The results of Phase 1 will determine the need to advance to Phase 2, for site testing and sampling, which begins with development of a work plan that takes about 2 months. Since the property has a 10,000-gallon

underground fuel tank, we fully expect to proceed to Phase 2. The Phase 2 sampling work should take about 3 months, if there is no snow cover on the property. Therefore, if Phase 2 starts in March, then the completion of the Phase 2 assessment could be expected by August, assuming normal processing time lines. It will determine if the Haz Mats are below established threshold levels of concern, or not. If below, then the work is done. If they are above threshold levels then more testing may be required. In that case, remediation options will be identified. Thus the town's Yes/No acquisition vote would be informed by a comprehensive environmental assessment after August, given this timeline that was provided by Sarah Wraight from TRORC.

Following the sampling work, developing a site cleanup plan would take a minimum of 3 months. The time requirement for remediation/cleanup of the site will depend on what is there to be cleaned up. It could be anything from a few months to a year. The underground fuel tank will need to be removed and its removal during the Phase 2 process is important so that the soil below the tank can be assessed for the presence of oil.

Alternatively, if a replacement heat source cannot be installed prior to beginning the Phase 2, it is possible to do the bulk of Phase 2 testing without removing the tank by installing an above ground replacement oil tank on a concrete pad, as an interim option to continue heating the building with the current boilers. However, the contractor would need to return at a later date to remove the tank and test underneath it. Each day of fieldwork is very expensive, so it's easier and less expensive to do the tank removal and all soil testing simultaneously.

BRELLA Enrollment: Participation in Vermont's Brownfield Reuse and Environmental Liability Limitation program (BRELLA) provides a way out of the liability chain and enables redevelopment to proceed knowing that legal and financial risks associated with contamination have been put to rest. As the prospective purchaser of the property, the Town has applied for BRELLA participation and is in the process of scheduling a required pre-application meeting with Sarah Bartlett of the VT Dept of Environmental Conservation (DEC) Brownfields Program, in order to complete the application. Participating at that meeting will be Rochester Select Board member Pat Harvey, along with members of the Committee. When the application is ready for submittal, Sarah Wraight from TRORC will arrange payment of the \$500 application fee on the Town's behalf. The Town must be fully enrolled in BRELLA before Phase 2 begins in order to be eligible for state funding for testing and cleanup.

The Town does not have to actually own the site to enroll in BRELLA, but can participate in BRELLA as the prospective property owner. Below are key points regarding the benefit of the Town entering the BRELLA program as a "prospective purchaser" before conducting the Phase 2 of the high school property:

- Once an entity enters the chain of title for a property, they are liable for the cleanup of any contamination that might be on that property. Conducting assessment as a "prospective purchaser" helps manage liability for the Town's municipal budget. Prospective purchasers can withdraw from the BRELLA program at any time if they decide they don't want to move forward with the purchase.
- As a "prospective purchaser" in the BRELLA program, the Town would be given higher priority than the school district in accessing state funding assistance for assessment and cleanup.
- If the Town enters BRELLA as a "prospective purchaser" before conducting the Phase 2, the Town would be exempt from Hazardous Waste Tax. If there is hazardous waste on the property that needs to be removed during cleanup, the state would ordinarily levy a tax on that shipment. Depending on the volume of materials being transported, this can be a significant amount of money.
- If the Town enters BRELLA as a "prospective purchaser" before conducting the Phase 2, the Town would benefit from a 30% cost cap on any mid-course corrections that might need to happen during cleanup of the site.
- If the Town enters BRELLA as a "prospective purchaser" before conducting the Phase 2, the timeline for the Town to obtain a Certificate of Completion will be faster than if the Town owned the property.

It's important to note that after the completion of the NEPA Phases 1 and 2, the Town does not have to acquire the property. Having the Town as the applicant for cleanup funds is more advantageous than a private entity, like a developer. Also of note, it is more difficult to recruit a private developer to take on a site when the

risk/liability is still unknown. The Phase 2 will provide more information, and the site may become more attractive to private entities when the environmental information is known.

Maintaining RHS Building During NEPA Process: In order to keep the building viable throughout the NEPA process, it must be heated. It's been asked why we don't simply drain and shutdown the building. According to expert consultants, the problem with draining and shutting down is that the school is built on a slab. Without heat, the ground beneath the slab can freeze and heave the slab, causing havoc and potentially destroying the building. The ground may be well drained and not a problem, but we have no way of knowing. So, if our goal is to re-use the building we have no choice but to keep it above freezing everywhere inside.

Inflation has doubled the cost of heating fuel, bringing the estimated cost of heating the building this winter to \$66,000, an expense not anticipated by either the RSUD or the Town of Rochester. In September the RSUD Task Force was created, composed of RSUD board members, reps from the Rochester and Stockbridge Select Boards, and members of the RHS Repurposing Committee, with a united commitment to work together to support the work of the RHS Repurposing Committee.

In mid-September the Committee launched a fundraising drive with a \$22,000 funding goal. Thus far the campaign has achieved 50% of its goal. Efforts of the Committee include the following activities: an outreach appeal letter to RHS Alumni, participation in the PHCC Winter Market and sale of holiday cheese cakes by order, made by Committee members Midge Scanlan and Lesley Straus, and a "Holiday Jumble" held at Hancock Town Hall, organized by Dorothy Robson, Sue Ribaud, Pam Reit, and Midge Scanlan, with holiday music and a wide variety items for purchase.

At the January RSUD Heat Task Force meeting, Chair Amy Wildt confirmed that the RSUD board has reversed its position and is currently budgeting to heat the high school building next year. Stockbridge RSUD member Bill Edgerton's 3-prong proposal that shared fundraising responsibility between 3 groups—RSUD, the RSUD Endowment Funds, and the RHS Repurposing Committee—has demonstrated encouraging results that funding for RHS heat this winter is obtainable. Last year the Rochester Trustees of Public Funds contributed \$15,000 towards heating the high school.

On December 15, members of the Committee, Jeff Gephart, Dick Robson, Robert Meagher, and Vic Ribaud met with Superintendent Jamie Kinnarney, Principal Lindy Stetson, and Facilities Manager Lyall Smith to create a plan for monitoring the building for efficient energy management. The meeting resulted in mutual agreement on numerous action items that include: installing simple inexpensive temperature monitors in selected locations in the building that will set off a flashing light if the temperature drops below the desired setting; obtaining from SU inventory recording room temperature monitors to place in selected locations; installing a monitoring device on the boiler to measure when the furnace comes on; weekly dipstick measurement of fuel oil in the HS tank recorded on a running spreadsheet; organizing a group of volunteers to regularly check the building for signs of unexpected temperature drops, who will alert building staff when and if quick intervention is needed.

Floodway/Floodplain Location: State environmental officer Grace Vinson notified the Committee in late June that the high school property is located in both the floodplain and floodway; that its location in the floodway makes it ineligible for federal funding. Since then, Committee member and architect Dick Robson has worked extensively to seek a remedy with Grace and other state employees, and Randy Otis from Dubois and King.

In 2011, Tropical Storm Irene affected the high school building. The lower exterior door into the auditorium lies below flood level, and the auditorium sustained flood damage. With VCDB planning grant funds, the Town appointed DuBois & King to survey the property to establish floodplain and floodway issues. Their map shows the perimeter of the school is below base flood level at the location of aforesaid door only, and that there is a sliver of floodway on the property.

Both the Rochester Planning Commission and the RSUD have approved making a property boundary adjustment to eliminate the floodway from the high school parcel. Regarding the floodplain issue at the auditorium, our consultant architect Gregg Gossens has suggested several possible solutions that would remediate potential

future flooding into the auditorium. As this is a defining issue in our planning process, Dick is consulting with state of VT Floodplain Manager John Brooker-Campbell, requesting his input on problems, solutions and process, to ensure the acceptability of our proposed solutions.

Project Manager: In November, and with remaining VCDB planning grants funds, the Town appointed and the Committee welcomed to the project interim project manager Liz Curry. Owner and principal of CommonLand Solutions, Liz's experience in rural development will assist the Committee to identify project components, issues, and potential solutions that will allow the property to achieve "readiness" to proceed with redevelopment goals. She will identify a range of resources, technical issues, obstacles, and recommended solutions to be investigated so that the RHS Repurposing Project has a clearer pathway for redeveloping the property.

In conclusion, the Committee recommends that the Rochester town-wide vote on acquisition of the high school property be rescheduled until after the completion of the NEPA Phase 2, to assure a more informed vote. Stay updated on the project's progress on our website: www.RHSRepurposingProject.org

Respectfully submitted by Committee Co-Chairs Vic Ribaldo and Kathryn Schenkman, January 16, 2023

RHS Repurposing Committee Members:

Karen and Doran Donovan, Core Committee

Jeff Gephart, Building Advisor, Core Committee

Burleigh Griffith, Childcare Committee

Kayden Hamlin, Childcare Committee

Sandy Haas, Core Committee

Pat Harvey, Rochester Select Board Rep

Cynthia Huard, Lifelong Learning & Arts Committee

Jeanie Levitan, President PHCC, Core Committee, Fundraising

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