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CA

3/2/82

Transcript of proceedings - witness  
- Strong

+ exhibits list

p 96

CA002586S

BOARD OF ADJUSTMENT  
BOROUGH OF SOUTH PLAINFIELD  
COUNTY OF UNION  
STATE OF NEW JERSEY

In the Matter of: )  
 )  
APPLICATION OF ELDERLODGE, )  
 )  
INCORPORATED. )  
 )  
----- )

Transcript of  
Proceedings

Tuesday, March 2, 1982  
South Plainfield, New Jersey

B E F O R E:

BOARD OF ADJUSTMENT

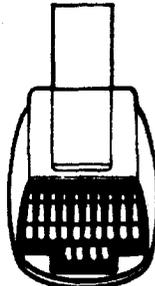
RONALD HEPBURN, Chairman  
ALBERT RYNO  
CARL ABBRUZZESE  
JACK LYNCH  
BRUCE HAGER  
ROBERT HORNE  
CYNTHIA GANUN

LAURA WILLARD, Secretary  
JOHN GRAF, Zoning Officer  
WILLIAM LANE, Board Attorney

THOMAS CICCARELLI,  
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A P P E A R A N C E S:

MESSRS. ABRAMS, DALTO, GRAN, HENDRICKS & REINA,  
By: ANGELO H. DALTO, ESQUIRE,  
Attorneys for the Applicant.

RAYMOND S. MILLER, ESQUIRE,  
Attorney for the Objectors.

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- I N D E X -  
(WITNESSES)

| <u>NAME</u>   | <u>DIRECT</u> | <u>CROSS</u> |
|---------------|---------------|--------------|
| ROBERT STRONG |               |              |
| By Mr. Miller |               | 38           |

- E X H I B I T S -

| <u>NUMBER</u> | <u>DESCRIPTION</u>      | <u>IDENT.</u> |
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1 MR. LANE: Mr. Dalto indicated to  
2 me that Mr. Ney was not going to be available  
3 tonight. My problem is that I was not able  
4 to reach the Chairman. The fact is I left a  
5 couple of messages for the Chairman, and I  
6 was not able to reach him until Monday.

7 As a result, his questions have not  
8 been made available.

9 Will the secretary please call the  
10 case?

11 THE SECRETARY: 2-82, Elderlodge,  
12 Incorporated, owner of property on Hamilton  
13 Boulevard and on Lots 5, 6A, 6B, 7 and 12,  
14 in Block 59, located in a BC-2 and an R-7.5  
15 zone.

16 Request permission to erect a 100-  
17 story senior citizens housing project, with  
18 moderate-income condominium units contrary  
19 to the requirements of Subsection 704 of the  
20 zoning ordinance of the Borough of South  
21 Plainfield.

22 The lot size is approximately 1.4  
23 acres. Presently, use of the premises is a  
24 commercial building and vacant land. Proposed  
25 action is contrary to the ordinance in the

1 following particulars for senior citizen  
2 housing is not specifically complied with  
3 for the zoning ordinance and the Borough  
4 of South Plainfield;

5 Two: Height restriction exceeding  
6 35-foot maximum height; and

7 Three: Applicant requested an  
8 interpretation of the parking lots.

9 MR. LANE: Have you entered your  
10 appearance?

11 MR. DALTO: Angelo H. Dalto,  
12 attorney for the applicant.

13 Mr. Chairman, I'd like to submit  
14 additional copies of the revised plan, from  
15 which Mr. Swoscik was testifying at the last  
16 session.

17 I don't think the Board has this,  
18 as they would supersede any previous submis-  
19 sions there are.

20 THE CHAIRMAN: That is substantially  
21 a hard copy. It is exactly the same. You may  
22 submit it.

23 MR. DALTO: I would also submit to  
24 the Board a copy of the site plan, which  
25 reflects certain accommodations made as a

1 suggestion in the area that had been desig-  
2 nated "Green Area."

3 We've set up provisions for addi-  
4 tional parking of vehicles. In effect, what's  
5 occurred is, we have eliminated six parking  
6 spaces and created 20 spaces in the area  
7 marked "Green Space," thereby giving a total  
8 of 74 parking spaces.

9 We are submitting this to the Board,  
10 not with any indication that this is what we  
11 want; purely as an indication that, if the  
12 Board feels there is a need for a backup  
13 position with respect to parking, any action  
14 by the Board can be conditioned upon the  
15 building inspector's determination. Should  
16 the case arise that additional parking was  
17 necessary, this plan would be implemented.

18 I want to stress that we feel the  
19 parking is unnecessary. I want to stress that  
20 we feel this is not the best plan, but I also  
21 want to stress the fact that it does represent  
22 an allowable alternative, one that can be  
23 accommodated, one that we feel is unnecessary.  
24 But, in deference to Mrs. Carlin's testimony,  
25 we are prepared to submit it to the Board as

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an alternative to what has been submitted  
as proper parking accommodations.

May I submit that?

CHAIRMAN: That is not what you  
have on these plans that are submitted.

MR. DALTO: I would like to submit  
this as an exhibit.

(Site plan received and marked as  
Exhibit A-11 for identification.)

MR. DALTO: I would also like to  
submit to the Board, as a supplement to Mrs.  
Carlin's testimony last month, a letter which  
I secured from Mrs. Carlin this morning, or  
this afternoon.

It is dated March 2, 1982, and  
addressed to me.

"Dear Mr. Dalto:

"I have enclosed data on the ratio  
of cars to dwelling units for elderly tenants  
living in specially-designed moderate-income  
housing developments. These figures were  
extracted from a survey of all projects for  
the elderly in New Jersey. This survey is in  
the process of being compiled and is not as  
yet completed. Therefore, the formal report

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on parking requirements is not available at this time.

"I hope this material will be helpful in your presentation before the Zoning Board of Adjustment hearing on March 2.

"Sincerely,

"Vivian F. Carlin, Supervisor  
Specialized Services, Division on Aging,  
Department of Community Affairs."

The exhibits attached relate as follows: "Specially-designed moderate-income housing for the elderly in New Jersey; Ratio of cars to dwelling units." And then it establishes the funding program.

"New Jersey Housing Finance Agency. Number of Dwelling Units, 11,489; Number of Resident's Cars, 3,710; Percentage of Cars/Units, 32 percent." Federal 202, 236, 515. Number of Dwelling Units, 6,945; Number of Resident's cars, 1,813; Percentage of Cars to Units, 26 percent. Total units are 18,434; The number of resident's cars, 5,523; for an average percentage of 30 percent.

In addition, there is an exhibit entitled "Specially-Designed Moderate-Income

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1 Housing for the Elderly in Middlesex and  
2 Union Counties. Ratio of cars to dwelling  
3 units."

4 There are listed 10 specific  
5 projects in Middlesex and Union Counties,  
6 and I will recite them quickly for the  
7 Board.

8 "Metuchen Senior Citizen Housing,  
9 Metuchen: 122 dwelling units; 43 cars;  
10 percentage, 35 percent. High Street Senior  
11 Citizen Housing, Perth Amboy: number of  
12 dwelling units, 96; 19 cars; percentage of  
13 cars to units, 20 percent. South Brunswick  
14 Community Development Corporation, South  
15 Brunswick: 54 dwelling units; 17 cars; 31  
16 percent. Cranford Senior Citizen Housing,  
17 Cranford: 128 dwelling units; 38 cars; 30  
18 percent. Elizabeth Towers, Elizabeth: 192  
19 units; resident's cars, 54; percentage, 28  
20 percent. Cedar Brook Apartments, Plainfield:  
21 140 units; 57 cars; 41 percent. Golden Age  
22 Towers, Rahway: 196 units; resident's cars,  
23 50; 26 percent. Pinewood Hall, Roselle: 169  
24 dwelling units; 44 cars; percentage, 26 per-  
25 cent. Springfield Senior Citizen Housing,

1 Summit: 137 dwelling units; 55 cars; 40  
2 percent. Westfield Senior Citizen Housing,  
3 Westfield: 168 dwelling units; 70 cars; 42  
4 percent."

5 I'd like to submit this letter as  
6 an exhibit, collective exhibit.

7 (Letter of Vivian Carlin, parking  
8 exhibits, marked Exhibit A-12 for identifi-  
9 cation.)

10 MR. DALTO: Mr. Chairman, we had  
11 concluded our testimony and we brought Mr.  
12 Strong back for specific questioning by the  
13 Board. I think that was the intent.

14 MR. LANE: Before we proceed with  
15 that, Mr. Dalto, I mentioned to you before  
16 the hearing we have a logistics problem. It  
17 is late now, and I presume we will be able to  
18 complete at least the testimony of Mr. Strong,  
19 cross-examination, and the like. If there is  
20 necessity, any witnesses. We probably will  
21 not vote on it this evening for a number of  
22 reasons, none the least of which we don't  
23 have a fellowship to hear your entire case.

24 I will need an extension -- this  
25 Board will need an extension of time. I believe

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we are close to the 120 days.

Can we have you put it on the record that you will extend and permit us that length of time, sufficient to render a decision?

MR. DALTO: Yes, Mr. Lane. We will be happy to extend the time to whatever extent is necessary in order to conclude the matter.

THE CHAIRMAN: Our next meeting will be the fourth Tuesday of March and we will render a decision at that time.

MR. DALTO: Fine.

MR. LANE: And then, Mr. Dalto, one other thing. We will need a transcript for the absent member. Mr. Hager was absent last week, and Mr. LaFerrara is absent this week.

MR. DALTO: Mr. Lane, you and I discussed that briefly. I assume that means one transcript?

MR. LANE: And I assume you have the option.

MR. DALTO: We will, presumably. This is the more brief meeting and we will submit it.

MR. LANE: Mr. Miller is down there setting his watch. I don't know whether that

1 is any indication.

2 MR. DALTO: But we will secure a  
3 transcript.

4 MR. GRAF: Which meeting did  
5 Mr. Hager miss?

6 MR. LANE: Last Tuesday. If the  
7 presence of Mr. LaFerrara --

8 MR. GRAF: I see.

9 THE CHAIRMAN: Everybody has had a  
10 copy of Mr. Strong's written testimony. I  
11 think we all heard it.

12 MR. DALTO: Mr. Chairman, could I  
13 interrupt for just one second?

14 Mr. Strong does want to make one  
15 correction on his written record.

16 THE CHAIRMAN: Okay.

17 MR. STRONG: Prior to the last hear-  
18 ing, I noticed that Exhibit 2, which is included  
19 on Page 8 of the report, has an error in it.

20 I can quickly describe what that is.

21 The age bracket which is now indicated  
22 on the table is 55 to 64 and, actually, it is  
23 55 to the 59 age group, the 1,446 persons. The  
24 age group from 60 to 64 was omitted from that  
25 table. That included 1,010 persons, with an

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estimated total of 643 households.

So that you can add that line, 60 to 64; 1,010 persons; 643 households. Change the line above it to 55 to 59. The table would be accurate, the totals are correct.

MR. ABBRUZZESE: Are the households totals, are they the same?

MR. STRONG: The 6,224 is correct. The 882 is correct for the 1,446 persons. I believe that at the last hearing Mr. Dalto submitted a piece of evidence, a copy of the preliminary printout of the 1980 Census for South Plainfield, which has those numbers included in it.

THE CHAIRMAN: Okay. Thank you.

Is there any questions from the Board right now?

MR. HORNE: Just concerning traffic.

THE CHAIRMAN: This would be, I think, anything that he has testified to from the written report, which would be planning as well as traffic.

MR. HORNE: I guess the only thing under planning I might ask is, is there any consideration being given to purchase another

1 piece of property for overflow parking if it  
2 was necessary? Is there any one of the adja-  
3 cent property owners that might be interested  
4 in selling?

5 MR. STRONG: I can't answer whether  
6 there has been any specific approaches made to  
7 adjoining property owners. This possibility  
8 had occurred to me behind the properties to  
9 the south of this site, going southerly on  
10 Hamilton Boulevard.

11 The existing buildings do have some  
12 land to the rear, which appears to be essen-  
13 tially under use at the moment.

14 It has occurred to me that, if park-  
15 ing did become a big problem, perhaps something  
16 could be worked out there by way of easement,  
17 even if not by acquisition, to install addi-  
18 tional parking facilities. I can't -- I have  
19 no knowledge of whether those owners would be  
20 the least bit interested.

21 MR. HORNE: As parking has been one  
22 of the most consistent items mentioned, I wanted  
23 to bring that up.

24 The only other one, I'd go back to  
25 the traffic flow and the building. I still

1 have some concern for the individual who is  
2 out shopping, makes an entrance in the main  
3 entry, drops his occupant off, and then has  
4 to exit onto Hamilton Boulevard, make a left,  
5 turn across traffic, come back to the entrance  
6 in order to go back to park.

7 Is there anything that can be done  
8 with that?

9 MR. STRONG: I think there was  
10 considerable study given to that problem by  
11 Mr. Swoscik, the architect, and Mr. Ney, I  
12 know, was involved in some conversations on  
13 this point.

14 To do that would require -- enable  
15 a movement to be made without going off site,  
16 it would require the driveway on the southerly  
17 side of the building be made two-way from the  
18 service roadway all the way around the back of  
19 the building. That would make it two-way and  
20 it would propose two problems:

21 One is that it would probably require  
22 some shifting of the bidding. It might affect  
23 the number of parking spaces on the northerly  
24 side. I think, more significant, however, it  
25 might prevent some confusion to the treatment

1 of that southerly entrance.

2 In fact, to make it one way, out-  
3 bound, from the service road to the street,  
4 and two-way beyond that, I think there might  
5 be a great deal of confusion.

6 MR. HORNE: My question was: If I  
7 was to reverse the area at the main entrance  
8 and reverse the area going all the way around  
9 the building, reverse the direction of those  
10 parking places that would be made one way,  
11 the traffic flow with one entrance and one  
12 exit.

13 MR. STRONG: I think the concern --  
14 I think that was a preliminary aspect that  
15 Mr. Ney talked about in his testimony that  
16 was creating the possibility of that full  
17 arrangement; that vehicles could move from  
18 South Plainfield Avenue directly across  
19 Hamilton into the driveway and possibly  
20 create a hazard, with the predominant move-  
21 ment of traffic coming down Hamilton and  
22 making that left-hand turn.

23 He felt that, by far, that the  
24 safer entry point was where it is and that  
25 the exit point opposite South Plainfield has

1 good visibility from traffic coming in both  
2 directions, from all standpoints it was a  
3 safer one.

4 I would, frankly, also point out,  
5 from my observations in the area, to the major  
6 portions of a number of days, honestly, I  
7 don't believe that the traffic flow, as it  
8 now exists on Hamilton Boulevard, is so sub-  
9 stantial as to make the movement that you are  
10 talking about a kind of a very difficult one  
11 to make.

12 MR. HORNE: I am just qualifying  
13 that.

14 As I remember, we had testimony  
15 that the rear -- it would be a rear parking  
16 entrance and the side parking entrance, so  
17 that would cut down some of it.

18 MR. STRONG: Yes.

19 MR. ABBRUZZESE: Mr. Strong, I would  
20 like to make reference to a statement that  
21 previously was in the report here.

22 You say there are three structures  
23 on the site at the present time. Two commer-  
24 cial structures. Would you be a little bit  
25 more specific as to what they are?

1 MR. STRONG: These two structures  
2 we are talking about are on the southerly  
3 end of the property.

4 Now, one is a two-family residence;  
5 the other two are commercial structures.

6 MR. ABBRUZZESE: The two-family,  
7 yes. I'm sorry. You indicated the marginal  
8 structures and a two-family residence.

9 MR. STRONG: Yes.

10 MR. ABBRUZZESE: I'm questioning  
11 the two marginal commercial structures. I'm  
12 not too sure just what you are referring to.

13 MR. STRONG: There are two commer-  
14 cial structures at the southerly end of the  
15 property. One is a very small one. Here is  
16 the surface. One is a very small, one-story  
17 masonry frameworking; the other one is a small,  
18 cinderblock building.

19 MR. ABBRUZZESE: When you say "mar-  
20 ginal," what do you mean by "marginal"?

21 MR. STRONG: Basically, that they  
22 are relatively old buildings, because they are  
23 in need of repair. They are marginal, I think,  
24 from the standpoint of their --

25 MR. ABBRUZZESE: Let's take one at a

1 time, rather than examine both together.  
2 Let's take the concrete, the block structure  
3 one first.

4 MR. STRONG: The existing one-story  
5 building, the one that's right opposite South  
6 Plainfield Avenue, is a structure that is, I  
7 guess, roughly 3,000 square feet, maybe some-  
8 thing in that nature. It is a one-story, block  
9 building, no particular distinguishing fea-  
10 tures. I think it is generally in need of  
11 some significant maintenance. Physically, I  
12 don't think it is particularly attractive,  
13 and, locationally, I don't think it offers  
14 anything of great substance by way of a loca-  
15 tion for a commercial venture.

16 MR. ABBRUZZESE: You indicated it  
17 requires maintenance. What type of mainten-  
18 ance are you referring to?

19 MR. STRONG: Painting, repair work,  
20 exterior repair work. It seems to me there  
21 is what looks like a gutter -- paint was  
22 needed, in my observation. I really didn't  
23 go much beyond that.

24 MR. ABBRUZZESE: Would you say  
25 that's an obsolete building?

1 MR. STRONG: I would say, generally,  
2 given the facts for the location and the  
3 marketability of the building, yes, I would  
4 say it is.

5 MR. ABBRUZZESE: You mentioned  
6 marketability. What would be the market-  
7 ability of that building?

8 MR. STRONG: At the moment, the  
9 only marketability is for a commercial struc-  
10 tures, and I think the indication that in the  
11 neighborhood that there is not a substantial  
12 market for commercial ventures in the area.

13 MR. ABBRUZZESE: Do you have any  
14 idea what the market value would be, dollar?

15 MR. STRONG: No. I wasn't concerned  
16 with the value.

17 MR. ABBRUZZESE: Now, about the  
18 other marginal structure.

19 MR. STRONG: The other is a very  
20 small, part-frame building. It doesn't really,  
21 realistically, weigh heavy in my mind. It is  
22 farther north on Hamilton Boulevard, on a  
23 separate parcel. Its size, I don't think, is  
24 any more than probably -- less than a thousand  
25 square feet.

1 MR. ABBRUZZESE: All right. Now,  
2 I have a couple of other questions. Will you  
3 bear with me.

4 MR. STRONG: I believe that building  
5 is vacant.

6 MR. ABBRUZZESE: That second one is  
7 vacant; it has been for some time. In fact --  
8 on Page 3, you have indicated it throughout  
9 your testimony, you kind of made reference to  
10 Spring Lake Park.

11 MR. STRONG: Yes, sir.

12 MR. ABBRUZZESE: And I am concerned  
13 with you also indicated that possibly work  
14 would be started on the Spring Lake Park in  
15 1983.

16 MR. STRONG: That's correct.

17 MR. ABBRUZZESE: What do you base  
18 that on ?

19 MR. STRONG: Discussions with the  
20 Director of Middlesex County Park Commission  
21 in New Brunswick.

22 MR. ABBRUZZESE: Do you have any  
23 testimony from him, or written testimony from  
24 him that you can submit?

25 MR. STRONG: No. We sent this to

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the county office several months ago to find out the status of the park.

I was told that it was expected for bids in December. That was last November. I was in there and I had a detailed plan, one drawn this year, and they expected to start construction in 1983. That was the next major project on the Park Commission's schedule.

I was given a copy of the brochure, which, if you want to offer it, this is the brochure which she provided me with which details the general plans for the park; schematics, improvement plans, cost estimates, and generally descriptive of what the park commissioner contemplated for the site.

MR. DALTO: If the Board wishes, we could make that available for the Board.

THE CHAIRMAN: Carl, would you like to see it?

MR. ABBRUZZESE: Yes, I would.

THE CHAIRMAN: Why don't you have that marked as, I think it is, A-13.

(Development plan <sup>for Spring Lake Park</sup> marked as Exhibit A-13 for identification.)

MR. ABBRUZZESE: I have another

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question, and I am making reference to the last page of your report, the map.

MR. STRONG: Yes, sir.

MR. ABBRUZZESE: You indicate there that the property -- if I read this correctly -- the proposed site will cover some property that is not listed on the application.

Lots 5, 6A, 6B, and 7 and 12 are listed. And what you have here also covers a lot of Borough property, and I think it is identified as 1-B.

MR. STRONG: 1-B is not part of the site.

MR. ABBRUZZESE: You have it on here.

MR. STRONG: 1-B is the parcel at which is below the building, to the south. 1-B is the kind of an L-shaped parcel at the southerly end of the R-7.5 zone. The small amount of frontage on Hamilton Boulevard.

MR. ABBRUZZESE: 1-B fronts, actually, against the overpass.

MR. STRONG: On its westerly side, yes.

MR. ABBRUZZESE: But your map here indicates that proposal covers that, as well.

1 I am wondering how you obtained that.

2 MR. STRONG: Perhaps I can show you.

3 This is Lot 1-B here. This is 1-B.

4 This is 1-A.

5 MR. ABBRUZZESE: What is this one  
6 over here?

7 MR. STRONG: 5.

8 MR. ABBRUZZESE: This is 5?

9 MR. STRONG: This is all one parcel.

10 The site includes 5, 6A, 6B, 7 and 12.

11 MR. ABBRUZZESE: No. 5 is not  
12 95-by-125?

13 MR. STRONG: It is irregular.

14 MR. ABBRUZZESE: The survey map  
15 will show this?

16 MR. STRONG: The survey map, I  
17 believe, is identical to that. This is it  
18 here. The survey shows 25 and this shows  
19 the remaining part of 5 (indicating). This  
20 we prepared. It was contemplated subdividing  
21 that lot out. This is 6A, 6B, 7 and 12.  
22 This is the remaining part of Lot 5.

23 Also, if you look at the overall  
24 map here, it is essentially the same as the  
25 tax map. This shows it as one piece. And

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1-B is this L-shaped parcel to the south.

This is part of the land that we were talking about before.

MR. ABBRUZZESE: The 1-B?

MR. STRONG: 1-B, the rear of 8.

MR. ABBRUZZESE: Okay.

THE CHAIRMAN: Is that all, Carl?

MR. ABBRUZZESE: Yes, that will be all.

MRS. GANUN: Mr. Strong, in your report here you have stated that the projected unit cost will be between \$55,000 and \$60,000.

Now, do you have any knowledge of how much realty would go for in South Plainfield, say, a house along Church Street, a house of 50, 75 years old?

MR. STRONG: No, I really don't. The only relationship I developed to that was the general proposition that, overall, one-family dwellings in South Plainfield were predominantly in the 70- to \$80,000 value range today.

MRS. GANUN: That would include the newer houses being built?

MR. STRONG: Yes.

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MRS. GANUN: So, we have really no reports before us to state how much a house would go for, say, a 70-year-old person would be selling?

MR. STRONG: There is no way that I'm aware of to attach it into any kind of an individual basis.

The dwellings which are now occupied by households in South Plainfield of senior citizens, and the values, I think that would take a very complicated and extensive survey.

MRS. GANUN: Thank you.

MR. RYNO: Mr. Strong, the only thing that concerns me about the application is some of the distances that people, older people, are going to have to travel to get to certain spots.

I know that in your report that you pointed out that there are several activities in the immediate area that are pertinent to the utilization of senior citizen residents.

Now, you mentioned, as Mrs. Carlin did when she was here, mentioned that two

1 blocks, two to three blocks, was a good  
2 average distance for older people to walk.  
3 Some of the places that you have mentioned  
4 here are a little bit longer than that.

5 Unfortunately, if they are going  
6 to use the park, that's going to be a little  
7 bit longer than that. Not only do we have  
8 to walk that distance, but they are going to  
9 have to get across a main avenue which is  
10 a very heavily-traveled street.

11 Where is a full grocery store?  
12 That's one thing I want to know.

13 MR. STRONG: There is not a full  
14 grocery store. I think my report notes  
15 that's one of the significant deficiencies.

16 There is no question that, to go  
17 to a full grocery store, the closest is the  
18 A & P, which is a couple of blocks up the  
19 road here. That clearly is beyond walking  
20 distance, probably, for most of the people.

21 My mother, at 83, probably walks  
22 that far to the grocery store today. As a  
23 general proposition, I would not expect any  
24 significant number of people to walk that far.  
25 I don't think Spring Lake Park is well within

1 a normal walking distance.

2 Mrs. Carlin was saying two to three  
3 blocks in terms of, like, a quarter to a half  
4 a mile, and that is, I think, a reasonable  
5 walking distance for the typical person in  
6 this age group.

7 Spring Lake Park is within that  
8 walking distance. There are certain stores  
9 along South Plainfield Avenue -- there is a  
10 drugstore in South Plainfield; there are  
11 several restaurants in the area which are  
12 suitable; and, most particularly, there is a  
13 senior citizen center which is directly across  
14 the street. The people are going to have to  
15 find some means of containing their normal  
16 groceries.

17 I have heard -- and I don't know  
18 how factual it is -- there has been some  
19 interest in reestablishing a retail food  
20 store in the former Shop-Rite building. If  
21 that comes about, that would certainly be  
22 within walking distance. I think it is a  
23 very practical matter.

24 If this project were approved, that  
25 would considerably create enough stimulus for

1 someone to attempt to start a convenient  
2 food store in the area and immediate vicin-  
3 ity. That would be -- 7-Eleven type stores,  
4 something of that nature. That would satisfy  
5 the day-to-day requirements. If not, if it  
6 doesn't satisfy the longer-term requirements,  
7 ultimately, the Borough does operate a senior  
8 citizens' jitney-type bus that is available,  
9 as I understand, on a call basis. And I  
10 think if this project were established that  
11 there probably would be some form of organ-  
12 ized scheduled transportation from the site  
13 to one or more food markets. This is quite  
14 common with this type of project.

15 MR. RYNO: And do you see any added  
16 cost where you would add to the Borough for  
17 the comfort or utilization of facilities for  
18 these people, such as buses or things like  
19 that?

20 I see a couple. We are talking  
21 about senior citizens living in a community  
22 who are eligible for all of the transporta-  
23 tion facilities and everything else that the  
24 Borough might have, in addition, as well as  
25 those that would be subsidized. Is that true?

1 MR. STRONG: Yes. Certainly. It  
2 would have every right that every other citi-  
3 zen presumably has, and we hope that the vast  
4 majority of the residents here would be able  
5 to be relocated from other housing units  
6 within South Plainfield.

7 My understanding is that the Borough  
8 is operating a transportation service now, and  
9 the demand for the service got to the point  
10 that it became necessary to augment the ser-  
11 vice by adding another vehicle or adding  
12 another driveway, or something of that nature.

13 I think the additional cost would  
14 be nominal. Whether that would be offset here  
15 by reducing the demands in other places in  
16 the Borough, with this proposition you are  
17 going to have a hundred residents as opposed  
18 to a hundred residents in a variety of scat-  
19 tered locations in the Borough. It would be  
20 more economical, too. It is awfully difficult  
21 to predict until you know the exact mix of  
22 people that are in there.

23 THE CHAIRMAN: What is your defini-  
24 tion of a senior citizen?

25 MR. STRONG: There are, for purposes

1 of this application, the age limit which is  
2 contemplated here is over 55.

3 THE CHAIRMAN: Would that be your  
4 definition?

5 MR. STRONG: That is utilized in  
6 many situations.

7 The State Division on Aging stand-  
8 ard is 65. The Federal Government is 62,  
9 female; 65 for males. There are a variety  
10 of standards, depending upon the contention  
11 that you are dealing with. But I think you  
12 are selling, in general, use to the 55-to-65  
13 group.

14 I have seen a number of projects,  
15 the Rossmoor-type projects, this type in which  
16 age limit is down as low as 52, and they are  
17 described as senior citizens.

18 Your definition of that is whatever  
19 subject matter you happen to be dealing with.

20 THE CHAIRMAN: What do you think of  
21 the specific attributes of the people that  
22 will be attracted to this facility?

23 MR. STRONG: Okay. A number of  
24 things.

25 One. Families completely departed

1 from the family household. Many situations  
2 in which you are dealing with elderly widows  
3 or widowers, many situations from which you  
4 are dealing with someone who is mildly to  
5 more severely incapacitated, perhaps even in  
6 a wheelchair, but is still not incapable of  
7 caring for themselves, does not require a  
8 nursing home-type treatment.

9 Frequently, I think you will find  
10 people who do not -- who are -- people who  
11 are long-term residents, if not in South  
12 Plainfield, in the general area; people who  
13 do not have a history of transient character-  
14 istics in their background, where they might  
15 be more inclined, reaching a retirement age,  
16 to go to Arizona or even Manchester Township;  
17 people who have what they would consider  
18 strong roots in the area by way of family,  
19 church, associations, or pure habit, and are  
20 desirous of staying here; people who have a  
21 number of reasons, finding their existing  
22 housing accommodations more difficult to deal  
23 with than they may have been 10, 20, or 30  
24 years ago.

25 The maintenance of the structure,

1 the story characteristics of the building,  
2 the need to climb stairs frequently. Many  
3 houses of that vintage are restricted to  
4 second-story bath facilities, which require  
5 going up and down a flight of stairs, to the  
6 classic two-story, three-bedroom house, going  
7 back to the 1920's. Those things become a  
8 problem for people that age.

9 When they get to be a sufficient  
10 problem that an opportunity to relocate to a  
11 facility such as this that can cause those  
12 problems to cease, you are going to find a  
13 number of people who take advantage of it.

14 THE CHAIRMAN: Can you enlighten us  
15 as to a similar facility relatively nearby?

16 MR. STRONG: I think, probably --  
17 what do you mean? What similarities are you  
18 looking for; size, height, simply the senior  
19 citizens occupancy?

20 THE CHAIRMAN: Occupancy. I am look-  
21 ing at the type of person that might want to  
22 reside in this location.

23 MR. STRONG: You are talking about  
24 senior citizen type projects?

25 THE CHAIRMAN: Yes.

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MR. STRONG: Well, the list that was put in earlier, giving you a number in the Middlesex and Union County area, by way of income level, are consistent with these.

THE CHAIRMAN: Would you suggest --

MR. STRONG: I have another list in this file.

THE CHAIRMAN: The list that we had been provided with before was basically a subsidized list.

Mrs. Carlin, if my recollection is correct, was the only person that provided an instance that was not subsidized -- that was called Putnam House -- which she had no direct knowledge of.

Maybe my question should have been, would this, in your mind, this facility, be comparable to a subsidized housing project?

MR. STRONG: When it is distinguishable, certainly, by the lack of subsidy. I can't honestly say whether or not, if this project had been conceived of five, six, seven years ago, whether it would have been a subsidized project; simply, that the subsidies that were available in ample quantities at that

1 time are generally not available now. They  
2 are extremely difficult to come by. Most of  
3 the subsidies were designed to subsidize the  
4 mortgage of a property for construction, in  
5 combination with the rent subsidy, as required  
6 for the tenant. There were two different pro-  
7 grams that were involved. The lack of any  
8 subsidies for financing really leaves to  
9 developers the requirement to go out to get  
10 funds for construction. That really is the  
11 distinguishing feature. The lack of subsidy  
12 on the rent and the way that program works,  
13 without getting into a lot of details, is  
14 simply within certain bounds that a rental,  
15 a market rental, is set for the project which  
16 is consistent with the rental market in the  
17 vicinity.

18 Occupants' direct payment to the  
19 landlord are then based upon their ability to  
20 pay, and the Federal Government subsidized  
21 the balance by direct payment to the landlord.  
22 So that the rental income as at the market  
23 level for the area would be partly paid by  
24 the Federal Government; part would be paid by  
25 the occupant, according to their ability.

1                   Those programs are not being sought  
2 here. And this, of course, would be a condo-  
3 minium, which would not be subject to --

4                   THE CHAIRMAN: Would you say that  
5 would attract a different group of people, a  
6 different set of circumstances, than subsi-  
7 dized housing?

8                   MR. STRONG: Yes, I believe it  
9 would.

10                  THE CHAIRMAN: You are the first  
11 one who thought that.

12                  MR. STRONG: I believe that this  
13 is going to attract predominantly local people  
14 who have an existing investment in real estate  
15 that they would probably like to divest them-  
16 selves of.

17                  The subsidized housing, I think, is  
18 much more broad in the kind of people that  
19 encompass it, respective tenants.

20                  THE CHAIRMAN: What would you expect  
21 that the age distribution in a facility like  
22 this might be?

23                  MR. STRONG: I can only really  
24 speculate by the groups. In the group, say,  
25 from 55 to 65, I think we would probably be

1 quite limited, and I think the people that  
2 you would find in that age group within this  
3 project would predominantly be females living  
4 alone. Going beyond 65, I would think you  
5 would probably -- between 65 and 75, probably  
6 the vast majority of the occupants, probably  
7 two thirds -- the balance of one-third would  
8 be, say, over 75. I think there you can only  
9 go by what the age distribution is of the  
10 local residents today.

11 I recognize, also, that the older  
12 individual guests are more likely -- they are  
13 more likely to be interested in locating to a  
14 situation such as this where the maintenance  
15 responsibility is minimal.

16 There is obviously going to be more  
17 peer appeal to someone at the age of 68 than  
18 there is of someone at the age of 65. They  
19 are going to appeal more to someone 75 than  
20 someone at 68, but the quantities of people  
21 at that level are fewer. It is somewhat  
22 speculation.

23 THE CHAIRMAN: Thank you. That  
24 is all I have.

25 Mr. Miller?

1 ROBERT STRONG, sworn.

2 CROSS-EXAMINATION BY MR. MILLER:

3 Q Well, Mr. Strong, I note in the  
4 new parking plan that there has been an addition of  
5 additional spaces. But I presume what was sacrificed  
6 was greenery, correct?

7 A Yes. They took four -- six parking spaces  
8 and made 20 parking spaces.

9 Q From what I can see, there is a  
10 greater amount of blacktop and a considerably less  
11 amount of greenery.

12 A That's not a proposal.

13 Q That's not?

14 A That's just a demonstration for the Board of  
15 an adjustment of how many additional parking spaces  
16 could be accommodated in the site if the 60, as pro-  
17 posed, proves not to be adequate.

18 Q I see. Could you tell me what the  
19 proposed overall acreage is of the entire tract?

20 A Yes, sir. It's 63,295 square feet, which is  
21 1.4 acres.

22 Q And are there not residential zones  
23 for one-family homes that are one acre for just a one-  
24 family house?

25 A Not here.

1 Q Okay. You proposed putting a hun-  
2 dred units of housing on 1.4 acres of land and still  
3 supplying parking?  
4 A That's correct.  
5 Q How many compact car spaces are you  
6 going to have there?  
7 A Thirty for compacts and 30 standard.  
8 Q So, half your proposed parking of  
9 60 will be compact cars?  
10 A That's correct.  
11 Q And yet you just testified that the  
12 preponderance of people in this project are going to be  
13 old.  
14 A They are all going to be over 55.  
15 Q I'm over 55 myself. Pretty soon I  
16 can qualify.  
17 A Within this year.  
18 Q Okay. Now, you ever see a senior  
19 citizen try to get into a compact car?  
20 A Sure.  
21 Q Without breaking their back or  
22 falling over? I have in-laws and I speak from experi-  
23 ence.  
24 A My wife drives a Mustang, and my 83-year-old  
25 mother gets in and out of it with no difficulty.

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1 Q God bless her.

2 A Eighty-four in May.

3 Q I hesitate to question you on  
4 Miss Carlin's letter because you are not part of that,  
5 but I would like to point out, in the letter, in the  
6 body of the letter here, it refers to moderate-income  
7 housing.

8 If you will examine the letter here,  
9 her comparisons -- I don't want to get into the subject  
10 of moderate-income housing, but I just want to point that  
11 out.

12 These folks, Mr. Strong, that are  
13 of this age situation, as per your testimony, do you  
14 think they qualify for mortgage financing at this age?  
15 I mean, would there be a bank that would be --

16 A Based upon their individual circumstances, I  
17 think you can make the same speculation about someone  
18 30 or 25. I think it would depend upon what assets they  
19 had, how much they could put into the units in terms of  
20 initial equity, if they were seeking to finance any of  
21 it.

22 We expect, frankly, most of these  
23 units to be bought outright. That's fairly typical of  
24 this type of unit.

25 Q You see, you got -- I'm sorry.

1 A If someone did choose to want to finance part  
2 of it through a lending institution, I think it would  
3 depend entirely upon their assets, their age, other  
4 sources of income they may have, and, like anyone else,  
5 their ability to pay it off.

6 Q Let me give you what we could call  
7 a Catch-22 situation.

8 Testimony involving the amount of  
9 car usage within these type of situations is maybe, tops,  
10 50 percent of inhabitant owners. So, therefore, suppos-  
11 edly, you don't need all those parking spaces at the  
12 same time. They don't have cars; they got to walk. And  
13 they have to walk, they have to get to the necessities  
14 of life. So you got a Catch-22. They don't have cars;  
15 they got to walk.

16 Now, let's find out what kind of  
17 problems they are going to have. Somebody in their  
18 60's or, more likely, in their 70's and, even more likely,  
19 as far as walking ability, in their 80's.

20 Now, if they don't have a car, they  
21 got to go to the market to shop. Would I be more correct  
22 to say that they might come out of the market with a  
23 bundle in their arms, foodstuffs?

24 A I think most people that go to the market to  
25 shop come out with bundles in their arms, yes.

1 Q Now, if they don't have a car --  
 2 because we are testifying here that many people will not  
 3 have cars -- how do they get back from the market -- and,  
 4 many times, in inclement weather, because New Jersey is  
 5 marvelous for inclement weather about seven months of the  
 6 year. How do you walk from the market with a bundle in  
 7 your hands if you are aged?

*Should - how do they  
 get from their homes  
 will walk*

8 A I don't think most of them will walk. I think,  
 9 one, if they are not amongst the 30 to 40 percent who  
 10 live here and do own vehicles, that they will go to the  
 11 market with somebody else and that their vehicle, whether  
 12 that be another resident of the building or a relative in  
 13 the area, daughters will come to take their mothers  
 14 shopping; sons will take their mothers shopping. Things  
 15 of that nature. Neighbors will take each other shopping.  
 16 They will rely to some degree on the senior citizen  
 17 transportation service which the Borough provides.

18 There is every possibility, if that  
 19 does not serve satisfactorily, that in a project of even  
 20 the size we have here -- which is relatively small -- that  
 21 some form of provision could be made for a regularly-  
 22 scheduled transportation service paid for out of the  
 23 condominium group, or transportation of a group of people  
 24 to a local market or to a group of open markets in down-  
 25 town Plainfield to do some shopping if they wanted to go

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1 there.

2 All those possibilities are quite  
3 common in any senior citizen project.

4 The other possibility, of course, is  
5 we've talked talked about earlier -- is that the presence  
6 of an additional hundred units of senior citizens' hous-  
7 ing in this location could precipitate the reactivation  
8 of the former Shop-Rite store which, I understand, is  
9 even being talked about, aside from this, or probably  
10 the creation of a small convenience food store in the  
11 immediate walking vicinity of the site. There are a  
12 host of possibilities.

13 Q Mr. Strong, I was not at the very  
14 first meeting. I think you offered testimony.

15 Can you tell me in what capacity  
16 you are testifying tonight?

17 A As a planner. I am a planning and zoning  
18 consultant.

19 Q Okay.

20 A With expertise in traffic, also.

21 Q Now, as far as traffic, did you take  
22 any kind of traffic count or a good observation as to  
23 peak hours in the intersection where South Plainfield  
24 Avenue hits Hamilton Boulevard?

25 A No. But, Mr. Ney, who was offered as an expert

1 traffic engineer in this application, did make such a  
2 detailed account, and I believe there is a report of it  
3 in evidence.

4 Q Now, do you think that the use  
5 proposed for the site is the most proper and best use  
6 that it could be applied to for? *highest + best?*

7 A I am not sure why that's significant.

8 Q I think we want to get the best for  
9 South Plainfield in that location.

10 A This is an appropriate use for the site. I  
11 think it is a very reasonable, very proper use. It is  
12 appropriate -- consistent with other things that are  
13 going up in the area, and it is well suited to the site.

14 Q Do you think --

15 A There are too many other uses conceivable that  
16 could deal with the site.

17 I discussed the problems of develop-  
18 ment on the site in my report, particularly aggravated  
19 by split zoning of the property, retention of zoning on  
20 the rear commercial lot and the front; the lack of exist-  
21 ing commercial liability in the area; a host of other  
22 facts that make it a very difficult piece of property from  
23 a development standpoint.

24 This use, which can override those  
25 circumstances and be put to a very viable use on the

1 property, which would have, I think, significant advan-  
2 tage to the business community in the area without having  
3 any detrimental effect whatsoever.

4 Q Are you aware that a recent variance  
5 has been granted to a school, a special school, within  
6 this general area?

7 A Yes, I am.

8 Q Do you think that there would be any  
9 bad position between a variance that was granted and the  
10 senior citizens' home as to crowding of the area, as to  
11 a bad creative mix?

12 A It would hardly crowd the area. I am familiar  
13 with the other application, because I testified in support  
14 of it. It would hardly crowd the area. You are suggest-  
15 ing that there might be some conflict between the activi-  
16 ties of the training school and the senior citizens?

17 Q As to flow of pedestrian traffic, as  
18 to just a greater activity in the area that might not be  
19 able to take it. *pedestrians!*

20 A I think if there is anything that the area  
21 needs, it is greater activity. I think activity in that  
22 portion of South Plainfield is probably 50 times as great  
23 30 years ago as it is today, and that's the real problem  
24 in the area.

25 I have no problem with the activity

1 created by this, as well as the school project.

2 Q I must differ with that.

3 Just one more question and I will  
4 quiet down.

5 Could you build a four-story build-  
6 ing here just as easily as a six; maybe easier?

7 A No.

8 Q Why not?

9 A A project of this size, the one that we have  
10 been working on, as it is, a project means a minimal  
11 level in terms of number of units. It requires a hundred  
12 units to function properly.

13 In order to get the maintenance con-  
14 tracts that the place is going to have, giving the  
15 minimal employment staff that it will have, the financ-  
16 ing that it requires, the whole basic thing requires a  
17 minimum of a hundred units.

18 A project that the New Jersey Hous-  
19 ing Finance Agency was financing even had a minimum of  
20 150 units for any project that it would even consider as  
21 a senior citizens project.

22 Now, to put a hundred units on the  
23 site in a four-story building would do the very thing  
24 that you were talking about earlier; consume more of the  
25 land we are building on. That, in combination with the

1 parking, if we could get the 60 parking spaces on it --  
2 and that's not what we are looking to do here -- and that,  
3 I think, is not in the best interest of the area.

4 By going to a six-story building,  
5 which could be served by the same elevators as a four-  
6 story building, and the same utilities that are required  
7 in a four-story building, we can reduce that; we can  
8 increase the security of the building by having a small  
9 first floor. We could reduce the number of units on the  
10 first floor, which is the maximum security problem.

11 We can get more parking and we can  
12 maintain some more greenery. It is a very definite  
13 advantage to go to the six stories.

14 MR. MILLER: That's all.

15 THE CHAIRMAN: Any additional ques-  
16 tions? Any specific questions of this witness  
17 from the audience?

18 A VOICE: Joseph Ferrarro, 135  
19 Clifford Street.

20 I would like to ask you a few  
21 questions, but I would like to start with  
22 Mr. John Graf.

23 THE CHAIRMAN: You will have an  
24 opportunity, but there --

25 MR. FERRARRO: There are some

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questions I want to ask him.

THE CHAIRMAN: Why don't you ask him?

MR. FERRARRO: Do you know what the tallest residential dwelling in this town is?

MR. STRONG: Tallest residential dwelling in South Plainfield? Probably not over three stories.

MR. FERRARRO: And do you have any idea how many families -- what the largest dwelling is, family-wise?

MR. STRONG: In terms of number of units?

MR. FERRARRO: The amount of families or dwelling units.

MR. STRONG: Not offhand. But I don't think there is anything -- probably nothing in excess of 10, if there's anything that high.

MR. FERRARRO: I think it is less, but I really don't know, either.

MR. STRONG: I know there's nothing permitted by zoning over two.

MR. FERRARRO: I say two; that South

1 Plainfield is mainly a one-family community.

2 Would that be fairly correct?

3 MR. STRONG: Actually, I couldn't  
4 agree with you more.

5 MR. FERRARRO: Since you are in the  
6 business, building or planning business, could  
7 you tell me honestly what the future effect  
8 might be on another building that comes along  
9 -- and, say we have a six-story building here,  
10 and I want to build a six-story apartment  
11 house?

12 MR. STRONG: People have to go  
13 through, under the present zoning ordinance,  
14 the same process that this applicant is going  
15 through: Appear before this Board with the  
16 proper application; make a case showing special  
17 reasons as to why the use-variance is an appro-  
18 priate one.

19 We think we have made this applica-  
20 tion. We think we have done this before the  
21 Board ourselves.

22 MR. FERRARRO: In that case would  
23 you feel -- I'd have to ask you this as an  
24 opinion. I'm not speaking for Mr. Graf, who  
25 probably knows the answers, but, if somebody

1 did come along, he could use this six-story  
2 building as an action to get another build-  
3 ing, and probably his argument -- whatever  
4 argument he presents -- would be in his favor,  
5 because we already have a building that's six  
6 stories tall.

7 MR. STRONG: I think it is probably  
8 the Board's attorney who would be better able  
9 to answer that. I think it is a pretty well-  
10 established zoning law.

11 Granting of this variance could not  
12 create any precedents for granting a subsequent  
13 variance. Each applicant has to show reasons  
14 on his own merits and prove his own case, and  
15 this is not going to create any --

16 MR. FERRARRO: I question what would  
17 be the advantage.

18 MR. STRONG: None.

19 MR. FERRARRO: Okay. Getting back  
20 to your drawing here, does that piece of  
21 property abut on the present Buy-Rite building?

22 MR. STRONG: Sure, I know what you  
23 are talking about. The Buy-Rite building.

24 MR. FERRARRO: It will cover the  
25 building area where the bike shop is; is that

1 correct, the next building block and Buy-Rite?

2 MR. STRONG: No, it doesn't include  
3 the next building or the parts store.

4 MR. FERRARRO: How far are you going  
5 in the other direction?

6 MR. STRONG: Going up to the rear of  
7 the residence which now fronts southerly on  
8 Church Street.

9 MR. FERRARRO: Okay. In other words,  
10 the three buildings that are there now will  
11 remain there now; is that correct? Or will  
12 they be removed?

13 MR. STRONG: There are three build-  
14 ings on-site, as we talked about earlier.

15 One is a residence, two-family,  
16 which is on Hamilton Boulevard; and there is  
17 a very small commercial building south of  
18 that, which the bike shop is located on.

19 MR. FERRARRO: I am trying to get a  
20 picture of that, because I heard Angelo state  
21 earlier that --

22 THE CHAIRMAN: Perhaps Mr. Ferrarro --

23 MR. FERRARRO: I prefer to have it  
24 explained to me by Mr. Strong.

25 MR. STRONG: I have shown the Board,

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if you would care to look at it.

The Buy-Rite building is a structure on that site, that which is included within the block and added to the parcel. There are three on Church Street.

MR. FERRARRO: Were any parcels considered other than this one?

MR. STRONG: I don't know whether the applicants looked at any other parcels. This is the only one I was presented with.

MR. FERRARRO: Would Mr. Dalto answer that question?

MR. DALTO: I have no idea, either.  
This is the one.

MR. FERRARRO: I can honestly assume that was the only parcel considered?

MR. STRONG: In my initial involvement, this parcel was presented to me and the proposition, in very general terms, of a senior citizens project was indicated to me and I was asked to make an evaluation of its utilization for such a project and set up general criteria for its development if I thought it was feasible.

MR. FERRARRO: So you really weren't

1 given the opportunity to look over anything  
2 else?

3 MR. STRONG: I was not asked to  
4 look at six sites and pick which one I thought  
5 was best.

6 MR. FERRARRO: The next question  
7 would have been why you feel that this property  
8 is the best parcel to use. But I think you --

9 MR. STRONG: I answered that twice.  
10 We initially represented that this is the only  
11 and best parcel. I am saying the circumstances  
12 of this property is such that it is disadvan-  
13 taged by present zoning by virtue of this  
14 entire circumstance, and that the development  
15 of it which is proposed here is one which is  
16 reasonable and proper and does constitute  
17 special reasons justifying the grant of the  
18 use-variance which is sought.

19 MR. FERRARRO: I can't particularly  
20 agree with that, but it is a good answer.

21 I heard Mr. Dalto say that there  
22 were 74 spaces, parking spaces. I think that  
23 was the figure that I heard. I looked at that.

24 MR. STRONG: There's 60 proposed.  
25 There could be 74, if what was proposed were

1 paved for parking.

2 MR. FERRARRO: I would not be against  
3 some of the green space in that particular  
4 instance.

5 If my mother and father were there,  
6 there certainly would not be enough room in  
7 that area for them.

8 THE CHAIRMAN: Are there any other  
9 questions?

10 MR. DIANA: Mr. Strong, where do you  
11 imagine all these people -- assuming the people  
12 who move into this building are living in  
13 South Plainfield in single family homes -- how  
14 do you imagine they all get to the A & P now?

15 MR. STRONG: I don't imagine they  
16 get to the A & P now.

17 MR. DIANA: Would you assume that,  
18 since South Plainfield lost Shop-Rite and a  
19 few others, there should be a closer super-  
20 market?

21 MR. STRONG: Sure.

22 MR. DIANA: You mentioned you had a  
23 84-year-old --

24 MR. STRONG: '3 going on 84.

25 MR. DIANA: Would you prefer to have

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her on the second story of a frame house built maybe 68 years ago, or would you prefer her in a modern, fire-resistant building with an alarm system?

MR. STRONG: I prefer her in this.

MR. DIANA: Did you do a study on senior citizens? Because senior citizens tend to be groupies. In my experience with my mother and Cedar Brook Towers, they help each other. One goes to the grocery store, and two or three get in the car and go to the grocery store together.

They have a community room downstairs to keep their interest. That they wouldn't have if they were spread out all over town. They'd either have to travel or visit.

MR. STRONG: That's correct.

MR. LANE: Mr. Strong, in returning to the height-of-the-building type of question, is there any characteristics of this piece of property -- is it exceptionally narrow, shallow, shape unique? Is there a topographical condition which creates a hardship, sufficient hardship, to build a building within the height

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1 restrictions of the zoning ordinance?

2 MR. STRONG: The hardship really is  
3 beyond the shape of the property. I don't  
4 think there's anything in the shape of the  
5 property that dictates a six-story building.

6 The nature of the use in combina-  
7 tion with the requirements of that particular  
8 use and, in combination with this site and its  
9 size and location, all have come together to  
10 bring you to a conclusion -- bring me to a  
11 conclusion -- that a six-story building is  
12 the most appropriate one to put on this  
13 property.

14 You have to get -- you have to con-  
15 sider the inherent security needs of these  
16 people and their psychological needs. I don't  
17 think you can completely overlook the docu-  
18 mentation that senior citizens prefer this  
19 type of mid-rise structure to the classic  
20 two-story garden-type housing accommodations,  
21 which is more typical of -- the number of  
22 units, which I believe Mr. Swoscik and myself  
23 have testified to as being kind of a necessity  
24 to put the whole project together. It is a  
25 limiting factor that contributes to the need

1 to go six stories. The fact that we do have  
2 an acre and a half of land here, which is  
3 about as much as could be found in this general  
4 area in one clump without getting ourselves  
5 well removed from what commercial facilities  
6 and what community facilities there are, con-  
7 tributes to our dictating the six-story height.

8 All of these things have to be taken  
9 into consideration.

10 MR. LANE: But the question is, is  
11 there anything unique to the real estate  
12 itself? You are familiar with the statute  
13 that I'm referring to; namely, 40:55-(d)70,  
14 and specifically 70-C. I believe the height  
15 variance has to be tied to the use and tied  
16 to the special reasons, rather than to Para-  
17 graph C and the consideration of the shape and  
18 size of the property.

19 There is nothing --

20 MR. STRONG: It has got to be part  
21 of the use-variance.

22 MR. LANE: There is nothing unique  
23 on the property.

24 MR. STRONG: Not the physical nature,  
25 other than the description of the size.

1 MR. LANE: With regard to your  
2 response to my question that many or most  
3 senior citizens prefer this type of struc-  
4 ture, in your report you say, at the same  
5 time when there are differences of opinion,  
6 I assume that there are people who would  
7 believe that?

8 MR. STRONG: There are also going  
9 to be differences of opinion for senior  
10 citizens who wouldn't think for a minute  
11 about moving into this project and live to  
12 their dying day in their one-family home and  
13 their two-story structure. But there are  
14 several thousands of households out there  
15 within this community, and I don't find it  
16 difficult at all that out of those several  
17 thousands there are well over a hundred who  
18 would find tremendous advantage in having  
19 this type of housing available to them.

20 MR. LANE: I don't mean to step  
21 on your lines, but it is getting late. Let  
22 me continue.

23 While there are differences of most  
24 studies on the subject that indicate that  
25 senior citizens prefer mid-rises, I understand

1 there is going to be a number of people who  
2 would prefer high-rises. There are going to  
3 be a number of people who would prefer a one-  
4 story, but, apparently for people out there,  
5 and the belief is that most people would pre-  
6 fer mid- or low-rise or maybe even high-rise.

7 MR. STRONG: The majority prefer  
8 mid-rise. They prefer getting off the first  
9 floor and it is primarily a security consider-  
10 ation.

11 The first-floor apartments in this  
12 structure would be the last that people want.  
13 Other than there may be some exceptions to  
14 that, they will go last.

15 The upper stories, most people will  
16 feel more secure on the upper stories than  
17 they will on the first.

18 MR. LANE: Would there be any dif-  
19 ference in the community aspect of it if there  
20 were 50 people, 50 units, as opposed to 100?

21 MR. STRONG: You mean the community  
22 aspects within the project?

23 MR. LANE: The community aspects of  
24 senior citizen housing living.

25 MR. STRONG: I don't think the

1 project is feasible at 50 units.

2 MR. LANE: Economically?

3 MR. STRONG: Economically, struc-  
4 turally, even, I mean, from the organizations  
5 standpoint it is not the dollar-and-cents  
6 situation.

7 MR. LANE: My question is: Would  
8 the community aspect of senior citizen com-  
9 munity housing be different with 50 people  
10 than with 100 people? I don't mean to be  
11 putting words into your mouth.

12 Would people feel more community-  
13 oriented if they had a hundred people?

14 MR. STRONG: I'm not quite sure how  
15 to go about measuring it in terms of inter-  
16 mixing of people and the availability of  
17 people to help each other, and that kind of  
18 community aspect.

19 You are having 100 households on  
20 the site. The probabilities are far greater  
21 than with 50 or 30 or 40.

22 MR. LANE: I have no further ques-  
23 tions.

24 THE CHAIRMAN: No further questions.

25 Would you like to sum up? We have

1 some correspondence.

2 MR. LANE: Are you finished with  
3 the case?

4 MR. GRAF: You got to remember --

5 MR. LANE: Mr. Miller, you don't  
6 have any witnesses?

7 MR. MILLER: No. I have comments  
8 that I can read at the appropriate time you  
9 give me.

10 MR. ABBRUZZESE: It has to do with  
11 traffic.

12 THE CHAIRMAN: Who are you going to  
13 ask?

14 MR. ABBRUZZESE: Mr. Ney. He is  
15 not here. So I will direct my questions to  
16 Mr. Dalto. Is that all right?

17 MR. LANE: Excuse me, Mr. Dalto.  
18 You are not capable of answering them. Submit  
19 them to Mr. Ney.

20 THE CHAIRMAN: Why don't we attack  
21 that part of it first.

22 If anybody else has questions on a  
23 traffic nature, what we will do is, we will  
24 put them in writing and have Mr. Ney answer  
25 them, either in writing or in person, when he

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can come back before us.

MR. LANE: Mr. Apgar, did you want to make a question of Mr. Strong?

MR. APGAR: No, sir. I just wanted to testify when my turn comes.

MR. ABBRUZZESE: In reference to Mr. Ney's report, he indicated on Table 1, hour-by-hour, the in and out from the proposed development of the vehicle traffic.

Nowhere in his report does he reflect the traffic on Lakeview Avenue hour-by-hour, on Maple Avenue hour-by-hour, or on Front Street; rather, South Plainfield Avenue hour-by-hour, and Hamilton Boulevard.

Now, the reason I'd like to know this, the hour-by-hour situation, is that your Mr. Strong has stressed Spring Lake as a good recreational area.

These people will have to cross Maple Avenue, will have to cross Church Street in order to get to Spring Lake, and some of them would even be crossing Lakeview Avenue, and the traffic on all of these streets is heavy. In fact, you can't walk across; you have to run across.

1 MR. LANE: Excuse me. Are you ask-  
2 ing me?

3 MR. ABBRUZZESE: He just indicates  
4 in his record on the Table 1 the hour-by-hour  
5 as to the traffic in and out of the complex.

6 MR. LANE: Mr. Dalto, do you know  
7 whether he had done studies on these other  
8 streets?

9 MR. ABBRUZZESE: He indicated he  
10 had done the studies. He says he did.

11 MR. LANE: I didn't know that.

12 MR. ABBRUZZESE: Traffic volume  
13 information was obtained by the New Jersey  
14 Department of Transportation, as well as  
15 from traffic recordings made by this firm.

16 MR. LANE: If Mr. Ney has that  
17 information with regard to the streets  
18 involved, would you please have him tran-  
19 scribe it and submit it to the Board?

20 Mr. Miller, we are going to be  
21 closing this portion of the meeting.

22 Would you supply Mr. Miller with  
23 a copy of that, also?

24 THE CHAIRMAN: Is that all?

25 Do you have any questions for

1 Mr. Ney?

2 MR. MILLER: Myself, no.

3 I am just reserving the right to  
4 sum up and that's it.

5 THE CHAIRMAN: Is there anybody in  
6 the audience that would like to ask the traf-  
7 fic and parking expert, Mr. Ney, who could not  
8 be with us tonight, any questions?

9 That will be transcribed and given  
10 to him in a written form.

11 Seeing none, Angelo, if you would  
12 take care of that.

13 MR. ABBRUZZESE: I have one ques-  
14 tion.

15 MR. FERRARRO: Yes. I would like  
16 to ask him a question.

17 Is there any consideration being  
18 given to one-ways in the area?

19 That is the question I would like  
20 to ask.

21 THE CHAIRMAN: Would you be asking  
22 me? I think the answer to that would be no  
23 at this point in time.

24 MR. DALTO: We don't govern anything.

25 MR. LANE: Mr. Ney does not make

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that decision.

MR. GRAF: The proposal with the Mayor & Council making Church Street one way.

MR. ABBRUZZESE: That was when we first built it.

MR. GRAF: That's right now.

THE CHAIRMAN: Okay. The Board has received correspondence from two sources.

I will have the secretary read them into the record.

THE SECRETARY: Letter dated February 22, the Board of Adjustment.

"Attention: Ron Hepburn, Elderlodge, Incorporated. Lots 5, 6A, 6B, 7, 12. Block 259. Application No. 2-82.

"Dear Sir:

"The police department is in receipt of a request review of an application for a six-story, 100-unit housing project relative to the traffic safety problems that might be generated in the area. Questionable addition of 100 families to the area would increase the amount of traffic. It is possible these added vehicles would not create a hardship, but it is likely they will be moving in and

1 about the vicinity at the same time. However,  
2 we are concerned about the lack of parking  
3 spaces to accommodate sufficiently the pro-  
4 posed number of residents.

5 "The plans called for 50 spaces  
6 while the units are double that number. What  
7 about visitor parking? There could be no  
8 on-street parking in this area, as we would  
9 have instant problems, particularly at peak  
10 traffic hours.

11 "The Traffic Safety Bureau scanned  
12 the subsequent records of the past seven years.  
13 The results are found in this traffic survey.

14 "During the course of any new con-  
15 struction, there are always traffic problems  
16 to contend with. You have a study of traffic  
17 and other equipment used at the time of the  
18 completion of this project. If the Board  
19 can satisfactorily rule the question of that,  
20 of the parking, we do foresee serious problems  
21 thereafter.

22 "Respectfully,

23 "Fred Boosmann, Chief of Police."

24 And there is an attachment. It is a letter  
25 concerning center of town accidents in the

1 year 1980 at the location of Front and South  
2 Plainfield Avenues. There were four acci-  
3 dents. In the same year, on South Plainfield  
4 and Hamilton Boulevard, there was one accident.  
5 In the year 1981, at Front and South Plainfield  
6 Avenue, there were four accidents; and South  
7 Plainfield and Hamilton Boulevard, no acci-  
8 dents.

9 Thus far, in 1982, at Front and  
10 South Plainfield Avenues, no accidents; and  
11 South Plainfield and Hamilton Boulevard, one  
12 accident.

13 In all of these accidents there were  
14 no injuries. The report was made by Patrolman  
15 John Korsky and the Traffic Safety Bureau.

16 The Board also received a petition.

17 MR. DALTO: Excuse me. Mr. Chairman,  
18 the writer of the report is not available for  
19 cross-examination. I would object to its intro-  
20 duction.

21 MR. LANE: I understand your objec-  
22 tion on the basis of the letter, but I do  
23 recall you had a letter submitted by Mrs.  
24 Carlin. That has been the practice of this  
25 Board, to relax the rules of evidence, and I

1 believe that is adequate to go to the agencies  
2 in order to solicit this.

3 MR. DALTO: I would only point out  
4 that, with respect to Mrs. Carlin's letter,  
5 she simply cited the report and not supple-  
6 menting the record. She was subjected to  
7 cross-examination.

8 MR. LANE: That's correct. But in  
9 this regard --

10 MR. DALTO: She simply confirmed what  
11 she had said in the first place.

12 MR. LANE: I know the Board's going  
13 to accept it.

14 MR. DALTO: I know the Board's going  
15 to accept it, but I do want my objection to  
16 appear.

17 MR. LANE: I recommend to the Board  
18 to overrule the objection.

19 THE SECRETARY: The other petition,  
20 which reads as follows:

21 "We, the undersigned, senior citizens,  
22 the residents of South Plainfield, New Jersey,  
23 seriously object to the building of a senior  
24 citizens housing complex on the property  
25 bordered by Hamilton Boulevard, Church Street,

1 and Lakeview Avenue, as we are concerned for  
2 the safety and of the welfare of those who  
3 will reside in that structure, because, one,  
4 this particular area now is heavily-trafficked,  
5 will become an extremely dangerous problem  
6 with the additional traffic, and, even more  
7 importantly, as pedestrians.

8 "Two. Shopping, in general, and food  
9 shopping, in particular, is not now easily  
10 available, and the proposals as presented do  
11 not include any specific detailed plan to  
12 remedy this condition.

13 "Three. Recreational facilities  
14 are imperative. The nearby existing senior  
15 citizens center cannot now be expanded to  
16 accommodate enough of the Borough's 150  
17 senior citizens expected to occupy the  
18 building.

19 "Four. Also we have automobiles,  
20 and we intend to continue to have automobiles  
21 in the future.

22 "Five. As senior citizens of this  
23 community, we have no intention of buying one  
24 of these apartments or, as the applicant  
25 indicated, condominiums.

1 "Therefore, we are against this  
2 project," and it indicates it has been signed  
3 by 83 names.

4 MR. LANE: Mr. Dalto.

5 MR. DALTO: I heard it.

6 I have the same objection. I think  
7 the petition is of no probative value. I would  
8 offer, since that has been submitted, a peti-  
9 tion with 69 names in favor of the project,  
10 with an additional 25 names who are senior  
11 citizens indicating the desire to purchase  
12 one should the project be completed.

13 MR. LANE: Fine.

14 MR. DALTO: That makes 94-plus.

15 We win.

16 MR. LANE: Should we have these  
17 marked in?

18 (Petitions and letters marked  
19 Exhibit A-14 for identification.)

20 THE CHAIRMAN: Secretary will read  
21 two of the specific letters.

22 THE SECRETARY: Letters, dated  
23 March 1, 1982:

24 "To Whom it May Concern:

25 "I have lived at 136 West Crescent

1 Parkway in South Plainfield for the past 22  
2 years. I am a widower. My sight is failing.  
3 I have had a cataract operation and am 70  
4 percent blind. I cannot maintain my home  
5 because of my eyesight. I would be more than  
6 pleased to buy one of these condominiums. It  
7 would suit me to a tee. I can see but not  
8 enough to paint and mow grass.

9 "I hope the Board will approve  
10 this. I am sure there are many more people  
11 like myself who would consider this a god-  
12 send.

13 "Thank you,

14 "Henry Jankowski."

15 The second letter is dated March,  
16 1982.

17 "Gentlemen:

18 "I am a native of South Plainfield,  
19 lived there 79 years, raised my family, and  
20 have children there now. I would have loved  
21 to have lived nearer to my home and my grand-  
22 children and my friends whom I've known for  
23 years but was forced out of South Plainfield  
24 into a strange town to live.

25 "I only hope that it is in your

1 power in South Plainfield to force site  
2 approval on this project or some similar  
3 project so that people who have lived there  
4 all these years can stay.

5 "Thank you," and signed, "Miss  
6 Diana, 172 Park Avenue, Apartment 1004,  
7 Plainfield, New Jersey."

8 MR. LANE: For the record, both  
9 petitions were made up of many pieces of  
10 paper and letters, and have been marked A-14.  
11 There is no objection. We are trying to  
12 abbreviate Mr. Dalto's comments as to proba-  
13 tive values as to all petitions being correct  
14 and the Board should be in compliance.

15 Contained therein are only, first  
16 of all, are somewhat blighted by the fact that  
17 they are here, and I say this is not a popular-  
18 ity contest.

19 THE CHAIRMAN: I think that is all  
20 we have; is that correct?

21 Comments from the audience?

22 MR. APGAR: I would like to --

23 THE CHAIRMAN: State your name and  
24 address for the record.

25 MR. APGAR: My name is Henry Apgar.

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I live at 315 Clifford Street in South Plainfield. I have served as the Mayor one time, but I did serve on the Board to consider the need for senior housing.

I am going to leave that, but I want to tell you I am speaking for myself. I don't represent anybody. I am 75 years old as of January 10. I was born in South Plainfield. I lived here all my life and I love the place.

I find that due to my recent illness and my age--I got a little older sitting there-- I cannot very much longer maintain my home on Clifford Street, or any other home where I would have to perform the maintenance of cutting the lawn and trimming the hedge in order to keep my end up. The pride and joy that belonged to this town.

I am not testifying for any project anywhere, but I've appeared here many times on behalf of my senior citizens, and some of our requests were granted. And now I come to suggest that South Plainfield would do very well to look to the interests of the person who has been loyal here, the people who have

1           been loyal to South Plainfield and do regret  
2           the possibility they might have to move to  
3           another town to accommodate their needs in  
4           some sort of housing program.

5                     Some of your citizens have already  
6           done so. Mayor Tom Lee -- I don't like to  
7           spread names -- but Adam Phillips, many of  
8           our people that served here. I think Chief  
9           Phillips himself, for one reason, left to  
10          live somewhere briefly before he died, and  
11          I hope that South Plainfield will at long  
12          last recognize the need for people who grow  
13          old to remain in the place where they live  
14          and love.

15                     I regret to think that I will have  
16          to, and I think in the year, choose another  
17          town to go to to get an apartment or some-  
18          thing where I can live the rest of my life.  
19          I don't know where you want to build this  
20          thing, but I do know as far as traffic is  
21          concerned, as old as I am, I look down both  
22          ways of the street before I cross it.

23                     We have a mini bus that's doing a  
24          wonderful job in our town by taking people to  
25          shop, take them to the doctors, and I'm sure

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that there will be other facilities as people are accommodated.

Please, somehow, in South Plainfield, like other towns have, make a place for us to stay and not seek our places to live at this late age. It is really a trauma to pull up stakes, to sell your goods, probably at a loss, and to leave the place where you spent all your life.

I hope I am not taking your time needlessly, but I felt that I had to stay here tonight. I haven't been up this late in 10 years, and I felt that you wanted to hear from one who really sees the need.

You know, we've been asking for this for a long time. With a Board composed of Mayor Toolan and Councilman Wilson, I think Mr. Montifiore and we studied the need for senior housing when we talked about the grant schools. We almost knew then that we wouldn't have it for many reasons; that it had to be approved, rezoned, and loans had to be gotten and money committed.

This is a different kind of housing. This is a kind of housing where, if you can

1 sell your place that you live around the  
2 corner somewhere and buy another interest in  
3 this place and have a couple dollars left  
4 over, it is a needy thing you'll recognize.

5 Thank you very much.

6 THE CHAIRMAN: Thank you, Mr. Apgar.

7 MR. DIANA: Frank Diana, 16 Field  
8 Avenue, South Plainfield.

9 I have a letter here from my mother  
10 who lived here all of her life. She now lives  
11 in Cedar Brook Apartments, Plainfield. She  
12 moved there when she could no longer take care  
13 of the house. She was born and raised here.

14 We have done two things: We have  
15 forgotten our sons and daughters; we forgot  
16 our mothers and fathers. There is no place  
17 for the married person who can't put down  
18 \$30,000 to go in this town.

19 My two daughters had to move out of  
20 town to get an apartment. When we get older,  
21 we can't maintain the lawn and the house, the  
22 painting, and all of the other business that  
23 goes along with the house. We'd have to move  
24 to Plainfield or Edison.

25 Have we taken good care of ourselves?

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As the politicians say, we are a nice, single-family community, a single-family housing paradise in New Jersey. We don't want any apartments. They don't say it out loud, but when you get old you have no choice but to reside in an apartment.

We are not talking about that here. We are talking about people who are 55 to 69 in the Borough of South Plainfield with no place to live. They need security as far as crime goes, and they need security as far as fire goes.

Mr. Apgar, as ex-mayor, talked and myself, as ex-fire chief and ex-president of the Board of Education in this town. We have done a lousy job for our senior citizens. We have never gotten it off the ground as other towns did. There are a lot of rumors that I hear today that we are going to get tower townhouses going on Church Street. The fire department can take care of that. It is 56 feet high. We got a 100-foot aerial ladder, so we can take care of Cedar Brook Towers or even skyscrapers in New York. There really is no fire hazard.

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1                   And talk about traffic. My God,  
2                   you think these senior citizens were old hags  
3                   that need a crane to get across the street.  
4                   They can walk up the main avenue and cross at  
5                   the light. You know, walking is the best  
6                   exercise in the world.

7                   You know, it seems to me that we  
8                   want to put them in one place, lock the door,  
9                   and keep them there. I don't understand these  
10                  negative attitudes some people share. I don't  
11                  know, but I do know one thing: I love South  
12                  Plainfield. I lived here all my life. I'm  
13                  57 and I'm eligible to move into one of these  
14                  units. So I think it is time we did something.  
15                  And when somebody comes along with a proposal,  
16                  a concrete proposal, to invest money in South  
17                  Plainfield, you know, nobody is giving them  
18                  the money; they are making the investment  
19                  themselves. They are the ones that are taking  
20                  the chance, not us.

21                  I think it is time South Plainfield  
22                  started to take care of our mothers and fathers.

23                  Thank you.

24                  MR. LANE: Mr. Ferrarro.

25                  MR. FERRARRO: Joseph Ferrarro, 113

1 Ivy Street.

2 I have to stand by my convictions.  
3 All those towns Mr. Diana mentioned have  
4 apartment houses in them.

5 MR. DIANA: Senior citizen houses.

6 MR. FERRARRO: They have apartment  
7 houses in their towns. Regardless, they are  
8 apartment houses and they contain people,  
9 many people, many cars, more congestion.  
10 That's the only consideration I have.

11 I am not against a senior citizens  
12 home. Certainly, the opportunity has arisen  
13 in this town many times previous to tonight  
14 and maybe it should have been done. I have  
15 only two conditions:

16 One is I would like to limit the  
17 ediface to no more than four stories, and I  
18 would like the Board to look into other areas  
19 of the town. I'm sure there are other areas  
20 where this type of housing I would like to  
21 see being built.

22 I'd like to defer to Mr. Apgar, whom  
23 I know, and I'd like to defer to Mr. Diana,  
24 and I'm trying to be realistic. I really  
25 believe that we don't need apartment houses in

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this town. We don't need the congestion.

I want to reiterate. No more than three stories, and not in that particular spot.

Thank you.

THE CHAIRMAN: Any additional comments from the audience?

MR. MILLER: I just want to sum up.

I know it is late and I've made some written notes. I would just like to go right through with them.

First of all, this community is well lacking multiple housing. South Plainfield in the present administration is very well, if you will, lacking in not affording that to this community.

When you were talking about a particular kind of multiple housing here, in the senior housing, it was a marvelous concept. I don't know anybody who is opposed to senior citizen housing. It is a necessity to the community, just as apartment housing is; just as South Plainfield and condominiums in South Plainfield, there are in every other community essential service of housing today.

The courts are going to overthrow

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whatever this county is going to propose to them.

Be that as it may, this is a good concept in the wrong place. This is what it boils down to: You should have senior citizen housing -- no doubt -- but it is a bad spot to have it where it has been proposed, for many reasons.

We know the actual parking situation there right now is very poor. You can't park on Church. You can only park in a very limited fashion on Hamilton because there is a fire hydrant in front of where Corlin's is right now. The only parking is on one side of South Plainfield Avenue.

People right now who flood over into the senior citizens when there is an occasion to have to use the parking across the street into Corlin's and that parking lot, which is the one there now, is going to be surrounded by the senior citizen building, so you are going to lose some parking. I don't know if the parking lot right next to the Corlin building is going to disappear into this supposed application. You

1 got a miserable parking problem there, and  
2 I don't care what anybody says about anything,  
3 people coming from communities, from the Oak  
4 Tree Avenue area, coming out of Metuchen  
5 Road, and so forth. There is only one way  
6 they are going to get around.

7 In many cases as that, they will  
8 come out, make the turn at the traffic light  
9 at Front and South Plainfield Avenue, sweep  
10 around that curve, come over to Church.  
11 That's why they don't have that much parking  
12 there.

13 So, to get to the overpass, you have  
14 to go this way. There is plenty of traffic  
15 there during business hours, the same hours  
16 the same senior citizens are going to be walk-  
17 ing along those streets or backing their cars  
18 in and out of this residence on Hamilton  
19 Boulevard, and since we got to be aged, we  
20 don't have the same reflexes we had when we  
21 were young and we don't have the same sight  
22 we had when we were younger. That is a defin-  
23 ite cause for concern. I think you ought to  
24 take that upon your conscience.

25 As far as units, they are not the

1 most cleverly designed units in the world.

2 Number one, they are very small;  
3 number two, there has been no evidence of a  
4 washer or dryer on each floor, which you  
5 have in almost every type of apartment house  
6 or condominium situation. You got to go all  
7 the way downstairs from that sixth floor to  
8 do your washing and maybe have to leave it  
9 there come back up and go back down to throw  
10 it in the dryer. It may not seem like a lot,  
11 but it is a necessary part of living. There  
12 should be a washer and dryer on each floor,  
13 at least. There is none, and there is none  
14 offered. That is a very bad situation there.

15 I don't accept a lot of statistics  
16 thrown out, because they may be right in the  
17 place where they were taken, but I don't think  
18 they're right in the location that's proposed.

19 The idea of an overpass right in  
20 the back of this, where you got a lot of traf-  
21 fic, those trucks are noisy and give off a  
22 certain amount of pollution. This is going  
23 to be right in back. Just picture it in your  
24 minds. The building is too close to the over-  
25 pass and the building is too much for the lot,

1 the 1.4 acres here. That is not a very big  
2 piece of property for a six-story building  
3 and a hundred units of living. Just think  
4 it out in your mind. There are places in  
5 town offering three acres or four acres.  
6 Don't senior citizens have a right to some  
7 greenery instead of blacktop? They would be  
8 able to look at beautiful scenery all around  
9 them.

10 I think it is time we should think  
11 of people their age and let them live their  
12 last days breathing some clean air. There  
13 are a lot of things missing in this applica-  
14 tion. There are holes in it, and I think the  
15 Board heard enough this evening to come out  
16 with the right decision.

17 Thank you.

18 THE CHAIRMAN: Mr. Dalto.

19 MR. DALTO: Just one response to  
20 Mr. Miller's statement.

21 The primary reason we don't put  
22 senior citizen -- I'm using his exceptions --  
23 is that the community has deprived us the  
24 opportunity to put them anywhere.

25 On one occasion, in '78, indicated

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in our testimony, the master plan provided for senior citizen housing in two separate applications within the community.

That zone ordinance, when it reached the Mayor & Council, exhibited those particular recommendations from the ordinance. There is no proposal. There are no provisions anywhere in the community.

Given that state of the situation, the State has recognized the fact that there is a need statewide, and specifically in South Plainfield.

We have had testimony this evening from -- or this evening and the other evening -- from Robert Strong and Vivian Carlin. Certainly, people who are versed in their profession.

Mrs. Carlin is a nationally-recognized expert in the field of senior citizen housing, their needs, their requirements, their locations. They testified in favor of the project.

You have the 1980 Census figures for South Plainfield, which indicate there are 411 persons between the ages of 55 and 74, and an

1 additional 444 between 75 and 85 and over; a  
2 total of 855 people as of 1980 who could util-  
3 ize this type of facility.

4 However, your function tonight, and  
5 in the sessions where you will consider this  
6 matter, will be to determine whether there are  
7 special reasons wherein the contentions of the  
8 application, as we have submitted it to you.

9 We submit to you there are special  
10 reasons, and I will briefly point them out to  
11 you and I will give you the statutory citations  
12 why those particular reasons should be noted  
13 in our situation, in the Land Use Act.

14 Firstly, by providing a form of  
15 moderate-income housing projected for South  
16 Plainfield, we will fulfill the statutory  
17 purpose of encouraging senior citizen commu-  
18 nity housing.

19 Secondly, the site in question is  
20 most appropriate to the specific use, in that  
21 the requirement amends for senior citizens  
22 to exist in immediate proximity on the subject  
23 site, and I quote the following statutes:  
24 40:55(d)-2.1, 40:55(d)-656, 40:55(d)-2G.

25 Thirdly, development of this site

1 will enhance the general area that will  
2 eliminate residential development and sub-  
3 stitute necessary housing not otherwise  
4 provided in South Plainfield, and I cite  
5 40:55(d)-26.

6 Fourthly, in providing this form  
7 of housing, it is insufficient density to  
8 adequately serve the unique requirements of  
9 senior citizens, and I cite 40:55(d)-2C.

10 Fifthly, serving of the demonstrated  
11 need for senior citizen housing would guide  
12 appropriate development of land so that the  
13 public health is served and the general welfare  
14 of South Plainfield will be served, and I  
15 cite 40:55(d)-2A.

16 Finally, the requirement of this  
17 kind of application is to show that there will  
18 be no detriment to the zoning ordinance or to  
19 the public good. We contend there will be  
20 no detriment to the public good, the zoning  
21 ordinance, or to the public good, and that  
22 the area will be benefitted by the utiliza-  
23 tion of the site, which is vacant land not  
24 likely to be otherwise developed, and the  
25 removal of obsolete commercial buildings.

1                   In addition, the prospect of senior  
2 citizens in the area will tend to enhance and  
3 bolster existing commercial and residential  
4 uses.

5                   You should also consider the fact,  
6 as Mr. Strong urged it upon you, that this  
7 particular property is disadvantaged by its  
8 zoning. It exists in two separate zones and  
9 is not likely to be developed in either of  
10 those zones.

11                   So that you have inherent in the  
12 project an application that is based on hard-  
13 ship, which constitutes one of the other  
14 express reasons for this kind of a granting  
15 of the variance.

16                   I want to urge upon the Board some-  
17 thing that I am sure is well-known to you all.  
18 You are, by statute, you are, by case law, a  
19 quasi-judicial body, and each of you must act  
20 as the judge would act based upon all of the  
21 facts that have been presented to you. You  
22 are not to be governed by prejudice or not  
23 to be governed by predispositions or by per-  
24 sonal preferences. You must be governed by  
25 the law and the testimony. The preponderance

1 of the testimony that's been submitted here  
2 is all in favor of this particular project.  
3 The law dictates this kind of a project,  
4 particularly in a type of community such as  
5 South Plainfield where no provisions have  
6 been made for it. I'd be less than faithful  
7 to my clients if I didn't take this oppor-  
8 tunity to indicate that some of your question-  
9 ing has been as to give the attorneys to the  
10 questioner what is, in fact, an opponent to  
11 the project. I think that is unfair.

12 The issue is not whether you or I  
13 or even my witness Bill Christe wishes to  
14 live in a senior citizens community. The  
15 issue is whether there is a need and whether  
16 the community has provided for the need. If  
17 South Plainfield has not, the need undoubtedly  
18 exists, and this project will be a distinctly  
19 positive step toward meeting the need in the  
20 manner which is recognized by experts, includ-  
21 ing the Division of -- New Jersey Division of  
22 Aging has felt that the need should be met.

23 With respect to the height variance,  
24 we have not attempted through our presentation  
25 to indicate that there is nothing inherent on

1 the site which would dictate the necessity  
2 for this height variance. We have, however,  
3 urged upon you that it is a necessary inci-  
4 dent to the use-variance itself. The need  
5 cannot be met economically with less than a  
6 hundred units, because the project cannot be  
7 built. We have shown that a mid-rise's fea-  
8 tures, which lend themselves to the specific  
9 needs of senior citizens, the 56-foot height  
10 is not in character with the area in which it  
11 is located, and presents no foreseeable  
12 hazards as far as fire or from any other kind  
13 of danger.

14 Today attention has been focused on  
15 parking needs, and we have shown that the  
16 demands of this type of project will not only  
17 meet, but exceed them. We have offered to  
18 the Board an alternative that could meet any  
19 of the contingencies of additional parking  
20 that might be required.

21 The Board should take judicial  
22 notice of the fact that we have, within the  
23 community, as has been testified to by Mr.  
24 Strong, Mr. Apgar alluded to it, and I think  
25 Mr. Diana also mentioned, we do have community-

1 furnished senior citizen transportation, so  
2 that this is not an isolate outpost in the  
3 middle of nowhere where these people will be  
4 left to languish.

5 It is not like the Leisure Village  
6 set far away in Manchester Township with a  
7 10-foot-high fence where people can say that  
8 the good people have been imprisoned and the  
9 bad people have been left to roam the streets.

10 This area where these people will  
11 be is an integral part of the community.  
12 They are not isolated, and that is the way  
13 it should be.

14 I shared with Frank and the former  
15 Mayor Apgar the fact that we are all -- we  
16 were all born in South Plainfield. I probably  
17 handled, in the 25 years I have been practicing,  
18 somewhere between 2500 to 3,000 variances. I  
19 think that if this particular variance is  
20 granted I will be most proud of it, because I  
21 think it will serve a need in the community  
22 that I have felt this community has long  
23 failed to meet.

24 I just want to impress upon the  
25 Board that this is something the community

1 needs; it is something that the community will  
2 benefit by; and it is a place that will ultim-  
3 ately -- it is a place that the community  
4 should be proud of, and that's all.

5 THE CHAIRMAN: I happen to work in  
6 the market research profession and did some  
7 investigations on the ages of people that own  
8 automobiles and have driver's licenses and  
9 have copies from a 1980 Census market research  
10 study, based on the entire U.S. that is broken  
11 down by any number of different demographic  
12 attitudes.

13 The ones that are indicated in red  
14 are the age, and the income levels that per-  
15 haps go hand in hand with the testimony of  
16 Mr. Christe and Mrs. Carlin suggest that  
17 numbers that they were provided in the areas  
18 that they were talking about were subsidized,  
19 were specifically subsidized housing as  
20 opposed to the general welfare of individuals  
21 55 and over.

22 MR. LANE: Let Mr. Dalto take a look  
23 at it.

24 THE CHAIRMAN: Numbers of adults  
25 owning automobiles, and numbers of additional

1 adults having driver's licenses.

2 MR. LANE: Mr. Dalto, while Mr.  
3 Strong is taking a look at that, I've just  
4 been informed by the Chairman that on the  
5 fourth Tuesday in March we are going to be  
6 hearing another case that you are familiar  
7 with and probably not in a position to render  
8 a decision on that.

9 So we need your extension until  
10 April the 6th, which is the first Tuesday in  
11 April.

12 MR. DALTO: That is no problem.

13 Mr. Chairman, might I request  
14 copies of these and reserve the opportunity  
15 to comment on them. It is obviously not  
16 something that can be contended with at this  
17 late hour, and without observing the con-  
18 tents of it --

19 MR. LANE: Just so the record is  
20 straight, we are talking about March the 23rd  
21 at 7:30, and I believe that's in the school.

22 THE CHAIRMAN: It will be in the  
23 high school auditorium.

24 MR. LANE: Mr. Dalto, can you get  
25 a transcript as soon as possible?

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MR. MILLER: Would the 23rd be just a decision rendering, or is there going to be more testimony?

THE CHAIRMAN: The public portion is closed. I guess --

MR. MILLER: If there is going to be a question, I just want to discuss it when the Board is bringing it up.

THE CHAIRMAN: There was a question.

This case continued until the 23rd of March, 7:30 p.m. in the high school auditorium.

Thank you.

(Whereupon, the hearing of this matter was adjourned for the evening.)

\* \* \*

BOARD OF ADJUSTMENT  
BOROUGH OF SOUTH PLAINFIELD  
COUNTY OF UNION  
STATE OF NEW JERSEY

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In the Matter of: )

APPLICATION OF ELDERLODGE, )  
INCORPORATED. )  
..... )

CERTIFICATE

I, THOMAS CICCARELLI, a Shorthand Reporter  
and Notary Public of the State of New Jersey, do hereby  
certify that the foregoing is a true and accurate tran-  
scription of my stenographic notes of the proceedings in  
the above-entitled matter, as taken by me on the date,  
time, and place hereinbefore set forth.

  
\_\_\_\_\_  
THOMAS CICCARELLI,  
Shorthand Reporter