

ML - Cranbury

31-Oct-84

- Applegate's attorney's response to Suitability Evaluation Analysis
- Silbert property rep's response to same

pgs. 4

ML000464L

Site copy 1

LAW OFFICES  
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 SUITE AAO  
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TELEPHONE  
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October 31<sub>r</sub> 1984

The Honorable Members of the  
 Cranbury Township Committee  
 The Honorable Members of the  
 Cranbury Township Planning Board  
 23-A North Main Street  
 Cranbury, New Jersey 08512

Re: Earl Applegate Proposal  
Block 7, Lots 20 and 21

Ladies and Gentlemen:

This letter is submitted in response to the opportunity which you afforded interested landowners to comment on the draft Suitability Evaluation Analysis dated October 25, 1984 prepared for the Township by your planning consultants. The brief comments in this letter are submitted on behalf of Mr. Earl Applegate whose property is located in the most westerly portion of the district which has been designated as Evaluated Site No. 3. Our comments on the ten categories covered in the report are as follows:

1. State Development Guide Plan. No comment.
2. Historic Preservation. No comment.
3. Farmland Preservation. On page 5 of the Proposal dated September 20, 1984 submitted on behalf of Mr. Applegate, the following statement appears, "This landowner has previously determined that long term devotion of his property to farming is not economically feasible."
4. Middlesex County Land Use Plan. No comment.
5. Township Land Use Plan and Zoning Ordinance Map. No comment.
6. Adjacent Land Use Patterns. The statement on the bottom of page 31 that the presence of the Turnpike service area next to site 3 is generally inconsistent with sound residential planning is not applicable to the westerly portion of site 3.

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7. Proximity to Community Facilities and Services. No comment.

8. Accessibility. On the bottom of page 50, it is reported that there are future plans for the installation of a traffic signal at Route 130 and Station Road. The landowner believes that the time frame for the installation of that traffic signal is within the next several months or sooner.

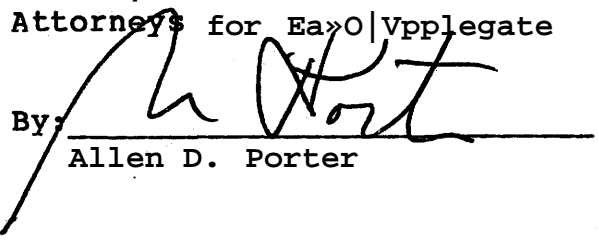
9. Environmental Suitability. The landowner hopes to have available shortly (to be submitted under separate cover) an analysis of the soils on the Applegate portion of site 3 in terms of their suitability to sustain high density residential development.

10. Site Assemblage, Shape and Size. No comment.

We thank you for this opportunity to comment on the draft of the Suitability Evaluation Analysis. The remark "no comment" is intended to mean that we believe the draft report accurately analyzes the relevant data and that no further comment by the landowner is required.

Respectfully submitted,

Miller, Porter & Muller  
Attorneys for Easement Applegate

By:   
Allen D. Porter

ADP:gh

cc: Joseph L. Stonaker, Esq.  
William C. Moran, Esq.  
Mr. Philip B. Caton  
Mr. Michael Mueller

WILENTZ, GOLDMAN & SPITZER

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<sup>+</sup> ALSO ADMITTED IN D.C.  
<sup>+</sup> ALSO ADMITTED IN PA.  
<sup>1</sup> ALSO ADMITTED IN NY.

Georgea von Lutcken, Planning Board Secretary  
Cranbury Township Municipal Offices  
23A North Main Street  
Cranbury, New Jersey 08512

Dear Mrs. von Lutcken:

The following will constitute comments submitted on behalf of the Silbert property regarding the report prepared by Raymond, Parish, Pine & Weiner, Inc., dated October 25, 1984, and entitled "Suitability Evaluation Analysis for Low Cost Housing: Mount Laurel II".

The report appears to treat favorably particularly Sites 1 through 4 which are the sites east of Route 130. We were not aware that Cranbury Development Corporation, owner of Site 4, submitted a low and moderate housing proposal; it was our impression that that party's Complaint sought reinstatement of the industrial zoning which formerly existed for its site. Nevertheless, we note comments in the report indicating that Site 4 appears to have limitations for multi-family residential development: its poor soils make construction expensive (see Page 59 and Figure 8) and its distance from the sewer imposes additional costs for sewer extension (on Page 6).

We note the favorable comment on the Garfield tract (Tract 1) which is adjacent to the Silbert tract (Tract 3F). However, if the "Mount Laurel II" rezoning were given only to the lands of Garfield and Cranbury Development Corporation, all of the Mount Laurel II units would be

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used up in those pieces. We suggest that the large size of those tracts presents a certain inertia to their development which we think would slow down the pace of Mount Laurel II development. On the other hand, a rezoning to include the Silbert piece of some 50 acres in size would accomplish a rezoning of a piece small enough to make likely the more rapid commencement of Mount Laurel II construction. I believe it is in the Township's interest and more consistent with the decision of the Court to spread out the rezoning among several properties. In that regard, we would suggest that the ultimate rezoning be extended to the Garfield property and Site 3. The bulk of the land within Site 3 is owned by Messrs. Silbert and Applegate, who have already committed to construct Mount Laurel housing. On the other hand, none of the six property owners in Site 2 has tendered any proposal or has made any commitment whatsoever, thus suggesting a low likelihood for the development of Mount Laurel II housing on Site 2. My suggestion would enable the construction of 687 low and moderate income units on Sites 1 and 3, leaving a balance of 139. Those could be made up on Sites 2 or 4.

We wish to add that the rezoning of the Garfield tract without rezoning the Silbert tract would leave the Silbert tract between multi-family residential and industrial uses; from a planning perspective, that makes little sense. We would reiterate that the Silbert tract abuts the Garfield tract and has all of Garfield's attributes in terms of proximity to highways, good soils, location within a growth area, and consistency with the other criteria set forth in the report. To the extent that the Middlesex County Planning Board has designated these areas as agricultural, I would indicate that my conversations with the County staff document that such designation was simply based on the Township's Zoning Ordinance then in effect. The County indicated to me that it had little problem with the rezoning for residential use, as now supported by the October 25 report, of the lands of both Garfield and Silbert located adjacent to one another.

Yours very truly,



STEPHEN E. BARCAN

SEB:ls

cc: Mr. Philip Caton  
Mr. Michael Mueller  
Mr. Richard Silbert  
Mr. Norman Adolf  
Mr. Ron Schram