

CA - Piscataway

3-jun-85

Memorandum to all Counsel in the Piscataway Township
Case and Ms. Carla Lerman re: Site 3

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CA0024812



Superior Court of New Jersey

CHAMBERS OF
JUDGE EUGENE D. SERPENTELLI

OCEAN COUNTY COURT HOUSE
C.N. 2191
TOMS RIVER, N.J. 08754

rec'd 6/6
June 3, 1985

MEMORANDUM

TO

ALL COUNSEL IN THE PISCATAWAY TOWNSHIP CASE

AND

MS. CARLA LERMAN

In connection with the motion brought by Mr. Salsburg on behalf of Mr. Saker's site number 3 scheduled for Friday, June 7, 1985, I intend to hold a case management conference concerning the future course of this case. I have invited Carla Lerman to the conference so I may address certain questions to her which emanated from my site inspection. I do not believe that it will be necessary to place any portion of the conference on the record but if need be we will do so.

Eugene D. Serpentelli, A. J. S. C.

EDS:RDH
copy to:

Philip L. Paley, Esq.
Raymond Trombadore, Esq.
Lawrence Litwin, Esq.
Lawrence Vastola, Esq.
Howard Gran, Esq.
Edwin Kunzman, Esq.
Chris A. Nelson, Esq.
Barbara A. Williams, Esq. ✓

Neil Schoenhaut, Esq.
Daniel Bernstein, Esq.
Donald Daines, Esq.
Richard Salsburg, Esq.
Jack Dusinberre, Esq.
Richard Ragsdale, Esq.
Carla Lerman, P. P.

file



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PISCATAWAY TRIP

THURSDAY, MAY 16, 1985

With our chauffeur Philip Paley, John Payne and my law clerk, we're starting roughly at the intersection of Hoes Lane and Sidney Lane. We are proceeding now westerly on Hoes Lane having passed AT&T Stock Transfer Division. Now passing over the bridge over 287 and approaching site 6. Is that right? (Yes) We're now at site 6 which is immediately over the railroad bridge. High tension wires at the roadway and passing through the site. Looks like it's been farmed recently. At the parcel is the Lange parcel as we pass it there is a small home which, Mr. Paley believes, is the family house. Yes, as a matter of fact there is a mail box saying "Lange" which is good evidence. Across the street are rather attractive garden apartments known as "Carlton Club", perhaps about 20 years old, well kept. Separated from the Lange house and the portion of parcel 6 next to the railroad is a second portion of parcel 6 known as the Westergard tract. Immediately adjacent to the Carlton apartments is the Tanglewood apartment units which appear to be somewhat newer in vintage. Immediately at the road front there are some individual family homes and site 6 continues behind them to the intersection with Stelton Road. We're turning right now on Stelton Road. We're proceeding down the right side of the triangle and can view site 6 from that side and there are some individual homes along the roadway, site

6 lying in back of them. We pulled into the school parking area, we're coming back out and we're going back on to Stelton Road, in other words retracing the area where we came from and proceeding now towards the Stelton Road shopping district.

We're now entering the Stelton shopping district referred to in testimony, containing a number of individual or group buildings containing several stores all of a local shopping nature and in fact there is a videovision as I was concerned about during the testimony. Now above that shopping area there is a special building designated as the Karnell building, Piscataway Funeral Home, which looks like it belongs in Williamsburg and was formerly the Municipal Bldg.

Now, come to the intersection of Lakeview Avenue and we are making a right hand turn, proceeding easterly, I guess. To our left is the Ambrose Brook which will be a recreation area. We now come on to a traffic light at the intersection of Lakeview and Washington Avenue. We're turning left on Washington going over a bridge which crosses the Ambrose Brook. We're on South Washington Avenue now and about to make a right hand turn on to W. Seventh Street. We're proceeding down W. Seventh Street an area of single family homes of 1950 vintage or older, an area commonly known as the Arbor District. We've made a right on a street which is Clinton Avenue and we're now actually in Plainfield and we don't belong here so we're turning around. We're retracing so that we can come southerly on New Brunswick Avenue.

We're now just about at the intersection of W. Seventh and New Brunswick and we're going to proceed southerly down New Brunswick Avenue towards sites 1, 2, 3, and so forth. The structures on the left side of the road are in S. Plainfield and those on the right are in Piscataway. The uses are common on both sides at this point, single family. We're now at

Brookside Farms which is a large nursery presently in operation. Brookside Farms is site 1. Has road frontage of perhaps 300 feet although I can't really tell visually or from the map. Probably more than that in terms of road frontage. We've now approached the Harris Steel Plant which is both in S. Plainfield and in Piscataway. There is a red brick building that is rented to the Telephone Company. The Harris Steel building in S. Plainfield does abut the road at the traffic light intersection of Lakeview and New Brunswick Avenue. There are larger buildings also set back from the road and it's an old industrial complex-looking. There are smaller buildings. A garage-type building also at the road. An auto repair building with a single family residence next to it and across the street from them is the northerly portion of site 2 which is partially in cultivation. Across from it is a delicatessen and then some single family homes, older homes. The southerly half is more heavily wooded, not cultivated, that is, for farming. Mr. Paley indicates that this is the portion in which there is a brook not visible from the road. To the left, and again in S. Plainfield is a large steel structure, several stories in height, which is the apparatus referred to in testimony and does immediately abut the road. Within 200 feet of that in S. Plainfield are some single family homes, well kept, older-type homes and on the Piscataway side, continuing vacant land, heavily wooded. Also part of site 2. There is a vacant site next to the Harris Steel portion in S. Plainfield which has been rezoned for multiple family use and a couple of single family homes and then again vacant land which is part of that site. The end of site 2 is adjacent to some garden apartments which surround an old single family home.

We're continuing on New Brunswick Avenue past an extensive garden apartment, one of which is called Princeton Gardens. There is vacant land on

the other side of New Brunswick Avenue. Also in Piscataway a single family residential development, Pleasant View Gardens. Again, bilevel homes perhaps the '50s or '60s. The Pleasant View Gardens is not the name of the single family housing development but rather the garden apartments which we saw. Now passing site 4, we are now approaching Eastern Steel Barrel which is to our right as we proceed southerly on New Brunswick Avenue and we're now about to make a right hand bend still on New Brunswick crossing the railroad track. We're turning around and are going to proceed back northerly on New Brunswick Avenue so that we can see site 5. We're passing site 4 again now, a 10 acre site, which is now to our left since we are proceeding northerly on New Brunswick and it continues up to those single family homes, a road frontage of perhaps 500 feet. Now we're back south on New Brunswick avenue. We've passed the Steel plant again. We're coming to an intersection, making a right now on to Stelton Road and proceeding in a westerly direction, essentially a commercial-industrial type uses.

We're now making a right on Cumberland Lane proceeding easterly on Cumberland and then we made a right on to a small connecting street. We're now at site 5, superfund site looking at an area that has been fenced off and was referred to in testimony. There are junk vehicles and trucks in the area. Single family residences are visible from where we are sitting.

Now we're on Washington avenue proceeding roughly in a northerly direction through an area of single family homes principally interrupted by the Jug House Restaurant. We've now come to site 3 which is a heavily wooded vacant area opposite the single family homes abutting Washington Avenue in the vicinity of Owen Place. At the end of site 3 is the firehouse and immediately abutting that roughly to the northeast would be site 68 which has been treated for the purposes of review as part of site 3. We're continuing

to proceed now northerly on Washington and we're now approaching what is designated on the map as E R, which is the school. The single family homes of older type well kept continue and we are proceeding northerly to get an idea of its relative location to the Stelton Avenue shopping center.

We're now turning left onto Lakeview Avenue retracing past the Ambrose Brook a/k/a the New Market Pond. We're turning now south on Stelton Rd. to go through the township. We're passing again through the Stelton Road shopping area which also includes the Johanna Westergard Library, what appears to be a small professional park under construction. We're proceeding in a southeasterly direction on Stelton across the railroad tracks into a generally commercial industrial area. We're now at the intersection of New Brunswick and Stelton. To our left, which is to our east, is S. Plainfield and we're now proceeding along the border of S. Plainfield and Piscataway in a southerly direction about to cross Rt. 287 and as we pass 287 there is heavy concentration of motels and commercial activity. The Middlesex Mall which was referred to in testimony is to our left in S. Plainfield. A large mall including Sterns, Pathmark and so forth. At this point the road is four lanes with no shoulder. Past the Middlesex Mall is an additional shopping area referred to as Bennigan's. We've passed the intersection of Metlar's Lane and continued to proceed southerly. Now Stelton, on both sides is Piscataway. We're heading now directly towards site 37 in a southerly direction. We'll see site 37, site 40, 38 and 79.

Abutting 37 is a park known as Haines Park and across from it is a fire station. We've come off Stelton Road we're going back now on to Stelton Road to see the site from that prospective. Back out on Stelton Road there is a small piece of the site which abuts Stelton. We've passed sites 79 and 40 but we'll return to them coming back. We're going to site 38.

We have made a left hand turn onto Ethel Road. 38 is township owned. Across the street are some small older dormitory style buildings. There are also some single families in the area. The buildings appear to be part of the Timothy Christian School. Beyond the school is a small parcel of approximately an acre and one half which is considered part of the site 38 and which is then abutted by multiple family dwellings in the Township of Edison.

Now we're back at the intersection of Stelton and Ethel looking at site 40. I think it's fair to say that this is in a less attractive area of the town. Proceeding now on Ethel with site 40 to our right and behind us, a general commercial-industrial uses. Approaching an area from which the Rutgers-Livingston campus is visible. Now making a turn right onto Sutton Drive and we are proceeding northwest. Now approached a series of modest town houses, known as University Heights. Right above University Heights is site 42, known as Smith-Farm, presently being cultivated at least as is obvious from the road.

We are now on Metlar's Lane proceeding towards sites 45 and 46, passing Sturbridge Development. And now we'll be making a left onto S. Randolphville Road. To our right, just as we come on to S. Randolphville Road is a small site which we believe to be 62. It may be a four acre site.

We are on Morris Avenue looking at site 43, to the right of us, consisting of 14.7 acres. It's being cultivated in part at least -- there are residential homes abutting it on one side, and residential homes across the street. Diagonally across the road is the other part of the Gerickont holdings all of which seems to be under active use. Immediately adjacent to that is site 46 which will be the Hovnanian development and across from 46 and to our right on Morris, is a cemetery. Morris Avenue is a single lane

road in each direction with no shoulder. There is no paved shoulder. The land looks high and dry, uncultivated. Contains a sign forecasting "Luxury town houses". We are now passing the second cemetery which abuts site 44. Continuing to proceed now on Morris in a roughly westerly direction and we're going to hit Hoes Lane.

We're making a left on Hoes Lane proceeding in a southerly direction towards the Rutgers State University campus, known as the Busch campus. We are now on the Davidson Road passing the married student units. Proceeding past the Davidson dorms, on our left. Just as we pass those on our left is part of site 49. There is an old single family home in fact a couple of old single family homes surrounded by wooded area which form part of site 49. We have turned back onto Metlar's Lane and are looking at site 49 from Metlar's Lane, making a turn into a side street to see 49 from those streets. There are small single family homes on this side street which abut 49 in the back of them.

We are now looking at the rear of Society Hill and the Gerickont farm area by having come down Oros. Coming back out to Metlar's Lane and proceeding east on Metlar's towards sites 48 and 63. We are going in Zirkel Lane to look at 48 and 63. We've passed those two sites which are difficult to see from the road. Our notes indicate that there is supposed to be a flooding problem. One side appears to be low. Both of them heavily wooded. One across from an area which is cultivated. We are proceeding now back westerly on Metlar's having looked at 48 and 63. We are going through a road not clearly marked on the map we have - through the Livingston campus, so that we can get down to site 57 which is on the border with Highland Park.

Site 57 is across from a large park area along River Road. Proceeding now on River Road towards the intersection, access to Rt. 18.

Continuing on River Road passing now the Colgate-Palmolive Co. research center. We're approaching now site 54 and we've come to site 54 which is a nursery in active use. Opposite a small school, apparently utilized by Head Start. We've made a right hand turn on to Hanson and we're now looking at all of the site which was referred to as 60.

We're proceeding through side streets within site 60 made up of single family homes of various types and vintages as well as conditions. We are now in the area of site 53 in a small side road, heavily wooded vacant area with small homes. Some of them not well kept.

Back now out on Hoes Lane. We are proceeding northerly on Hoes Lane. We're now proceeding towards Centennial Avenue through a very lovely professional building area. Now we're on Centennial Avenue proceeding westerly towards River Road and towards Franklin Township. We've now reached River Road and are meeting the junction of Rt. 287. Passing over 287, passing on our left, Birchview Gardens, Mayflower apartments and Rivercrest apartments. Turning now on Maplehurst Lane off River Road to our right, which turns out to be a deadend. To our left is site 10, the road we're going through is an area of single family, older type homes, which deadends.

We are now back out on River Road and we're looking at site 9 to our right and we are heading towards the Union-Carbide plant. A large complex with a stack containing the word "Bakelite" on it appearing to be perhaps 100 feet high. A portion of it looking like research buildings and other of it being an industrial character. We are now proceeding around the back of the Union-Carbide facility designated as the Bound Brook plant and also off to the right is Georgia-Pacific.

We're now on Cedar Lane. We're now at the Halocarbon site which is site 8 and abuts site 7, shown on our list as comprising 123 acres. There

are high tension wires running through the site. This is the site that has a portion designated "wetlands". Now this is the site which also has the uranium issue being investigated.

We are now back at the municipal building but proceeding on Sidney Lane towards sites 31, 32 and 33. We have turned on Randolphville Road and we are now looking at site 31 which is a corner parcel appearing high and dry, approximately 12 acres, right of way for a school access. We're on Randolphville Road, a residential area of attractive homes. The Lake Nelson School. We're heading southerly on S. Randolphville and will intersect with Metlar's Lane. Make a left on Metlar's Lane and see sites 32, 33 and 34. We're now looking at site 35 which appears to be a dairy farm on S. Washington. And to our left across the street, 32, 33, and 34 - power lines running through the site - a portion of it now being farmed.

The last sites which we've viewed are sites 75 and 76 which are off River Road at the intersection of Hillside located in basically a single family residential area. The tour has been completed.

OVERALL IMPRESSIONS

Overall it appears that Piscataway has a substantial variety of housing, very little new housing and, in fact, a substantial number of minorities living in moderate income homes, particularly in the vicinity of site 60. There is a very significant amount of commercial and industrial growth from which the town is benefitting with major corporations. Conversely, it would appear that the town is well situated for the construction of multiple family homes because of the significant urbanization. It is not clear whether the absence of new housing was a

purposeful act on behalf of the municipality in order to concentrate its efforts on industrial growth. In any event, there are very few newer homes that were obvious during our inspection. The price of housing is very high. We saw units which were very modest. Condominiums in the 80,000. - 90,000. price range and generally modest homes in the \$125,000. price range.