

Piscataway 1985 5/13

- Correspondence between parties re: a client's property included
in the Mt. Laurel low and moderate income housing

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File

School of Law-Newark • Constitutional Litigation Clinic
S.I. Newhouse Center For Law and Justice
15 Washington Street • Newark • New Jersey 07102-3192 • 201/648-5687

May 13, 1985

Mr. Roy Epps
Civic League of Greater New Brunswick
47-49 Throop Avenue
New Brunswick, N.J. 08901

Dear Mr. Epps:

Raymond Miller, Esq. has requested that his client's property be excluded from Mt. Laurel low and moderate income housing. (See attached correspondence.) The parcel in question (in combination with other parcels) was found to be suitable for Mt. Laurel housing by Ms. Carla Lerman in her Report. (The relevant portion of the Report is also enclosed.)

I have discussed this matter with Alan Mallach and it is his opinion that the total package, of which this parcel is a component, has substantial potential for Mt. Laurel housing. While in the abstract it might be unfair to hold up such a small parcel, given its inclusion as part of this assemblage, he does not recommend exclusion of the site from a Mt. Laurel obligation. I concur with his recommendation.

I would appreciate your views on this matter at your earliest opportunity.

Best regards.

Very truly yours,

Barbara J. Williams

encls

cc/Alan Mallach

bcc/Eric Neisser
John Payne

RAYMOND S. MILLER, P.A.

Attorney at Law

2301 MAPLE AVENUE
SOUTH PLAINFIELD, N. J. 07080
785-7505

March 7, 1985

Bruce S. Gelber, Esq.
National Committee Against Discrimination,
in Housing
733 15th Street, N. W.
Washington, D. C. 20005

RE: Urban League of Greater New Brunswick
vs Township of Piscataway, et als
Docket No. C-14122-73

Dear Mr. Gelber:

I have a client who presently owns lot 1 and lot 12 in block 829 of the Piscataway Township tax map. These premises which are located on Orchard Street are presently in the area denoted by the Urban League for low and moderate income housing.

I enclose herewith a photostat of the subject premises together with the immediate area surrounding same. My client had sketched in pen the fact that there is already established housing surrounding most of the premises involved. At the most, however, my client would be able to construct five residential homes from the entire premises involved.

Since this is a small subdivision, would it not be possible to have your committee for the Urban League except this land from any restraints in Judge Serpentelli's order and from the land denoted for low and moderate income housing.

I would very much appreciate hearing from you as my client would like to make subdivision application to the Piscataway Planning Board for five residential building lots.

Thanking you for your kind attention to this request, and awaiting your further advices, I remain,

Very truly yours,

RAYMOND S. MILLER

RSM:ap

Also: Rutgers Law School, Constitutional Litigation Clinic,
S. Newhouse Center for Law and Justice
15 Washington St., Newark, N. J. 07102

RAYMOND S. MILLER, P.A.

Attorney at Law

2301 MAPLE AVENUE
SOUTH PLAINFIELD, N. J. 07080
788-7888

March 7, 1985

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Also: Rutgers Law School, Constitutional Litigation Clinic,
S. Newhouse Center for Law and Justice
15 Washington St., Newark, N. J. 07102

Special Site Constraints: This entire site consists of Hinesville soil series which presents only moderate limitations on residential development.

Expressed interest in development: unknown

Recommendations: This site is suitable for garden apartments and other multi-family housing types, i.e., quadplex, triplex, etc., at a density of 12-15 units per acre, depending on unit type. This determination will depend, in part, on the location of the Hoes Lane extension.

Sites #51, 52, 53, 54 and 60 - Hoes Lane to River Road, Rivercrest Drive to Westfield Avenue
Portions of Blocks 774 through 834

Area: These scattered sites, some in single lots, some in larger parcels, total over 110 acres.

Physical Description: This is an area of scattered single family houses, paper streets, unpaved streets, developed and undeveloped park land, and significant amounts of municipally owned land.

Existing zoning: R 10, R 15 and four lots zoned for Senior Citizen Housing.

Master Plan Proposal: single family residential, public (part of the "Civic Center"), senior citizen housing.

Present Land Use: single family residential, vacant, park area, two schools.

Adjacent Land Uses: This area is bordered on the north by a single family residential neighborhood, on the northeast by the municipal complex, on the south by Rutgers University-owned vacant land, and on the east by River Road and Johnson Park.

General Neighborhood Characteristics: This neighborhood consists of a mixture of very modest homes and larger homes, unpaved streets and vacant lots. There are several park areas and a few scattered commercial uses.

Environmental Conditions affecting development: This entire neighborhood is in Flood zone C, suggesting minimal risk of flooding. Flood zone A, which borders the Raritan River for its entire length in Piscataway, extends up to River Road, but the gradual slope upward, in an easterly direction, protects this neighborhood from danger of flooding.

Road Access: This neighborhood is served by a grid pattern of streets, but a number of these are unpaved, or partial paper streets. River Road and Hoes Lane provide road access on the west and east respectively.

Traffic Conditions/Impact: As this neighborhood would be developed primarily on smaller sites and infill sites, and as River Road and Hoes Lane each provide direct access from the area to I-287, no negative traffic impact would be expected from new residential development in this area.

Special Site Constraints: Most of this neighborhood consists of soil in the Klinesville series which offers "moderate" limitations for development. The area zoned for senior citizen housing is comprised of soil of the Reaville series which presents "severe" limitations in residential development due to seasonal high water and potential frost action. As this zone is appropriate for a five story building it will be important to consider these problems when planning construction and site layout.

Expressed interest in development: The municipality has expressed interest in having senior citizen housing available as a housing type. Actual developer interest is unknown.

Recommendation: The available sites in this neighborhood range in size from single house lots to six acres. The neighborhood is one of relatively small lots and houses. It would be appropriate to develop these sites in small scale developments: duplex, triplex, quadplex or patio homes, using a density of five units per gross acre as a standard. The site zoned for senior citizen housing should be developed with at least 30 units per acre if the building is to be five stories in height. The entire site would not be developed simultaneously, but could be staged in two buildings, over five or six years. Based on 100 acres of vacant land in this neighborhood, and assuming provision of some for park use or other public use, it would be possible over a six to ten year period to provide the opportunity for 300-400 housing units, using primarily municipally owned land.

Site #57 - River Road, at Piscataway-Highland Park border
Block 872 2, 3 (part)

Area: 40 acres

Existing Zoning: R20A - PRD

Present Land Use: vacant

This site is owned by Rutgers University and is proposed for multi-family residential development. In conjunction with this Rutgers proposal the Township has zoned the site for PRD at a maximum of 10 units per acre. As this site has been studied and this density is appropriate, no further analysis is necessary.

It is recommended that this site be designated for 10 units per acre for a Planned Residential Development.

Site #75 and 76 - Hillside Avenue, between River Road and Scott Street
Block 560 Lot 5A, Bl. 561 Lots 8A-22, 25-36, 39, 40
Block 564 Lots 18-37

Area: 10.5 acres

Physical Description: flat, primarily open, scattered growth.

Existing zoning: R-10