

U.L. v. Cateret, Piscataway

7/12/1984

- letter from expert (Lerman) to Judge re Piscataway inspection
- vacant land inventory

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July 12, 1984

Honorable Eugene D. Serpentelli
Superior Court
Ocean County Court House
CN 2181
Toms River, N.J. 08753

Dear Judge Serpentelli:

I have reviewed all of the sites that were listed in the Vacant Land Inventory, April 1984 in the Township of Piscataway. Based on Alan Mallach's classification, I have personally inspected all of the sites in the Category II and III, and many of those in Category I. Some of the sites in Category I, which both the township planner in Piscataway and the plaintiff's expert witness agreed were not suitable sites for residential development, were not inspected by me personally.

In Category I, there was one site which Alan Mallach indicated was not suitable for development, a large part of which I believe would be very suitable for residential development. This site, #55, owned by Rutgers University, is zoned for educational research use at this time; sixteen acres of this 120 acre area has been zoned for Hotel/Conference Center. If that portion remains as it is now designated, and some additional adjacent land is also set aside in that zone, there still might be at least 80 to 90 acres that would be very appropriate for higher density residential development. Other than this site, I would agree that all of the sites in Category I would be better developed in a use other than residential.

In Category II, twelve sites were listed as questionable for residential development. Most of these sites are located

... in the flood plain, or have been dedicated
to open space for planned residential development, or are
located adjacent to heavy industry or other uses that are
inappropriate for residential development. Two of the sites
in Category II might be partially useable for residential de-
velopment: Site 19 and Site 13. Both sites are adjacent to
existing residential areas but border on their western edge
on an area of heavy industry. In both cases a buffer strip
on the western edge could be reserved, while the eastern portion
of the sites might be appropriate for development. Both sites
need examination in the field as to the proximity of the in-
dustrial buildings and their possible impact regarding pollution,
noise, etc. The specific reason for excluding each of the sites
in Category II from development is listed in the attached
description.

Category III included all of those sites that Allan Mallach
thought were suitable for residential development. I have
reviewed and personally inspected all of those sites, and for
the most part agree with their suitability for residential develop-
ment. There are, however, nine sites that I would disagree are
realistic or desirable for development of high density residential
use. These sites I would recommend not be designated for this
use; in addition there are five sites that are only partially
useable. There are several of the suitable sites that are of
such small size that I would not think them suitable or realistic
for development under the "20 percent set aside" policy.

Altogether there are 37 sites recommended by the plaintiff's
expert that I would find entirely or partially suitable for higher
density residential use, totaling 1100 acres, approximately.

In response to the specific requests from property owners regarding an opinion for suitability for residential development, I would like to give the following opinion:

A. Gerickont property (Site #43 and 45) on the north and south sides of Morris Avenue is very well suited for residential development. It is almost identical in character to the site immediately to the west which will be developed at 10 units per acre, and it is in a location where development at a similar density would not be detrimental to any of the surrounding properties. Morris Avenue is a collector street and will connect with the proposed arterial which will connect the existing Hoes Lane with Route 18. Traffic from the adjacent high density area (Hovnanian) will be able to have direct access to this new arterial, which should minimize the impact from that development, which has already been approved. The two cemeteries which comprise most of the northern side of Morris Avenue between Hoes Lane and the Gerickont site will not generate significant traffic. In the Piscataway Master Plan, a collector street was proposed (1978) that would separate the southeast edge of the Gerickont site from the adjacent single family uses. This collector street would connect Morris Avenue to the new arterial extension of Hoes Lane, thereby relieving Morris Avenue of the sole burden of the additional traffic. The development of this street should be an essential component of the development of the Gerickont site.

B. The Lange property (Site #6) is located immediately north of the Port Reading Railroad tracks with frontage on Old New Brunswick Road. This property, designated as Block 319 Lot 1 and Block 317 Lot 11B, is part of a much larger vacant area,

which would be very suitable for higher density residential development. Old New Brunswick Road is a collector street which leads directly to an I-287 interchange about ½ mile away, as well as connecting to the neighborhood shopping area on Stelton Street to the north of the site. There is multi-family housing across the street, on the west side of Old New Brunswick Road.

C. 287 Associates (Site #30) is located immediately south of 287 Corporate Plaza, an office park which has access from South Randolphville Road. Designated as Block 497, Lots 3 and 3Q, this site is presently a farm devoted to raising horses. It is flat, open and not in a flood plain. It is bordered on the south by a paved road which is an easement to provide access to a public elementary school. The south side of the easement is bordered by the school playing fields and an eleven acre vacant parcel that is proposed as suitable for higher density residential development.

Although the characteristics of this site would make it satisfactory for residential use as well as light industry, for which it is zoned, its contiguous nature with the office park, its common ownership and the significant benefit that the office park provides for the township makes this site particularly valuable for office/light industry use. It would be important to buffer this use from the uses to the south.

Site #31 would, however, be appropriate for higher density residential as a transition zone between the office uses and the lower density residential uses to the south. The easement roadway should be upgraded as necessary to make it a public road to be dedicated to the township. This road development would logically be the responsibility of the adjacent property developers.

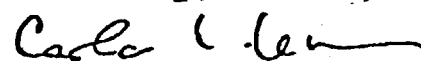
Because of the limited width and winding nature of the southern part of South Randolphville Road, no access should be permitted to Site 30 from that side of the site. All access should continue to be gained through the existing office park entrance. The attached list identifies those sites in Category II and III which are not recommended for residential use.

I realize that the Court Order requested that I propose a density for each site. However, in order to recommend a specific density for any site, further study would be necessary regarding projected traffic volumes, proposed street improvements, soil conditions, adequacy of available infra-structure, possible impact of adjacent or nearby uses, and potential environmental constraints. If data is readily available, this type of evaluation is easily accomplished.

As the Township of Piscataway has its own Planning Department, I would like to propose that, in the interest of saving time and money for the Township, the Township Planning Department gather all the required data for each site, particularly as it relates to traffic generation and proposed street improvements and constraints due to soil and environmental conditions. I would then be able to make a recommendation on density for each suitable site, based on my own observations and the Township Planning Department's site analysis.

If this is not satisfactory to the parties involved, I would be happy to confer with you regarding an alternative procedure.

Sincerely,


Carla L. Lerman

CLL/bcm

c: Philip Paley, Esq.
Bruce Gelber, et al.

Township of Piscataway - Vacant Land Inventory

Category I - Not suitable for residential development or for residential development at higher than the existing zoning permits. All sites are appropriate to this category except Site #55. This site is owned by Rutgers University and is currently zoned for Education and Research. On the north, it is adjacent to residential development in an area zoned R-15. A portion of this site which fronts on Hoes Lane could be considered appropriate for a use which would compliment the Hotel Conference Center zone of Site #56. The remaining 80± acres would be appropriate for higher density residential development which might include a mix of higher density garden apartments and lower density townhouses.

Category II - Not apparently suitable for residential development by virtue of environmental or other constraints. Two of the sites listed in Category II are considered to be worth further consideration for residential development, with certain proportions reserved for buffers. Sites #9 and 13 are adjacent on the north to a heavy industry site, for which a substantial buffer zone might be required. Site #9 is presently zoned R-10 and is adjacent on the south to Sites 10 and 12, which are recommended for

higher density residential development.

Site #13 is surrounded on three sides by residentially zoned land and would appear to be of similar character. Both Sites #9 and 13 therefore appear appropriate for residential use of a higher density if the appropriate buffer area is provided.

The remainder of the sites in Category II are not considered suitable for higher density residential development. They are identified as follows:

Site # 5: adjacent to railroad track, manufacturing site, and site identified as toxic waste site.

15: floodplain

39: part of business district on heavy traffic street

61 and 62: dedicated open space as part of planned residential development

65, 66 and 67: floodplain

Category III - Potentially suitable for residential development of multi-family housing.

Site # 1: satisfactory

2: approximately 15 acres are in the floodplain, on the northern end of the site. The remainder is satisfactory

3: satisfactory. This site has been proposed for a shopping center. There is an existing neighborhood shopping area on Stelton Road between Old New Brunswick Road and Lakeview Avenue which can serve the same area as the proposed shopping center, as well as the area south of Old New Brunswick Road which is recommended for higher density development. Strengthening that shopping area through upgrading

of properties and provision of off-street parking would appear to be more beneficial to the neighborhood than creating a new competing shopping center.

- 4: not satisfactory - toxic waste site
- 6: satisfactory
- 7: satisfactory
- 8: satisfactory with buffer-needs further study
- 10: satisfactory
- 12: satisfactory
- 14: not satisfactory. This site presently serves as the buffer which is generally desirable between an interstate (I-287) and residential uses. Access is difficult; the north-eastern half is very narrow and crossed diagonally by a pipeline easement, limiting development; if used at all for residential use, a buffer strip of at least 250' with substantial plantings should be required between the development and I-287.
- 16 and 17: not satisfactory. Presently part of Rutgers Industrial Park which is well developed with industrial uses. It is crossed by power lines and is best retained for industrial development.
- 28 and 29: not satisfactory. Partly in floodplain
- 30: not satisfactory. Preferred for extension of office park use (see text)
- 31: satisfactory
- 32, 33, 34: satisfactory, although development limited by presence of power lines
- 35: satisfactory
- 37: satisfactory
- 38: not satisfactory. Surrounded by business district on heavy traffic street, power lines