

CA - Metuchen

Aug 1975

Affidavit of W. Franklin Buchanan
Borough Engineer of the Borough of
Metuchen

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MARTIN A. SPRITZER, ESQ.
~~SPRITZER & BRESSLER, ESQs~~

414 MAIN STREET
METUCHEN, NEW JERSEY 08840
(201) 548-6455

ATTORNEYS FOR Defendant, Mayor and
Council of the Borough of Metuchen

Plaintiff

URBAN LEAGUE OF GREATER NEW BRUNSWICK,
a non-profit corporation of the State
of New Jersey, et als

vs.

Defendant

MAYOR AND COUNCIL OF THE BOROUGH OF
CARTERET, et als

SUPERIOR COURT OF NEW
JERSEY: CHANCERY DIVISION
MIDDLESEX COUNTY

Docket No. C-4122-73

CIVIL ACTION
AFFIDAVIT

STATE OF NEW JERSEY)
COUNTY OF MIDDLESEX) SS:

W, FRANKLIN BUCHANAN, with offices at 495 Main Street,
Metuchen, New Jersey, being duly sworn upon his oath deposes and
says:

1. I am the Borough Engineer of the Borough of Metuchen
and have served in that capacity for fifty consecutive years.
2. I have examined the Statement of Facts as prepared
by the Borough Attorney in connection with a motion for summary
judgment in the above captioned case.

3. Based on surveys and other information available to me, I can certify that all the facts set forth under the Paragraph entitled "Size", on Page 2 and 3 of the Statement of Facts, are true.

4. I was presented with a list of all the vacant lots in Metuchen from the Tax Collector, based on the tax assessment records. Comparing this list to the tax map, I inserted the size of each parcel. The attached list, marked Schedule A, shows that there are approximately $38\frac{1}{2}$ vacant acres of land in Metuchen. This accords with my own personal knowledge of vacant land in Metuchen, of which a good approximate estimate is 40 undeveloped acres. These include 24 industrial acres in the manufacturing zone, of which 20 are non-developable, because they consist of either old railroad rights-of-way, extremely marshy or hilly land, land in a flood plain or with no access in Metuchen. They also include $8\frac{1}{2}$ acres in multi-family zones, with the balance scattered in small lots in the other residential and business areas.

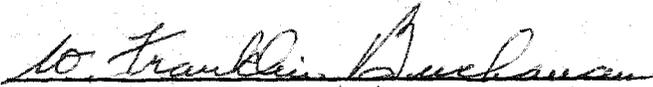
5. I have prepared the zoning maps for all the zoning ordinances and amendments to zoning ordinances of the Borough of Metuchen for the last fifty years. Based on my personal knowledge of the Borough, including surveys, I can state the R-1 and R-2 zones in which almost all of the one-family units are

located, comprise approximately 1,000 acres of Metuchen, and give the Borough the appearance of being primarily a community of single family dwellings. However, the two family and multi-family zones (R-3, R-4, R-5 and B-1A) either have or permit two family and multi-family structures in at least nine different locations in the community. From my personal knowledge, there are very few buildings which do not conform with the present height limitations as contained in the ordinance.

6. I have read the description of the railroads, highways, business and industry as set forth in the paragraph entitled "Business and Industry", of Page 4 of the Statement of Facts. The statements contained therein are true.

7. I am familiar with the zoning map and zoning provisions and the uses as set forth under the first paragraph entitled, "Zoning in Metuchen", on Pages 5 and 6 of the Statement of Facts. The facts as stated in respect to the zones, locations of various housing, description of the Amboy Avenue site, and the zoning provisions, are correct.

Sworn to and subscribed
to before me this
day of August, 1975.


W. FRANKLIN BUCHANAN

MARTIN A. SPITZER
ATTORNEY AT LAW OF N. J.

SCHEDULE A

VACANT LAND

| | | |
|---|------------------------|-------------|
| Woodbrook Farms Plainfield Avenue | Block 1 Lot 2 | 1.39 acres |
| Woodbrook Farms Plainfield Avenue | Block 2 Lot 2 | 5.42 acres |
| Renners Lake Avenue | Block 154.02 Lot 86 | 1.77 acres |
| Jacob, Alfred & Richard Levinson (Nursing Home) 34 Middlesex Avenue | Block 29 Lot 1.01 | 173 x 150 |
| Oakite Products Hampton & Durham Avenues | Block 69 Lot 125.07 | 5.075 acres |
| Vineyard Park Co. Durham Avenue | Block 37 Lot 1.02 | 10.83 acres |
| Gulton Industries (Durham Avenue) (right-of-way) | Block 37 Lot 5.02 | 2.3 acres |
| Township of Edison Durham Avenue | Block 37 Lot 5.03 | 1.04 acres |
| Solas, Rycyk & Solas 245 Forrest Street | Block 37.02 Lot 8 | 148. x 300 |
| Summit Realty Co. 255 Forrest Street | Block 37.02 Lot 9 | 110 x 300 |
| Sam Gottlieb 265 Forrest Street | Block 37.03 Lot 10 | 112 x 250 |
| Albert & Gordon Sandler 55 Liberty Street | Block 46 Lot 5 | 200 x 100 |