

ML

Cranbury

1-Oct. - 1984

"Proposal to Twp. of Cranbury" by  
Carl Applegate, re: ~~lots~~ Block 7,  
Lots 20 & 21. ⊕ cover letter

Note: "masters' file"

pgs = 9

UL 000842 p

MASTER'S  
FILE

ML000842P

LAW OFFICES  
**MILLER, PORTER & MULLER**  
SUITE 440  
ONE PALMER SQUARE  
PRINCETON, NEW JERSEY 08542-3795

WILLIAM MILLER (1913-1977)  
ALLEN D. PORTER  
GERALD J. MULLER

TELEPHONE  
(609) 921-6077

October 1, 1984

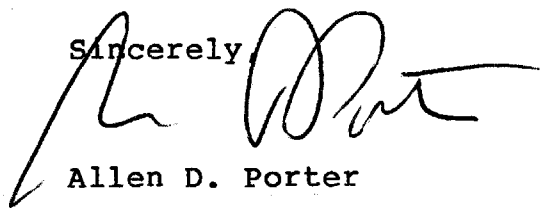
John Payne, Esq.  
Constitutional Litigation Clinic  
Room 338  
Rutgers Law School  
15 Washington Street  
Newark, NJ 07102

Re: Cranbury Township

Dear Mr. Payne:

As per the request of Mr. Philip Caton, enclosed is a copy of the written proposal which we submitted on behalf of Mr. Applegate.

Sincerely,



Allen D. Porter

ADP:pr  
Encl.

ROUTE 130

BRAINERD  
LAKE

PROPOSAL  
to  
TOWNSHIP OF CRANBURY  
by  
Earl Applegate  
re:  
Block 7, Lots 20 & 21

The information set forth in this proposal is submitted in response to the memorandum from Philip B. Caton, AICP, dated September 11, 1984. That memorandum solicited responses from "all builder plaintiffs and interested developers of lower income housing in Cranbury." This landowner was not a plaintiff in the Urban League case, or in the other litigation, and submits this proposal as an interested landowner/developer.

#### A. Site Suitability

The Site. The property of Earl Applegate consists of 71+ acres located on the east side of U.S. Route 130. It is bounded on the north by Brainerd Lake and on the south by Station Road. There are no distinctive features along the easterly property line. The Applegate property comprises the westerly half of the site designated as Site 12 on the plat prepared by Raymond, Parish, Pine & Weiner, Inc. entitled "Suitability Evaluation Criteria Sites."

Current zoning. The property is located in the Cranbury Zoning District PD-HD (planned development-high density zone). The present zoning is the result of past planning studies and a municipal decision that the Township's high density residential development should be in this PD-HD area.

The Road Network. The site has frontage on U.S. Route 130 and Station Road. A traffic light has been approved for

installation at that intersection. Route 130 is a major north and south highway. Vehicles leaving the site have easy access to the New Jersey Turnpike either at Interchange 8A to the north, or at Interchange 8 to the south. A new park and ride facility to the north of the intersection of Applegarth Road and Half Acre Road will provide convenient bus service to New York City. Except for traffic having a destination to the west, the traffic flow from the site would not add traffic to the local streets of the Township or generate traffic through the Township's historic district. Even as to the traffic heading west, the local impact will depend on its destination and on the present and future linkages between the east-west road network and Route 130.

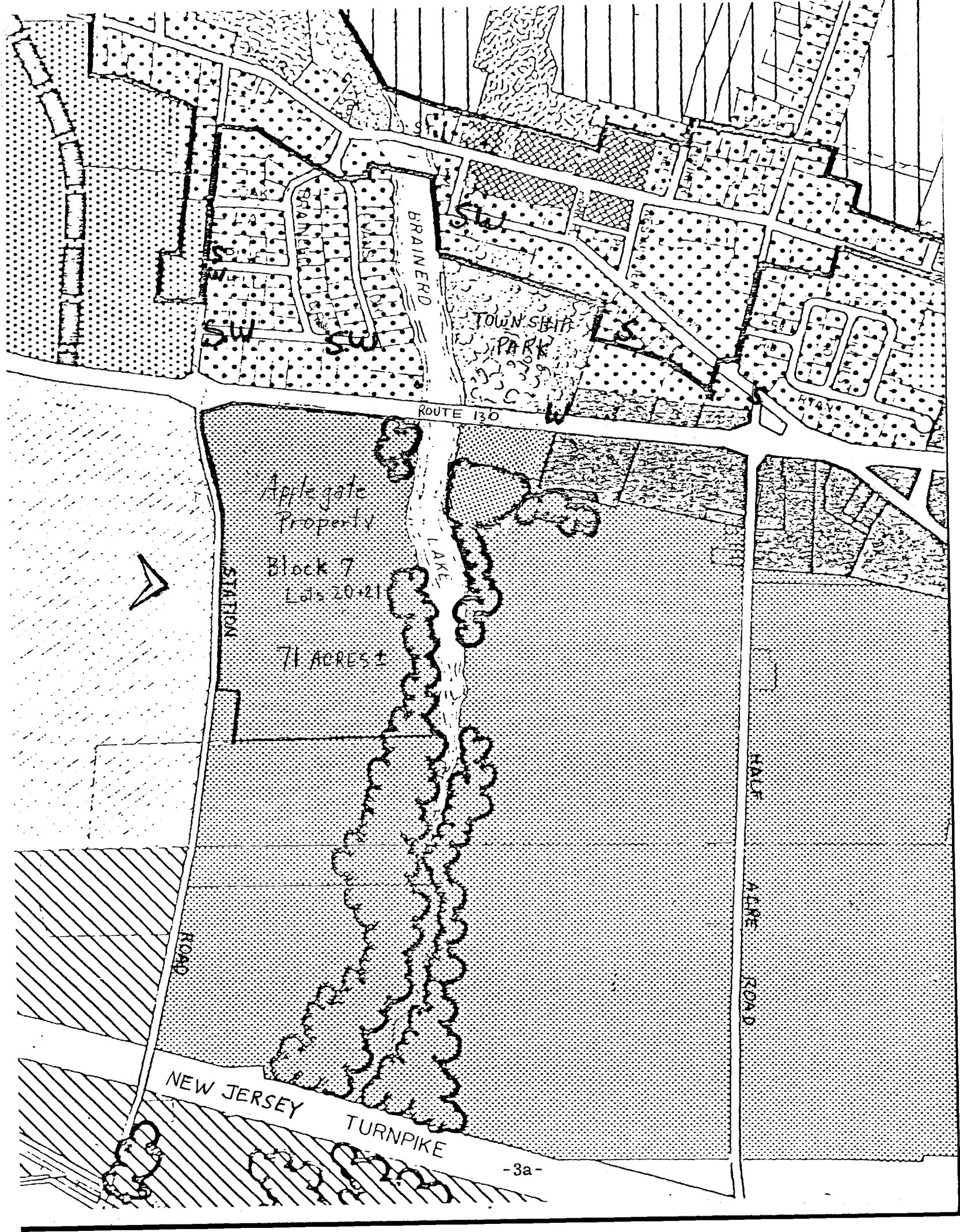
Electric and Gas. The site already has direct access to gas and electric utility services provided by Public Service Electric & Gas Co.

Water Service. Public water service could be easily extended to the site from any of several locations. There is a 12" water line on the westerly side of Route 130 at the north-westerly corner of the Cranbury Township Park north of Brainerd Lake. Water lines also exist in the westerly portion of the Township Park to the east of the storage tank off of Maplewood Avenue. Water service also exists near the intersection of Station Road and Evans Drive which is almost directly across Route 130 from the Applegate property. The alternative to be

selected will probably depend on the Township's decision as to the most feasible arrangement for providing water service to the area east of Route 130 and south of Brainerd Lake. (Note: on the Plat on the following page, W=water.)

Sewerage Collection. Public sewage collection lines have been installed in Maplewood Avenue from Scott Avenue north to Half Acre Road. An easterly spur of the sewer line has also been installed just north of Westminster Place. To the south, sewer lines have been installed along Evans Drive and along Station Road. Although engineering studies have not been performed at this time, it is believed that gravity sewer lines can easily be extended across Route 130 to the Applegate property. As with water, the decision as to the location for the sewer line extension should be coordinated with the Township's overall plans for sewerage in the area east of Route 130. The main point is that sewer service is in close proximity and can be made available to the site. (Note: on the Plat on the following page, S=sewer.)

Drainage. Experience has indicated that the property has good ground water drainage. It slopes from its high point near Station Road dropping gently off toward Brainerd Lake. Storm water drainage should not present an engineering problem during the development of this site.



Apple gate  
Property

Block 7  
Lots 20+21

71 ACRES ±

ROUTE 130

LAKE

STATION  
ROAD

ROAD

NEW JERSEY  
TURNPIKE

HALF  
ACRE  
ROAD

TOWN SHIP  
PARK

SW

SW

LS

RT 45

## B. DEVELOPMENT PROPOSAL

This landowner has no specific development proposal nor is he able to present a meaningful conceptual site plan at this time. The purpose of this presentation is to confirm that even prior to this Mt. Laurel exercise, the landowner had determined that the continued farming of this site would not be economically feasible in the long term. The Township's present review of this site provides an opportunity for this landowner to confirm that he is interested in selling his property for development.

A detailed economic analysis has not been performed, but given the high suitability of this tract for development, it is believed that the evolving Mt. Laurel density standard of 10 units per acre with 20% of those units being lower income units (equally divided between low income and moderate income units) would be feasible. This would generate approximately 700 units on this site of which 140 would be lower income units.

Initial discussions have taken place with Guardian Development Corporation, the developer of Rossmoor and Clearbrook in neighboring Monroe Township. A letter from Mr. James E. Cooper, President of Guardian Development Corporation, to the landowner is attached hereto (pages 7 & 8) evidencing that corporation's interest in developing this property. Guardian Development Corporation is an experienced developer and has demonstrated its ability develop high density housing in a highly



attractive manner. Guardian's commitment to this area of the state is well known and its undertaking of a Mt. Laurel project on this site should be of major benefit to Cranbury.

### C. CONCLUSION

This landowner, in effect, supports the past planning studies which have been conducted for the Township of Cranbury and their conclusion that the appropriate high density residential zone should be that area east of Route 130 which has been designated as the Township's PD-HD Zone. This landowner had previously determined that long term devotion of his property to farming is not economically feasible. Past Township zoning decisions have already determined that this is not the Township's farmland preservation area.

On short notice, this landowner has identified a prospective developer who has indicated its interest in developing this site for Mt. Laurel housing. If this alliance with Guardian Development Corporation is consummated, the Township will be assured an attractive development by an experience local developer who has a long term stake in the area.

As indicated at the joint meeting on September 13, 1984, the goal of this set of meetings is to produce the most rational plan for satisfying the Township's legal obligations without trying to second guess the Court as to the eligibility of the

various plaintiffs for a builder's remedy. If the objective is to identify the sites which can best satisfy the Court's fair share number, then it is submitted that the Applegate property is ideally suited and should be rezoned as part of the Township's Mt. Laurel compliance program. The selection of the Applegate property will be consistent with the objective of accommodating the Township's fair share number in a manner which implements Cranbury's own view of sound and orderly local planning.

Respectfully submitted,  
Miller, Porter & Muller  
Attorneys for Earl Applegate

By: 

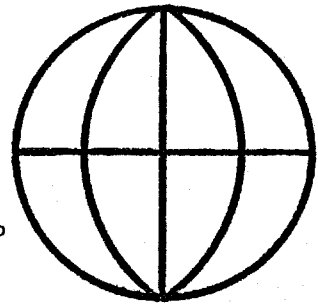
Allen D. Porter

September 20, 1984

**GUARDIAN DEVELOPMENT CORPORATION**

201 FORSGATE DRIVE, JAMESBURG, NEW JERSEY 08831

(609) 655-1400



PRESIDENT

September 18, 1984

Mr. Earl Applegate  
Cranbury Station Road  
Cranbury, New Jersey 08512

Dear Earl:

It was good to hear from you the other day and, after giving some thought to the purchasing and development of your property... Yes, we are interested. As you know, I had stated in the past that if at some time you decided to sell your property, we would be interested.

As I have stated before, your property does have a lot of very desirable features - accessibility to major highways, shopping, schools - all of which make it very desirable. With the cost of development and construction today, density becomes very important. You had at one time lived in Rossmoor and I know you have since been here on numerous occasions, but I don't know that you are aware that we have developed portions of Rossmoor with a density exceeding ten units per acre. We think it is still very attractive and we are proud of it.

It is our opinion that we could develop your property along these lines of ten units to the acre and still comply with guide lines established by the court in the Mt. Laurel decision and still be very attractive. Of the ten units per acre, two of the units would be for lower-income families, or 20% of the overall.

Your property has a natural gentle slope that would provide excellent drainage without any adverse effect on surrounding property. We would want to construct one and two story buildings to present an overall pleasing aesthetic such as we have done at Rossmoor. It is my understanding that the property has all utilities available, or in relatively close proximity.

Earl Applegate  
September 18, 1984

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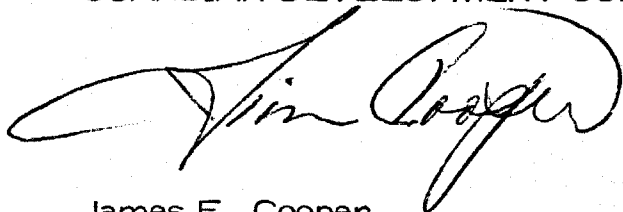
I am enclosing a condensed map of Rossmoor indicating how we have laid out the streets, etc., along with a brochure of Rossmoor.

Even though I had generally referred only to Rossmoor, I am sure that you are aware we are also the developers of Clearbrook. That community, too, is very attractive and we are equally as proud of that development.

I look forward to meeting with you at your earliest convenience in order that we may proceed with further discussions regarding the development of your property.

Very truly yours,

GUARDIAN DEVELOPMENT CORPORATION

A handwritten signature in cursive script, appearing to read "Jim Cooper". The signature is written in dark ink and is positioned above the typed name and title.

James E. Cooper  
President

JEC/11

Enclosures (2)