

CA.

Piscataway Twp.

6/12/89

Gerickont v. Piscataway

letter to Ms. Gorman (no attachments)
explaining court order to consolidate &
reasons to approve property for requested
zoning.

-w/Summary report on Gerickont farm

PSS. 9

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rec'd June 13
June 12, 1984

Ms. Carla Lerman
190 Moore Street
Hackensack, New Jersey 07601

Re: Urban League of Greater New Brunswick
v. Carteret, et al., Docket #C-4122-73
Consolidated with
Joseph Gerickont and George Gerickont
v. Piscataway Township, Docket #L-32501-84 P.W.

Dear Ms. Lerman:

Judge Eugene Serpentelli granted the motion of Joseph and George Gerickont to intervene in the Urban League case which is referenced above. I enclose a copy of that order which provides that the Gerickonts are to be bound by the Court's determination with respect to the issues of region and fair share. The order also provides that we are permitted to participate in the ordinance revision aspect of the case as it relates to the Township of Piscataway. Our complaint recites the principal demand of our clients, but through inadvertance, I failed to include in the complaint reference to Lot 21 in Block 647B which contains approximately 15 acres of land belonging to my clients. I am presently filing a motion for leave to amend the complaint to correct the oversight. I enclose a copy of the complaint for your review.

The order of the Court also provided that we would be permitted to present to you for your consideration written argument and exhibits supporting our contention that the 55-acre farm owned by Joseph and George Gerickont should be rezoned to permit its development for high-density residential use at densities of 12 to 14 units per acre. This letter and the exhibits are intended to fulfill that purpose.

Our clients own Lot 2A in Block 744 and Lot 21 in Block 647B as denoted on the Piscataway Township Tax Map. Lot 2A consists of approximately 41 acres of land located on the South side of Morris Avenue and Lot 21 consists of approximately 15 acres of land located on the North side of Morris Avenue. The property is presently utilized as an active dairy farm. Joseph Gerickont and his wife Rosemary and Joseph's brother George live on the property in a farm house. They maintain a herd of approximately 200 dairy cows. The property houses the usual farm buildings including barns, equipment shed, milking shed, silos, etc. The property is adjoined on the South and West by Lot 2 in Block 743, a tract of land of approximately 55.5 acres which until several weeks ago also housed an active dairy farm operated by my clients' cousins, Theodore and Hiram Gerickont. In May of this year, the farm equipment and the dairy cows were sold and the farming operation terminated because of the recent rezoning of the adjoining farm.

For many years, starting approximately 75 years ago, these parcels of land constituted one dairy farm operated by the Gerickont family. Upon the death of grandparents, the farm was divided to provide for equal inheritance by the children of the family. Although divided in ownership and separately operated, the lands have been known as the Gerickont Farm until the present time. In 1983, Piscataway Township rezoned Lot 2 in Block 743 to permit its development for residential uses at a density of 10 units per acre and calling for 20% of the units to be subsidized low and moderate income units. On behalf of our clients, we wrote to the Township while it was considering this amendment to urge that the Township consider the rezoning of our clients' property. That request drew no response. Our clients have also appeared at various meetings of the Planning Board and Township Committee, but have always been told that their property would not be considered for rezoning. Approximately six weeks ago, the Hovnanian Development Company presented its plan for the development of Lot 2 in Block 743 at a public meeting sponsored by the Planning Board of Piscataway Township. The plan proposed by Hovnanian calls for the construction of approximately 540 housing units on Lot 2 in Block 743. I appeared on behalf of my clients at that meeting to urge once again that the Planning Board reconsider its position with respect to the rezoning of my clients' property. I pointed out then that the development of the adjoining parcel of land would make it impossible for my clients to continue the dairy farm operation on their property. The pressures of development, particularly the pressure of high-density development immediately adjacent to the site, would spell the demise of the dairy farm operation.

The reasons for this result are numerous and I need not recite them for you. These two parcels of land supported each other for many years despite the pressures from surrounding development. That can no longer be true given the rezoning of the adjoining parcel.

I enclose an exhibit which shows the property of my clients designated in red. The legend details the nature of the use of the surrounding properties. The legend also details the existing and proposed infrastructure serving the property. This exhibit makes it clear that the property of Joseph and George Gerickont is highly suited for consideration as a Mount Laurel II site at high densities.

I would urge the following considerations in support of the conclusion that the property in question is highly suited for the use proposed:

1. The surrounding uses are compatible to the use proposed. The property is located in a residential zone and adjoining the property on the West is a 55-acre tract of land zoned for residential development at a density of 10 units per acre. Immediately to the North is an additional site of some 20 acres which is also zoned for highdensity residential development. The remaining property to the North is committed to open space, including cemetery use. On the East and South there is existing residential use consisting of small-lot single-family development.

2. The property is served by all required infrastructure. Water lines exist in Morris Avenue in front of the property. Sewer lines exist on the property. Gas and electric facilities are available on the property. The property is located on a collector street and in an area which is served by existing arterial streets. The existing road system is more than adequate to handle the traffic which will be generated. On-site road improvements will serve to implement the Master Plan for the interconnection of these street systems.

3. No environmental constraints preclude the proposed use. The land in question is generally flat and is not subject to environmental constraints. A minor stream traverses the site but presents no problem with respect to development. The physical characteristics of the site lend themselves to the development proposed.

4. The site is ready for development at the present time. Given the present need projections for Piscataway Township, it is important that the site be one which can be presently developed. This site does not depend on future development of infrastructure.

We have asked Mr. Harvey Moskowitz to prepare a separate analysis of the feasibility of this site for Mount Laurel II purposes. He will undoubtedly present to you detailed arguments in support of the position advanced by this letter. We would be glad to have him meet with you if you feel that would be useful. Please let us know what additional information, if any, you require in connection with this review.

Very truly yours,

Raymond R. Trombadore

RRT/ljk

cc: Philip Paley, Esq.
Eric Neisser, Esq.
Mr. Harvey Moskowitz
Messrs. Joseph & George Gerickont

SUMMARY REPORT

Gerickont Farm, Piscataway Township, N.J.

This report is an analysis of the Gerickont farm site in Piscataway Township, New Jersey. The owners are requesting that their property, presently zoned for single-family detached residential, be rezoned to permit high density residential development (12-14 dwelling units per acre), of which 20 percent would be designated for lower income housing in accordance with Mt. Laurel II. This summary report examines the suitability of the tract for higher density development and reviews:

- a. existing zoning and adjacent land uses;
- b. infrastructure; utilities and roads; and
- c. environmental considerations.

Site Description

The Gerickont site is approximately 55 acres in area of which 15 acres are located north of Morris Avenue (lot 21 in Block 647B) and 41 acres south of Morris Avenue (lot 2A in Block 744). The property is currently being used as an active dairy farm. The site is bounded on the east by single-family residential development, to the west by a cemetery, and to the southwest by a 55-acre tract which, until recently, was an active dairy farm. It recently was rezoned to permit high density residential development at a density of 10 units per acre. The Hovnanian Development Company has submitted a plan for this prop-

erty calling for the construction of approximately 540 dwelling units with 20 percent to be low and moderate income housing meeting Mt. Laurel II standards. At one time, the Hovnanian tract and the site in question constituted a single farm which was divided in accordance with the provisions of the will of the original owner.

Existing Zoning and Adjacent Land Uses

The site is presently zoned R-20 which is a single-family zone calling for minimum lot sizes of 20,000 square feet. The existing development to the east of the site has the same designation and consists primarily of single-family detached residences. To the north and west of the site, the properties are zoned and used for cemetery and R-15A uses, which calls for single-family development on minimum lot sizes of 15,000 square feet. The R-15A zone also allows, as a conditional use, planned residential development at a gross density of five (5) units per acre. The area to the southwest of the Gerickont Farm (the Hovnanian property) has recently been rezoned to R-20A which permits as a conditional use, planned residential development at a density of 10 units per acre (8 units per acre maximum with a 2-unit per acre density bonus for the provision of low and moderate income housing).

The general area has a considerable number of new office and research uses, particularly along Hoes Lane. In addition, the Busch Campus of Rutgers University is located along Davidson Road in very close proximity to the site.

Infrastructure: Utilities, Roads

SS
The Gerickont site is served by all necessary infrastructure. Public water and sewers are available to the property as are gas and electricity.

Traffic
The site has direct access to a four-lane collector street (Morris Avenue), is served by nearby existing arterial streets including Hoes Lane and Metlars Lane. In addition, the major arterials provide direct and convenient access to I-287 and Route 18.

The existing road system has more than adequate capacity in handling the vehicle load generated by the proposed use. On-site road improvements would serve to implement the Circulation Element of the Piscataway Master Plan which calls for the construction of a collector street along the southeastern boundary of the tract.

Environmental Considerations

Much of the data used in this section of the report is derived from baseline data from Piscataway's 1978 Master Plan. Soils' data is based on the 1976 Interim Soil Survey prepared by the U.S. Department of Agriculture Soil Conservation Service.

The Gerickont Farm site is relatively flat, varying in elevation from roughly 60-80 feet above sea level. Slopes do not present a problem for the proposed use.

SD
The site is traversed by a minor stream. Reference is made to this area on page 9 of the 1983 Piscataway Master Plan:

In an effort to protect existing development and to preserve environmentally sensitive streams, four areas of the Township are designated as Planned Conservation Areas... (one of these areas includes)... the stream areas located south of Morris Avenue.

The Plan recommends that the area be protected to preserve the integrity of the stream channels, and to minimize the adverse impacts of future development. The stream crosses the Gerickont farm and continues onto the adjoining Hovnanian property. Through careful site design the zone change can help achieve this important Master Plan objective.

Soil
The soils of the site consist primarily of Klinesville and Hansdoune soils on both sides of Morris Avenue. Some Reaville soils are found along the southwestern area of the tract. These soils present moderate to severe limitations for foundations of dwellings because of the presence of rippable shale bedrock at 1 to 1-1/2 feet along with some seasonal high water. Both deficiencies are easily correctable by standard development techniques. These same soils are also characteristic of the Hovnanian site which also includes Reaville and Rowland soils which have even more constraints due to frequent flooding.

Summary

The proposed rezoning of the Gerickont Farm is compatible with the existing and proposed land uses. The site has excellent access and is bounded by collector road with sufficient capacity to handle any increase in density. Public

water and sewers are available to the site, and the site itself poses no substantial limitations in terms of soil conditions and geology to develop. The site itself is bounded for the most part either by cemetery or proposed high density residential development. Finally, Moreover the development of the Hovnanian tract immediately adjacent to the subject property with high density housing would have a significant impact, and from a practical point of view, make continuation of dairy farming, with its fairly intensive adverse elements, probably impossible within a short period of time.