

RULS-AD-1984-70

2/7/84

- letter w/ report attached as follow-up to
Conference re: Administration

ISS. 12

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February 7, 1984

Honorable Eugene D. Serpentelli
Ocean County Courthouse
Toms River, New Jersey 08754

Re: Bedminster/Hills/Dobbs

Dear Judge Serpentelli:

We are forwarding herewith a copy of a report prepared by David A. Wallace, FAIA, AICP on behalf of Leonard Dobbs with respect to the residential development suggestion discussed at the Case Management Conference on January 26, 1984.

Plan A referred to in the report reflects the suggestions discussed at the conference. Dr. Wallace's analysis of such suggested proposal is that it is feasible but marginally so given the economics and practical realities of developing only 120 acres of 211 acres of land. Plan B discussed in Dr. Wallace's report, utilizing 145 acres for residential development, is Dr. Wallace's and our client's preferred plan for total residential use in that it makes better use of the land and takes better account of the economic and practical considerations in developing a total project. Plan C, a mixed use alternative, has been put forward in the belief by our client that it represents better long term advantages to Bedminster in view of the positive tax consequences and the effect on rapid growth in the community.

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FEB 7 1984

JUDGE SERPENTELLI'S CHAMBERS

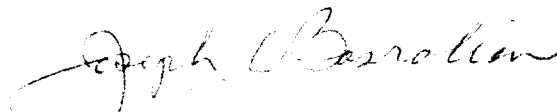
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WINNE, BANTA & RIZZI

While Mr. Dobbs is prepared to go ahead on all plans, we would urge the Court to give strong consideration to the plan (Plan B) which takes into account the realities of developing this property.

We appreciate Your Honor's and the Township's consideration of the alternative proposals suggested in the report enclosed herewith.

Respectfully submitted,


Joseph L. Basralian

JLB/pmc

Enclosures

cc: Mr. George M. Raymond
Mr. Richard T. Coppola
Alfred L. Ferguson, Esq.
Henry A. Hill, Jr., Esq.
Herbert A. Vogel, Esq.
Kenneth E. Meiser, Esq.

February 7, 1984

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.

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Thomas A. Todd, FAIA, AICP

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Michael D. Garz, AIA
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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

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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 /me

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.

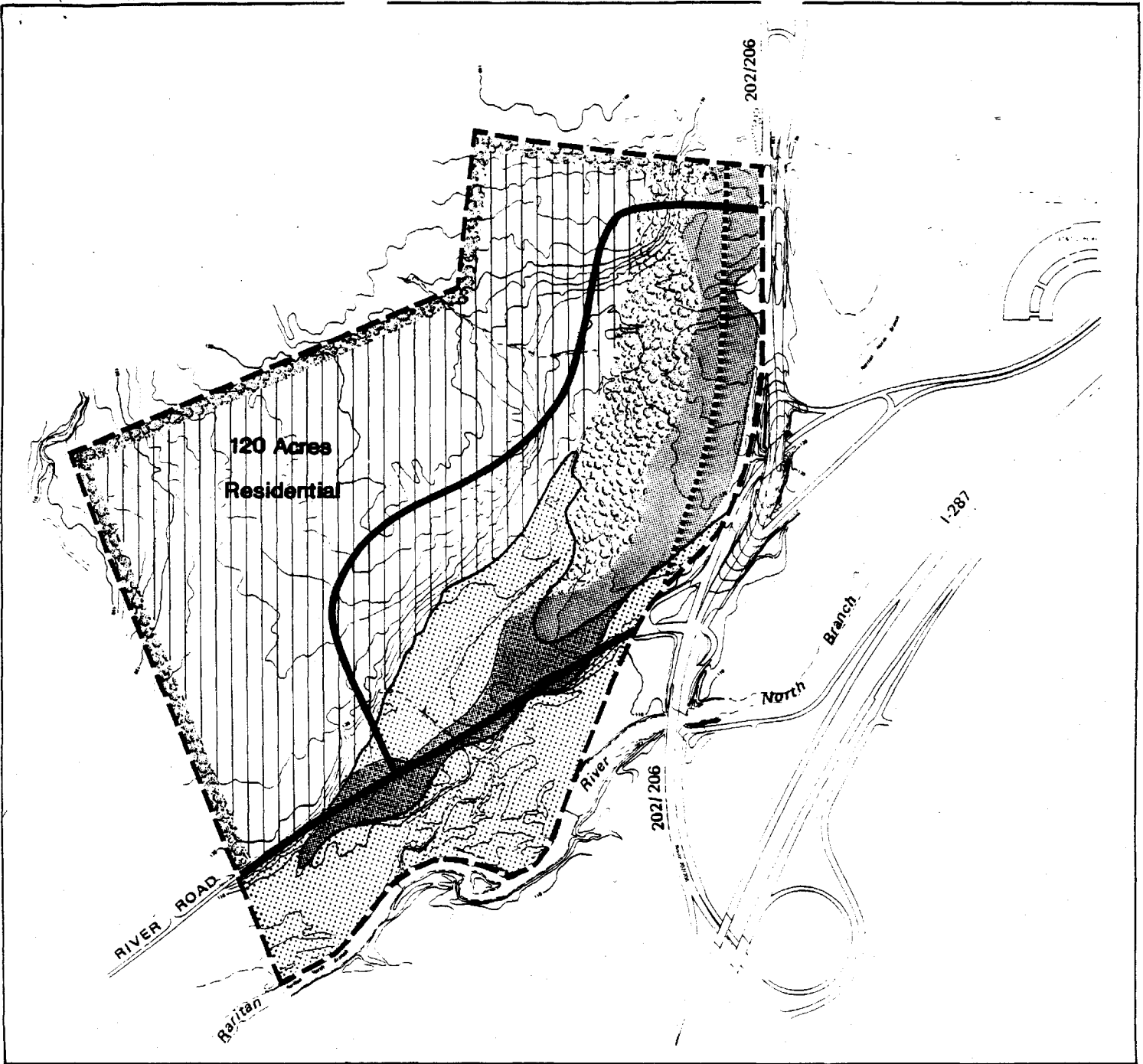
Conclusions

1. Wastewater disposal on the Dobbs site can be handled effectively by an onsite tertiary treatment plant with subsurface land disposal.




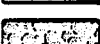

2. There are sufficient soils of requisite permeability on the site to handle the anticipated effluent loads from either Plan A, B, or C.

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.



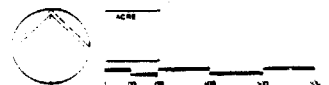
PLAN A

-  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


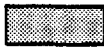


BEDMINSTER CENTER
 SOMERSET COUNTY
 NEW JERSEY

WRT
 Wallace Roberts and Todd
111 Orange St.
 Princeton, NJ 08542
 609.984.9900





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





BEDMINSTER CENTER
 SOMERSET COUNTY
 NEW JERSEY

WRT
 William Roberts and Todd





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

BEDMINSTER CENTER
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NEW JERSEY

WRT
Watershed Resources and Technology

