

RULS - AD - [984-100

3/30/84

- letter to Raymond re: Belminter
- w/ Wallace's report on scitability
- w/ Floodon's report on sewer capacity

PSS. 18

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March 30, 1984

Mr. George Raymond, P.P.
Raymond, Parish, Pine & Weiner
555 White Plains Road
Tarrytown, New York 10591

Re: Bedminster/Allan-Deane/Dobbs

Dear Mr. Raymond:

Enclosed, for your review and consideration, please find the following:

1. Dr. Wallace's report with respect to the suitability of the sites proposed by the Township of Bedminster for low and moderate income housing.
2. Dr. Hordon's report concerning sewer capacity as it relates to such sites. (Also enclosed is Dr. Hordon's current resume.)

Several points should, I believe, be highlighted:

1. Expansion of the EDC facility would take the better part of a decade.
2. In contrast, Dobbs can sewer his site by a method which does not require public hearings and is practically immediate, a method which involves neither spray irrigation nor discharge into the Raritan River.
3. Unlike the owners of most of the sites zoned for low and moderate income housing, Dobbs is a ready, willing, and able developer.

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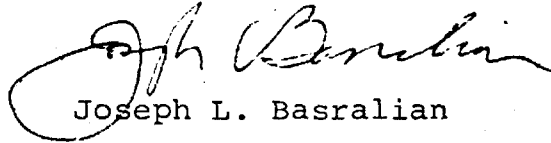
Mr. George Raymond, P.P.
March 30, 1984
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4. Hills is not willing to give up existing sewer capacity for sites which it will not be developing.

We will be submitting shortly our comments with respect to the consensus methodology and with respect to Mr. Coppola's application of such methodology to Bedminster Township.

Since I understand, from the meeting this past Wednesday, that some uncertainty may exist on your part as to the nature of the Dobbs proposal, I am enclosing an additional copy of the February 7, 1984 submission which outlines such proposal.

Very truly yours,



Joseph L. Basralian

JLB/pmc
Enclosures

cc: The Honorable Eugene D. Serpentelli
Alfred L. Ferguson, Esq.
Richard T. Coppola, P.P.
Henry A. Hill, Jr., Esq.
Kenneth E. Meiser, Esq.
Herbert A. Vogel, Esq.

PD-3 envt.
11/5/84 - 600

MEMO TO: George Raymond
Raymond, Parish, Pine & Weiner

FROM: David A. Wallace

SUBJECT: Allan-Deane (Hills) v. Bedminster Township

DATE: March 30, 1984

The purpose of this report is to provide you with information for your assessment of the selection and capability of the sites identified by Mr. Coppola to meet Bedminster's Fair Share obligation. We include herein: a) a report from Dr. Robert Hordon regarding sewer capacity, and b) our assessment of site suitability.

Partners:

David A. Wallace, FAIA, AICP
William H. Roberts, ASLA
Thomas A. Todd, FAIA, AICP
David C. Hamme

Richard W. Huffman, AIA
Charles B. Tomlinson, Jr., AIA
Senior Associates:
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Jack Sidener, AIA, AICP
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John Beckman

Henry F. Bishop, ASLA
Ignacio F. Bunster-Ossa, ASLA
Elizabeth B. Clarke, AICP
Richard Collier, Jr.
Michael D. Garz, AIA

Timothy Korpelak, AIA
C. Alyn Pruett, AIA
Gilbert A. Rosenthal, AIA
Rodney D. Robinson, ASLA

Site Assessment

Mr. Coppola states that the Fair Share obligation be met on the following sites:

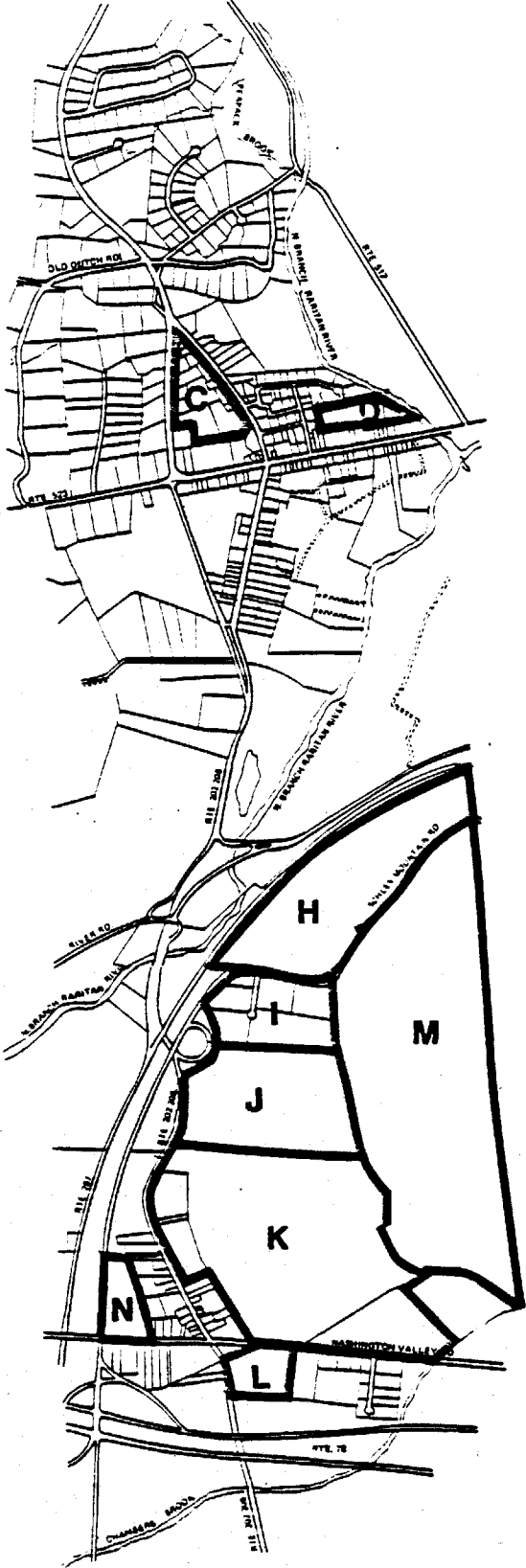
<u>Site</u>	<u>Total DU</u>	<u>L & M</u>
C	165	33
D	36	7
H	449	90
I	257	51
J	599	120
K	1287	260
L	177	35/177
M	900	180
N	0/150	0/150
	3870-4020*du	918-926*du

*Range depends on whether site L or N is developed at 100% senior housing.

Overall Comments

1. There is inadequate sewer capacity even with correction of the infiltration problem at the Bedminster-Far Hills plant for sites C and D.
2. There is inadequate sewer capacity for the remaining sites even with complete reallocation of the EDC plant capacity to eliminate Bernards Township and the 350,000 square feet of commercial in the Hills PUD.
3. The proposed sites will all have to be developed at their highest capacity in order to meet the Fair Share obligation. The lack of overzoning inflates the price and reduces the likelihood of building low and moderate income units.
4. Several of the sites (H, I, N) are immediately adjacent to Route 287 thus subject to high noise levels.
5. The sites (except C and D) are all clustered in one part of Bedminster, creating higher densities than are necessary.
6. The reliance on the EDC, a private utility, to sewer all of the sites except C and D puts them in a position of dictating connection and service fees which could easily inflate costs for other sites.

**PROPOSED LOW AND
MODERATE INCOME
HOUSING SITES**



7. The assembly of parcels required for sites I, N and C will delay their development.
8. Site H is outside the EDC service area, thus could not be served until the franchise area is expanded, which expansion would require a lengthy approval process.

Site C

Site C as assessed in your report of 1/10/84 would be available for development after 1990. This reflects the reality that acquisition of several parcels would be required to assemble a site large enough for economic development of multi-family housing.

Mr. Coppola states this site could be sewered by the Bedminster plant once the infiltration problems are solved. This is not supported by the capacity information discussed in Dr. Hordon's report above.

Site D

As with Site C, you have previously stated this site would be more likely to develop after 1990.

Recalculation of the critical area on this site has reduced the total number of units to 36 du. The only access to the site would require the extension of existing small residential roads.

Sewer capacity, again according to Mr. Coppola, is available from the Bedminster-Far Hills plant which we dispute.

Site H

This site is owned by AT&T and has access, noise and sewer problems. In your 1/10/84 report it was included in the group of sites to be developed after 1990. Due to the limited access, you questioned the likelihood that 20% of the site would be developed commercially, however accepted our figure of 414 total du. Mr. Coppola, by using 449 du, presumably is eliminating the right to develop 20% of the site for commercial use, as per the PUD zoning.

According to the Upper Raritan Watershed Wastewater Facilities Plan (June 1981, Figure 7-3 Projected Service Areas) this site is outside the Environmental Disposal Corporation's projected service area.

Site I

There are six lots on this site, ranging from 2 to 10 acres, four of which are developed with single family homes.

According to your previous analysis, this site would develop immediately based on the higher land value from the higher density zoning. No matter what the price, the acquisition procedure will delay development. Further, it is our understanding that a portion of this site is owned by a township Board of Health official.

The 257 du Mr. Coppola states could be accommodated on this site would require roadway and access improvements.

This site, like H, is adjacent to Route 287 and thus has noise as a nuisance.

Site J

This site is owned by Mr. Duncan Ellsworth who is the secretary of the Board of Adjustment and President of Elizabethtown Gas Company. It is our understanding that this property is not for sale based on refusal of a previous offer. The Hills Development Corp. at the 1/26/84 court conference stated they had a Right of First Refusal option on the land. Thus, presumably until 1990, unless the site is offered to, and purchased by Hills, it will not be developed.

Site K

The Hills site is probably the only site we all agree on, 1287 du and 260 du low and moderate du will be built.

Site L

Mr. Coppola suggests that 100% of the capacity of this site be developed in Senior Citizen housing. The only senior citizen housing building subsidy program in New Jersey is severely over subscribed, thus Bedminster is unlikely to be able to count on state funds.

Sewer capacity is inadequate. The current internal allocation of sewage capacity from the EDC plant is for the existing development in Pluckemin Village, not new development. Even with a court ordered reallocation, there would not be adequate capacity for this and all other sites.

Site M

The additional density on this site will be served by the EDC plant and has severe access problems.

Site N

This site is immediately adjacent to Route 287 and is immediately south of the New Jersey Department of Transportation maintenance

facility, and thus is inappropriate for residential use. As noted, this site will also require assembly.

Summary

The sites identified will not enable Bedminster to reach its Fair Share housing obligation. There is inadequate sewer capacity, as detailed in the previous section, and parcel assembly required for several sites which will delay their development. In contrast, Dobbs is ready, willing, and able to provide low and moderate income housing which can be sewerred on-site without degradation of the North Branch of the Raritan River. Development of the Dobbs site avoids the delays inherent in the township's plan.

The other critical issue is the reliance upon the Hills Development Corporation to develop up to 440 low and moderate income units (assuming sites K and M) and sewer all of the sites except C and D. While Hills is moving ahead on its current property, it is unreasonable to assume that a monopoly on sewer capacity and reliance on one developer for such a large percentage of the obligation will result in timely Mt. Laurel II compliance.

Proposals for
retail + residential
development on
Dobbs' land

PD-13 end
11/7/84 - EOS

February 7, 1984

2/7/84

Honorable Eugene D. Serpentelli
Ocean County Courthouse, CN 2191
Toms River, New Jersey 08753

Re: Dobbs Property Development as it Relates
to Allen-Deane vs. Bedminster Township
and Dobbs v. Bedminster Township

Dear Judge Serpentelli:

At Your Honor's conference with the interested parties on Thursday, January 26, 1984, Your Honor and George Raymond, the Court's Master, made a proposal to my client, Leonard Dobbs, for consideration and response. In summary, the proposal for consideration was for development of 120 acres of the Dobbs' 211.6 acre property for housing under the PRD-8 zoning category, or at 8 dwelling units per gross acre.

Your Honor's particular interest in this was based on two factors. The first is that Mr. Dobbs is "a willing developer," willing and able to build moderate and low income housing as part of his development. The second is the speed at which the Fair Share housing can become available. On the advice of our water resources consultant, Dr. Robert M. Hordon, we propose a tertiary sewage treatment plant (STP) with an on-site subsurface sewage disposal field. This method of disposal dramatically shortens the public approval time because it does not require discharge into the North Branch of the Raritan River. It is a tested and stable system with good back-up and thus the Dobbs' development can proceed independent of the capacity limitations of the Township's sewage treatment plant. Dr. Hordon's description of the system's characteristics is appended to this letter.

Honorable Eugene D. Serpentelli
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In responding to Mr. Dobbs' request for evaluation of the proposal, we have generated two additional proposals for Your Honor's consideration as follows. Land use concept plans and descriptions of uses are attached.

Plan A

Plan A is a direct translation to land use of Your Honor's suggestion. 120 acres of the site will be developed at 8 dwelling units to the acre for a total of 960 dwelling units. Of these, 192 units will be for low and moderate income families. The detailed breakdown of these will need to be worked out, but the proposal of Hills Development Company can serve as a good model.

In this land use concept 120 acres are developed. None of the floodplain or the 200 foot easement are built on and a major additional set-back is provided along U.S. 202-206. Landscaped buffer strips will be provided along all property lines to the west and north. A homeowners association club facility will be provided, with both active and passive recreation uses put in the open space.

The sewage treatment plant will be located in the southeast corner of the property and the disposal field will be approximately 12 to 18 acres of land with Birdsboro soils that can accommodate it. The plant will be disguised as a house, and the disposal field will be usable open space.

I have advised Leonard Dobbs that this is a feasible way to develop the property. However, the economics do not give much leeway for error in costs or sales absorption rates and therefore I have strongly urged Mr. Dobbs to press for Plan B among the two residential alternatives.

It is our assumption that the Court will order the Township to expand its plant to accommodate additional development. Assuming this step is taken, with capacity ultimately available prior to Dobbs' full development, he should have the option to connect his second or third stages to the Township's plant.

Plan B

Plan B was generated to explore the full residential potential of the Dobbs' property. There are 145 developable

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acres not in floodplain or green acres easement. At 8 dwelling units per acre, 1160 units are created, of which 232 will be low and moderate income units. All of the additional features in Plan A above will obtain.

I have advised Mr. Dobbs that this is also a feasible proposal and Dr. Hordon says he has no problem with the additional sewage or storm drainage generated.

Plan C

Plan C has been generated to give Your Honor and the Township a mixed-use alternative to the all-residential proposals. In this proposal, the Township would be given a 10-acre site at the southwest corner of the property for a municipal facility. Both this 10 acres and the 25 acres to its north will be reserved in R-3 $\frac{1}{2}$ zoning as a buffer strip adjacent to the properties to the west. The 25 acres will be reserved for 250 dwelling units of future low and moderate income housing at 10 dwellings per gross acre to be developed if needed for the Township to meet its Fair Share requirement.

On the north side of the site another 25 acres will be developed at the earliest possible time (subject to completion of the STP) with 250 dwelling units, all moderate and low income housing.

The central 85 acres will be developed as a top quality office park with up to 1.2 million gross square feet of space in combinations of 3-story structures, with adequate amounts of parking. The Floor Area Ratio (FAR) of this development would be a low .324 of office area to each square foot of land. The same 66.6 acres of open space as in Plan B would be supplemented by additional open landscape features incorporated within the office development.

Off-site traffic improvements to permit this level of development would approximate those envisioned in our earlier proposal. These were outlined to Your Honor in my letter of January 13, 1984.

I have advised Mr. Dobbs that Plan C is also feasible and may be preferable to Bedminster Township because of its more positive fiscal impact (taxes, etc.) but also because the 250 units of low and moderate income housing can be developed at a

Honorable Eugene D. Serpentelli
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very early stage and need not be geared to the slower absorption rate of the all-residential development concepts. The additional 250 units of low and moderate income housing are an option for the Township should they need them to meet their requirements.

I want to thank you for the opportunity to be involved in this process and to make these proposals.

Respectfully submitted,

WALLACE ROBERTS & TODD

David A. Wallace /fmc

David A. Wallace, FAIA, AICP, PP
Partner

Attachments

ROBERT M. HORDON, Ph.D.

Water Resources Consultant

8 DOV PLACE
KENDALL PARK, NJ 08824

ADDENDUM

Introduction

Wastewater disposal on the Dobbs' site for residential and/or commercial use can be accommodated by an onsite tertiary sewage treatment plant (STP) with subsurface disposal. This method, which has already been approved for a 440-unit townhouse development in Passaic County, does not involve any point source discharge into the North Branch Raritan River. Instead, wastewater effluent flows into the STP where it receives advanced waste treatment prior to being pumped into disposal fields located on the most appropriate soils on the site.

The major advantages of this system are as follows:

1. The treated effluent recharges the ground water and is therefore available for further use within the watershed.
2. A ground water discharge permit from NJDEP would be required. It is estimated, based on the previous approval, to take only 6-12 months compared to several years for a surface water discharge permit.
3. All mechanical components of the STP can be housed in an architecturally compatible structure.
4. The disposal field can be landscaped and does not require any fencing. The homeowners would see only a grassy area with trees and therefore residential units can be located nearby.
5. There is no odor generated either at the plant or in the disposal field area.

Other New Jersey Experience

The Rotating Biological Disk System has been successfully used in several installations in New Jersey for the past ten years. The most similar system is one in Passaic County where NJDEP has approved the construction of an onsite tertiary STP and subsurface disposal field for a 440-unit townhouse development. The major features of the STP and disposal field are as follows:

Estimated Flow: 100,000 gallons per day (gpd)

Disposal field size: 2 tracts of 3 acres each for a total of 6 acres

Treatment plant: primary, secondary (rotating biological disks), and tertiary (denitrification)

Building for STP: less than 1 acre

Total size of Development: 97 acres

The same developer in Passaic County has acquired land for another 300-350 unit townhouse development which will have the same features as the first STP and disposal field. Since DEP has already approved the first design, it is anticipated that approval will be even quicker the second time around.

Other plants using the Rotating Biological Disk System include:

1. A 10,000,000 gallon per day (mgd) plant in Hudson County.
2. An 8 mgd plant in Mercer County.
3. A .5 mgd plant in Morris County.
4. A several hundred thousand gpd plant in Camden County.

Soil Conditions on the Dobbs Site

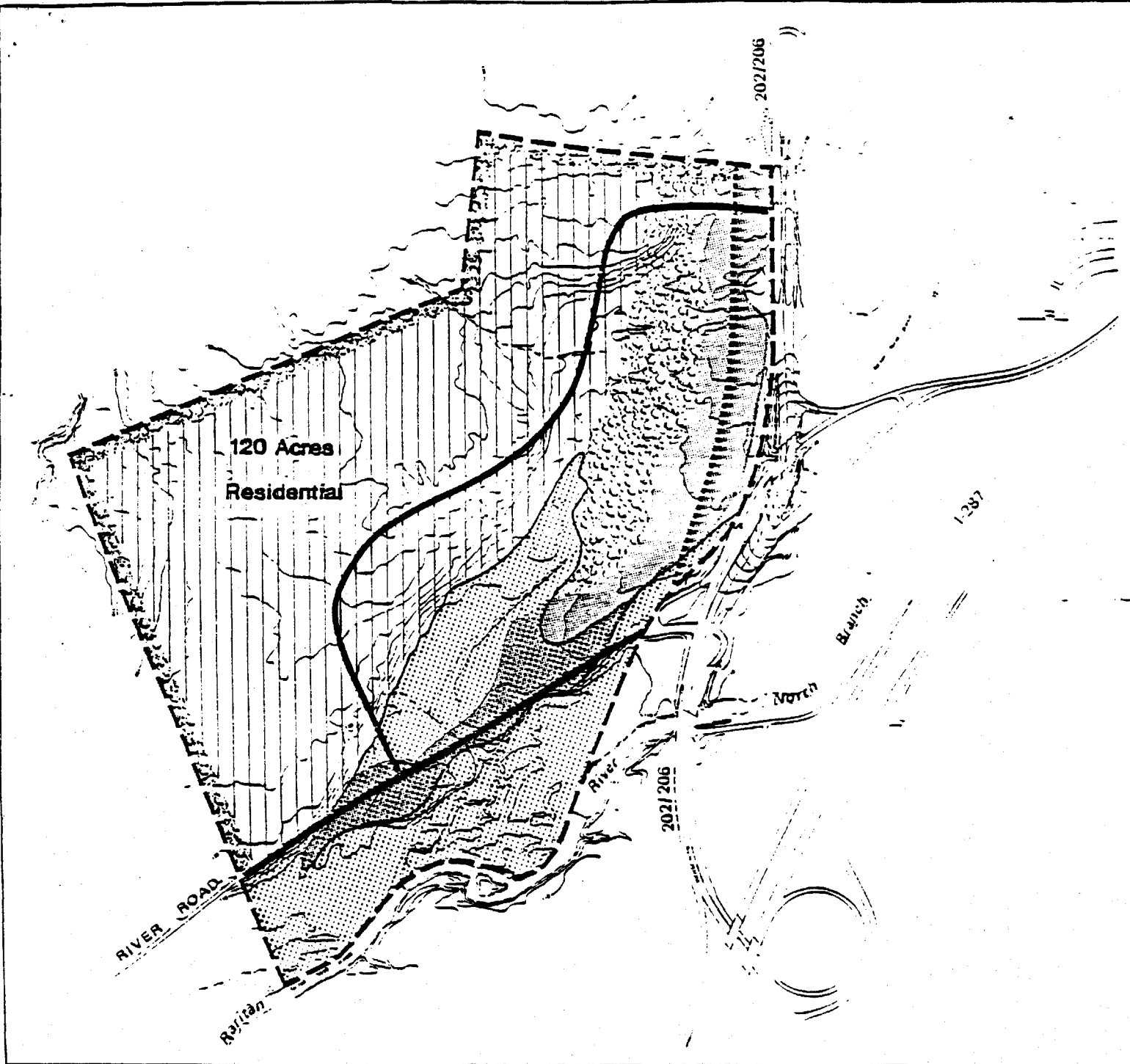
Subsurface disposal requires soils to be sufficiently permeable so that the effluent will be able to percolate through the soil column to the underlying aquifer without any ponding or sog-giness at the surface. The best soils on the Dobbs site are the Birdsboro (BdB) soils which are indicated on the WRT maps included with this submission. Based on the effluent loadings associated

with Plans A, B, and C, it is estimated that the disposal field size would be of the order of 12-18 acres. This amount of land is available without encroaching on any part of the 500 year flood fringe area.



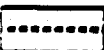

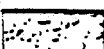
Additional acreage for the disposal field could also be accommodated on the Birdsboro (BdB) soils on the site.

Conclusions

1. Wastewater disposal on the Dobbs site can be handled effectively by an onsite tertiary treatment plant with subsurface land disposal.
2. There are sufficient soils of requisite permeability on the site to handle the anticipated effluent loads from either Plan A, B, or C.
3. A ground water discharge permit can be obtained more readily than a surface water discharge permit since the former need not go through the 201/208 review process.
4. Subsurface disposal of treated effluent is considered an environmentally accepted procedure in many states and has a track record of reliability and effectiveness.

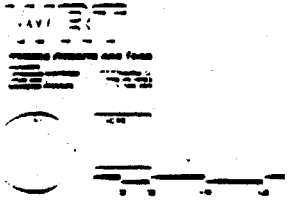


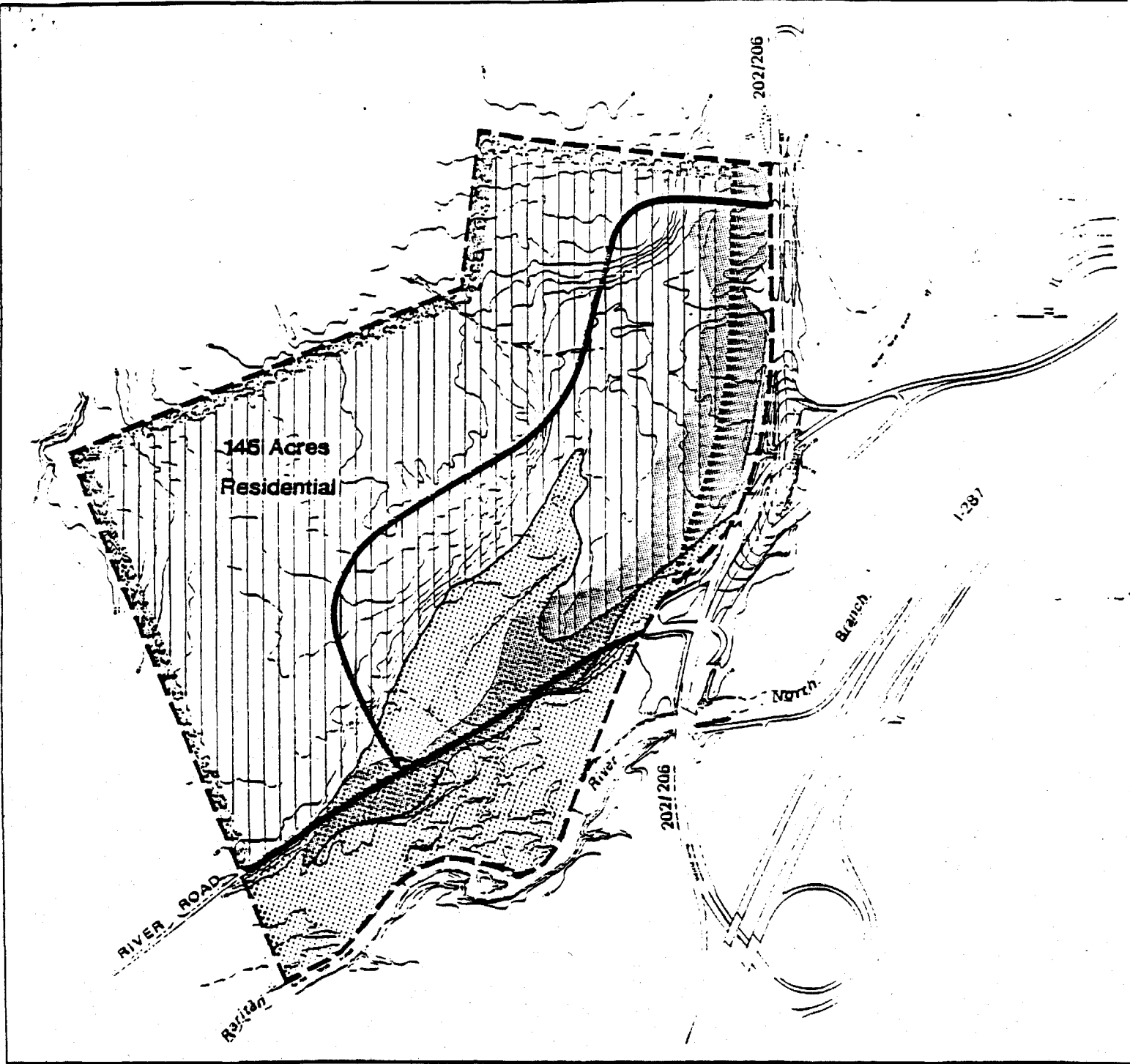
PLAN A

-  500 Year Flood Plain
-  Birdsboro Soil
-  200 ft. Setback
-  Landscaped Buffer
-  Open Space Setback



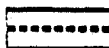
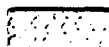
960 Total Units
 192 Low and Moderate Income Units
 768 Market Units

**BEDMINSTE
 CENTER**
 SOMERSET COUNTY
 NEW JERSEY





PLAN B

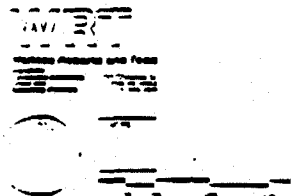
-  500 year Flood Plain
-  Birdsboro Soil
-  200 ft. Setback
-  Landscaped Buffer

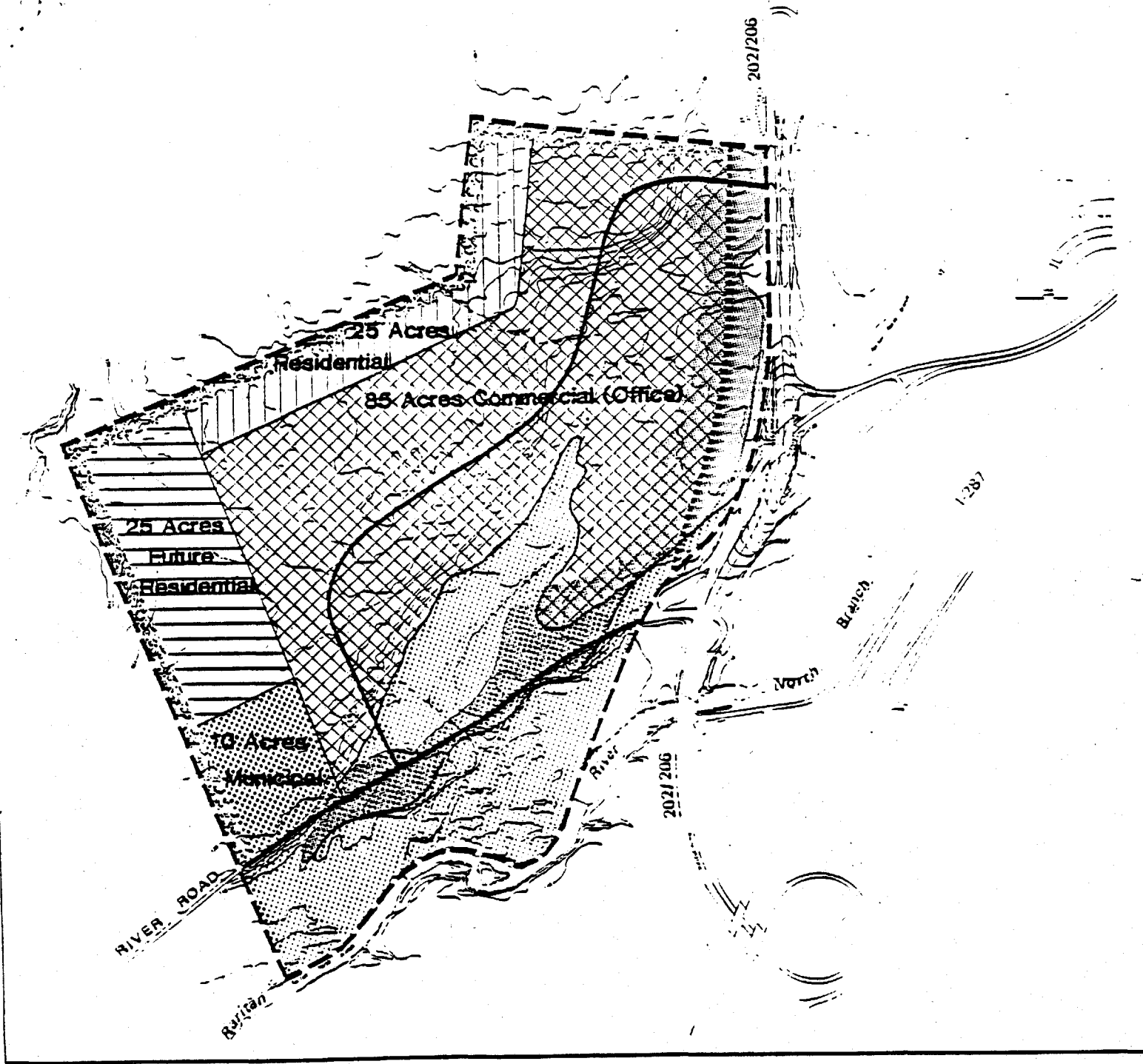
1160 Total Units

232 Low and Moderate Income Units


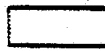


928 Market Units

**BEDMINSTE
CENTER**
SOMERSET COUNTY
NEW JERSEY





PLAN C

-  500 Year Flood Plain
-  Birdsboro Soil
-  200ft. Setback
-  Landscaped Buffer

250 Total Units All Low and Moderate Income Units

1.2 Million Sq. Ft. Office

BEDMINSTE CENTER
SOMERSET COUNTY
NEW JERSEY

