

# In Horsham, a battle over school property

A couple devoted to sustainability are contesting their school district's plan to turn a former school into housing.



John and Peggy Ambler, pictured on their property in Horsham, say the Hatboro-Horsham School District's agreement to sell the former Limekiln Simmons Elementary School to a developer is violating the agreement made with Dorothea Simmons, who gifted the land to the district in 1932.





Some residents fear that Hatboro-Horsham School District's agreement to sell the former Limekiln Simmons Elementary School to a developer will cause a domino effect of development in the area.

BY MADDIE HANNA (STAFF WRITER)

A descendant of Quakers for whom the town of Ambler is named, John Ambler has spent most of his life on a farm in Horsham that borders property donated nearly 100 years ago to the Hatboro-Horsham School District by a fellow Quaker.

The arrangement had been “harmonious,” said Ambler, 69, who enjoyed the pastoral environment surrounding the former Limekiln Simmons School, named for Dorothea Simmons, the Quaker farm owner who donated the land.

But the property's future is now the subject of a stark dispute. Ambler and his wife, Peggy, have spent seven years in court contesting the district's plan to sell the land to the Danny Jake Corp., a developer that plans to build homes on the land — a transfer the couple argues violates Simmons' agreement to donate the land for education.

The Amblers, sustainability advocates who advocated successfully in the 1980s to stop the Army Corps of Engineers from building a dam on nearby open space, envision the land that abuts their regenerative farm as a school focused on food and sustainability. They say they could help pay for the school, or support another educational use.

The district has so far won the battle in Pennsylvania Commonwealth Court and an appeal waged by the Amblers in the state Supreme Court. If the court rejects their latest appeal, district officials say, the sale will move forward.

The Amblers say the district can still back out of the sale without penalty — but will no longer be able to do so once the court resolves their appeal, which could happen at any point.

To make their case, they've been mobilizing supporters to speak at school board meetings, including one scheduled for Monday; a Change.org [petition](#) launched in favor of preserving the school has garnered more than 750 signatures.

Meanwhile, Hatboro-Horsham officials say the Amblers' court challenges have targeted their right to sell the property, which they have fought to maintain — spending more than \$185,000 to defend their plan in court. "Following the path forward proposed by the Amblers would be irresponsible for the district," Superintendent Scott Eveslage said in an email, citing a lack of "substantive business plans."

The district says selling the land for development would not violate the agreement with Simmons — noting that a 1931 written communication from the donor regarding the property "lacks any specific reference to a permanent educational or open space restriction," Eveslage said.

Still, the Amblers, and others who support their fight, fear that converting the 10-acre property into housing will have a domino effect and that other private owners in the area will sell to developers, jeopardizing 232 acres of open space.

Opposition to development has animated some community members. "It's preserving land and open space, and stopping developers from paving over the whole country," said Alan McPeak, who resigned as vice chair of the

Horsham Democrats after speaking out against the district's plan. The district's school board is led by Democrats.

'Not giving up'

The Amblers called the district's interpretation of Simmons' communications "disingenuous." They note that the district had solicited the donor by telling her she would be conferring "permanent public service to this entire community," and Simmons responded by donating not just the requested five acres, but 10, which "seems none too great a provision for the future," she wrote. She also referred to gardens becoming a part of every school.

Limekiln Simmons opened as a K-5 school in 1933 and operated through 1992, at which point the district moved students to the current Simmons Elementary School — also named after Dorothea. The Limekiln property was then leased by a Montessori school, and later served special education and kindergarten students before the district moved to close it in 2014.

In 2016, the district entered an agreement to sell the property. The Amblers intervened in 2017, arguing that the sale hadn't followed Pennsylvania's Donated or Dedicated Properties Act. That law specifies that land donated to public entities must be used for the purpose for which it was donated, until "no longer practicable or possible."

They won in Orphans' Court. But the district appealed and won in Commonwealth Court, which decided that the district had authority to sell the property under Pennsylvania's school code and didn't need to follow the donated properties law.

The Amblers were unsuccessful in appealing to the state Supreme Court, but brought another court challenge in 2022: this time, over whether the district had followed the school code. Among other arguments, the Amblers said appraisers didn't have adequate basis for testifying that the sale price — \$593,140 — was better than what the district could get at a public sale.

A panel of Commonwealth Court judges rejected the arguments; the Amblers appealed that decision earlier this year.

They also recently filed another case in Orphans' Court, alleging that the sale violates the public trust doctrine — a legal concept underpinning the donated properties act.

The district has suggested the dispute is a waste of time and money. In an email, Eveslage said it was the district's responsibility to sell the property "in

a fiscally responsible manner,” noting there was “no functional use for the property by the district.”

Community opposition to the district’s plan also isn’t unified, Eveslage said. He said there was an “inherent tension” between preserving open space and developing a sustainability school.

The Amblers reject that assertion — saying the plan would repurpose an existing building, and that the farmland on the property would be open space.

Six lawyers have been helping the couple, largely pro bono, John Ambler said. “A whole heck of a lot falls on us,” he said, adding that he and Peggy sometimes stay up all night working.

The Amblers say they have a team of 19 advisers supporting their concept of a food and sustainability school. They acknowledge they have no formal plan for the school, which they envision as a post-secondary option — “almost more trade-school oriented,” John Ambler said. They don’t know what it would cost to repurpose the building, which has fallen into neglect.

They say they won’t make an offer to the district while it’s under agreement with a developer. “They have to terminate that agreement, and then we’re totally ready to dive in,” John Ambler said.

The school board has not indicated any interest in terminating the sale, but will likely hear from more people urging it on Monday.

“We just want as cooperative an outcome as could be had,” John Ambler said. “We’re also not giving up.”

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