

RULS-AD-1983-20

6/14/83

Re: Bedminster Regional Center

Pgs - 3

LEONARD DOBBS
111 Central Avenue
Lawrence, New York 11559

PD-27 end
11/28/84
EDB

RULS - AD - 1983 - 20

June 14, 1983

Honorable Mayor and Township Committee Members
Township of Bedminster
Hillside Avenue
Bedminster, New Jersey 07921

Members of the Planning Board of the Township of Bedminster
Hillside Avenue
Bedminster, New Jersey 07921

Re: Bedminster Regional Center

Dear Mayor and Township Committee and Planning Board Members:

As you know, several years ago I requested that the 211 acre tract of which I am the purchaser, known as the Old Schley Polo Field (Block 41, Lot 34), be rezoned from R-3 residential. After no action was taken with respect to this request, I ultimately commenced litigation against the Township in November 1980.

Since such time, and during the stay of the litigation imposed by the Court, I have endeavored to work with you on a proposal which would be satisfactory to the Township. After extensive discussions and my attendance at countless Township Committee and Planning Board meetings, I submitted in August 1982 a refinement of my original proposal, which incorporated concepts contained in the PUD recommendations of the Planning Board in the Master Plan Program. More particularly, such proposal provided for 112 acres of commercial development; 20 acres for a hotel/conference center; 30 acres for residential development; 29 acres for passive recreation; and 20 acres for municipal facilities. I am enclosing a copy of my August 16, 1982 submission to the Planning Board, which was subsequently presented to the Township Committee as well.

~~EXHIBIT B~~

EXHIBIT F

Unfortunately, despite the passage of nearly a year, no official action has been taken with respect to the August 1982 proposal either, although one can assume from various actions of the municipality, including the filing of a Green Acres application, that the Township has implicitly denied my request for rezoning.

During the extended period since this proposal incorporating PUD concepts was made, the New Jersey Supreme Court in the Mt. Laurel II decision addressed the obligations of municipalities throughout the State with respect to the provision of low and moderate income housing. Accordingly, this letter application amends the residential component of my August 1982 proposal as follows:

Forty acres will be utilized for the development of high density multi-family housing. A substantial percentage of the housing units in this section will be for low and moderate income persons, as defined in the Mt. Laurel II decision. The exact amount is to be determined by mutual agreement, when the Township's fair share housing allocation has been determined. The units for low and moderate income persons will be subsidized by the commercial and other housing sections of the total development in order to reduce: (a) land cost; (b) site improvement cost, including, but not limited to, water and sewer systems, roadways, curbs and lighting; (c) professional fees, including, but not limited to, legal, planning and engineering; (d) municipal fees; and (e) the capital cost of construction and financing related thereto.

In all other respects (except for the reduction of the municipal facilities acreage from 20 acres to 10 acres and the consolidation of the hotel conference and commercial development acreage), the proposal as described in my August 16, 1982 submission remains unchanged.

As I have noted in the past and as I have argued in the pending litigation, the above-referenced property was improperly excluded from the development corridor straddling Routes 202-206. The State Development Guidelines Plan, along with the Tri-State Regional Planning Commission and Somerset County Master Plan, all include the site in their definition of the corridor and in their maps of the "Growth Area." While Judge

Leahy exempted the site from his corridor definition, his conclusion was based on misinformation supplied to him by the municipality as to the environmental sensitivity of the site. I have clearly demonstrated in the specific environmental proofs in the detailed studies submitted to you in February 1982 that there is no basis for this conclusion. The site is certainly capable of development in accordance with this application.

Sewage treatment for a development of this size can be handled in several ways: by expanding the Hills Development plant, by connecting to an enlarged Bedminster Township Treatment Plant, or by utilizing innovative treatment methods that have been approved by the New Jersey Department of Environmental Protection. Further, our detailed studies, submitted to you in February 1982, demonstrate that all utilities are available to the site and that traffic ingress and egress, storm water management, air quality, and noise will not create any negative environmental impact as a result of the development.

In sum, the planned unit development which I have proposed, with its combination of commercial and housing components, will not only provide for zoning which is appropriate for the property but will also enable the municipality to assist in satisfying its "fair share" obligation under Mt. Laurel II and the ancillary obligations which it will have as a result of population increases in the future. Also, since the anticipated housing development throughout the township will result in a negative tax impact, the tax revenues afforded by the development contained in this application will assist the municipality enormously in offsetting the costs of future municipal services.

Sincerely,

Leonard Dobbs