

ML - Morris County Fair Housing Council

Feb. 11, 1980

v. Boonton  
- General

Transcript of Deposition of Dudley H. Woodbridge

ML000913 ~~119~~

pg. 80

1 SUPERIOR COURT OF NEW JERSEY  
 2 MORRIS COUNTY-LAW DIVISION  
 DOCKET NO. L-6001-78 P.W.

3 MORRIS COUNTY FAIR HOUSING :  
 COUNCIL, et als, :

4 :  
 5 Plaintiffs, :

DEPOSITION OF:

D.L. Moore  
 2/19/80

-v-

DUDLEY H. WOODBRIDGE

6 BOONTON TOWNSHIP, et als, :  
 7 :  
 8 Defendants. :

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9  
 10 T R A N S C R I P T of stenographic notes as  
 11 taken by and before JILL FRIEDBERG, Notary Public and  
 12 Shorthand Reporter of the State of New Jersey, as taken  
 13 at 3 Schuyler Place, Morristown, New Jersey, on Monday,  
 14 February 11, 1980, commencing at 11:30 A.M.

15  
 16 A P P E A R A N C E S:

17 STANLEY C. VAN NESS, PUBLIC ADVOCATE  
 18 BY: STEPHEN M. EISDORFER,  
 Deputy Public Advocate  
 19 For the Plaintiffs.

20 MESSRS. SALMON & RUSSELL  
 21 BY: JOHN F. SALMON, ESQ.  
 County Planning Board Attorney

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A P P E A R A N C E S : (CONTINUED)

MESSRS. SHANLEY & FISHER  
BY: CHARLES A. REED, III, ESQ.,  
For the Defendant, Harding Township.

MESSRS. SCANGARELLA & FEENEY  
BY: JOHN F. FEENEY, ESQ.,  
For the Defendants Lincoln Park.

MESSRS. MC CARTER & ENGLISH  
BY: JOSEPH FALGIANI, ESQ.,  
For the Defendants Chester Township

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I N D E X

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>
<u>DUDLEY H. WOODBRIDGE</u>		
By Mr. Nisdorfer	3	
By Mr. Reed		74
By Mr. Salmon		76

E X H I B I T S

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>IDENT.</u>
PDW-1	Document, Housing Work Program, 16 pages, dated 8-74.	62

1 D U D L E Y H . W O O D B R I D G E , Morris County  
2 Planning Board, Courthouse, Morristown, New Jersey, duly  
3 sworn by the Reporter, testifies as follows:  
4

5 DIRECT EXAMINATION BY MR. EISDORFER:

6 Q Would you state your name, please?

7 A Dudley Woodbridge.

8 Q Mr. Woodbridge, have you given a deposition  
9 before?

10 A I believe I have.

11 Q Okay. Let me review for you the procedures.  
12 Do you understand that you're giving testimony under oath?

13 A Yes.

14 Q And the testimony you give may be used  
15 at trial in this case?

16 A I see.

17 Q If you have any -- if you don't understand  
18 any of my questions, please ask me to clarify the  
19 question. Is that clear?

20 A Yes.

21 Q At various times I might ask for specific  
22 numbers or figures. If you don't recall the specific  
23 figure, please say so and then give your best estimate.  
24 Is that clear?

25 A Yes.

1 Q Thank you. What is your home address?

2 A 12 Ferndale Avenue, Morristown, New Jersey.

3 Q What position do you currently hold?

4 A I am Planning Director for the Morris County  
5 Planning Board.

6 Q How long have you held that position?

7 A Since 1961 or '62.

8 Q Would you describe, briefly, your educa-  
9 tional background?

10 A Yes, I went to Swarthmore College, majoring in  
11 civil engineering. I received a bachelors -- BS from  
12 there and then I received my masters in city and regional  
13 planning from M.I.T. in 1954.

14 Q What professional positions did you hold  
15 prior to your present position?

16 A I worked for six months as a planner in Westbrook,  
17 Maine and then, came to Morris County as -- to the Morris  
18 County Planning Board as Assistant Planner in January,  
19 1955 and I've held various titles within the County  
20 Planning Board since then.

21 Q Would you describe, briefly, the function  
22 of the Morris County Planning Board?

23 A It is set up under the State -- County Planning  
24 Enabling Act and I'd say the principle function is to  
25 provide a framework within which Municipal Planning

1 Boards can develop regional plans for their own municipali-  
2 ties.

3 We also have power of subdivision and site plan  
4 review, as given in the statutes.

5 Q Anything else?

6 A Unless you wanted a 20 minute dissertation, I  
7 think that covers it.

8 Q What are your duties and responsibilities  
9 as Director of Planning?

10 A To carry out the policies adopted -- policies and  
11 instructions of the County Planning Board and to direct  
12 the staff in -- in this function.

13 Q Broadly speaking, what kind of functions  
14 does a staff or staff of the Planning Board perform?

15 A Three of the planners are engaged in the subdivision  
16 and site plan review. There are two at the present time  
17 involved in subregional transportation planning and one  
18 planner in what we call general planning, which really  
19 covers everything else. It includes a review of  
20 statistical analysis of what's going on in the county,  
21 giving information to the public and so forth.

22 Q Would you describe the purpose of a county  
23 master plan?

24 A It's a -- to give guidance to the future growth  
25 of the county and to provide a framework for -- or within

1 how local planning can reasonably take place.

2 Q Now, how is the master plan developed in  
3 Morris County? What is the process?

4 MR. SALMON: The question is devoted to  
5 the specific master plan now in effect?

6 MR. EISDORFER: The master plan currently  
7 in effect.

8 A Let's see, I would say the staff suggests to the  
9 Planning Board what they feel is needed and the Planning  
10 Board then either approves or disapproves their going  
11 ahead with kind of an approach -- of project. When I'm  
12 saying "project," I'm speaking of the separate elements  
13 of the master plan.

14 Q Then what happens?

15 A The staff works on the plan for whatever period is  
16 needed, confers with the Planning Board as it goes along  
17 and finally, produces a document for Planning Board review.

18 The Planning Board may want changes made in it or  
19 it may find it acceptable more or less, as is. If they  
20 do find it acceptable then, they would approve that it  
21 be submitted to the municipalities for review and comment  
22 and they're set up -- set a date for the public hearing  
23 on the master plan element.

24 Comment will be received from municipalities, from  
25 the public, whatever, which is to give comment at the



1 public hearing and then, the staff and Board take those  
2 comments into consideration and if they feel they're valid,  
3 they try to modify the wording of the plan to encompass  
4 whatever ideas are expressed.

5 After such revisions have been made, then the  
6 Planning Board adopts the element as a part of the county  
7 and master plan. There is also -- there input from or  
8 has been input from citizens, advisory council, in the  
9 development of the plan.

10 Q What's the maker of the citizens advisory  
11 council?

12 A It is supposed to be one representative from each  
13 of the 39 municipalities. There are appointed from the  
14 Mayor and representatives from -- oh, probably eight to  
15 twelve county-wide organizations. Those members are  
16 appointed by their own organizations.

17 Q Now, during this process when municipalities  
18 make comments, if any, would those comments typically  
19 be in writing?

20 A Some are in writing, some oral.

21 Q Are the written comments maintained on file?

22 A Yes.

23 Q What about the input of the Citizens'  
24 Advisory Council? Would that have been in writing?

25 A No, I don't remember if they ever submitted

1 material in writing. It is very informal.

2 Q Now, in this process, what is the role of  
3 the Director of Planning?

4 A To see that the project of developing the element  
5 is carried out and liaison between the staff members  
6 directly working on the project and the Board conferring  
7 with the staff members directly working on the plan.

8 Q I'm going to show you a series of documents  
9 and ask you some questions about them. You may perhaps  
10 want to get a duplicate set for your own reference but,  
11 we will take care of that as it comes. Let me show you,  
12 first, an exhibit that's been marked as P-37 for  
13 identification. Are you familiar with that document?

14 A Yes, I am.

15 Q Would you describe what that is?

16 A This is the future land use element of the Morris  
17 County master plan.

18 Q What subjects does that cover?

19 A It attempts to develop a philosophy for overall  
20 development of the county in the ten to twenty years  
21 following its adoption.

22 Q Were you involved in the presentation of  
23 this document?

24 A As Planning Director, we reviewed the text  
25 before it was submitted to the Planning Board.

1 Q Did you recommend its adoption by the  
2 County Planning Board?

3 A Well, I took it up with the Planning Board for  
4 adoption. I don't know if I could find any specific  
5 document that says I recommended it but, the -- took it  
6 up with the Board for a favorable action.

7 Q Was this adopted by the Morris County  
8 Planning Board?

9 A Yes.

10 Q Approximately when?

11 A On December 4, 1975.

12 Q Now, has this document been superceded?

13 A No.

14 Q Has it been amended?

15 A No.

16 MR. SALMON: Since December 4, 1975?

17 MR. EISDORFER: Right, since it's adoption.

18 MR. SALMON: Okay.

19 A No.

20 Q When you reviewed those, did it represent  
21 the Morris County Planning Board?

22 MR. SALMON: I would object to the question.

23 I don't think the witness is competent to answer  
24 the question but, you may answer it, if you can.

25 A I'm not aware of any discrepancies between their

1 views and this document but, they specifically discussed  
2 it in recent years.

3 Q Does this represent your own current views?

4 A Yes, there would be modifications if we were to --  
5 particularly in the field of population projections,  
6 yes, I would say the population projections have been  
7 superceded by new estimates.

8 Q Could you briefly describe what differences--  
9 in what way the population projections are now super-  
10 ceded?

11 A Well, since the work was done on this report, it's  
12 been the strong national trend toward lower increase in  
13 population than people had thought was coming in the  
14 late 60's and early 70's so, our current Planning Board --  
15 current Planning Board population estimates are considerably  
16 lower than those expressed in this report.

17 Q Have any subsequent analyses or reports  
18 on the subject matter of this document, been prepared  
19 by the Planning staff?

20 A No, I don't recall any that are put into that  
21 category.

22 Q Are any in progress now?

23 A No.

24 Q Are any anticipated in the near future?

25 A Well, of course after the -- since this material

1 comes out of -- as soon as this material comes out, we  
2 will be analyzing that in detail and depending on what  
3 that shows, I assume we would consider revisions to this  
4 plan but, there's no specific plan for revising it at  
5 the present time.

6 Q Let me show you a document that was marked  
7 P-38 for identification.

8 A Yes.

9 Q I ask you if you're familiar with that  
10 document?

11 A Yes.

12 Q Would you describe what that is?

13 A This is a supplemental report to the sanitary  
14 sewerage element of the Morris County master plan --

15 Q What subjects does it --

16 A -- and it's entitled "Sanitary Sewerage Facilities  
17 for Northwest Morris County."

18 Q What subjects does that cover?

19 A That is a supplementary study that was done for  
20 the northwest -- northwestern part of the county to --  
21 because we are, I think, the Planning Board persuaded at  
22 the public hearing that part of the county was not  
23 sufficiently covered in the basic sanitary sewerage  
24 element.

25 Q Let me show you Exhibit P-39 for

1 identification. Let me ask you, are you familiar with that  
2 document?

3 A Yes, I am.

4 Q Would you describe what that is?

5 A This is sanitary sewerage facilities element of the  
6 Morris County master plan.

7 Q What subjects does that cover?

8 A This covers the existing sanitary sewerage  
9 facilities in the county and the plans for future expansion  
10 of those facilities.

11 Q For each of P-39 and P-38, would you describe  
12 what role you've played in the presentation of those plans?

13 A I was the ultimate staff person in charge of having  
14 the plan produced and I reviewed, at least in the case of  
15 basic elements, made revisions in the text before it was  
16 submitted for public review.

17 Q Referring to P-39 now, the sewerage plan,  
18 when was that prepared?

19 A I would say along 1970, '71. Well -- okay, I guess  
20 from 1969 and 1970, I would say it was under preparation.

21 Q Was that document adopted by the County  
22 Planning Board?

23 A Yes, it was.

24 Q Approximately when?

25 A 1971 or '72. I'd have to go back to the Planning

1 Board minutes to determine exactly when.

2 Q Did you recommend its adoption?

3 A In the same sense, I was involved in the land use  
4 -- future land use plan.

5 Q Now, referring to P-38, the supplementary  
6 report, when was that prepared?

7 A 1973 and '74.

8 Q What role did you play in its preparation?

9 A This was done by a consultant firm. I'm sure I  
10 must have reviewed it prior to submitting it to the County  
11 Planning Board.

12 Q Was that adopted by the County Planning Board?

13 A I'm not certain, without looking at the records.  
14 I believe it was not adopted as part of the master plan.

15 Q Do you recall why not?

16 MR. SALMON: Sir, I didn't hear the question.  
17 Please read it back.

18 (Whereupon, the following was read back:

19 "Do you recall why not?")

20 MR. SALMON: I would object to the form of  
21 the question also, to the question itself, because  
22 it calls for a conclusion on the part of this  
23 witness as to possible reasons in the minds of other  
24 people but, you may answer it if you can.

25 MR. REED: Just to make it clear, I'd like to

1 join in any objection as to form, raised by Mr.  
2 Salmon.

3 A I believe I did not recommend it for adoption.  
4 I think's its primary purpose was to provide information  
5 on that section of the county but, not as a report that  
6 needed to be added to the master plan element.

7 Q Now, has the master plan element represented  
8 by Exhibit P-39, has that been superceded or amended since  
9 its adoption?

10 A No, it has not.

11 Q Does that continue to represent the view of  
12 the County Planning Board?

13 MR. SALMON: I would make the same objection  
14 to that question that I made earlier, as calling  
15 for an answer beyond the scope of this witness'  
16 competency but, you may answer it, if you can.

17 A Yes, I think I could not answer that.

18 Q Have any of the Planning Board, either  
19 individually or collectively, indicated that, to you, that  
20 this plan no longer represents their view?

21 MR. SALMON: I would object to the form of  
22 that question as being extremely vague, not  
23 specifying which members, either past or present  
24 and once again, I think it calls for certain  
25 conclusionary processes on the part of this witness



1           that are beyond the scope of his competency but,  
2           if he can answer it, I'm not directing him not to  
3           answer it.

4                        Do you remember the question?

5                        THE WITNESS: Yes, I do.

6           A        There has occasionally been some expression that  
7           it should be updated.

8                        Q        From whom has that expression come?

9           A        Mr. Zakarian.

10                       Q        Approximately when has he expressed those  
11           concerns?

12           A        Oh, I would say on several occasions over the last  
13           two years.

14                       Q        Has he indicated to you the reasons for his  
15           concern?

16           A        No.

17                       Q        Does this document continue to accurately  
18           represent your views?

19                       MR. SALMON: In its entirety? Is that the  
20           question?

21                       MR. EISDORFER: Yes.

22                       MR. SALMON: I would object to the over  
23           general nature. That question, is it referring to

24           P --

25                       MR. EISDORFER: P-39.

1 MR. SALMON: P-39, which is a very lengthy  
2 document, running almost 90 pages and unless some  
3 foundation can be laid as to whether or not this  
4 particular witness has reviewed that document prior  
5 to this deposition in each and every detail, I  
6 think it calls for a answer that's much too compre-  
7 hensive.

8 Once again, I'm not directing him not to  
9 answer. I'm objecting to the question.

10 A I find it difficult to respond to that question.

11 Q Are there specific aspects to the plan which  
12 no longer represent your current view?

13 A I think some of its proposals would certainly require  
14 reexamination. I know that specifically that there are --  
15 I recall there are trunk lines shown through the south-  
16 western part of Morris County, that I'm sure are -- I  
17 feel certain are not feasible at the present time. I'm  
18 sure they will be revised as far as staff is concerned  
19 if it were redone. I think there are probably other aspects,  
20 too. That's one that stands out.

21 Q Well, has the staff prepared any subsequent  
22 analyses or reports, on the subjects covered in these two  
23 documents, P-38 and P-39?

24 A No.

25 Q Have any been contracted for?

1 A No.

2 Q Are any now in progress?

3 A No.

4 Q Are any anticipated in the immediate future?

5 A No.

6 Q Do you have any plans for whether this  
7 element will next be fully revised?

8 A No specific plans, no.

9 Q Let me show an exhibit marked P-45 for  
10 identification.

11 A All right.

12 Q Let me ask you if you're familiar with this  
13 document.

14 A Yes, I am.

15 Q Would you describe what that is?

16 A This is the water supply element of the Morris  
17 County master plan, which analyzes the -- the then existing  
18 network of systems for public water supply in the county  
19 and makes recommendations for future expansion and improve-  
20 ments of those systems.

21 Q Did you play a role in the preparation of  
22 this plan?

23 A Yes, a similar role to which I played in the  
24 presentation of P-39.

25 Q And when was this prepared?

1 A This was prepared in 1969 and 1970.

2 Q Has it been adopted by the County  
3 Planning Board?

4 A Yes, it was.

5 Q Approximately when?

6 A Probably 1971.

7 Q Does this continue to represent the views  
8 of the Planning Board?

9 MR. SALMON: Same objection that I made  
10 earlier. Rather than restating it each time --

11 MR. EISDORFER: Sure.

12 MR. SALMON: -- I think my objection was  
13 detailed on one of the earlier questions with  
14 relation to a different exhibit of the --

15 A Yes, I would not be able to answer that question.

16 Q Since its adoption, have members of the  
17 Planning Board either individually or collectively,  
18 indicated that they no longer support this plan?

19 MR. SALMON: In its entirety?

20 MR. EISDORFER: Yes.

21 A I don't recall such an expression.

22 Q Has this plan been superceded or amended  
23 since its adoption?

24 A No.

25 Q Does it continue to represent your own

1 views?

2 MR. REED: Object to the form of the  
3 question. He never said it never did.

4 MR. SALMON: I'd make that same objection.

5 MR. EISDORFER: Fair enough.

6 I'll withdraw that question.

7 Q Did you recommend this plan for adoption  
8 by the Planning Board?

9 A We presented it for the adoption by the Planning  
10 Board.

11 Q Did it represent your views at that time?

12 MR. SALMON: In each and every respect,  
13 is that your question?

14 MR. EISDORFER: Yes.

15 A I would say by and large, it represented my views  
16 at the time.

17 Q Were there specific aspects in which it  
18 did not represent your views at that time?

19 A I don't recall any at the present time.

20 Q Does it continue to represent your views?

21 MR. REED: Objection to the form.

22 MR. SALMON: I would object to that question  
23 because, as I look at the exhibit you're referring  
24 to, P-45 for identification, once again, it's a  
25 very lengthy document, 51 pages long and there's

1           been no testimony so far by this witness that he  
2           has reviewed it prior to this deposition in each  
3           and every detail and I think it calls for too  
4           broad an answer without the proper foundation being  
5           laid.

6                        You may answer if you understand the  
7           question.

8           A        I am sure there are things that would need to be  
9           reexamined in it but, I've not reviewed it to see if there  
10          are specific items that I would disagree with.

11                      MR. SALMON: For the record, I think this is  
12          a good place to indicate this. In December of 1979,  
13          I wrote to the Public Advocate's Office, after a  
14          Mr. or Ms. Hurd and a Mr., I believe, or another  
15          attorney in that office had communicated with Mr.  
16          Woodbridge and I suggested that if they -- if any  
17          party wished to elicit any information from him,  
18          we would request that it be done on notice to all  
19          parties and in deposition and in that letter, I  
20          said, "Would you please advise me in writing what  
21          records you wish to review or have copied."

22                      From that time, until today, I've never  
23          received any communication from the Public  
24          Advocate's Office nor, did Mr. Woodbridge, to my  
25          knowledge, as to what specific documents he would

1 be questioned about today or what the Public  
2 Advocate wished to review so, I put that on the  
3 record just to provide some background information  
4 for the Court, if it has to rule on any of these  
5 objections.

6 Also, I requested a Mr. Meiser, in the  
7 Public Advocate's Office, who was kind enough to  
8 call us last week to arrange a convenient date for  
9 Mr. Woodbridge's deposition. In my conversation  
10 with Mr. Meiser, I asked him to serve a subpoena  
11 on Mr. Woodbridge with reference to this deposition  
12 so that it could be associated with the file. We  
13 still have not received the subpoena and no records  
14 have been mentioned in any other communications  
15 between my office and the Public Advocate's Office.

16 MR. EISDORFER: Let me indicate, for the  
17 record, that Mr. Meiser has indicated to me that  
18 he did indeed have a conversation with counsel;  
19 that his understanding was that records pertaining  
20 to the county master plan would be available and  
21 that was his understanding.

22 MR. SALMON: They are certainly available.  
23 They're public records and must be available. My  
24 point is that there were no suggestions as to which  
25 public records -- there are voluminous records in

1           this office. It was not indicated what Mr. Wood-  
2           bridge would be asked questions about. I put that  
3           on the record only to illustrate, for all parties  
4           that -- to ask a witness specifics on lengthy  
5           documents without any kind of advance information,  
6           I think is putting a burden on the witness which  
7           is rather heavy.

8           Q           Are there any specific respects in which  
9           this does not represent your views at the current time?

10           MR. SALMON: Same objection that I made  
11           earlier, particularly with reference to expecting  
12           the witness to answer that question without having  
13           had the opportunity to review it in detail prior  
14           to his answer but, you may answer the question, if  
15           you can.

16           A           I would have to completely review it before  
17           answering the question.

18           Q           Has the planning staff prepared any subse-  
19           quent analyses or reports on the subject matter covered  
20           in this report?

21           A           No.

22           Q           Are any in progress?

23           A           No.

24           Q           Are any anticipated in the immediate future?

25           A           Not in the immediate future.



1 Q Is there a plan for fully revising this  
2 element?

3 A There's no specific plan for revising it at the  
4 present time.

5 Q Let me show you Exhibit P-46 for identifi-  
6 cation. Are you familiar with this document?

7 A Yes, I am.

8 Q Would you describe what that is?

9 A This covers transportation, background material  
10 on the transportation situation in Morris County and it  
11 contains various recommendations for improvements in that  
12 transportation system.

13 MR. SALMON: I don't mean to interrupt but,  
14 for the record, can we just get this point into  
15 the record, what this document is designated as?

16 Q Yes, please, would you read the title into  
17 the record?

18 A Yes, it's entitled "Transportation Plan-Morris  
19 County, New Jersey."

20 Q What role did you play in the preparation  
21 of that document?

22 A Again, I was overseeing the staff members who are  
23 directly working on the plan.

24 Q When was this document prepared?

25 A During 1978.

1 Q Was it adopted by the County Planning Board?

2 A It was not adopted as an element of the Morris  
3 County master plan. I believe it was approved by the  
4 Planning Board for submittal to Tri State Regional  
5 Planning Commission. I would have to go down and look at  
6 the back records to make sure of that but, I think that's  
7 the case.

8 Q In what context would this have been sub-  
9 mitted to the Tri State Planning Commission?

10 A It was a requirement of the Tri State that such  
11 a plan be prepared in order for the county to continue  
12 receiving federal funds for transportation systems.

13 Q Does this report represent your views at  
14 that time?

15 MR. SALMON: Same objection. I don't want  
16 to keep burdening the record. Will you concede,  
17 Mr. Eisdorfer, that if any of your questions are  
18 similar with respect to this document or any  
19 subsequent document, similar to the questions asked  
20 before, that you will recognize the same objection  
21 to the same?

22 MR. EISDORFER: Yes, I have no problem  
23 noting this as a continuing objection.

24 MR. SALMON: I don't like to constantly  
25 interrupt you. Okay.

1 A By and large, yes.

2 Q Did you recommend this for adoption by the  
3 Planning Board?

4 A No, I did not.

5 Q Did you recommend it for approval for  
6 submission to the Tri State Planning Commission?

7 A Yes.

8 Q Has this -- does this continue to generally  
9 represent your views?

10 MR. REED: Same objection.

11 A Again, it's probably two years since I have re-  
12 viewed it. I think I would be unable to answer that  
13 question.

14 Q Are there any specific respects that occur  
15 to you, in which it would not represent your views?

16 MR. REED: Same objection.

17 A I don't recall any.

18 Q Has this report been amended or superceded?

19 A No.

20 Q Does this report currently represent the  
21 views of the Planning Board?

22 A I couldn't answer that question.

23 MR. SALMON: Same objection.

24 MR. REED: Objection.

25 Q Have members of the Planning Board either

1 individually or collectively, indicated to you that it does  
2 not represent their views?

3 A Not that I recall.

4 Q Has the planning staff prepared any subsequent  
5 analyses or reports, subject matters that were covered in  
6 this document?

7 A We work on a document each year that -- I wouldn't  
8 say it strictly amends this document but, it does bear on  
9 some of the items covered in this document.

10 Q What documents is that?

11 A That's the Transportation Improvement Program.

12 Q Can you just describe the purpose of that  
13 document?

14 A This is a listing of the transportation improvements  
15 which the federal aid, either has been sought or will be  
16 sought.

17 Q What is done with that document when it's  
18 completed each year?

19 A It is submitted to both the State Department of  
20 Transportation and the Tri State Regional Planning Commission.

21 Well, I'm sorry, back up a minute. It's first  
22 submitted to the Board of Chosen Freeholders for their  
23 approval and then it is submitted to Tri State and DOT.  
24 It is also submitted to the Northeast New Jersey Trans-  
25 portation Coordinating Committee and within that body, it

1 is combined with the TIP's of the other counties within the  
2 tri State area of New Jersey and that Northeast body then  
3 approves the entire document, period.

4 Q Now, is this the annual Transportation  
5 Improvement Plan? Is that the right name?

6 A Yes, yes, it is. The program itself, the plan.

7 Q Program, okay. Is that in addition to  
8 applications for specific federal funds?

9 A A project has to be listed on the TIP before a  
10 detailed application can be made for funding.

11 Q Would it be correct in describing the  
12 sequence as, first, this plan is prepared and approved by  
13 the various bodies to which it's submitted and then you're  
14 free to request specific federal funds?

15 MR. REED: Objection. He said it was a  
16 program, not a plan.

17 THE WITNESS: Correct, it's the program, not  
18 a plan.

19 Q Okay.

20 A I have a little difficulty in answering that because  
21 I'm not quite sure of the entire process as -- particularly  
22 as far as DOT is involved. I think some study is given  
23 to the projects before they are, you know, deemed suitable  
24 to be put on the TIP but, it does have to be put on the  
25 TIP before application is made for funds for preliminary

1 engineering or right-of-way acquisition or for construction.

2 Q In addition to these transportation improve-  
3 ments program, are there any other reports or analyses  
4 that have been prepared by your staff on the subject  
5 matters covered in this document? This document being  
6 P-46, the transportation element?

7 A There are various minor transportation reports that  
8 perhaps would relate to this but, they are not into the --  
9 strictly speaking, intended as amendments to it.

10 Q What are the natures of these reports?

11 A Oh, on special efforts to assist the elderly and  
12 handicapped, what are called transportation management  
13 systems reports, TSM, for short. I guess those are two  
14 examples.

15 Q What is a transportation management systems  
16 report?

17 A I guess it's transportation systems management,  
18 if I may correct myself.

19 Q Okay.

20 A This is outlining short range, low cost projects  
21 that could be undertaken to improve traffic flow or  
22 improve public transportation services in the county.

23 Q Can you give me an example of a specific  
24 one?

25 A Well, for a specific one, I'd have to go

1 back to our reports to do that.

2 Q Now, are there any plans to produce a  
3 revised or amended version of this document, P-46?

4 A No.

5 MR. SALMON: That he is aware of, of course.

6 MR. EISDORFER: Of course.

7 Q Let me show you Exhibit P-47 for identifica-  
8 tion.

9 A Yes.

10 Q Are you familiar with this document?

11 A Yes, I am.

12 Q Would you describe what that is?

13 A This document, well -- all right, first of all,  
14 it is historic preservation element of the Morris County  
15 master plan. This element consists of two major sections.  
16 One is an inventory of historic sites within Morris  
17 County.

18 The second, discusses programs and other means  
19 that are -- strike that.

20 The second discusses the philosophy for -- behind  
21 historic preservation and it lists various programs that  
22 are available to municipalities and private groups for  
23 preservation of historic sites.

24 Q Did you play a role in the preparation of  
25 this document?

1 A Yes, I was Planning Director, directing the person  
2 who was preparing the report.

3 Q When was this document prepared?

4 A I'd say it was primarily prepared in 1974 and '75.  
5 It was printed in 1976.

6 Q Well, was this document adopted by the  
7 County Planning Board?

8 A Yes, it was.

9 Q Approximately when was that?

10 A October 7, 1976.

11 Q At that time, did it fairly represent your  
12 views?

13 A Yes, it did.

14 Q Did you recommend its adoption by the  
15 County Planning Board?

16 A I presented it to them for adoption.

17 Q Does it continue to represent your views?

18 MR. REED: Objection, as earlier stated.

19 A Yes, I'd be unable to answer that on the same ground  
20 as before.

21 Q Are there any specific respects in -- that  
22 you can think of, that it would not at the present time  
23 represent your views?

24 MR. REED: Same objection.

25 A I do not think of any.



1 Q To the best of your knowledge, does it  
2 represent the kind of views of the County Planning Board?

3 MR. REED: Objection.

4 A I couldn't answer that question.

5 Q Since its adoption, have members of the  
6 County Planning Board either individually or collectively,  
7 expressed disagreement or reservations about this  
8 document?

9 A I don't recall any such expression.

10 Q Has this element been superceded or  
11 amended since its adoption?

12 A No.

13 Q Have any reports or analyses on the subject  
14 matter of this element, been prepared by your staff  
15 since the adoption of this document?

16 A No.

17 Q Are any in progress?

18 A No.

19 Q Any anticipated in the immediate future?

20 A No.

21 Q To the best of your knowledge, are there  
22 any plans to produce or revise or amend this version?

23 A No.

24 Q Let me show a document marked P-48 for  
25 identification.

PENGAD CO., BAYONNE, N.J. 07002 FORM 2046

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- 1 A This is the open space element of the Morris County
- 2 master plan.
- 3 Q What subjects that does cover?
- 4 A This covers an inventory of the major public and
- 5 the privately owned open space parcels in Morris County
- 6 and suggests plans for expansion and supplementing of
- 7 those open space areas.
- 8 Q Did you play a role in the preparation in
- 9 this document?
- 10 A Yes, the same role as with the other master plan
- 11 documents.
- 12 Q When was this document prepared?
- 13 A I believe in 1971 and '72.
- 14 Q Was this document adopted by the County
- 15 Planning Board?
- 16 A Yes, it was.
- 17 Q Approximately when?
- 18 A I would presume late 1972.
- 19 Q Now, at that time, did this document fairly
- 20 represent your views?
- 21 A Yes, it did.
- 22 Q Did you recommend its adoption by the Planning
- 23 Board?
- 24 A In the same sense as the other elements.
- 25 Q Does it continue to represent your views?

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MR. REED: Objection.

A Again, I have not reviewed it recently so, I cannot answer that question.

Q Are there any respects that occur to you, in which it does not represent your views?

MR. REED: Objection.

A No.

Q To the best of your knowledge, does this continue to represent the views of the County Planning Board?

MR. REED: Objection.

A I cannot answer that question.

Q Have members of the County Planning Board, either individually or collectively, expressed to you doubts or reservations about this plan, since its adoption?

A I don't recall if they have.

Q Has this document been revised or superceded since its adoption?

A No.

Q Has your staff prepared any analyses or reports on the subject matter of this document, since its adoption?

A No.

Q Are any in progress?

A No.

PENGAD CO., BAYONNE, N.J. 07002 - FORM 2046

1 Q Are any anticipated in the near future?

2 A No.

3 Q Are there any plans to produce a revised  
4 version of this document?

5 A No.

6 Q Thank you. Now, are there any other elements  
7 to the master plan, other than the ones that we've just  
8 been through?

9 A Yes, there's a bikeway -- bikeways element.

10 Q Are there any others?

11 A No, that's -- that covers it.

12 Q Has the bikeways element been adopted?

13 A Yes, I believe it was.

14 Q Approximately when?

15 A I believe 1976 or '77.

16 Q Now, would it be fair to say that the master  
17 plan now consists of these various elements which you have,  
18 over the past half hour or so, discussed, have been adopted?  
19 Does that constitute the complete master plan?

20 A Yes.

21 Q Would you describe for me what the County  
22 Planning Board or its staff does to implement or facilitate  
23 the implementation of this master plan?

24 MR. SALMON: I would object to that question,  
25 as it may require this witness to describe functions

1 or mental processes than his own. You may answer  
2 it if you understand the question.

3 A I think there are various ways in which we do.  
4 One method is through our subdivision and site plan review.  
5 Whenever a subdivision or site plan would relate to one  
6 of the master plan elements, for example, an open space  
7 proposal or a proposed facility expressed in one of the  
8 other plans, we point this out to the municipality and to  
9 the developer and often try and to suggest a way in which  
10 both that item could be provided for and the way that the  
11 developer could have some return from this property, also.

12 Also, publicize through giving talks; talks with  
13 groups and organizations in the county. We did have a  
14 newsletter which also performed this function but, that is  
15 not functioning at the present time.

16 Oh, I'd also say in terms of the A-95 review that  
17 we perform for projects of applications made for federal  
18 funds.

19 Q Could you describe this process briefly?

20 MR. SALMON: Referring to the A-95 process?

21 MR. EISDORFER: Yes.

22 A This is the processes specified by the Federal Bureau  
23 of the Budget. Most applications for federal aid have to  
24 go through a process of being submitted to Tri State  
25 Regional Planning Commission. They in turn, send the many

1 applications to the Morris County Planning Board. We  
2 try to look at what agencies or bodies within the county  
3 might have an interest in this application and forward  
4 copies of the application for their review.

5 If we do not hear from them within 30 days, we  
6 assume that the application is acceptable in their eyes  
7 and we then -- I guess it's -- then it is satisfactory  
8 for -- for the -- with us, for the applicant to go ahead  
9 and make formal submission on this application to the  
10 federal agency that's involved.

11 If there is no objection from some quarter to the  
12 application, we try to arrange a meeting between the  
13 contesting or questioning parties, at least to try to get  
14 a mechanism going for a resolution of the problem.

15 Q Now, in addition to soliciting comments or  
16 suggestions from other interested agencies, does the  
17 Planning Board or the staff itself, raise objections?

18 A Occasionally we make comments. I should say this  
19 is a staff function. The Board usually does not get  
20 involved in these reviews. The character of a A-95  
21 submission has changed in the three or five years so that,  
22 most of them are not within our field of expertise.

23 They're for social or criminal justice. The  
24 hospital improvement type programs, they're rather few,  
25 which actually, at the present time, which actually

1 impinged on the County Planning Board's direct field.

2 Q What types of plans would they involve?

3 A Proposals for acquisition of open space, for  
4 expansion of sewer systems or upgrading of sewerage treat-  
5 ment plants.

6 I propose the same goes for improvements of water  
7 purification or expansions of systems.

8 Q Would that also include things like community  
9 development block grant funds?

10 A It did initially, during the first -- I'd say,  
11 at least three years. I am not sure that the community  
12 development block grant funds application does come  
13 through our office at the present time.

14 Q Now, in the past three years or so, have  
15 you -- has your office commented negatively on any  
16 application requests through the A-95 process, on the  
17 basis of consistency with the master plan?

18 MR. SALMON: The question, when you say  
19 "your office," are you referring to Mr. Woodbridge's  
20 staff or are you referring to staff plus County  
21 Planning Board?

22 MR. EISDORFER: Mr. Woodbridge indicated  
23 that this was a staff function so, I'm referring to  
24 him and his staff.

25 A I can't think of any examples where there was an

1 actual A-95 admission that we did comment on negatively.

2 Q Could you think of any instances over the  
3 past three years, in which you have talked people out of  
4 submitting a proposal before it got to the A-95 process,  
5 on the potential of inconsistency with the master plan?

6 MR. SALMON: I would object to the form of  
7 the question, on the vagueness of the characteri-  
8 zation on their "talking out." You can answer it.

9 A There was one occasion on which we worked very  
10 closely with both Tri State and the State Department of  
11 Community Affairs on a plan for a sewerage system in the  
12 western part of Morris County which all three agencies  
13 felt was far too expensive, that would be against the  
14 concept of keeping that area in relatively low density  
15 and subsequently, I believe the plan was revised to be  
16 less inclusive in terms of area conserved.

17 Q Did that plan have a name or title that  
18 it went by?

19 A Well, I couldn't give you an exact title but, it  
20 was a sewerage plant for Mt. Clive and Washington Townships.

21 Q Who was sponsoring it?

22 A I believe Washington Township Municipal Authority.  
23 I think -- I can't think of the proper term but, they were  
24 the prime mover.

25 Q Approximately when was that?



1 A Say about one and a half years ago.

2 Q Does the staff comment on proposed municipal  
3 and these ordinances as to their consistency or incon-  
4 sistency with the county master plan?

5 A We have tried to in the past or at least make some  
6 comments on them but, due to the changes, the revisions  
7 of the Municipality Land Use Act, we have such a volume  
8 of new ordinances coming in over the last two years, that  
9 we have just not been able to make such reviews.

10 Q Do you anticipating reviewing such reviews  
11 in the future?

12 A I think we may.

13 Q Are you conducting such reviews at the  
14 present time?

15 A We -- I'd say in terms of written reviews, no.

16 Q Do you make an oral or other informal comments  
17 at the present time?

18 A At the present time, no.

19 Q Does the staff comment on municipal master  
20 plans as to their consistency or inconsistency with the  
21 county master plan?

22 A As a general policy, yes.

23 Q Are there any instances, in the past three  
24 years, in which the staff has commented upon, negatively,  
25 upon a municipal master plan based on inconsistency with

1 county master plan?

2 MR. SALMON: I have an objection to the  
3 question for vagueness, specifically, the term  
4 "comment." Do you mean commenting among itself,  
5 that is to say, the staff or expressed comment to  
6 someone else?

7 MR. EISDORFER: I mean an expressed comment  
8 to a municipal governing body or Municipal Planning  
9 Board or other relevant municipal agency.

10 MR. SALMON: Whether in writing or orally  
11 to this witness' knowledge?

12 MR. EISDORFER: Correct, that's correct.

13 MR. SALMON: Of course you're asking him  
14 for his conclusion about the comments, written or  
15 oral by members of his staff. I think it's beyond  
16 his competency but, to the extent of what you know  
17 about it or understand the question, you may answer  
18 it.

19 A I would say there are occasions on which we have  
20 made suggestions for -- for the future developments for  
21 modification or modifications in those specific areas.

22 Q Can you give me some specific instances?

23 A I can't recall any offhand.

24 Q Are you familiar with the Division of  
25 Community Affairs Land Development Guide?

1 A Only vaguely.

2 Q When that was being prepared, did your  
3 staff make any comments to the Division of Community  
4 Affairs, based on the county master plan?

5 A Oh, oh, this. Are you talking about the guide  
6 plans?

7 Q Yes.

8 A Oh, okay.

9 Q Do I have the name wrong?

10 A Well, from what you said, I was thinking in terms  
11 of guide of subdivision or zoning procedure.

12 Q No, no.

13 A I didn't picture the right document. Yes, the  
14 staff from DCA did come to visit us while it was in  
15 preparation and we did discuss various aspects of the plan  
16 at that time.

17 Q Were any written comments submitted?

18 A I don't remember whether any written comments were  
19 submitted. We did make oral comments.

20 Q What was the general substance of the oral  
21 comments?

22 MR. REED: Object to the form.

23 MR. SALMON: Yes, I would join in the  
24 objection. Too vague, the question.

25 THE WITNESS: Shall I wait for more specific

1 or --

2 MR. SIMON: Well, I've objected to the  
3 question but, if you can recall any instances where,  
4 without refreshing your recollection, you may  
5 testify as to them.

6 A I think in terms -- we did have suggestions in terms  
7 of the areas that showed as growth areas. We suggested  
8 that to extend their growth area westward in the county,  
9 through Succasunna area and perhaps in the Flanders area,  
10 Mt. Olive Township, we also suggested that they eliminate  
11 the growth area along Interstate 287, roughly between  
12 Morristown and the Somerset County line or -- perhaps, I  
13 should say, Morris Township and the Somerset County line.

14 I guess those are the two I happen to remember.  
15 Oh, I think -- well, we have also suggested modification  
16 in the line along the northern part of Denville and Boonton  
17 Township and I believe the feeling was the growth area  
18 covered too much area in some areas already in public  
19 park land <sup>or</sup> purity to be in an aquifer recharge area.

20 Q The north end of Denville. You mentioned  
21 the other two.

22 A Boonton Township. We may have also made some  
23 suggestions about the -- on the line west of Morristown.

24 Q Your suggestion would be to have it moved  
25 in which direction?

1 A Well, I'm not sure whether it was actually a matter  
2 of moving or just a more accurate definition of what is  
3 developed and what isn't. I don't think there's any  
4 overall movement of the line.

5 Q Are you familiar with the Division of  
6 Community Affairs Housing Allocation Plan?

7 A I have read parts of it.

8 Q Did your staff submit any comments to the  
9 Division of Community Affairs on that plan, based on  
10 consistency or inconsistency with the county master plan?

11 A I don't recall that we did. If I remember, the  
12 plan was -- we felt it was produced in considerable  
13 secrecy. I don't recall any chance for input or that  
14 we were requested for input on them.

15 MR. EISDORFER: I've reached a natural  
16 breaking off place. I suggest we recess for lunch  
17 at this point.

18 MR. SALMON: Off the record.

19 (Whereupon a luncheon recess is taken.)

20 MR. EISDORFER: Let's go back on the record.

21 Q Mr. Woodbridge, I'd like to return now to  
22 the document marked P-37, Morris County Master Plan  
23 Future Land Use Element and ask you a few questions about  
24 some aspects of that element. First, I would like you to  
25 look at Pages 12 through 14.

1 A Do you mean starting with "Objective?"

2 Q Right, starting with objectives and here,  
3 I note that there are some seven objectives listed.

4 A Yes.

5 Q Let me ask you to take a moment to review  
6 those, if you would.

7 A Yes, all right.

8 Q Now, in your opinion, are these objectives,  
9 as stated, still valid objectives?

10 MR. SALMON: I would object to the question  
11 on several grounds. First of all, the document  
12 itself in its language and contents, speaks for  
13 itself.

14 Secondly, you're asking now an opinion of  
15 this witness who is certainly a planning expert.  
16 I object to the eliciting of any expert opinion from  
17 this witness on behalf of anyone else, you know,  
18 they have to work out an arrangement with this witness  
19 to reimburse him for his professional expertise.

20 MR. REED: I join in that objection.

21 MR. EISDORFER: Are you directing the witness  
22 not to answer?

23 MR. SALMON: No, I don't -- I don't direct  
24 him not to answer at this point but, I'm putting  
25 all parties on notice and I think that it is only

1 fair that -- any expert opinion is to be elicited,  
2 this witness should be informed that he's not  
3 obligated to give professional opinions unless he  
4 is going to be recompensed for them.

5 Now, whether or not he chooses to give you  
6 his expert opinion without such an arrangement,  
7 with any party to this litigation, is up to him.  
8 Off the record.

9 (Whereupon an off-the-record discussion  
10 took place.)

11 MR. SIMON: On the record. During the  
12 break, I have discussed this matter in detail with  
13 the Planning Director about the legal implications  
14 of the testimony sought to be elicited if it  
15 involves an expert witness. After thinking it  
16 over, the Director has decided that in view of  
17 his position as Planning Director and in the public  
18 interest and in the way he views his own role in  
19 this litigation/<sup>as</sup>being essentially an expert who is  
20 in what he views to be a position of neutrality,  
21 in fairness to both sides of the litigation, he  
22 is prepared to give relevant expert testimony to  
23 either side in these depositions as he is waiving  
24 any requests for recompense for the same in the  
25 public interest.

1 MR. EISDORFER: Thank you.

2 MR. REED: Let me just note an objection  
3 to the line of questioning, as we proceed on expert  
4 opinions and I have no idea what opinion, if any,  
5 he is going to give as far as expert.

6 MR. EISDORFER: Let me note that the  
7 decision was specifically dealt with by Judge Muir,  
8 in his pretrial report, in which he indicated  
9 parties need not subject reports from government  
10 witnesses.

11 MR. SALMON: I also want to note an objec-  
12 tion with Mr. Eisdorfer. If he agrees, I would  
13 like to note a continuing objection to any line  
14 of questioning on answers from Mr. Woodbridge on  
15 the basis that he is not necessarily a spokesman  
16 for the Morris County Planning Board to the extent  
17 that any of his answers may touch upon any issues  
18 which have not been ruled upon or decided on, by  
19 the Morris County Planning Board. I would note  
20 that continuing objection.

21 MR. EISDORFER: So noted.

22 Q In your opinion, are these objectives  
23 still valid objectives?

24 A Yes, I would still agree with these objectives.

25 Q Let me ask you to look at Objective 4, on



1 Page 13, which deals with future water supply.

2 Now, the last sentence of that objective is in  
3 quotations and says, "Low density zoning is least costly.  
4 Government action is to preserve the open space necessary,  
5 the form of private open space." Can you tell me what  
6 that was a quotation from?

7 A Offhand I don't think so but, I'm looking to see  
8 if there are any footnotes put in the back that mentions  
9 that. No, I'm sorry. I don't know.

10 Q Sure. Now, that sentence occurs in the  
11 concept of a goal dealing with future water supply. Is  
12 it your understanding that the intent of that sentence  
13 was limited to future water supply or also applied to open  
14 space considerations?

15 A I don't get the gist of the question. I'm sorry.

16 Q This sentence occurs as part of a goal --

17 A Yes.

18 Q -- dealing with open -- future water supply.

19 There are other goals among these seven dealing with  
20 recreational land and the like. Is it your understanding  
21 that this comment on the desirability of low density  
22 zoning applies solely to land kept only for future water  
23 supply or also, to other kinds of other spaces?

24 A I would say certainly to all other kinds of  
25 environmental considerations that would tend toward

1 desirability of low density and to visual open space  
2 areas, also.

3 Q Let me ask you to look at the following  
4 objective dealing with housing. Can you tell me what the  
5 meaning of that phrase, "some effort," in the second  
6 sentence , that "Some effort should be made to  
7 encourage housing at a cost viable for the low-moderate  
8 income workers, the young and the elderly, who already  
9 live and work in Morris County and who are necessary to  
10 the county's continued prosperity."

11 A Are you questioning why the word "some?"

12 Q Just for my understanding, my own under-  
13 standing, what was meant by the term "some effort?"

14 A I don't know that anything specific was -- I don't  
15 recall anything specific in mind by that statement.

16 Q Let me ask you to look at Page 25 of this  
17 document. This section deals with existing land use.  
18 Was a study done of existing land uses in preparation of  
19 this document?

20 A Yes.

21 Q Could you describe how that was done?

22 A Mostly from aerial photographs, outlining different  
23 areas on those and then measuring those areas.

24 Q Was this a wholly new study that was done  
25 at the time of this report?

1 A Well, let's see. We had done it 1966. Okay?  
2 Then, it was up -- not 1976 study, I believe it was up-  
3 dated to 1970 for this report.

4 Q How was that done, do you recall?

5 A I believe by comparing a new set of aerial photo-  
6 graphs with the older one. I imagine -- I believe the  
7 1966 study was taken by the 1965 study so, therefore --  
8 and updating from the 70's, that just, I believe, was done  
9 by outlining the areas of change that we could superimpose  
10 on a transparent photograph and see what change had  
11 taken place and add the change into the tabulations.

12 Q Have you done any subsequent studies of  
13 land use?

14 A No, no, we haven't done any. Well, not on that  
15 basis. We have -- do have land use information from an  
16 entirely different method that was done two or three years  
17 ago.

18 Q What is the nature of that information?

19 A That is from the tax real -- real property tax  
20 records and of course that information would differ some-  
21 what from this, because of the definition of a parcel,  
22 of the lot and so on.

23 Q From that study, were you able to ascertain  
24 how much vacant land there is in the county?

25 MR. REED: What study are you talking about?

1 MR. EISDORFER: The recent study based on  
2 tax records.

3 A I believe that's part of the conclusions in that,  
4 yes.

5 Q Has that study been reduced to a report?

6 A No, it's in print-out form.

7 Q Approximately when was that done, again?

8 A Within the last three years. It's possible it is  
9 still going through a correction process in terms of  
10 computer workings.

11 Q Just for a methodological point of view,  
12 how would one ascertain, from tax records, what parcels  
13 were vacant and what parcels were -- had buildings on  
14 them and had some other kind of use?

15 A Okay, it's from the computerized tax record that  
16 the County Tax Board has. We were given permission to  
17 have a duplicate set for those records made and then, I  
18 believe it was Tri State Regional Planning Commission  
19 had a program -- strike that about Tri State.

20 I would say a program was developed to take this  
21 tax record information and aggregate it into land use  
22 categories.

23 Q Well, maybe I'm just revealing my own  
24 ignorance but, explain how one would identify which  
25 parcels of land are vacant from the tax records?

1 A Oh, that is given -- that is part of the tax record  
2 listing, whether it's vacant or residential or commercial  
3 or industrial or exempt.

4 Q Is that record by the owner or taxpayer?

5 A It's reported, I believe, by the tax assessor.

6 Q Now, from that study, have you or your staff  
7 been able to draw any conclusions about the existing amount  
8 of developable vacant land?

9 MR. SALMON: I would object to the question  
10 if it calls for any conclusions which may have been  
11 developed by persons other than this witness.

12 Do you understand the question?

13 THE WITNESS: Yes.

14 MR. REED: Let me object before you answer.

15 I don't know if you're distinguishing between vacant  
16 land developable land. If you are, it should be  
17 made clear.

18 MR. EISDORFER: I am referring to vacant  
19 and developable land by all means.

20 A This latest study would not indicate how much  
21 vacant land was not developed.

22 Q Earlier in your testimony, you indicated  
23 that one of the reservations you had about the continuing  
24 validity of this report, was the report of population  
25 projections. Is that correct?

1 A Yes.

2 Q Would you describe briefly how the popula-  
3 tion projections were arrived at in this report?

4 A Do you have a population section there?

5 Q Yes. It's on the -- the charts are on  
6 Page 47 and 48, if I remember correctly.

7 A It's based on the population growth trends that  
8 were characteristic at the time this data was -- these  
9 projections were made, the fact that we're on the growth  
10 edge of the Metropolitan area.

11 At that time, the Metropolitan areas still seemed  
12 to be growing and we did have vacant land, that Morris  
13 County appeared to be a place that people desired to live  
14 so, I would say it's essentially on those bases that  
15 estimates were made.

16 Q Was it simply a straight extrapolation from  
17 the -- at the end -- over the previous ten or twenty  
18 years?

19 A I wouldn't be prepared -- I don't think I could  
20 answer that question.

21 Q Were existing zone patterns or existing  
22 municipal master plans, taken into account in making  
23 that projection?

24 A What was the first part of your question?

25 Q Existing zoning ordinance.

1 A Yes, in a general way.

2 Q Now, you indicated that you are no longer  
3 satisfied with these projections. In which direction  
4 do they err?

5 A Our more recent projections are lower.

6 Q Can you give me an approximate figure for  
7 the current projected population for the county for 1990  
8 that you're using?

9 MR. REED: Objection unless he has the  
10 figure in front of him. That's an impossible  
11 question.

12 A I could give you the figure we're using for the  
13 year 2000.

14 Q Okay, please.

15 A The projection is that it's 550,000. For 1980,  
16 I believe it's 417,000.

17 MR. REED: Is that a projection for 1980?

18 THE WITNESS: Yes.

19 Q Can you tell me how those projections were  
20 arrived at?

21 A Through records on residential building permits  
22 separated by a single family versus multi-family, based  
23 on the average family size for each municipality in 1970,  
24 reduced by a -- an assumption of reduced family size, that  
25 was based on estimates of the Bureau of the Census.

1 Well, I don't know if you want more detail on that.

2 Q Please.

3 A See, we took the national trend line of the  
4 Census Bureau and determined decreased family size each  
5 year and then, also looked at what Morris County families  
6 size had been from, I guess, 1920 or 1930, perhaps, to  
7 1970 and compared it with the national average family  
8 size and developed a trend line for Morris County from  
9 that.

10 Q Now, I'm not sure I understand why you  
11 used -- you used "family."

12 Do you use family size separately for each  
13 municipality rather than county average? Is there a  
14 technical reason for that?

15 A In order to get municipal estimates, I believe  
16 we did do it independently for the county as a whole.

17 Q So in effect, you made two sets of  
18 projections? You made a county-wide projection and  
19 then a projection for each municipality?

20 A Yes, I believe so.

21 Q Let me spin out a little more to make  
22 sure that I understand what you are telling me, to make  
23 sure I did not get it all mixed up.

24 What you did was multiplied this adjusted  
25 average family size times, by the projection of a



1 number of new units that were being constructed.

2 A No, we went back and applied an adjusted family  
3 size to the total housing stock in the municipality.

4 Q Now, did you make a differentiation between  
5 that that was built before 1970 and that was built after?

6 A I'd have to check with the person who has done  
7 this, to make sure of this but, I believe we did use a  
8 larger family size for the houses built since 1970,  
9 because we felt the evidence was that on the average,  
10 there are larger houses than the average existing there-  
11 fore, presumably, attract larger families.

12 Q Would you explain to me how you in effect  
13 projected forward the number of new units that were being  
14 constructed?

15 A Well, the -- I think we had the number of units  
16 either through 1977 or '78 and pretty much probably just  
17 used a straight line of projection up until 1980.

18 Q Did you use the same methodology for the  
19 projection of the year 2000?

20 A No, sir, no. We haven't projected by municipality,  
21 to the year 2000. The 2000 figure, to a pretty good  
22 extent, came from sources of our home staff or Tri State  
23 Regional Planning Commission and I believe all are also  
24 from the State DCA.

25 I'm not sure whether it was DCA or labor and

1 industry. We looked at them and felt there's no basis  
2 for us to disagree with those figures. They looked  
3 reasonable to us and as reasonable as any estimate could  
4 be at this time for 22 years from now so, we accepted them  
5 or accepted that figure.

6 Q Now, in that context, are you familiar with  
7 the projection prepared by the Office of Business Commission  
8 and New Jersey Department of Labor and Industry, entitled  
9 "New Jersey Revised Total and Interim Age and Sex Population  
10 Projections," dated April, 1979 or sometime referred to as  
11 the ODEA series?

12 A I personally am not familiar with that particular  
13 projection.

14 Q Are you familiar with the projections prepared  
15 by the New Jersey Department of the Environmental  
16 Protection in their March, '79 report, entitled "Northeast  
17 New Jersey Water Quality Management Plan," sometimes  
18 referred to as the "208 Plan?"

19 A I did not work with these reports myself but, I  
20 believe the 208 total for Morris County is constant with  
21 the 550,000 that we are using for the year 2000.

22 Q In making your projections to 1980 and to  
23 2000, was any consideration given to zoning patterns or  
24 contents of municipal land use plans?

25 A Yes, not in a direct mathematical sense but,

1 qualitative.

2 Q Could you describe conceptually, how that  
3 fit in?

4 A Well, I think a -- through a general knowledge of  
5 the municipal master plans in the county, also a general  
6 knowledge and even maps that we have of areas where there  
7 are -- where there are considered to be constraints to  
8 development.

9 That, plus the Metropolitan trend and measures of  
10 growth, all went into the estimates that we made.

11 Q In making these projections, what in fact  
12 did zoning patterns and the content of municipal master  
13 plans have, in terms of the dimensions of the number?

14 MR. SALMON: Well, I object to the vagueness  
15 and generality of the question. It is clearly  
16 overbroad. How can any witness answer that?

17 Q Well, as a general matter, the zoning and contents  
18 of municipal master plans, operate, in effect, as a  
19 constraint on growth? Did it tend to lower your numbers  
20 or conversely, tend to raise them or alternatively, have  
21 no effect?

22 MR. REED: Objection on the term "effect."

23 MR. BISSDORFER: It certainly had an effect.

24 That's what I'm asking.

25 MR. REED: I'm not certain of that.

1 A Of course our own master plan had some influence  
2 on this. Also, I would say in some cases, it probably  
3 had a constraining affect and in other cases, may have had  
4 the opposite affect.

5 We really didn't take that as an isolated factor  
6 and directly relate it without other factors. I think  
7 in those cases where it might have had a constraining  
8 affect, I believe it was in accordance with our own  
9 thinking with -- expressed in our own future land use  
10 plan about future development of what an area should be.

11 Q Let me ask you to look at Pages 51 through  
12 3, dealing with employment on Page 53. You make a  
13 projection of total employment opportunities to 1990.  
14 Can you describe how you went about making that projection?

15 A Well, as I stated -- as the text states, it is  
16 based at least partially, on population and -- a popula-  
17 tion economic basis study that had been prepared by a  
18 consultant for our office in 1969. I don't know if  
19 further adjustments were made or others took his estimates  
20 directly.

21 Q In your opinion, is this projection to  
22 1990, 195,300, still valid?

23 MR. REED: Objection.

24 A I don't know because I haven't looked at the  
25 recent trends.

1           Q           To your knowledge, has your planning staff  
2 done any subsequent estimates of employment opportunities--  
3 of projected employment opportunities?

4           A           No, they haven't.

5           Q           Now, finally, let me ask you to look at  
6 the section of the report commencing with Page 57 and  
7 ending on Page 60. You used the term "cluster concept."  
8 Can you explain to me, as a layman, what that means,  
9 cluster concept?

10                   MR. SALMON: Just let it be noted that when  
11 you used the term, "you used the term," you mean  
12 the Morris County master plan?

13                   MR. EISDORFER: Right, the term as used in  
14 the report.

15           A           This would be in trying to get away from the -- I  
16 think, you know, what I think unfortunately our trends --  
17 well, in most Metropolitan areas, including this one,  
18 of spreading both employment opportunities and residential  
19 use out over the countryside, very thin low density  
20 pattern so that they cannot efficiently be served with  
21 transportation facilities or utilities where other social  
22 services and infrastructure that should go within the  
23 different types of development so, the concept here is to  
24 try to have as much new development as possible to go  
25 into those areas that are already served by these various

1 kinds of facilities so that we don't have to -- don't  
2 duplicate the capital expenditures out in open country  
3 and still be left with a very inefficient land use  
4 pattern, because everyone then would be dependent on the  
5 automobile because the low density would mean that public  
6 transportation would be virtually so inefficient that it  
7 couldn't be utilized.

8 Q In this report, there are identified a  
9 number of growth centers, a whole series of them. In your  
10 opinion, are these still the right place for growth  
11 centers?

12 MR. REED: Objection as to his opinion.

13 MR. SALMON: Do you have a specific page  
14 reference where Mr. Woodridge could conveniently  
15 check those?

16 MR. EISODRFER: It's not really listed in  
17 any convenient page, I'm afraid.

18 A See, there's a map following Page 80, if you want  
19 to use that.

20 Q Good.

21 A I would say however, that on this map, some of the  
22 circles did not come out graphically to agree with the  
23 legend and as it is stamped in the lower left-hand corner,  
24 there are some discrepancies between the map and the  
25 text should be taken as the valid -- there's no

1 discrepancy in places but, just in the size.

2 By and large, I still agree with the locations  
3 that are outlined on this map.

4 Q Now, are you utilizing this concept of  
5 clustering? Are there any municipalities in Morris  
6 County that -- under this master plan, that would be  
7 contemplated as an area of new future growth?

8 MR. REED: I'm going to object to that  
9 unless it's in the plan.

10 MR. SALMON: Would you read back the  
11 question?

12 (Whereupon, the following was read back:

13 "Now, are you utilizing this concept of  
14 clustering? Are there any municipalities in Morris  
15 County that -- under this master plan, that would be  
16 contemplated as an area of new future growth?")

17 MR. EISDORFER: Let me restate the question.

18 Q Consistent with the planning concept  
19 embodied in this element of master plan, would any of  
20 the municipalities in Morris County be designated as  
21 areas in which no growth would occur?

22 MR. REED: I object to the scope of the  
23 question. The expertness of this witness --

24 MR. SALMON: I would join in that objection,  
25 too but, you can answer it if you understand it.

1           Go ahead.

2           A        I can't think of any areas that would have no  
3 growth under this plan. I would mention that our latest  
4 population projections do indicate some -- a few muni-  
5 cipalities with a negative growth since 1970.

6           Q        Can you list those for me, briefly?

7           A        I'd have -- I'm sorry, I'd have to go to the list  
8 to do that.

9           Q        Are the more current population estimates  
10 that you refer to, are they the ones utilized in P-46,  
11 transportation plans or are they more recent yet than  
12 that?

13          A        They -- the most recent ones are probably more  
14 recent than this.

15          Q        Okay.

16          A        There's -- it's been worked up over a two or three  
17 year period. I think the transportation plan came out  
18 sort of midway in that process.

19                   MR. EISDORFER: I'd like to have this  
20 document marked for identification. Let's mark  
21 it as PDW-1 for identification.

22                               (Whereupon, the above-mentioned document,  
23 entitled Housing Work Program, prepared by Morris  
24 County Planning Board, dated August, 1974,  
25 consisting of 16 pages, marked PDW-1 for



1 identification.)

2 Q I show you the document marked PDW-1 --

3 MR. REED: Can we have an identification?

4 At least, on what the title of that document is?

5 MR. SALMON: Read it into the record, the  
6 face sheet.

7 THE WITNESS: The title is Housing Work  
8 Program and the cover page continues, Prepared by  
9 Morris County Planning Board, August, 1974.

10 MR. SALMON: For the record, this, pre-  
11 sumably, is the same document, is it not, Mr.  
12 Eisdorfer, that's referred to in Paragraph 19 on  
13 Page 9 of the complaint in this matter, Subparagraph  
14 B of Paragraph 19?

15 MR. EISDORFER: I don't have the complaint  
16 with me, sir. Yes, I believe that's correct.

17 MR. SALMON: Okay.

18 Q Mr. Woodbridge, are you familiar with the  
19 document labeled PDW-1?

20 A It's been many years since I've read it. I'm not  
21 sure -- I've just glanced through it generally to see  
22 what is in it.

23 Q Is this a document you've seen before?

24 A Yes.

25 Q Can you tell us what it is?

1 A It is a work program for -- considered to be our  
2 future planning efforts. It was prepared, I believe,  
3 in response to a requirement when we went back into the  
4 701 planning assistance program and so, this was prepared  
5 at that time as one of the required items under that  
6 program.

7 Q For the record, would you indicate what  
8 the 701 program is?

9 A That is funds for planning assistance that were  
10 granted by the Federal Department of Housing and Urban  
11 Development.

12 Q Did you play a role in the preparation of  
13 this document?

14 A Only on -- say, as a planning director at the time.  
15 It's not personally prepared by me.

16 Q Was this document submitted to the Morris  
17 County Planning Board for its approval?

18 A I would have to look back in the records to see.  
19 I couldn't say for certain.

20 Q Was it in fact submitted to the Department  
21 of Housing and Urban Development?

22 A I believe it was.

23 Q Finally, my one remaining document here,  
24 let me show you a document that's been marked as P-36 for  
25 identification.

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MR. REED: Does that document have a title?

THE WITNESS: Yes, Initial Housing Element,  
Morris County Planning Board, September, 1969.

MR. REED: Thank you.

MR. SALMON: Once again for the record, Mr.  
Eisdorfer, I take it that this is the document  
referred to in Subparagraph A of Paragraph 19 of  
the -- on Page 19, Paragraph 19 of the complaint?

MR. EISDORFER: Yes, that's correct.

Q Are you familiar with P-36?

A Yes.

Q Can you tell us what that is?

A This is -- as it states, an initial housing element  
that was done in the first year that we were under the  
701 planning assistance program.

Q Can you describe what subject matters it  
covers?

MR. REED: The document really speaks for  
itself. We're kind of wasting time.

A It outlines a series of problems in connection  
with housing in the county; an outline of obstacles to  
overcome those problems. There's other sections to  
municipal building and zoning ordinance, construction  
standard, sewerage and water deficiencies, architectural  
and esthetics.

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1 This is all in outline form and then, a section on  
2 objectives and statement of planning activities and  
3 statement of implementing planning actions.

4 Q Was this document submitted to the County  
5 Planning Board for approval?

6 A I assume it was. I have to consult my records to  
7 be certain.

8 MR. REED: I'm going to object to assump-  
9 tions. All of these questions, whether it was  
10 approved or submitted, I would imagine are matters  
11 of public record. That would be the best evidence  
12 of any of this.

13 Q Was this document actually submitted to the  
14 Department of Housing and Urban Development?

15 A Again, I assume it was.

16 MR. REED: Same objection.

17 Q Now, was this document utilized in any of  
18 the planning efforts surrounding the development of the  
19 Morris County master plan, which we've discussed earlier  
20 today?

21 MR. SALMON: I object to the question  
22 upon the ground of its broadness, its vagueness  
23 and the necessity of it requiring this witness  
24 to make a judgment as to what process this  
25 document may or may not have or what function

1           this document may or may not have in connection  
2           with the processes of some other body.

3                     You can answer it, if you know. By body,  
4           do you mean staff?

5                     MR. EISDORFER: Morris County Planning  
6           Board or any other body.

7                     MR. SALMON: Please answer the question.

8           A        I think some of the materials in it are duplicated  
9           in our other publications.

10                    Q        Have you or your staff developed any pro-  
11           jections as to need over the next ten or twenty years,  
12           for housing, for low income persons and here, I'm using  
13           "low income persons," in the sense of the Community  
14           Development and Assistance Act, meaning 50 percent of mean  
15           income.

16                    MR. SALMON: I'm going to object to that  
17           question because I think -- I don't think a proper  
18           foundation has been laid along the lines of whether  
19           this witness' understanding or even understands or  
20           even indeed agrees with the definitions which you  
21           have summarized in your question, namely, the  
22           definition of low income persons.

23                    The second basic objection would be whether  
24           or not -- well, is that I see no necessary connec-  
25           tion or relationship between definitions which this

1 witness may use in his line of expertise and  
2 definitions utilized by some other body or govern-  
3 mental group. However, if you can answer the  
4 question, I have no objection.

5 MR. EISDORFER: Well, I rather like the  
6 objection.

7 Q Do you have a definition used for low income  
8 persons?

9 A No, we don't.

10 Q The current definition, using whatever  
11 definition suits you but tell me what it is, have you  
12 developed any projections of housing needs in Morris  
13 County for low income persons?

14 MR. REED: You mean his staff, I assume?

15 Q You or your staff.

16 A Our staff did, I believe, whether our staff had  
17 the responsibility for developing the community develop-  
18 ment block grant application, we certainly fulfilled any  
19 requirements that were under that.

20 Q When was that application prepared?

21 A It would have been the first one or two years of  
22 the -- of that program. In the neighborhood of five years.

23 Q So, approximately 1975?

24 A I would say so, yes.

25 Q Again, using whatever definition of

1 moderate income families you like but, tell me what it is,  
2 have you or your staff prepared any projections of the  
3 need in the county for moderate income housing?

4 A You mean projections into the future?

5 Q Yes, say 1990 or 2000.

6 A No.

7 Q Are you familiar with plans for the so-called  
8 International Free Trade Zone that has been discussed  
9 for the Mt. Olive area?

10 A Yes.

11 Q Has the County Planning Board taken any  
12 official position on that?

13 A No.

14 Q Have you or have the staff formulated any  
15 view as to whether it's consistent or inconsistent with  
16 the county master plan?

17 MR. REED: I object unless -- again, this  
18 is calling for a general expert opinion of this  
19 witness, not as a government witness or of  
20 individual members of his staff. I object.

21 MR. SALMON: I would agree and join in that  
22 objection and add a further objection, that I don't  
23 think that any foundation has been laid that there  
24 is any kind of a specific plan upon which this  
25 witness or any member of the staff could form such

1 an opinion. Off the record.

2 (Whereupon an off-the-record discussion  
3 took place.)

4 MR. SALMON: On the record.

5 MR. EISDORFER: Let me just note that off  
6 the record, the witness indicated that a site plan  
7 for this proposal had been submitted. Just go  
8 ahead. Would you read back the question.

9 (Whereupon, the following was read back:

10 "Have you or have the staff formulated any  
11 view as to whether it's consistent or inconsistent  
12 with the county master plan?")

13 A I'd say completely, informally, the staff does  
14 feel it's in agreement with our future land use plan.

15 Q Now, assuming that that area is developed  
16 as indicated in the plan that is before you, would that  
17 have any -- would that change your forecast for the  
18 population growth in that part of the county?

19 MR. REED: Objection.

20 MR. SALMON: I want to enter an objection  
21 to that question unless we have a specific reference  
22 to a specific plan that is now pending.

23 Mr. Woodbridge, do you know the date of  
24 the submission of the plan that you are talking  
25 about, when it was submitted to this staff?



1 THE WITNESS: About three weeks ago.

2 MR. SALMON: Have there been any amendments  
3 to it since then?

4 THE WITNESS: No, not that I know about.

5 MR. SALMON: Are we in agreement, Mr.  
6 Eisdorfer, that you're referring to only whatever  
7 plan is now pending before the staff, as of the  
8 11th of February, 1980?

9 MR. EISDORFER: Yes.

10 MR. SALMON: Okay.

11 Q Do you remember the question?

12 A No, could I have it read back?

13 (Whereupon, the following was read back:

14 "Now, assuming that that area is developed  
15 as indicated in the plan that is before you, would  
16 that have any -- would that change your forecasts  
17 for the population growth in that part of the  
18 county?")

19 A Not to my knowledge at the present time.

20 Q Would it change any of your forecasts as to  
21 growth and employment opportunities in that part of the  
22 county?

23 A Well, same answer, not to my knowledge.

24 Q Are you familiar with the site proposed  
25 for development by Prudential Insurance Company in

1 Madison Borough?

2 A Yes.

3 Q Has the County Planning Board taken an  
4 official position on that?

5 A No, other than review of the site plan.

6 Q Have you or your staff formulated an  
7 opinion as to whether that would be consistent or in-  
8 consistent with the county master plan?

9 MR. REED: Objection, same as stated earlier.

10 His individual opinion and his staff's individual  
11 opinion are irrelevant.

12 A I would say we have not taken any position.

13 Q Now, would this proposed development change  
14 your projection of population growth in that area?

15 A Population growth?

16 MR. REED: Same objection.

17 A Well, I guess I wouldn't want to answer that without  
18 giving it more study.

19 Q Would that proposed development change your  
20 forecast of growth employment opportunities --

21 MR. REED: Same objection.

22 Q -- in that area?

23 A I couldn't answer that question either.

24 Q To your knowledge, are there any major  
25 developments in the county, now in the planning stage,

1 that would have an impact on the projected population  
2 or employment opportunity of the next ten years?

3 MR. SALMON: Excuse me, I object to that  
4 question, specifically with reference to development  
5 in the "planning stage," because I think it's  
6 too vague.

7 I think if you're asking this witness about  
8 things that have been officially submitted to the  
9 Morris County Planning Board or its staff, that's  
10 one question. If you're asking him a question as  
11 to whether he's read about or heard about some-  
12 body's scheme for this or that, I think that's  
13 a separate question so, I'm objecting to the  
14 generality and vagueness of the question.

15 Q I am content to restrict that to proposals  
16 that have been submitted to the Planning Board.

17 A I'm familiar with their future developments that  
18 have been proposed but, I cannot say that they would  
19 necessarily change our population or employment projections.

20 Q Have you or your staff reviewed any of the  
21 reports that were prepared by any of the experts retained  
22 by any of the parties in this case?

23 A Let's see, you mean in the reports by the Public  
24 Advocate's Office or reports done for or by the defendants?

25 Q That's correct.

1 A No, I think the complaint is the only thing I've  
2 seen.

3 MR. EISDORFER: I have no further questions.

4 MR. REED: I just have a couple.

5  
6 CROSS-EXAMINATION BY MR. REED:

7 Q Earlier this morning, Mr. Woodbridge, you  
8 were questioned about suggestions that the Planning Board  
9 had with respect to the New Jersey DCA Land Development  
10 Guide. Do you recall that discussion earlier?

11 A Yes.

12 Q I believe you testified that you or your  
13 staff suggested that the DCA eliminate a growth area along  
14 287, between Morristown and Bernardsville. Does that  
15 correctly state your testimony?

16 A Yes, but I said that it would be between Morris  
17 Township, between the Morristown and Somerset County line.

18 Q That's right. Can you tell us why you made  
19 that recommendation?

20 A It is between -- it is a narrow strip on the DCA  
21 plan, between two areas that are proposed for either no  
22 growth or a limited growth. I believe on the one side  
23 is an area that they designated as having recreational  
24 potential. We questioned them about it at the time also  
25 but, we got an interpretation of that strange wording that

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1       seemed to affect satisfactorily, between that and the  
2       Jockey Hollow reservation, which, of course, is a public  
3       open space and I feel the only real facilities in that  
4       corridor is Route 287 and that has no access points within  
5       that distance to serve any growth and from other points  
6       of view, I just felt there was, you know, it was un-  
7       reasonable to encourage growth in that strung out fashion  
8       in terms of sewer availability in particular but also,  
9       water supply and other items.

10                It's against our philosophy of clustering develop-  
11       ments in centers, just stringing it out instead.

12                Q        You say that is essentially the view of your  
13       and your staff today?

14       A        Yes.

15                Q        Was that suggestion adopted by the DCA?

16       A        I believe it was. It's in the last map or copy  
17       edition of that report that I've seen -- oh, oh, wait a  
18       minute, no. I'm sorry.

19                I believe they're showing it as developable, as a  
20       growth area that is still on the map. In other words,  
21       I believe they did not take our suggestion.

22                Q        You discussed earlier the suggestion of  
23       projection of employment opportunities which are set forth  
24       in the future land use element and I believe -- and also,  
25       in other studies. Were those based upon population

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projections?

A I'd have to go back to the economic base study to make sure but, I believe they were based on a ratio to the population projections.

MR. REED: That's all I have. I haven't looked at these recent exhibits. If I can have a minute to do that, somebody can ask some questions.

MR. SALMON: Any questions?

MR. FALGIANI: No questions.

MR. FEENEY: No questions.

MR. SALMON: I just have one more.

CROSS-EXAMINATION BY MR. SALMON:

Q Mr. Woodbridge, with reference to the question you were asked about the so-called free trade zone, as of this point, that application has not been considered by the Morris County Planning Board itself, has it?

A That is correct.

Q In other words, it's still in the staff stage?

A Yes.

MR. REED: One other question.

Mr. Woodbridge, have you or your staff made a determination as to whether the Morris County

1 master plan is in conformance with the Tri State  
2 Regional Authority?

3 THE WITNESS: Yes, yes, we have.

4 MR. REED: What determination did you make?

5 THE WITNESS: There has been a cross accept-  
6 ance between Tri State Regional Planning Commission  
7 and the Morris County Planning Board, of each  
8 other's future planned use plans.

9 In the case of Tri State -- instead of the  
10 Tri State, I believe it's called the Regional  
11 Development Guide.

12 MR. REED: Referring to the P-36, the initial  
13 housing element prepared in 1969, was this prepared  
14 by your staff?

15 THE WITNESS: Yes.

16 MR. REED: Was the information contained in  
17 this document, incorporated by your staff in the  
18 future land use elements and other elements in the  
19 master plan that was subsequently developed?

20 THE WITNESS: I'm sure that many of the ideas  
21 that are in this 1969 document, were incorporated  
22 into the future land use.

23 MR. REED: Were they considered, whether  
24 they were incorporated or not? Were they considered  
25 for incorporation into the future land use elements,

1 as well as other elements of the master plan?

2 THE WITNESS: Well, I think there were  
3 thoughts that were in the heads of the staff at  
4 the time, sort of -- what is the adjective? As air,  
5 being sort of -- reflecting philosophy of the staff.

6 I don't know that we went back and used this  
7 as a check list to see if they are considered or  
8 if they are included or excluded. If that was  
9 done, it was not with my knowledge.

10 MR. REED: Is this document submitted to any  
11 agencies?

12 THE WITNESS: I assume it was submitted to  
13 HUD and very likely, to the State, yes.

14 I think it must have been submitted to the  
15 Department of Community Affairs.

16 MR. REED: Thank you.

17 MR. EISDORFER: I have no redirect. Thank  
18 you.

19 (Whereupon, the deposition was adjourned.)

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C E R T I F I C A T E

I, JILL FRIEDBERG,

a Notary Public and Shorthand Reporter of the State of New Jersey, do hereby certify that prior to the commencement of the examination

DUDLEY H. WOODBRIDGE

was duly sworn by me to testify the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am financially interested in the action.

Jill Friedberg  
Notary Public of the State of New Jersey

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