

Monroe 1987

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- Objections to Monroe's Plan Submitted on behalf of Louis Associates

CA000420F

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15 Washington Street • Newark • New Jersey 07102-3192 • 201/648-5687

February 25, 1987

Mr. C. Roy Epps, President
Civic League of Greater New Brunswick
47-49 Throop Avenue
New Brunswick, NJ 08901

Dear Roy:

Enclosed please find objections to Monroe's
Plan submitted on behalf of Lori Associates and
HABD Associates.

Very truly yours,



encls

cc/John, Eric, Alan (w/encls)

CA000420F

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February 23, 1987

Federal Express

New Jersey Council
on Affordable Housing
707 Alexander Road
CN 813
Trenton, NJ 08625-0813

Re: Monroe Township

Dear Members of the Council:

We represent Lori Associates and HABD Associates, owners of property in Monroe Township (Middlesex County). Pursuant to N.J.A.C. 5:91-5.1, we hereby submit objections to the Housing Element and Fair Share Plan submitted by Monroe Township. Our dispute centers upon (i) the number of units to be met by inclusionary development and (ii) whether the two sites selected by Monroe Township for rezoning are adequate to meet that number:

1. The Fair Share Plan calls for the rehabilitation of 65 units -- 12 by credits and the remaining 53 by future rehabilitation. This fails to recognize that the indigenous

need of 65 must be offset by the spontaneous rehabilitation of 8 units, leaving a maximum of 57 units to be rehabilitated. The remaining 127 units (rather than 119) must be met through inclusionary development.

2. The two sites selected by Monroe Township for inclusionary zoning raise serious planning and engineering questions. This is particularly significant because of the very large amount of vacant and developable land which is available in the Township. One could reasonably conclude that these sites were selected because of their problems. Selection of additional sites is necessary to ensure that Monroe Township meets its fair share obligation. In particular, the Lori site, which was selected for rezoning by the court-appointed Master, is superior to both of the selected locations and should be included in the Plan.

(a) Site A -- During the course of court proceedings which spanned several years, at least 15 separate parcels in Monroe Township were considered for rezoning. "Site A" was never among them, and the Fair Share Plan offers no information about how this site is to be developed. Thus, one must immediately question whether Site A is, in fact, realistic.

Because of the paucity of information provided in the Plan, it is impossible to offer a detailed analysis of

the site. However, some problems are readily apparent:

(i) While the Plan claims that the site has "excellent access," the opposite is true. Three of the four access points are narrow dead-end residential streets. More importantly, virtually all of the traffic to and from the site must pass through the center of Jamesburg along already-congested roads. From a traffic perspective, it is clearly one of the worst locations in Monroe.

(ii) The sewer line which would serve the site is only an eight-inch line, and it is questionable that this could handle a project of any significant size in addition to its current users. There are also questions concerning the available capacity which are being investigated.

(iii) As the Plan points out, the site includes floodplain and wetlands areas. Based upon a review of available maps, it appears that these environmental constraints affect as much as 30% of the site.

For all of these reasons, we object to the Plan's reliance upon Site A as the principal means of meeting Monroe's fair share.

(b) Site B was among the sites considered and re-jected by Monroe Township in its 1985 Compliance Program prepared by Hintz/Nelessen Associates (p. 26-27). The site was then referred to as "Oak Realty." It was excluded on the

grounds that (i) there is "a lack of any sewer or water hook-ups available for the property" and (ii) "sewer and water are too far away."*

The Hintz/Nelessen study elaborated somewhat upon these problems. It pointed out that sewer would have to be pumped over the ridge to the converted plant since the site is in a different drainage basin (p. 26). It also noted that to obtain water, it would require a new well and standpipe due to the ridge line separating the water service area from the site (p. 26). And it concluded that Oak Realty was one of the "least suitable [for water] because of the need for an interconnection" (p. 23).

These utility problems raise serious questions as to the feasibility of Site B. At the very least, they call into question whether any units can be constructed in the near future and whether such heavy reliance should be placed upon this single site to meet Monroe Township's fair share.

* Indeed, even the current Fair Share Plan recognizes "the lack of utilities" and points out that even after a conversion of the sewage treatment plant, "the utilities would have to be extended along Applegarth-Prospect Plains Road for at least 2 miles."

(c) Lori Associates is the owner of a 144-acre parcel on Applegarth Road.* It was described in the Hintz/Nelessen compliance program (at p. 28) as follows:

"The site is environmentally suitable for development. An elementary school is also next to the site. Sewer and water are available, with the site the closest of any to the Monroe treatment plant. The one drawback to the property is that it is in the 'agricultural' designation of the SDGP, but the growth line is about ½ mile from the property, and the existence of the Concordia and Clearbrook retirement villages have essentially moved the growth area east, with this property south of those developments."

Hintz chose to omit the site only because he concluded that enough units would be produced without it. However the court-appointed Master, planner Carla Lerman, disagreed with that conclusion and specifically recommended that the Lori site be rezoned for inclusionary development.

There are a number of reasons for including this property in the Fair Share Plan:

* By statute, the Housing Element must include "a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing." N.J.S.A. 52:27D-310(f). Notwithstanding this clear requirement, Lori Associates and HABD Associates are entirely ignored in Monroe's Housing Element.

(i) Access: The site fronts on Applegarth Road which, according to Monroe's Master Plan, is to be one of four major north-south routes. It provides excellent access to both Route 33 (directly) and the New Jersey Turnpike (through Forsgate Drive).

(ii) Mass Transit: As Hintz pointed out (p. 23), "the Township has an existing park 'n' ride adjacent to the Lori site." Give the importance of public transportation to lower income households, this is an obvious advantage over other sites.

(iii) Water: Hintz referred to Lori as one of "the sites with the best water service" in Monroe (p. 22). This sharply contrasts with Site B, which was one of the "least suitable."

(iv) Sewer: Assuming the Forsgate Treatment Plant is upgraded, as the Plan says it will be, the Lori site would require only a 1200-foot line (Master's report, p. 23). Site B would require more than two miles of line which would pass directly in front of the Lori site. It should also be noted that the topography would permit a gravity line from the Lori site.

(v) Environmental considerations: 85% of the site is free of any environmental constraints. This allows

development of more than 120 acres.

(vi) Schools: The site is directly adjacent to the Applegarth School. The school also provides a neighborhood playground and play field.

(vii) Municipal Growth: As the Master noted (at p. 25), the site's location is "consistent with a pattern of higher density development which has already been started, and indeed sanctioned, in Monroe Township."

(viii) Owners/Developers: The principals of Lori Associates, Harry and Al Rieder, have a combined total of some sixty years of experience in developing large single and multi-family projects. They have demonstrated their commitment to development of this site by owning and seeking to develop it for twenty years, by filing a Mount Laurel suit against the Township, and by presenting an inclusionary development plan for the site to the Township in October 1984. Re-zoning the Lori site will ensure that Monroe meets its fair share obligation.

3. Monroe's submission is supposed to include "documentation of all efforts at premediation with potential objectors or interested parties." N.J.A.C. 5:91-3.1(f)(5). It lists no such efforts because, at least to our knowledge, there have been none. Indeed, despite our repeated efforts

to arrange a meeting with Monroe Township representatives, no meetings have been scheduled. While we continue to hope that this will change, the current situation suggests that Monroe Township would prefer to disregard those owners and developers who present the most realistic opportunity for lower income housing in the Township.

Conclusion: Monroe Township is required to "provide a realistic opportunity for the provision of the fair share." N.J.S.A. 52:27D-311(a). We submit that the two sites selected for rezoning are insufficient to meet that requirement. Inclusion of the Lori site will correct that deficiency. We therefore urge that the Housing Element and Fair Share Plan be modified to include rezoning of the Lori site for inclusionary development.

Respectfully,

Ann K. Myrtle
Frederic S. Kessler

cc: Mayor and Council of Monroe Twp.
Carl J. Palmisano, Esq.
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Barbara J. Stark, Esq.
Mr. Harry Rieder
Mr. Al Rieder
Mr. John P. Chester