

**SPECIAL TOWNSHIP COMMITTEE MEETING ON COAH'S PROPOSED THRID ROUND
RULES
MARCH 17, 2008**

A Special Township Committee Meeting on COAH'S Proposed Third round Rules was held at 7:00 p.m. in the Cranbury School Cafeteria. Answering present to the roll call were: Township Committee members: Thomas F. Panconi, Jr., Richard Stannard, Pari Stave, Wayne Wittman and Mayor David J. Stout. Also present was: Trishka Waterbury, Esquire, Attorney, Mary Beth Lonergan, COAH Consultant, Mark Berkowsky, Cranbury Housing Associates, Christine Smeltzer, Administrator and Kathleen R. Cunningham, Clerk. Also in Attendance: Senator Bill Baroni and Assemblywoman Linda Greenstein. Mayor Stout led in the salute to the flag and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

- (1) Posted on March 11, 2008 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on March 11, 2008.
- (3) Was filed on March 11, 2008 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection, and
- (4) Sent to those individuals who have requested personal notice.

Attached is a full transcript of the Special Township Committee Meeting on COAH'S Proposed Third Round Rules.

<p>1 2 (Open Public Meetings Act Notice 3 is read.) 4 5 (Roll call.) 6 7 MR. PANCONI: Here. 8 MR. STANNARD: Here. 9 MS. STAVE: Here. 10 MR. WITTMAN: Here. 11 MAYOR STOUT: Here. 12 MS. CUNNINGHAM: We have a quorum. 13 MR. STOUT: First of all, thanks 14 and good evening. We certainly appreciate 15 everyone coming out here this evening to join 16 us for what will be a very important meeting. 17 Also, Happy St. Patrick's Day. We apologize we 18 have to do this tonight but that's just the 19 schedule we are under. 20 This community has been around for 21 311 years. In that time it had faced a number 22 of challenges. For example, in modern times I 23 know they faced a challenge of one-time trying 24 to site a landfill in this township. That 25 didn't happen. They faced similar challenges</p>	<p>1 2 this probably know a great deal. 3 We have with us this good evening, 4 Mary Beth Loneragan who works with us as an 5 expert on COAH. We have Trishka Waterbury, our 6 Township Attorney can also help in that regard. 7 We'll talk about the background of 8 Cranbury's compliance in the first two rounds 9 and how we are proceeding towards compliance in 10 the third round until we basically had the 11 changes that came before us. We'll talk about 12 the new third round rules and as they are 13 currently written, what they could mean. 14 More importantly, we will have an 15 opportunity for public comment and ideas. We 16 have no patents on ideas on this side of the 17 room. We want to hear from you. We want to 18 have all of you be involved in this process. 19 We want to let you know who to 20 reach out to. Linda Greenstein just arrived. 21 We are hoping Bill Baronl and Wayne DeAngelo 22 will be here as well so they can see just how 23 much the taxpayers in Cranbury care about their 24 community. 25 We want to give you some ideas</p>
<p>1 2 in the first round in the COAH rules to get 3 them into a more reasonable place, to name a 4 few. 5 What did that process do? It did 6 what I see tonight. It drew the municipality 7 together to protect the values and resources 8 and its quality of life. We face that same 9 challenge right now. 10 The third round rules for COAH 11 that we began complying with more than a year 12 ago keep changing. They are not changing in 13 our favor. They are changing in ways that can 14 change the character of our community and all 15 those things that we hold so dear and what 16 brought us here. 17 A couple of thoughts is we are all 18 in this together. There are no enemies in this 19 room. We are all allies in this room. We are 20 allies around a common cause. 21 What we hope to accomplish tonight 22 is to give some background with our 23 professionals who know more about this maybe 24 than some of us but some of the people in the 25 audience who have been through three rounds of</p>	<p>1 2 what might be a good thing to say, what we want 3 to talk about, our strategy and approach for 4 basically resolving what is facing us. 5 As I said, it involves all of us. 6 It is an emotional issue. We need to remain 7 pointed. 8 I think to think of an analogy, I 9 thought of COAH Round One, Two and Three, all I 10 could think of was the Wizard of Oz. We have 11 done everything we have been asked to. Every 12 time we go in and we say, they say, "That's not 13 good enough." We are facing that challenge 14 again. We all need to work collectively to 15 make sure we get to protect what it is that we 16 have in this community. 17 So with that said, the first order 18 of business we have tonight is, basically, a 19 resolution. Actually, I'm going to postpone 20 the resolution to the end until after we hear 21 from the public which is probably a better 22 idea. 23 We'll start with the work session. 24 The first item, I failed to introduce him, is 25 Mark Berkowsky, President of CHA Housing</p>

<p>1 6</p> <p>2 Associates. He volunteers a lot of time and</p> <p>3 has dedicated a lot of his professional</p> <p>4 expertise to helping us maintain COAH</p> <p>5 compliance through the Cranbury Housing</p> <p>6 Associates. Mark will spend a little bit of</p> <p>7 time opening up our work session, basically,</p> <p>8 giving you a flavor of what Cranbury Housing</p> <p>9 Associates has done for the last 20 years to</p> <p>10 help us maintain COAH compliance.</p> <p>11 MR. BERKOWSKY: Good evening.</p> <p>12 It's great to see this kind of turn-out from my</p> <p>13 fellow citizens in Cranbury.</p> <p>14 In addition to my role with CHA,</p> <p>15 I'm also a Board member of the Historical</p> <p>16 Society and I was a member of the mediation</p> <p>17 team that successfully defeated the Builders</p> <p>18 Remedy proposal in 1987. We have been there</p> <p>19 before and we won.</p> <p>20 You'll hear more about that as I</p> <p>21 go through my presentation.</p> <p>22 There are several handouts that I</p> <p>23 hope everyone received. The first are photos</p> <p>24 of CHA projects. They are the same ones</p> <p>25 displayed on the boards to the right.</p>	<p>1 8</p> <p>2 1984, it shifted its focus to a management</p> <p>3 organization, designing, constructing and</p> <p>4 developing new projects and managing the rental</p> <p>5 and sale of past projects. CHA has worked in</p> <p>6 partnership with the Township helping Cranbury</p> <p>7 to meet its original and continuing COHA</p> <p>8 obligations.</p> <p>9 The provisions for affordable</p> <p>10 housing in the State of New Jersey were changed</p> <p>11 forever with the decision of the New Jersey</p> <p>12 Supreme Court in response to zoning challenges</p> <p>13 in Mount Laurel, New Jersey. The Mount Laurel</p> <p>14 decision originally required Cranbury to</p> <p>15 provide 816 low and moderate income dwelling</p> <p>16 units.</p> <p>17 One option to meet this</p> <p>18 requirement was the "Builders Remedy" which</p> <p>19 allowed a developer to build four market priced</p> <p>20 units for every one affordable unit</p> <p>21 constructed. This would have meant that over</p> <p>22 four thousand new units would be developed</p> <p>23 (over 3000 of which would have been market</p> <p>24 price.) Cranbury had a total of less than</p> <p>25 eight hundred dwelling units at that time.</p>
<p>1 7</p> <p>2 Hopefully, you have seen the buildings though</p> <p>3 you may not know who lives there. That's what</p> <p>4 the intent was.</p> <p>5 Also, we prepared a listing of</p> <p>6 those projects and then a listing of Cranbury's</p> <p>7 Affordable Housing obligations and our</p> <p>8 compliance.</p> <p>9 Cranbury Housing Associates or</p> <p>10 CHA, as it is commonly known, is a volunteer,</p> <p>11 nonprofit corporation originally organized in</p> <p>12 1963, consisting mostly of Cranbury residents.</p> <p>13 We are a low-key group that has worked behind</p> <p>14 the scenes for 45 years providing Affordable</p> <p>15 Housing in Cranbury and other local</p> <p>16 communities.</p> <p>17 The initial objectives of CHA were</p> <p>18 to improve and provide the housing needs of the</p> <p>19 low-income, disadvantaged and permanent resident</p> <p>20 of the area. In those early years from its</p> <p>21 start in 1963 to the mid 1980s, it was a</p> <p>22 hands-on organization, with many of the</p> <p>23 projects undertaken with volunteer labor and</p> <p>24 minimum financial input.</p> <p>25 After the Mount Laurel decision in</p>	<p>1 9</p> <p>2 Cranbury was also sued by several</p> <p>3 developers to satisfy the Supreme Court's</p> <p>4 requirements. In July of 1984, the Superior</p> <p>5 Court ordered Cranbury to change its zoning to</p> <p>6 accommodate the 816 units. The Court's remedy</p> <p>7 was then put on hold due to passage of the Fair</p> <p>8 Housing Act of 1985, and the creation of the</p> <p>9 Council on Affordable Housing known as COAH.</p> <p>10 Cranbury requested the</p> <p>11 jurisdiction of their affordable housing</p> <p>12 requirements be changed from the Court to COAH.</p> <p>13 The first action that COAH took was to reduce</p> <p>14 Cranbury's Fair Share number to 187 units.</p> <p>15 Cranbury had to prepare revised zoning</p> <p>16 requirements to accommodate that number.</p> <p>17 Under the Builder's Remedy option,</p> <p>18 the overall impact to Cranbury would still have</p> <p>19 been over a thousand new units. A developer</p> <p>20 who had an option to property east of Route 130</p> <p>21 said he would fund all of it, including over</p> <p>22 seven hundred of the market priced units. In</p> <p>23 order to meet COAH's deadline of December 31st,</p> <p>24 1986, Cranbury accepted this proposal.</p> <p>25 During the public review period,</p>

<p>1 10</p> <p>2 there were two objectors to the developer's</p> <p>3 plan. One was the Civic League of New</p> <p>4 Brunswick, who thought that not enough</p> <p>5 affordable housing was being developed, and the</p> <p>6 other was the Cranbury Historical and</p> <p>7 Preservation Society who thought too much</p> <p>8 overall housing was being required and would</p> <p>9 destroy historic Cranbury. A mediation process</p> <p>10 was begun among the parties, the Township, the</p> <p>11 Historical Society and the Civic League.</p> <p>12 During the months of negotiation, the overall</p> <p>13 prepaid need was reduced from 187 units to 153</p> <p>14 units.</p> <p>15 Concerned members of the community</p> <p>16 asked CHA if they would be the developer of the</p> <p>17 required affordable housing in order to</p> <p>18 eliminate the market priced units from the plan</p> <p>19 and only build the low and moderate housing.</p> <p>20 CHA accepted the challenge and because of their</p> <p>21 past experience and credibility, the plan was</p> <p>22 accepted by COAH to meet the Township's</p> <p>23 requirements.</p> <p>24 On April 24, 1989, Cranbury was</p> <p>25 granted Substantive Certification of its</p>	<p>1 12</p> <p>2 For the rehabilitation</p> <p>3 requirements, CHA assisted two private low</p> <p>4 income property owners in the rehabilitation of</p> <p>5 their houses. In addition, CHA again renovated</p> <p>6 the Pin Oaks property, which was the original</p> <p>7 property CHA renovated in '63, and added one</p> <p>8 unit creating a total of seven units.</p> <p>9 The senior citizen requirements</p> <p>10 were met via development of a 20 unit senior</p> <p>11 citizens rental housing project. It was funded</p> <p>12 by a grant from the Department of Community</p> <p>13 Affairs Balanced Housing Fund and a 50 year,</p> <p>14 one percent mortgage from the Farmer's Home</p> <p>15 Administration.</p> <p>16 The site, approximately two acres,</p> <p>17 is in the middle of the village on property</p> <p>18 that was formerly tennis courts owned by the</p> <p>19 School Board and the Township. The development</p> <p>20 success of this project was due in part to the</p> <p>21 design being compatible with the character of</p> <p>22 the historic district.</p> <p>23 The new family unit requirements</p> <p>24 were met on three sites. In negotiating a</p> <p>25 zoning issue with a private developer on South</p>
<p>1 11</p> <p>2 affordable housing plan. This certification</p> <p>3 gave Cranbury the protection from the filing of</p> <p>4 lawsuits or challenges to our zoning for a</p> <p>5 period of six years. This was extremely</p> <p>6 important as the pressure of residential</p> <p>7 development was felt in all areas of the state</p> <p>8 and especially in the central New Jersey area,</p> <p>9 both in Cranbury as well as our neighboring</p> <p>10 communities.</p> <p>11 Of the 153 units, 76 were</p> <p>12 transferred to Perth Amboy through what is</p> <p>13 known as a Regional Contribution Agreement or</p> <p>14 RCA. The Township paid \$25,000 per unit to</p> <p>15 rehabilitate 76 units in Perth Amboy, to</p> <p>16 provide affordable housing in Cranbury's</p> <p>17 region. Of the remaining 77 homes to be built,</p> <p>18 Cranbury received a bonus credit of 10, based</p> <p>19 on the fact that 50 percent of the units were</p> <p>20 to be rental, reducing the affordable housing</p> <p>21 requirement to 67 units.</p> <p>22 Of that number, nine existing</p> <p>23 houses were to be rehabilitated, 19 were to be</p> <p>24 new senior citizen rental units, and 39 were to</p> <p>25 be new family units.</p>	<p>1 13</p> <p>2 Main Street, the Township received a 16 acre</p> <p>3 site to be used for affordable housing and a</p> <p>4 park. This is known as Heritage Park today.</p> <p>5 CHA developed a twenty-four unit family housing</p> <p>6 project, designing it, receiving public</p> <p>7 support, receiving funding from the Township</p> <p>8 and private sources, and having the homes</p> <p>9 constructed.</p> <p>10 The site on Bergen Drive has four</p> <p>11 buildings consisting of five units each and one</p> <p>12 building with four units. Five of these units</p> <p>13 are owned by CHA and are rented, while the</p> <p>14 other 19 units were sold. These buildings</p> <p>15 consist of one and two bedroom units.</p> <p>16 At the same time that the Bergen</p> <p>17 Drive site was being developed, the Township</p> <p>18 also received property from another developer</p> <p>19 further south on South Main Street. This</p> <p>20 allowed CHA to site two, five-unit buildings,</p> <p>21 one and two bedroom units, on Danser Drive and</p> <p>22 three duplex units with three bedrooms each on</p> <p>23 South Main Street.</p> <p>24 Of the 16 units that were built, a</p> <p>25 five unit building is still owned by CHA and is</p>

<p>1 14</p> <p>2 rented and the balance of the units were sold.</p> <p>3 With completion of the 40 units,</p> <p>4 Cranbury's affordable housing requirements were</p> <p>5 satisfied. But only for a short time. COAH</p> <p>6 required a second round of affordable housing</p> <p>7 and this time Substantive Certification was</p> <p>8 granted to Cranbury's plan on December 4, 1996.</p> <p>9 Due to Cranbury's pro-active</p> <p>10 approach to meet there first round obligations,</p> <p>11 credits were granted for the second round. Of</p> <p>12 the 51 units required for new construction, 34</p> <p>13 units were transferred to Carteret for an RCA</p> <p>14 at a cost of \$20,000 per unit. The Township's</p> <p>15 requirements could have been met with the</p> <p>16 construction of nine units and a rental credit</p> <p>17 of nine units. Anticipating the new need and</p> <p>18 future need, a piece of property adjacent to</p> <p>19 the Township's Village Park which would</p> <p>20 accommodate 16 units, and that piece of</p> <p>21 property was purchased. CHA was again asked to</p> <p>22 develop this site on Bennett Place and</p> <p>23 construction began in August of 2001 with</p> <p>24 occupancy in September of 2002.</p> <p>25 The Parkside project consists of</p>	<p>1 16</p> <p>2 transferred to Perth Amboy under an RCA at a</p> <p>3 cost of \$35,000 per unit. We are also to</p> <p>4 receive credits of 20 for providing rental</p> <p>5 units and very low income units.</p> <p>6 We are also just completing our</p> <p>7 latest project that is located on old Cranbury</p> <p>8 Road which consists of 20 units, four one</p> <p>9 bedroom, two, two bedroom and four, three</p> <p>10 bedroom units. The other site required to meet</p> <p>11 our original Third Round number is an almost</p> <p>12 four acre site on Route 130 which the Township</p> <p>13 purchased last year.</p> <p>14 Sometimes, the process of</p> <p>15 developing affordable housing is difficult</p> <p>16 because everyone is concerned for their own</p> <p>17 property values as well as the impact on the</p> <p>18 town.</p> <p>19 The reason CHA took on the task of</p> <p>20 developing the housing to meet the court</p> <p>21 mandated Mount Laurel requirements was to</p> <p>22 provide the necessary affordable housing, but</p> <p>23 also to take it out of government control and</p> <p>24 reduce costs, and take it away from private</p> <p>25 developers so that we could develop it to meet</p>
<p>1 15</p> <p>2 16 units, using a similar design to the</p> <p>3 previous projects on Bergen Drive, Danser Drive</p> <p>4 and South Main Street. The compatible design</p> <p>5 of two, one and two bedroom units and five unit</p> <p>6 buildings, as well as three duplex buildings,</p> <p>7 were repeated. All of the units are owned by</p> <p>8 CHA and are rented to qualified low and</p> <p>9 moderate income families.</p> <p>10 The Pin Oak project, one of the</p> <p>11 original affordable housing projects undertaken</p> <p>12 by CHA in the early 1960's, had been renovated</p> <p>13 twice but it was demolished at this time and</p> <p>14 the residents moved to the Parkside project.</p> <p>15 The original migrant farm workers' camp finally</p> <p>16 outlived its use as a viable site for housing.</p> <p>17 In 2004, COAH revised the rules</p> <p>18 for providing affordable housing. Mary Beth</p> <p>19 Loneragan will talk a little bit about the Third</p> <p>20 Round rules.</p> <p>21 Third Round rules discussed a Fair</p> <p>22 Share concept. Under that concept, when we</p> <p>23 submitted our Third Round plan in November of</p> <p>24 2005, it outlined and anticipated a 160 unit</p> <p>25 requirement. Of that 80 is proposed to be</p>	<p>1 17</p> <p>2 the true needs and interests of the residents</p> <p>3 of Cranbury.</p> <p>4 Our guided principles have</p> <p>5 remained the same: Integrate affordable</p> <p>6 housing throughout the community, design and</p> <p>7 construct quality buildings to be compatible</p> <p>8 with their neighbors, and provide a high level</p> <p>9 of maintenance to maintain the quality of our</p> <p>10 developments.</p> <p>11 For the Round 1 and Round 2</p> <p>12 projects, CHA has developed them without the</p> <p>13 use of any local taxpayer funds. We have</p> <p>14 accomplished this by obtaining grants and</p> <p>15 mortgages from various states and federal</p> <p>16 agencies, and mortgages and loans from local</p> <p>17 banks and money from the Township's Affordable</p> <p>18 Housing Trust Fund.</p> <p>19 This is a method where Cranbury</p> <p>20 receives a contribution from developers as they</p> <p>21 construct residential and commercial buildings</p> <p>22 in Cranbury. The proceeds from this fund are</p> <p>23 then used to defray expenses for affordable</p> <p>24 housing.</p> <p>25 We have provided a hand-out</p>

<p>1 18</p> <p>2 listing the projects that I have just described</p> <p>3 as well as pictures of the projects. All of</p> <p>4 the rental projects that CHA owns are currently</p> <p>5 occupied and there is a long waiting list.</p> <p>6 I would like to remind everyone</p> <p>7 that CHA is a volunteer organization. We have</p> <p>8 a 12 member Board of Directors that meets on a</p> <p>9 monthly basis and makes policy decisions in</p> <p>10 maintaining or developing affordable housing.</p> <p>11 We have a property manager who manages our</p> <p>12 housing on a day-to-day basis.</p> <p>13 As a small advertisement, our</p> <p>14 general membership is open for all and for</p> <p>15 those that are interested our membership</p> <p>16 application was available with the hand-outs.</p> <p>17 If anyone wants to see a little</p> <p>18 bit more about the history and read it, we have</p> <p>19 a website, Cranbury Housing dot org which is</p> <p>20 free for everyone to look at. Thank you.</p> <p>21 MR. STOUT: I will introduce Mary</p> <p>22 Beth. Senator Bill Baroni just walked in the</p> <p>23 room.</p> <p>24 MS. LONERGAN: Good evening,</p> <p>25 everyone. My name is Mary Beth Lonergan. I'm</p>	<p>1 20</p> <p>2 That was really a key change from</p> <p>3 the first two rounds where the Council on</p> <p>4 Affordable Housing, COAH, had assigned each</p> <p>5 municipality, as Mark had said, an affordable</p> <p>6 housing obligation.</p> <p>7 The key change in the Third Round</p> <p>8 was this Growth Share concept. That concept</p> <p>9 was, as you grow both residentially,</p> <p>10 non-residentially, you provide affordable</p> <p>11 housing.</p> <p>12 As Mark had noted, the Township</p> <p>13 had done its own analysis of what the</p> <p>14 anticipated, what was its growth and put</p> <p>15 together a plan for 160 affordable units.</p> <p>16 Now, that plan was put in place to</p> <p>17 address COAH's regulations adopted December</p> <p>18 '04. Those regulations were subsequently</p> <p>19 overturned, key portions of them were</p> <p>20 overturned by the Appellate Court. COAH has</p> <p>21 recently proposed on June 22 of this year</p> <p>22 revised Third Round regulations. And the key</p> <p>23 point for that is the overall state-widening</p> <p>24 has increased, more than doubled from the 2004</p> <p>25 Third Round regulations.</p>
<p>1 19</p> <p>2 a Senior Associate with the Clarke Caton Hintz</p> <p>3 architectural firm in West Trenton.</p> <p>4 Mark did a great job really</p> <p>5 bringing us right on up to today's date.</p> <p>6 I'll start again. Maybe some of</p> <p>7 you didn't hear me. I'm a Senior Associate and</p> <p>8 a New Jersey Licensed Planner in New Jersey.</p> <p>9 I'm with the firm of Clark Caton Hintz. We are</p> <p>10 affordable housing consultants.</p> <p>11 Mark did a great job really</p> <p>12 bringing the discussion right on up to the</p> <p>13 current time.</p> <p>14 I'm going to jump right into the</p> <p>15 issues. I'm going to give you a little</p> <p>16 background on the Third Round rules but really</p> <p>17 I would like to bring the attention in a few</p> <p>18 minutes right to the main point why we are</p> <p>19 here.</p> <p>20 As you know, COAH's regulations</p> <p>21 for the Third Round, many of you I know were</p> <p>22 part of the Third Round plan preparation in</p> <p>23 2005 when the community came together and put a</p> <p>24 plan in to address the Township's Growth Share</p> <p>25 obligation.</p>	<p>1 21</p> <p>2 COAH's consultants said there's an</p> <p>3 overall state-wide need of 53,000 affordable</p> <p>4 units, and the revised regulations that extend</p> <p>5 out the Third Round period from a period of</p> <p>6 2004 to 2014 extend it out to 2018. But</p> <p>7 unfortunately, they have more than doubled the</p> <p>8 affordable housing state-wide need to 115,000.</p> <p>9 Just, conceptually, what many</p> <p>10 consultants assumed would be that each</p> <p>11 municipality's obligation may at most double.</p> <p>12 What's happened is there's a</p> <p>13 disconnect between what COAH has assigned</p> <p>14 Cranbury as its projected residential and</p> <p>15 non-residential growth, and I'm going to go</p> <p>16 over that in one second.</p> <p>17 In the 2004 rules, COAH had</p> <p>18 analyzed Cranbury's growth potential as a total</p> <p>19 of 690 residential units and 1700 total jobs</p> <p>20 resulting in a growth share of 148 affordable</p> <p>21 units. The Township, as I said, prepared its</p> <p>22 plan. The Township reduced that residential</p> <p>23 growth from 690 and said, you know, we</p> <p>24 anticipate growing residentially by 155 units.</p> <p>25 The jobs were more than the 1700</p>

<p>1 22</p> <p>2 figure. It was up to 3500 jobs resulting in a</p> <p>3 total growth share of 160.</p> <p>4 In COAH's current proposed rules,</p> <p>5 they are assigning a growth projection's</p> <p>6 residential units of 193 residential units and</p> <p>7 a total of 1800 jobs.</p> <p>8 On the face of it, those numbers</p> <p>9 are not problematic. They result in a Third</p> <p>10 Round growth share of 156 units which is</p> <p>11 consistent with your 2005 adopted plan of 160</p> <p>12 units. Where the disconnect comes from is the</p> <p>13 warehouse job generation ratio, where instead</p> <p>14 of jobs coming from warehouses of in '04 rules,</p> <p>15 it was a point two job generation ratio per one</p> <p>16 thousand square feet of warehouse space, it now</p> <p>17 was increased literally 750 percent to 1.5 jobs</p> <p>18 per one thousand square feet.</p> <p>19 And just on the known warehouse</p> <p>20 construction either built or approved already,</p> <p>21 that would generate, that would change the job</p> <p>22 figures from literally generating a thousand</p> <p>23 jobs, that would translate into 40 affordable</p> <p>24 homes, that would translate that to seven</p> <p>25 thousand jobs in the same square footage and</p>	<p>1 24</p> <p>2 or retroactive, the COAH's rules.</p> <p>3 COHA has its Third Round period</p> <p>4 from 2004 to 2018. These rules as just</p> <p>5 proposed in 2008, they would almost double the</p> <p>6 Third Round affordable Housing obligation from</p> <p>7 the 2004 rules. So instead of one affordable</p> <p>8 unit for every 25 jobs, it is one affordable</p> <p>9 unit for every 16 jobs. And the same with</p> <p>10 housing, one affordable unit, it had been for</p> <p>11 eight homes and one affordable unit now for</p> <p>12 every four market rate homes.</p> <p>13 The key for Cranbury is the</p> <p>14 non-residential and the COAH rules would take</p> <p>15 this new affordable housing generation ratio</p> <p>16 and apply it all the way back to January first,</p> <p>17 2004 for any Certificates of Occupancy coming</p> <p>18 on line in any development having been approved</p> <p>19 potentially even before '04 and coming on line</p> <p>20 after January first, '04.</p> <p>21 That is just on the warehouse</p> <p>22 situation with Cranbury, knowing that there's</p> <p>23 five million square feet of warehousing either</p> <p>24 built or approved without this new 20 percent,</p> <p>25 I'm sorry, without this knew ratio for</p>
<p>1 23</p> <p>2 469 affordable units. So it's a 750 percent</p> <p>3 increase in the job generation and then an</p> <p>4 additional increase in the affordable housing</p> <p>5 obligation of over a thousand percent.</p> <p>6 The warehouse situation is the</p> <p>7 main issue at hand for Cranbury Township and</p> <p>8 our office is working with the Township</p> <p>9 Affordable Housing Subcommittee and preparing</p> <p>10 objections to COAH's regulations.</p> <p>11 That's the main issue of concern,</p> <p>12 just the unrealistic nature of this tremendous</p> <p>13 increase in the jobs anticipated from</p> <p>14 warehousing.</p> <p>15 Cranbury, and other of our clients</p> <p>16 that have a high warehouse concentration such</p> <p>17 as South Brunswick and Florence Township, we</p> <p>18 are also working with your neighbor</p> <p>19 Robbinsville down in Mercer County, we have</p> <p>20 done a study to refute COAH's job generation</p> <p>21 analysis of warehousing, and that would be made</p> <p>22 public later on this week.</p> <p>23 The other main issue in it, to</p> <p>24 really just bring this discussion to the focus</p> <p>25 of Cranbury, is the retroactivity of COAH rules</p>	<p>1 25</p> <p>2 non-residential jobs, that that, in and of</p> <p>3 itself, would create a 429 unit shortfall.</p> <p>4 If you remember, that five million</p> <p>5 square feet would have generated 40 affordable</p> <p>6 units. Now it is generating 469 affordable</p> <p>7 units. That difference of 429, just of what's</p> <p>8 known, that could cost the township up to even</p> <p>9 63 million dollars to be able to fund that</p> <p>10 shortfall.</p> <p>11 These are the two key issues, the</p> <p>12 warehouse rate being unrealistic and the</p> <p>13 retroactive nature of the rules.</p> <p>14 Really, I think that's the key</p> <p>15 point and we are at the stage of what are the</p> <p>16 next steps. Just the COAH's regulations are</p> <p>17 still in proposed form, and the common period</p> <p>18 would be over this Saturday, March 22, and</p> <p>19 that's what our firm is working for with the</p> <p>20 Township Committee and the Mayor to prepare</p> <p>21 objections on behalf of the township on those</p> <p>22 two main points. Thank you.</p> <p>23 MR. STOUT: Thank you for your</p> <p>24 patience. We are going to get to the public in</p> <p>25 just a couple of moments.</p>

<p>1 26</p> <p>2 In summary, how I view this, we</p> <p>3 have always complied. We complied in Round</p> <p>4 One. We complied in Round Two. We began</p> <p>5 compliance in Round Three.</p> <p>6 We actually bonded out money and</p> <p>7 started building more affordable houses. As</p> <p>8 Mary Beth said, the rules changed. In that</p> <p>9 change in rules what's key, they rest in time.</p> <p>10 We don't have the ability to get funding for</p> <p>11 that proposal to reach back in time, that 63</p> <p>12 million dollars is sitting in our collective</p> <p>13 laps, if it were to go forward.</p> <p>14 The second was the formula they</p> <p>15 used to do the job generation. We have</p> <p>16 undertaken with her firm a study to get real</p> <p>17 data, to get real facts about what kind of job</p> <p>18 generation there is.</p> <p>19 What can you do? We gave you some</p> <p>20 names and addresses. Besides speaking tonight</p> <p>21 and bringing out your ideas, you can contact</p> <p>22 affordable housing groups, COAH and make</p> <p>23 specific comments about the rules and those</p> <p>24 would be the two issues pretty much we have</p> <p>25 brought up tonight.</p>	<p>1 28</p> <p>2 question.</p> <p>3 I have a tiny amount of, at least,</p> <p>4 potentially good news. It doesn't sound like a</p> <p>5 promise. What I did today, knowing I was</p> <p>6 coming to the meeting, I put a call through to</p> <p>7 Lucy Berholdt. She's the state person, the</p> <p>8 head of COHA. I asked her what is going on.</p> <p>9 what's the latest. She was totally aware of</p> <p>10 the Cranbury situation, and a few other</p> <p>11 situations I talked to her about as well. That</p> <p>12 was a good sign. She knew everything that was</p> <p>13 going on and she seemed to say to me that they</p> <p>14 were definitely going to look at the Cranbury</p> <p>15 numbers. They were aware of this warehouse</p> <p>16 issue as being a problem and that they were</p> <p>17 thinking in terms of lowering the requirement</p> <p>18 here.</p> <p>19 Now, the way she explained it to</p> <p>20 me, she was thinking in terms of the difference</p> <p>21 between distribution centers and warehouses.</p> <p>22 She said some think the buildings</p> <p>23 here are distribution centers, some think they</p> <p>24 are warehouses. The more chance they are</p> <p>25 warehouses, the more sense there wouldn't be</p>
<p>1 27</p> <p>2 You can also, this is my way of</p> <p>3 introducing them, our representative are here</p> <p>4 tonight. You can certainly contact them. I'm</p> <p>5 sure they would love to get more mail from</p> <p>6 Cranbury.</p> <p>7 Linda Greenstein and Bill Baroni</p> <p>8 wanted to make some comments as well.</p> <p>9 MS. GREENSTEIN: Thank you. I</p> <p>10 have never seen a meeting quite as big as this</p> <p>11 one, I think, certainly, not in a town this</p> <p>12 size, and it just underscores how important</p> <p>13 this issue is.</p> <p>14 I'm glad that you're having a</p> <p>15 meeting. We are going to hear what your</p> <p>16 comments are.</p> <p>17 I do want to tell you this issue</p> <p>18 of affordable housing is one that we have been</p> <p>19 hearing about for a long time. Your town is</p> <p>20 one of the ones that has done a very good job.</p> <p>21 In fact, a few of the towns in this area have</p> <p>22 done a very good job providing the housing.</p> <p>23 It's very disconcerting to start hearing these</p> <p>24 very high numbers that are clearly very</p> <p>25 unrealistic for a town of this size, there's no</p>	<p>1 29</p> <p>2 any jobs there. I'm not sure if that's the way</p> <p>3 to look at this. I'm sure your consultant will</p> <p>4 deal with this issue, whether it's a</p> <p>5 distribution center. Definitely, if it's a</p> <p>6 distribution center, even if it's a warehouse,</p> <p>7 they are automated today. It's not that if</p> <p>8 there are a distribution center, there are a</p> <p>9 lot of jobs and a warehouse, no jobs. These</p> <p>10 tend to be automated.</p> <p>11 I believe the ones in this area</p> <p>12 probably are. I'm not sure there are that many</p> <p>13 jobs either way.</p> <p>14 I think that's what is really</p> <p>15 important here, to make the argument there</p> <p>16 aren't that many jobs going on in those</p> <p>17 buildings as much as possible. She seems</p> <p>18 totally aware of that. She seems sympathetic</p> <p>19 to that.</p> <p>20 It is my impression they are going</p> <p>21 to be looking in terms of lowering the numbers,</p> <p>22 as for these issues of RCAs, which I guess</p> <p>23 you'll talk about, the requirements for towns</p> <p>24 like this and others can give away some of</p> <p>25 their allotment.</p>

<p>1 30</p> <p>2 It just seems to me that you are</p> <p>3 doing a very good job providing affordable</p> <p>4 housing. I don't understand why that RCA had</p> <p>5 to exist.</p> <p>6 You have done a good and</p> <p>7 reasonable job. You're a small town. You</p> <p>8 provided a lot of affordable units.</p> <p>9 I think it is a shame you should</p> <p>10 even be in a position to have to give units</p> <p>11 away because it means they are putting high</p> <p>12 numbers on you, probably unreasonable and</p> <p>13 unrealistic. I think that whole issue has to</p> <p>14 really be closely examined.</p> <p>15 I'm glad to have Senator Baroni</p> <p>16 with me today, we are working very closely, and</p> <p>17 also Assemblyman Wayne DeAngelo couldn't be</p> <p>18 here this evening. We will be anxious to hear</p> <p>19 from all of you and work closely with you and</p> <p>20 all your good Council people and consultants to</p> <p>21 try to make sure that this problem does not</p> <p>22 develop.</p> <p>23 We'll look forward to working with</p> <p>24 you. Thank you.</p> <p>25 AUDIENCE MEMBER: Do you oppose</p>	<p>1 32</p> <p>2 Do I oppose Speaker Robert's proposals with</p> <p>3 regard to RCAs.</p> <p>4 There was an important line</p> <p>5 mentioned a few seconds ago about how they</p> <p>6 shifted the state-wide need. Probably</p> <p>7 everybody in this room agrees we all bear moral</p> <p>8 responsibility for affordable housing.</p> <p>9 However, listen to what happened. They changed</p> <p>10 the big number so they changed the number of</p> <p>11 affordable housing units, the state</p> <p>12 policymakers, and sort of worked backwards and</p> <p>13 said if we need to reach this number, how do we</p> <p>14 get to that number. You adjust the formula.</p> <p>15 That's what has happened.</p> <p>16 Because of that we are here</p> <p>17 tonight and because of it, you heard this</p> <p>18 dramatic shift in the responsibility based on</p> <p>19 warehousing. They did the change not because</p> <p>20 all of a sudden, they realized, "Oh, my gosh,</p> <p>21 for the first time in world history warehouses</p> <p>22 are developing a shocking number of jobs." It</p> <p>23 is they need to get a bigger, higher number.</p> <p>24 That's dumb public policy. It's not how you do</p> <p>25 public policy.</p>
<p>1 31</p> <p>2 Speaker Robert's proposal with regard to RCA's?</p> <p>3 MR. STOUT: I appreciate you have</p> <p>4 a question. We have to do this in a certain</p> <p>5 way. Let them speak. We'll open it up for</p> <p>6 public comment. I know there's a lot of people</p> <p>7 here, a lot of emotion, a lot of righteous</p> <p>8 indignation. All of it's welcome. We have to</p> <p>9 be able to control.</p> <p>10 SENATOR BARONI: I can answer</p> <p>11 that. The way things are now, no, I do not, I</p> <p>12 don't think most of the towns in the Fourteenth</p> <p>13 District would be happy with that situation.</p> <p>14 I think the entire way things are</p> <p>15 done really does need to be looked at. I think</p> <p>16 it is a mess. They are putting too much</p> <p>17 pressure on the towns to provide more units</p> <p>18 than they can.</p> <p>19 First of all, Happy St. Patrick's</p> <p>20 Day. I often spend St. Patrick's day in a room</p> <p>21 with a large number of people. Something is</p> <p>22 missing. Maybe next time we have a town</p> <p>23 meeting -- school rules.</p> <p>24 In seriousness, I'm going to</p> <p>25 answer your question. The question was this:</p>	<p>1 33</p> <p>2 What do we do about it? You heard</p> <p>3 the Mayor who is absolutely correct,</p> <p>4 oftentimes, we are in a comment period, COAH</p> <p>5 puts the rules out, by state law they have to</p> <p>6 open it up to the public for commentary.</p> <p>7 The League of Municipalities</p> <p>8 Planning Boards, interested developers are all</p> <p>9 writing these letters to COAH. You can too.</p> <p>10 There's really three steps in this</p> <p>11 process. The first step is communication with</p> <p>12 COAH during this regulatory comment period.</p> <p>13 Committees are doing it. Mayors are doing it.</p> <p>14 You need to do it.</p> <p>15 The question is what's the</p> <p>16 message. "Dear COAH: We have done our bit.</p> <p>17 We have played by the rules."</p> <p>18 Cranbury, Plainsboro, the rules</p> <p>19 have been laid out. You heard the</p> <p>20 presentation. Cranbury has been one of those</p> <p>21 model communities since one of the beginnings</p> <p>22 of the Fair Housing Act, I was 12 when it</p> <p>23 passed, and has done everything right.</p> <p>24 The message is don't change the</p> <p>25 rules just to fulfill a number that doesn't</p>

<p>1 34</p> <p>2 have a link to what is actually happening in</p> <p>3 Cranbury and lots of other towns in New Jersey.</p> <p>4 Second, my colleague,</p> <p>5 Assemblywoman Greenstein, mentioned after this</p> <p>6 comment period closes, COAH will take into</p> <p>7 account the comments from all the state and</p> <p>8 take into account efforts by legislators and</p> <p>9 policymakers. This is not reality. This is</p> <p>10 not acceptable.</p> <p>11 I have had a number of</p> <p>12 conversations with the Commissioner of the</p> <p>13 Department of Community Affairs. There is a</p> <p>14 distinct disconnect between what the</p> <p>15 policymakers with the pencils down in Trenton</p> <p>16 are saying and what's happening on the ground</p> <p>17 in towns all over New Jersey. This is not</p> <p>18 reality.</p> <p>19 You can't impose on a community</p> <p>20 like Cranbury, and a number of other towns, the</p> <p>21 number of units. It changes the character of</p> <p>22 the community fundamentally.</p> <p>23 The third step, if necessary, one,</p> <p>24 COAH is powerful. Obviously, they are a</p> <p>25 regulatory entity. I'm teaching this at Seton</p>	<p>1 36</p> <p>2 allow a regulatory idea to change the</p> <p>3 fundamental character of towns like Cranbury,</p> <p>4 New Jersey. We are going to fight everyday.</p> <p>5 MR. STOUT: Thank you, both of</p> <p>6 you, very well-spoken, very well said.</p> <p>7 Obviously, the applause gives you</p> <p>8 some endorsement for your ideas.</p> <p>9 Again, those are ideas. We need</p> <p>10 to act on those ideas as a community, as</p> <p>11 neighbors, as friends, as residents to move</p> <p>12 this forward.</p> <p>13 We are going to open this up for</p> <p>14 public comment. I've got to set a couple</p> <p>15 ground rules. I apologize there's not a lot of</p> <p>16 seats. I apologize the lighting is really bad.</p> <p>17 It is getting hot in here. But what we do for</p> <p>18 public comment, we'll raise your hand. When</p> <p>19 you're acknowledged, come forth, use this</p> <p>20 microphone and state your name and spell it for</p> <p>21 the record, as well as your address.</p> <p>22 Try to keep these short. Try to</p> <p>23 keep these on point. We want to hear from as</p> <p>24 many people as we can. We want the ideas to</p> <p>25 bring out new things we should consider as we</p>
<p>1 35</p> <p>2 Hall Law School this semester. In the end, the</p> <p>3 legislature can just fix it, if necessary,</p> <p>4 we'll just introduce legislation to tell COAH</p> <p>5 they are wrong.</p> <p>6 I think we can avoid that by a lot</p> <p>7 of comments and commentary to COAH because,</p> <p>8 some of you may remember a few years ago, back</p> <p>9 in 2004, there was a proposal, single school,</p> <p>10 school district. They, periodically, once in a</p> <p>11 while, these things, there really are some</p> <p>12 people out there who want to change the nature</p> <p>13 of small town New Jersey. We have to do</p> <p>14 everything we can to make sure we don't become</p> <p>15 one really, really big suburb.</p> <p>16 We have got to maintain the</p> <p>17 quality of our small towns. Affordable housing</p> <p>18 is a moral responsibility. But it's not a</p> <p>19 moral responsibility to fundamentally change</p> <p>20 the character of our state.</p> <p>21 Proposals like this, this proposal</p> <p>22 through COAH will do that. Linda, myself, the</p> <p>23 Mayor has been not just here in Cranbury, by</p> <p>24 doing it down in Trenton, we are working with</p> <p>25 you everyday and work tirelessly and will not</p>	<p>1 37</p> <p>2 move forward and basically, with the process</p> <p>3 that our representatives have outlined.</p> <p>4 MR. VENANZI: Paul Venanzi. I</p> <p>5 feel uniquely qualified to make a speech here.</p> <p>6 I am your worse nightmare. I am the person who</p> <p>7 runs the IDCs, that's the distribution centers</p> <p>8 in Cranbury.</p> <p>9 I work for Home Depot. We have</p> <p>10 two distribution centers, not warehouses, two</p> <p>11 warehouses of 890,000 square feet each. That</p> <p>12 gives us approximately two million square feet</p> <p>13 of the five million square feet you are talking</p> <p>14 about.</p> <p>15 I also am very well acquainted</p> <p>16 with Volkswagen. They are nine hundred</p> <p>17 thousand square feet. That gives us more than</p> <p>18 50 percent of the square footage in Cranbury</p> <p>19 that we are talking about.</p> <p>20 The question came up as to old</p> <p>21 versus new technology. That's a good point.</p> <p>22 We have a warehouse that's old technology. It</p> <p>23 was built in 1974. It was built by Firestone.</p> <p>24 It was a warehouse for tires. We retrofitted</p> <p>25 that. We still run it like a 1974 warehouse.</p>

<p>1 38</p> <p>2 We also have a warehouse that is</p> <p>3 the same size which was built back in 2004, so</p> <p>4 It certainly falls squarely into the new type</p> <p>5 of warehouse.</p> <p>6 Both of these warehouses are</p> <p>7 distribution centers. We have import product</p> <p>8 from around the world that comes in. We move</p> <p>9 approximately six million dollars worth of</p> <p>10 product through each warehouse each week.</p> <p>11 This article in the newspaper made</p> <p>12 me do math. Anybody who knows me knows I hate</p> <p>13 to do math.</p> <p>14 The math, that is flawed, and</p> <p>15 should make it very simple. The numbers that</p> <p>16 were calculated is for 1000 square feet equals</p> <p>17 1.5 employees. Let me address that. That's</p> <p>18 all I need to do today.</p> <p>19 Currently, if you take that</p> <p>20 calculation, that would imply our warehouse,</p> <p>21 one full warehouse has 1275 employees. That</p> <p>22 warehouse has 55 employees.</p> <p>23 The correct calculation for this</p> <p>24 warehouse is 18,214 equals 1.5 employees.</p> <p>25 Home Depot and I personally will</p>	<p>1 40</p> <p>2 thing, Not In My Back Yard, but we have some</p> <p>3 basis for our suggestions and our comments.</p> <p>4 I think that would be very</p> <p>5 helpful.</p> <p>6 That's all I have to say.</p> <p>7 MR. STOUT: That was a good idea.</p> <p>8 We do need to point in the same direction,</p> <p>9 common facts to use.</p> <p>10 MS. KELLY LEHMAN: Kelly Lehman,</p> <p>11 60 Cranbury Neck Road. I'm the nut that's been</p> <p>12 plastering the flyers around town. I'm the nut</p> <p>13 that's been contacting you all.</p> <p>14 Number three, I just want to say</p> <p>15 that last Wednesday, my husband came home from</p> <p>16 the gym. He said, "I went to Dave Thompson.</p> <p>17 Dave Thompson got a call from Tom Paconi. The</p> <p>18 town has a meeting Monday night. We have a lot</p> <p>19 of trouble in front of us. We have a huge</p> <p>20 developmental issue."</p> <p>21 I think affordable housing is a</p> <p>22 terrific cause. We need to keep doing it. The</p> <p>23 issue here is the over-development of the town</p> <p>24 can not handle it with the infrastructure the</p> <p>25 way we have it now.</p>
<p>1 39</p> <p>2 give that information gladly to anybody on the</p> <p>3 Board that needs to have that. We can give the</p> <p>4 information on both locations. Between the two</p> <p>5 locations, we have approximately 125, 130</p> <p>6 employees. I could speak for Volkswagen</p> <p>7 estimating they probably have less.</p> <p>8 MR. STOUT: I think that makes the</p> <p>9 point where often policy doesn't equal reality.</p> <p>10 Sir, in the back.</p> <p>11 MR. MOUTENOT: Andre Moutenot, 3</p> <p>12 Wynnewood Drive.</p> <p>13 My first thought was your slogan.</p> <p>14 "We can do it. You can help."</p> <p>15 It is just a real quick comment.</p> <p>16 I think if we are asked to write to COAH, it</p> <p>17 might be nice if we could have access to some</p> <p>18 of the information as it relates specifically</p> <p>19 to the issues, especially some suggestion that</p> <p>20 there's substantial fact in regards to the</p> <p>21 warehouse and the population required based on</p> <p>22 square footage, that we can have what COAH has,</p> <p>23 either maybe in the Cranbury website or some of</p> <p>24 that information, so then when we do write our</p> <p>25 letters to COHA it is not just kind of a NIMBY</p>	<p>1 41</p> <p>2 Having said this, the wheels</p> <p>3 started turning. We got the Mother's Club</p> <p>4 involved, my girlfriends are involved. I had</p> <p>5 Mike googling every site known to man, what</p> <p>6 other towns have been doing to get themselves</p> <p>7 out of the same jam.</p> <p>8 At the end of the day, I realized</p> <p>9 number one, I would never, ever run for a Town</p> <p>10 Council position. Because nobody wants to</p> <p>11 really step up to the plate and do the extra</p> <p>12 work.</p> <p>13 Everybody loves to point the</p> <p>14 finger and say why didn't we know about this</p> <p>15 sooner.</p> <p>16 I have got laundry that wasn't</p> <p>17 done. The kids missed birthday parties. My</p> <p>18 husband and I are ready for counseling. My</p> <p>19 parents are ready to disown me. Four days of</p> <p>20 work for the town, I couldn't handle it.</p> <p>21 I have to say our leaders here</p> <p>22 from the government level, Senator Bill Baroni</p> <p>23 and Assemblywoman Linda Greenstein, you are</p> <p>24 like leaders at its best. At the eleventh hour</p> <p>25 a tiny town calls you, it is St. Patrick's</p>

<p>1 42</p> <p>2 Day/night, you come in like knights in shining</p> <p>3 armour.</p> <p>4 That was the cheerleader section</p> <p>5 of this speech.</p> <p>6 My biggest fear is coming true</p> <p>7 over and over again. We, as a town, have slept</p> <p>8 on this and it's all of our faults. It's not</p> <p>9 the Councilman's fault, it's not the</p> <p>10 Assemblymen's fault. This news has been out</p> <p>11 since last year.</p> <p>12 It's made the front news of the</p> <p>13 Cranbury Press. I have read it. I showed it</p> <p>14 to friends. It was always dismissed as we were</p> <p>15 a small town, this would never happen, we will</p> <p>16 be protected.</p> <p>17 It came up last year. It came up</p> <p>18 December 9th. There's articles in the Cranbury</p> <p>19 Press.</p> <p>20 Kelly Palumbo and I have been</p> <p>21 going through the archives. It's been on the</p> <p>22 front page this was going to happen for months.</p> <p>23 I did nothing about it. I'm the</p> <p>24 sorriest excuse for an active resident you will</p> <p>25 ever meet in my life. This is the first Town</p>	<p>1 44</p> <p>2 thousand units.</p> <p>3 Nobody is even discussing the fact</p> <p>4 we own a ton of other commercial property. If</p> <p>5 that gets developed, we have to do more</p> <p>6 affordable housing, we can no longer use as an</p> <p>7 RCA.</p> <p>8 This is what is coming down the</p> <p>9 Pike at a fast pace.</p> <p>10 Other towns have been on this</p> <p>11 since December. I have a stack of information,</p> <p>12 if you Google Lucy Voorhoeve, these towns have</p> <p>13 banded together. They have been having town</p> <p>14 meetings. They have submitted their comments.</p> <p>15 Letters have been in. We slept on this. Not</p> <p>16 just our leaders, we did as a people, we all</p> <p>17 slept on this.</p> <p>18 This is the very eleventh hour for</p> <p>19 us to get comments heard as a people. COHA</p> <p>20 invited as a public to say, "New Jersey</p> <p>21 residents, how do you feel about this? Let us</p> <p>22 know. Here is our e-mail."</p> <p>23 None of us knew about this.</p> <p>24 My question is why didn't we know</p> <p>25 about it? Other towns knew about it. West</p>
<p>1 43</p> <p>2 Council meeting I stepped into. I didn't know</p> <p>3 where to go. It's everybody's fault for</p> <p>4 sleeping on this. We are a bunch of sleeping</p> <p>5 giants. We need to get our voices heard. We</p> <p>6 have until Friday to do that.</p> <p>7 A few things that do concern me.</p> <p>8 I did have a number of comments that were laid</p> <p>9 out that said here's what we need to say so we</p> <p>10 don't look like we don't want affordable</p> <p>11 housing, we do want affordable housing but</p> <p>12 affordable housing that will not ruin the town.</p> <p>13 There were comments that I thought</p> <p>14 would be helpful. They kind of got lost in the</p> <p>15 shuffle.</p> <p>16 At this point, I'm nervous because</p> <p>17 I think that the numbers are still being</p> <p>18 sugar-coated. We now have a four hundred</p> <p>19 sixty-nine unit obligation which, as Mary Beth</p> <p>20 said, will turn to 429 additional units because</p> <p>21 of the 2004 retroactive law.</p> <p>22 People talked about RCAs before.</p> <p>23 What that means, we will no longer be able to</p> <p>24 pay other towns to take 50 percent of our</p> <p>25 obligation. We will have to build those one</p>	<p>1 45</p> <p>2 Windsor have held meetings. They send out a</p> <p>3 rally crowd, other towns. We need to know we</p> <p>4 are being protected the best possible way we</p> <p>5 can be.</p> <p>6 I'm very, very nervous. I feel</p> <p>7 like we dropped the ball on this one. I want</p> <p>8 to make sure Cranbury is protected when it</p> <p>9 comes to sending this letter in. Are we using</p> <p>10 the right verbiage? Is it strong enough? Will</p> <p>11 the letter protect us when they go to look at</p> <p>12 it? It's a collective undertaking of all the</p> <p>13 towns.</p> <p>14 I'm not comfortable with that. I</p> <p>15 need Cranbury to flex a muscle and need them to</p> <p>16 know we are serious and not depending on</p> <p>17 Princeton or West Windsor and everybody else to</p> <p>18 fight our fight.</p> <p>19 I want to bring this fight to</p> <p>20 Trenton from Cranbury. You guys are the ones</p> <p>21 to do it.</p> <p>22 Having said this, thank you for</p> <p>23 the long-winded explanation. We have an e-mail</p> <p>24 for rules in the back of the meeting hall, if</p> <p>25 you would like to leave your e-mail, I'll be</p>

<p>1 46</p> <p>2 happy to put something together. If you're</p> <p>3 interested in comments that might be helpful</p> <p>4 for this March 22nd deadline, it might be</p> <p>5 helpful to take a look at some ideas.</p> <p>6 Once again, I commend our</p> <p>7 Councilmen. I commend the letters that are</p> <p>8 here. I'm guilty of dropping the ball as well</p> <p>9 as everybody else.</p> <p>10 MR. STOUT: I don't want people to</p> <p>11 panic. Maybe "drop the ball" is a strong word.</p> <p>12 Our situation is very unique. The mechanics of</p> <p>13 it all are such we put in the Open Public</p> <p>14 Records Act, a request to get the data upon</p> <p>15 which they were making these changes. It took</p> <p>16 them over a month to respond to us. So we</p> <p>17 could dig into the mechanics.</p> <p>18 Our biggest driver again is the</p> <p>19 warehouse. There aren't a lot of towns like</p> <p>20 that. A lot of the towns, Ms. Lehman was</p> <p>21 mentioning a lot of them, are residentially</p> <p>22 driven. It is a slightly driven one. We have</p> <p>23 developed a serious of comments. I don't think</p> <p>24 it's as effective, I will speak to the</p> <p>25 legislature to have a form letter go in with a</p>	<p>1 48</p> <p>2 I, for one, I'm sure I'm joined by</p> <p>3 many of the citizens tonight who would like</p> <p>4 specific details on how you intend to meet that</p> <p>5 deadline and to ensure that that letter is in</p> <p>6 the hands of the State prior to, in effect, the</p> <p>7 close of business at 4:30 in Trenton on March</p> <p>8 20th.</p> <p>9 So we would appreciate a specific</p> <p>10 plan of action as to how that deadline will be</p> <p>11 met. Friday, the 21st, will not be a State day</p> <p>12 of business, nor will the 22nd.</p> <p>13 If you would, I appreciate an</p> <p>14 answer to both of those.</p> <p>15 MR. STOUT: I'll do my best. I'm</p> <p>16 not a lawyer, but we don't have the right to</p> <p>17 put a moratorium and basically stop development</p> <p>18 rights. You just can't do that. We would get</p> <p>19 sued left and right.</p> <p>20 They are not on the Planning Board</p> <p>21 agenda this week. It doesn't mean it's not</p> <p>22 coming up. It's out there. The scale of that</p> <p>23 is exactly the issue we are talking about.</p> <p>24 In terms of schedule, we have</p> <p>25 comments that we have prepared. They are of a</p>
<p>1 47</p> <p>2 bunch of people signing it. We need Cranbury's</p> <p>3 heartfelt ideas that make us unique, make us</p> <p>4 different.</p> <p>5 MR. DEVERIN: Brian Deverin, 64</p> <p>6 Cranbury Neck Road in town.</p> <p>7 My question is two-fold. With the</p> <p>8 ratios we have just recently heard, part one of</p> <p>9 my question, I believe it is this week the</p> <p>10 Planning Commission will be meeting again to</p> <p>11 discuss the subject of Meridan's proposal of</p> <p>12 another three million square feet of warehouse.</p> <p>13 That was in the Cranbury Press on February</p> <p>14 25th.</p> <p>15 Is it possible perhaps that in</p> <p>16 reaction to this news we have from COAH, it</p> <p>17 might be feasible or applicable, at this point</p> <p>18 in time, for the township to propose a</p> <p>19 moratorium on further buildings of warehouses</p> <p>20 until we get an answer?</p> <p>21 The second part, at this late</p> <p>22 juncture, today being the 17th of March, you</p> <p>23 effectively have three business days to meet</p> <p>24 the state's March 22nd deadline. Good Friday</p> <p>25 is a State holiday. The 22nd is a Saturday.</p>	<p>1 49</p> <p>2 very technical in nature and go to the heart of</p> <p>3 the two issues. As a township, we are prepared</p> <p>4 to submit those.</p> <p>5 MR. BRIAN DEVERIN: My question</p> <p>6 is, specifically, how do you intend to deliver</p> <p>7 those into the State hands in the next 72</p> <p>8 hours, specifically?</p> <p>9 MR. STOUT: Meaning how do we</p> <p>10 intend to get them there?</p> <p>11 MR. BRIAN DEVERIN: Yes. What</p> <p>12 constitutes meeting the deadline, receipt of</p> <p>13 your letter?</p> <p>14 MR. STOUT: We do send it</p> <p>15 Certified Mail Return Receipt. We could hand</p> <p>16 deliver it.</p> <p>17 MR. BRIAN DEVERIN: If you send it</p> <p>18 certified by tomorrow morning, eleven o'clock,</p> <p>19 you would miss the deadline.</p> <p>20 MR. STOUT: We can submit it</p> <p>21 electronically on Saturday, it would still be</p> <p>22 good.</p> <p>23 MR. BRIAN DEVERIN: How do we as</p> <p>24 residents know that's been done without</p> <p>25 exception?</p>

<p>1 50</p> <p>2 MR. STOUT: Come to our meeting on</p> <p>3 Monday night.</p> <p>4 MR. BRIAN DEVERIN: That's the</p> <p>5 24th.</p> <p>6 MR. STOUT: We can get together</p> <p>7 again and we can announce this is the proof.</p> <p>8 MR. BRIAN DEVERIN: What I'm</p> <p>9 asking is how do you plan that letter is</p> <p>10 drafted? You're going to vote on the</p> <p>11 resolution. You intend to deliver it to the</p> <p>12 State, correct?</p> <p>13 MR. STOUT: Correct.</p> <p>14 MR. BRIAN DEVERIN: How do you</p> <p>15 intend to get it there? What have you</p> <p>16 preplanned in order to meet that deadline?</p> <p>17 MR. STOUT: We will submit them</p> <p>18 electronically to the State and that gives us</p> <p>19 until Saturday. We'll post our comments on our</p> <p>20 webpage for all of you to have.</p> <p>21 MR. BRIAN DEVERIN: That will be</p> <p>22 posted with those comments?</p> <p>23 MR. STOUT: No later than</p> <p>24 Saturday.</p> <p>25 MR. NICK KAFASIS: Nick Kafasis.</p>	<p>1 52</p> <p>2 I'm going to sound probably a</p> <p>3 little bit half informed. I'm probably going</p> <p>4 to sound like most people, maybe I didn't get</p> <p>5 the shock, the headlines, 460 units based on</p> <p>6 COAH. We know what that's like handling 223</p> <p>7 units. Some of the preserved farmland was</p> <p>8 going to be taken back by the State, that was</p> <p>9 some of the shock, and set up for building some</p> <p>10 of these 469 units.</p> <p>11 I understand that is rumor though.</p> <p>12 My real question is specifically warehouse</p> <p>13 seems to be the generator of the problems. Mr.</p> <p>14 Horanci is a great source for information on</p> <p>15 that. My assumption is you know on the</p> <p>16 Township Committee as well. That will be part</p> <p>17 of the comments made and submitted.</p> <p>18 I know comments can be submitted</p> <p>19 and you used like a lot of petitions. This</p> <p>20 might be a Trishka question or Baroni and</p> <p>21 Greenstein as well.</p> <p>22 Warehouse formulas are way out of</p> <p>23 wack. Let's say, they are way out of wack by</p> <p>24 75 percent. Is it safe to say, at least based</p> <p>25 on history, we could have an issue 25 percent</p>
<p>1 51</p> <p>2 29 Scottsdale Court. I have lived here 20</p> <p>3 years. I'm getting past the newcomer stage.</p> <p>4 My question is if all of these got</p> <p>5 approved, don't boo, not yet, where would they</p> <p>6 be built? Is it conceivable that the State</p> <p>7 could take farmland, preserved land and change</p> <p>8 the rules on that? Is that possible?</p> <p>9 MR. STOUT: That legally is deed</p> <p>10 restricted land. I can't say they can't do</p> <p>11 anything they want. But legally, it is deed</p> <p>12 restricted land.</p> <p>13 MR. KAFASIS: Where is the land</p> <p>14 that we are going to build 50 of them on?</p> <p>15 AUDIENCE: Dey Road.</p> <p>16 MR. STOUT: I don't know that the</p> <p>17 concept of space is really where we should be</p> <p>18 focusing. They will find space. That's not</p> <p>19 the issue we want to get into.</p> <p>20 MR. COOK: Dave Cook, 143 North</p> <p>21 Main Street.</p> <p>22 I thank Mr. Berkowsky for his job</p> <p>23 on the CHA and the CHA organization.</p> <p>24 Great job and a moral and</p> <p>25 political agenda as well, great job.</p>	<p>1 53</p> <p>2 of the numbers being offered, or do you feel</p> <p>3 there might be an inability to eliminate the</p> <p>4 COAH formula as we see the changes now for</p> <p>5 Round Three, or is it based, specifically, on</p> <p>6 the number of letters being sent or class</p> <p>7 action suits similar to South Brunswick or</p> <p>8 Florence or Robbinsville?</p> <p>9 MR. STOUT: I don't know that it</p> <p>10 is an answerable question. It's purely</p> <p>11 speculative given what's transpired. I would</p> <p>12 hate to speculate and have these people believe</p> <p>13 in something that's the wrong picture. All we</p> <p>14 know is what we have in 2004 and we are here in</p> <p>15 early 2008, it changes seven hundred something</p> <p>16 percent.</p> <p>17 MR. COOK: Is litigation an</p> <p>18 option?</p> <p>19 MR. STOUT: It's always an option.</p> <p>20 MR. COOK: That's an option we</p> <p>21 have.</p> <p>22 MR. STOUT: It's the last option</p> <p>23 but it's certainly an option.</p> <p>24 MR. COOK: As long as all options</p> <p>25 are on the table.</p>

<p>1 54</p> <p>2 MR. CODY: Wayne Cody. All the</p> <p>3 speakers are doing a job keeping us up-to-date.</p> <p>4 A couple things I want to comment on. I saw</p> <p>5 the draft letter that made some good points.</p> <p>6 I'm wondering can it be stronger?</p> <p>7 I have looked at the Google and</p> <p>8 what other towns are doing. I saw Princeton</p> <p>9 saying we are going to consider dropping out of</p> <p>10 COHA. I don't know exactly what that means.</p> <p>11 "Forget it, COAH, we don't go by these rules.</p> <p>12 We are going to drop out. Let the courts</p> <p>13 decide."</p> <p>14 I don't know, is that a</p> <p>15 practicality?</p> <p>16 The other comment is everybody</p> <p>17 sends letters to COAH, the legislature, that's</p> <p>18 great. One other person no one mentioned, Bill</p> <p>19 mentioned, they are trying to change the nature</p> <p>20 of the small towns in New Jersey, not just ours</p> <p>21 but others.</p> <p>22 One person I see as doing it, the</p> <p>23 governor. Maybe we should write letters to the</p> <p>24 governor, what are you doing. Encourage people</p> <p>25 to send letters to the governor as well.</p>	<p>1 56</p> <p>2 I feel like we are being dictated</p> <p>3 to by people that have no interest in our</p> <p>4 community.</p> <p>5 MR. STOUT: Thank you, I don't</p> <p>6 have an answer to that. I don't know if you</p> <p>7 wish to reply, you don't have to. The</p> <p>8 Constitutional amendment for the state, that's</p> <p>9 certainly something that is your opinion,</p> <p>10 probably the opinion of a lot of people in this</p> <p>11 room right now.</p> <p>12 I would encourage you still to</p> <p>13 write those comments which I'm sure a lot of</p> <p>14 you will do.</p> <p>15 Sir in the back.</p> <p>16 MR. FOX: Kevin Fox, 19 Liedtke</p> <p>17 Drive.</p> <p>18 I have two questions, how did COAH</p> <p>19 come up with doubling the amount of number</p> <p>20 units needed? Who are they answering to, where</p> <p>21 the numbers come to, in a depressed housing</p> <p>22 market and the economy going south, you,</p> <p>23 suddenly, we need twice as many places?</p> <p>24 The second is we all want to write</p> <p>25 letters. We all know Cranbury is a small town.</p>
<p>1 55</p> <p>2 MR. STOUT: I know there's a</p> <p>3 question there, I can't remember what it was.</p> <p>4 The draft letter needs to be</p> <p>5 stronger, the comment about Princeton, I don't</p> <p>6 know Princeton has the same situation that</p> <p>7 development life cycle that we are in. They</p> <p>8 have a few more resources than us.</p> <p>9 Lastly, what that invites is, I</p> <p>10 think anyone has been here, as Mr. Berkowsky</p> <p>11 said, 20 years ago, that invites that certain</p> <p>12 type of remedy we don't want to be looking at</p> <p>13 at all.</p> <p>14 MR. FROHBIETER: Jack Frohbieter,</p> <p>15 The thing I would like to say, it is important</p> <p>16 that we all write the letters and send the</p> <p>17 e-mails, including to the governor, but I think</p> <p>18 we all have to recognize this process is</p> <p>19 broken.</p> <p>20 We are at Round Three. A few</p> <p>21 years we will be at Round Four and Round Five</p> <p>22 and Round Six, and I think the only solution to</p> <p>23 this is a Constitutional amendment that gets</p> <p>24 this off of our backs in the form that it is in</p> <p>25 and be put into something we have control over.</p>	<p>1 57</p> <p>2 That's what makes it great. How does a small</p> <p>3 town with a few number of people get a lot of</p> <p>4 attention? We are not that many votes.</p> <p>5 That's it.</p> <p>6 MR. STOUT: I would answer the</p> <p>7 first one. Senator Baroni answered it. We</p> <p>8 can't find the basis, other than some policy</p> <p>9 things that were said. So 53,000 was a nice</p> <p>10 target. We like 115,000 better. Let's find a</p> <p>11 way to back our way into it.</p> <p>12 That seems to be the reality of</p> <p>13 the situation.</p> <p>14 As to meaningfulness of our</p> <p>15 comments, as I opened up earlier tonight, this</p> <p>16 town faced similar consequences in the modern</p> <p>17 times, we are talking about with a landfill</p> <p>18 situation that was to be sited here. This</p> <p>19 small town rallied behind it and defeated that.</p> <p>20 COHA in Round One, as you heard</p> <p>21 Mr. Berkowsky, we faced similar Draconian</p> <p>22 situations. We rised up and had our voices</p> <p>23 heard.</p> <p>24 I believe we'll be heard. I got</p> <p>25 some degree of solace in the comments that our</p>

<p>1 58</p> <p>2 legislators made with the head of COHA and</p> <p>3 where this may go, at this point.</p> <p>4 MR. STEWART: Jason Stewart, 6</p> <p>5 Kimberly Court. It's come up again and again.</p> <p>6 I have great faith, from</p> <p>7 everything I have heard, in what the Township</p> <p>8 is doing to try to address. The specific,</p> <p>9 practical next steps as far as COHA, I'm</p> <p>10 concerned this is the latest in an ongoing</p> <p>11 series of challenges to our life as a small</p> <p>12 town.</p> <p>13 I feel where we are failing</p> <p>14 miserably is in the public relations forum. I</p> <p>15 have seen article after article in the Star</p> <p>16 Ledger in an editorial comment from the</p> <p>17 managing editor of the Cranbury Press</p> <p>18 supporting the idea that larger is better, that</p> <p>19 we get more efficiency out of larger.</p> <p>20 The facts just speak exactly to</p> <p>21 the opposite. We get something like five</p> <p>22 percent of our funding from the state. Now</p> <p>23 zero. It was five, now it is zero.</p> <p>24 We subsidized the state. We</p> <p>25 subsidize the larger townships. If you look at</p>	<p>1 60</p> <p>2 for the comments on efficiency.</p> <p>3 If you go back, Cranbury over</p> <p>4 time, look at the history of this town, it's</p> <p>5 always been a fiscally responsible town. It</p> <p>6 never leverages itself greatly with debt. When</p> <p>7 it uses debt, it uses it prudently for some</p> <p>8 type of return on investment or long-term gain</p> <p>9 in preserving life in an farmland.</p> <p>10 This is one venue to get the</p> <p>11 messages out, writing letters to the editor.</p> <p>12 I'm not a reporter. I don't know how to get</p> <p>13 into the newspapers.</p> <p>14 One comment again, this week I'm</p> <p>15 going to Trenton to sit with the head of the</p> <p>16 Department of Community Affairs with COAH</p> <p>17 houses. We'll discuss this issue with them.</p> <p>18 Monday night we'll have the ability to report</p> <p>19 back what I learned in what I imagine will be a</p> <p>20 short meeting.</p> <p>21 MR. STANNARD: Bringing farmland</p> <p>22 out of farmland to build units, in every</p> <p>23 transaction we tried to retire development</p> <p>24 rights from property, we have been told it's</p> <p>25 impossible to bring it back out, once it's been</p>
<p>1 59</p> <p>2 the larger townships, that should be models for</p> <p>3 what we are supposed to be merging into,</p> <p>4 according to the governor, according to the</p> <p>5 State Assembly Speaker, they have a much larger</p> <p>6 percentage of support from the state. When you</p> <p>7 look in a global basis, our tax dollars in</p> <p>8 Cranbury are subsidizing larger townships. I</p> <p>9 don't see that in the Star Ledger. I don't see</p> <p>10 that reflected that way in the Cranbury Press,</p> <p>11 let alone in the bigger debate.</p> <p>12 I'd like to know what we can do</p> <p>13 practically, not to write our State Assemblymen</p> <p>14 and governor, but what can we do to start</p> <p>15 countering the perception that's so easy but</p> <p>16 wrong among the public that somehow smaller is</p> <p>17 less efficient.</p> <p>18 I think we are a model. If you</p> <p>19 look at the tax basis, we are, according to the</p> <p>20 Star Ledger, fourth in all of the state, we are</p> <p>21 the fourth most efficient in terms of household</p> <p>22 income and tax burden. We are a model of</p> <p>23 everything that is right. We need to be saying</p> <p>24 that, seeing that in the public press.</p> <p>25 MR. STOUT: Thank you particularly</p>	<p>1 61</p> <p>2 preserved.</p> <p>3 I think our lawyer will back us up</p> <p>4 whether or not impossible means it never can</p> <p>5 happen, no one can make guarantees. That isn't</p> <p>6 something somebody would start with. It would</p> <p>7 be a difficult task.</p> <p>8 The second thing, talk about</p> <p>9 smaller is better, Cranbury, there are any</p> <p>10 number of areas where Cranbury already does a</p> <p>11 lot of things with other towns. We have</p> <p>12 contracts with other towns to do things for us</p> <p>13 so we don't have to pay near the money.</p> <p>14 We don't collect our own speeding</p> <p>15 tickets. Why? It's not economical to do so.</p> <p>16 Plainsboro does that. We could not make a dime</p> <p>17 if we took it back ourselves.</p> <p>18 We send our students to high</p> <p>19 school in Princeton. Why? Because a high</p> <p>20 school of our own wouldn't be economical.</p> <p>21 We have a 911 agreement with</p> <p>22 Hightstown. Why? We couldn't afford to do it</p> <p>23 ourselves.</p> <p>24 Our sewers are cleaned by Monroe.</p> <p>25 We have a contract with them. Why? They have</p>

<p>1 62</p> <p>2 equipment. They have expertise. If we tried</p> <p>3 to do it, it would leak. We have a lot more.</p> <p>4 We send our effluents up the river to South</p> <p>5 Brunswick. Why? Because we couldn't afford to</p> <p>6 do it ourselves. It's cheaper to have somebody</p> <p>7 do it.</p> <p>8 Those are a handful of areas we</p> <p>9 have contracts with other towns to do things we</p> <p>10 could not do economically we are already doing.</p> <p>11 The only thing we have left is our grammar</p> <p>12 school and good name. I don't think we need to</p> <p>13 be sending that up the river either.</p> <p>14 MR. STOUT: Sir.</p> <p>15 MR. SCHILLING: Ryan Schilling, 12</p> <p>16 Holmes Road.</p> <p>17 I sit on the Farmland Preservation</p> <p>18 Committee two years. We have had the property,</p> <p>19 1600 properties. There hasn't been a precedent</p> <p>20 for breaking that easement. God forbid, it</p> <p>21 would undermine a billion dollar investment in</p> <p>22 the program, can't have it.</p> <p>23 The gentleman in the audience, I</p> <p>24 was in the hall, he used a term NIMBY, Not In</p> <p>25 My Back Yard. This is clearly not an instance</p>	<p>1 64</p> <p>2 in the state plan, one of the core foundation</p> <p>3 of smart growth is a form of development. If</p> <p>4 you have a trained eye in the planning</p> <p>5 profession, you see signs of success, from a</p> <p>6 planning standpoint, you see volunteerism. You</p> <p>7 see physical activity. It's a pleasure to walk</p> <p>8 my children to school in this town. You see</p> <p>9 civic engagement as evidenced here.</p> <p>10 I could go on and on but downtown</p> <p>11 having open spaces for passive active</p> <p>12 recreation, these are tenets of smart growth.</p> <p>13 Pick up the state plan. You'll</p> <p>14 see these principles throughout.</p> <p>15 Secondly, this proposal flies in</p> <p>16 the face of smart growth. The idea of smart</p> <p>17 growth, you channel development where you can</p> <p>18 based on existing and well-planned out</p> <p>19 infrastructure.</p> <p>20 Reciprocally, you avoid</p> <p>21 development in areas that can not accomodate it</p> <p>22 or have rural resources you want to preserve.</p> <p>23 I haven't gotten all this down yet</p> <p>24 but my understanding is the majority of the</p> <p>25 town is designated in the state plan as rural</p>
<p>1 63</p> <p>2 of that.</p> <p>3 My objection to this plan is based</p> <p>4 on the negative consequences that will surely</p> <p>5 follow.</p> <p>6 Senator Baroni said, I work in</p> <p>7 Trenton quite often, the buzz is that</p> <p>8 policymaking is based on "sound science." I</p> <p>9 fail to see the sound science. It is a formula</p> <p>10 of change, has no basis that I can understand.</p> <p>11 I'll make three points to what I</p> <p>12 see as a hypocrisy to this proposal.</p> <p>13 I moved in town recently, 20</p> <p>14 years. I'm nowhere near being accepted as a</p> <p>15 life-long Cranbury resident. I moved into this</p> <p>16 town because Cranbury got it right. Without</p> <p>17 getting academic, I work at Rutgers.</p> <p>18 Basically, in the academic literature of</p> <p>19 planning, there's a term "new urbanism</p> <p>20 neoclassic planning".</p> <p>21 It says responsible, complex mixed</p> <p>22 used development at a great scale. That's what</p> <p>23 Cranbury is. There's a lot of hypocrisy in</p> <p>24 this plan.</p> <p>25 One of the state-wide principles</p>	<p>1 65</p> <p>2 or environmentally sensitive. The proofs in</p> <p>3 the state have state-wide policy. This is</p> <p>4 internally a contradiction. If we don't have</p> <p>5 the infrastructure to accommodate the growth,</p> <p>6 we have to build it. If we have to build it,</p> <p>7 we have to pay for it. In the end, it's not</p> <p>8 going to be more affordable, it will be less</p> <p>9 so.</p> <p>10 That's the opportunity to make the</p> <p>11 statement.</p> <p>12 MS. KONDRACKI: Kim Kondracki, 11</p> <p>13 Prospect Street. I'm a resident of Cranbury as</p> <p>14 well. Just to organize some people with their</p> <p>15 comments to the various legislative entities,</p> <p>16 we only have a couple days to comment on COAH,</p> <p>17 so I would urge people to get their letters in</p> <p>18 to COAH. First focus on that.</p> <p>19 While COAH is reviewing all the</p> <p>20 comments, we can bombard the governor.</p> <p>21 Everybody can write a letter. We can write</p> <p>22 five letters.</p> <p>23 If you're going to do something,</p> <p>24 go to COAH first, go to the governor second.</p> <p>25 There are things we can do to get</p>

<p>1 66</p> <p>2 into the newspaper as a town and basically</p> <p>3 communicate some of the very interesting and</p> <p>4 important things that were said here tonight.</p> <p>5 We don't have maybe PR</p> <p>6 representation but you did say we have lots of</p> <p>7 relationships with other towns by virtue of</p> <p>8 contracting for their services. If any of</p> <p>9 those areas might have people who can help out,</p> <p>10 we can ban together with them to try to get</p> <p>11 something going along those lines.</p> <p>12 If we, as a community, want to get</p> <p>13 some of this information out, we can call</p> <p>14 people up. We know who has been writing the</p> <p>15 stories about COAH. We can get on the phone</p> <p>16 and do it.</p> <p>17 The Cranbury Press owns the South</p> <p>18 Brunswick Press. He likes the idea of the</p> <p>19 towns coming together.</p> <p>20 MR. FROMER: Todd Fromer. I</p> <p>21 happen to own a public relations firm. I'm</p> <p>22 more than happy to take five concerned citizens</p> <p>23 from the community and meet with them on a</p> <p>24 weekly basis and provide on a pro bono</p> <p>25 assistance all the services and resources.</p>	<p>1 68</p> <p>2 not right.</p> <p>3 They are somewhat generic. Any</p> <p>4 town could say those two things. We have come</p> <p>5 up with a lot of good ideas we have added to</p> <p>6 that strategy today. I want to add to that,</p> <p>7 maybe recap some of them. Some of the things</p> <p>8 that were mentioned were how, Senator Baroni</p> <p>9 mentioned how something that would fit in</p> <p>10 paragraph two, substantial negative impact on</p> <p>11 the community. It was mentioned that it would</p> <p>12 change the nature of the fabric of our</p> <p>13 community.</p> <p>14 My request, I guess, is that</p> <p>15 that's added to the letter.</p> <p>16 The second thing was that in</p> <p>17 paragraph four, it says research shows that</p> <p>18 these numbers are unrealistic. Assemblywoman</p> <p>19 Greenstein, as well as our person from Home</p> <p>20 Depot, said some specific things about that.</p> <p>21 Can we add to that paragraph some</p> <p>22 specifics, maybe some data from some of the</p> <p>23 warehouses or some things that define how our</p> <p>24 warehouses are unique and different from</p> <p>25 warehouses in general, all the things</p>
<p>1 67</p> <p>2 Tomorrow I'll pose my contact</p> <p>3 information on the Cranbury Info site.</p> <p>4 Everybody who wants to respond to</p> <p>5 this request, I would like to get a small</p> <p>6 committee of people that I can work with on a</p> <p>7 weekly basis to meet with them, talk with them</p> <p>8 about the issues, so I can get smarter on this.</p> <p>9 I'm new to what goes on here.</p> <p>10 Thank God for Kelly Lehman that's done a</p> <p>11 phenomenal job.</p> <p>12 I will make it my business to make</p> <p>13 sure every newspaper in this area understands</p> <p>14 what is going on at every level of this</p> <p>15 argument.</p> <p>16 My commitment to you, go to the</p> <p>17 website tomorrow, Cranbury Info. I'll be</p> <p>18 there.</p> <p>19 MR. DEVERIN: Sean Deverin, 20</p> <p>20 Maplewood Avenue.</p> <p>21 It is more of a comment to</p> <p>22 organize some of the things we said today. We</p> <p>23 started out saying our strategy was two-fold,</p> <p>24 that the rates were unrealistic and that the</p> <p>25 retroactive nature of the rules were unjust or</p>	<p>1 69</p> <p>2 mentioned, whatever the scenario is? Please</p> <p>3 add that.</p> <p>4 Lastly, a part I think that should</p> <p>5 be added to the letter in general, if I think</p> <p>6 of it, I'll raise my hand again.</p> <p>7 Do we have time to take the</p> <p>8 strategy we have come up with today, seems like</p> <p>9 we have gone somewhere, and add it to our</p> <p>10 response?</p> <p>11 MR. STOUT: I think the letter you</p> <p>12 are referring to is the draft resolution. All</p> <p>13 the resolution really does is provide the</p> <p>14 framework to the comments that will be coming.</p> <p>15 The comments are fairly voluminous</p> <p>16 we are going to be making on the rule. They</p> <p>17 are not all captured in there. They are still</p> <p>18 evolving.</p> <p>19 I wish I could say this rule was</p> <p>20 something simple for us to attack. It is not.</p> <p>21 We gave a capsule summary because</p> <p>22 in terms of impact on Cranbury, there are two</p> <p>23 principal issues that hit us the hardest. We</p> <p>24 want to be sure everyone, we all walk out of</p> <p>25 here and have a common understanding of those</p>

<p>1 70</p> <p>2 two things.</p> <p>3 At the end of the day, those are</p> <p>4 two things that can destroy us and bankrupt us.</p> <p>5 To me, those are the two most significant</p> <p>6 things.</p> <p>7 Everything you say is appropriate.</p> <p>8 We need to refine our strategy.</p> <p>9 The man brought up public</p> <p>10 relations. That's something that could be</p> <p>11 done. Other elements are being brought up</p> <p>12 tonight. The letter you read is a draft</p> <p>13 resolution. It sets the stage for the township</p> <p>14 to submit its comments and basically, be able</p> <p>15 to adopt them up until the last minute.</p> <p>16 MR. DEVERIN: The Senator</p> <p>17 mentioned something unique to us, how we have</p> <p>18 in history complied with these things in the</p> <p>19 past, what about us is unique and how if</p> <p>20 there's a Board that makes these rules and</p> <p>21 there's a community that has worked with them,</p> <p>22 we should state that. We could like to</p> <p>23 continue. Here's why they need to be modified.</p> <p>24 MR. STOUT: Decent point. The</p> <p>25 opening paragraph of our letter to the State is</p>	<p>1 72</p> <p>2 passed. Presidents who should not were elected</p> <p>3 and got into office, and forgive me if I'm</p> <p>4 suspicious how these are handled.</p> <p>5 I'm listening as a business owner,</p> <p>6 watching movies, you always follow the money.</p> <p>7 Sounds to me like the people who are really</p> <p>8 benefiting are developers. Developers would</p> <p>9 come in and build 460 properties, get paid. We</p> <p>10 are forced to pay them, then they leave.</p> <p>11 They leave whatever they have left</p> <p>12 behind.</p> <p>13 My question is might be, forgive</p> <p>14 me if I'm wrong, I have heard if we protest</p> <p>15 this, there is a possibility of developers</p> <p>16 could actually sue us for not accepting this,</p> <p>17 which feels like "A Civil Action". Have you</p> <p>18 seen that movie?</p> <p>19 One of the favorite phrases from</p> <p>20 the movie is, "Don't cock your arm if you are</p> <p>21 not going to throw the ball."</p> <p>22 I wonder if Mr. Cook's</p> <p>23 recommendation sounded a little extreme, might</p> <p>24 garner some more attention. Maybe we should</p> <p>25 have legal representation establish something</p>
<p>1 71</p> <p>2 about Cranbury. It is about its plan, it's</p> <p>3 about the agrarian heritage and people who live</p> <p>4 here and made commitments in Round One and Two,</p> <p>5 dug into their own pockets to pay for these</p> <p>6 things and they started doing it again in Round</p> <p>7 Three, and now they are going to be asked to</p> <p>8 dig into their children's pockets and</p> <p>9 grandchildren's pockets and anyone's pockets</p> <p>10 who are walking down the street.</p> <p>11 MS. WATNER: Betty Watner, 158 N.</p> <p>12 Main Street.</p> <p>13 The Historical Society voted</p> <p>14 unanimously to write a letter to the COAH and</p> <p>15 other organizations in protest of what has been</p> <p>16 going on.</p> <p>17 Needless to say, our society has</p> <p>18 been in there fighting over many years and you</p> <p>19 may be sure we shall continue to do that. You</p> <p>20 can always count on us to defend historic</p> <p>21 landmarks.</p> <p>22 MR. KONDRACKI: Mark Kondracki, 11</p> <p>23 Prospect.</p> <p>24 My wife talked before. I don't</p> <p>25 think I was born when the Fair Housing Act was</p>	<p>1 73</p> <p>2 which says not only writing these letters we</p> <p>3 are very concerned but can we actually back</p> <p>4 that up with something that we'll, this is an</p> <p>5 actual town, we'll fight. I would fight</p> <p>6 financially to keep it the way it is.</p> <p>7 It just worries me because it</p> <p>8 feels like this increase idea of these jobs is</p> <p>9 about the money that is going to be made for</p> <p>10 the developers and their lobby is so powerful,</p> <p>11 I think of all the wonderful, eloquent letters.</p> <p>12 I don't know how they will stand against that.</p> <p>13 That's my comment.</p> <p>14 MR. STOUT: I'm not an attorney.</p> <p>15 My experience in commenting on rules is that</p> <p>16 unless you establish something in the record on</p> <p>17 a rule, you won't really have a basis for a</p> <p>18 lawsuit if the rule goes through. The process</p> <p>19 we are going through is critical to being able</p> <p>20 to do, hopefully, we'll never get there but</p> <p>21 what you suggested. We don't have ground rules</p> <p>22 established in our comments. We really have no</p> <p>23 basis to litigate for the future.</p> <p>24 There's a reason we are</p> <p>25 approaching it this way.</p>

<p>1 74</p> <p>2 MRS. FOX: Lynne Fox, 19 Liedtke</p> <p>3 Drive.</p> <p>4 Two comments, earlier my husband</p> <p>5 asked about who COAH answers to. The gentleman</p> <p>6 who was just up here also brings in a point to</p> <p>7 bear. I think it is important that we find out</p> <p>8 who COAH's answering to, where is their</p> <p>9 inspiration coming from, so to speak. It is</p> <p>10 not enough to say reactively how we are dealing</p> <p>11 with them. We need to know who is buttering</p> <p>12 their pockets, where they are coming from, what</p> <p>13 laws and litigation they are playing with.</p> <p>14 Once you know the rules, you can</p> <p>15 break the rules. If they are giving us rules,</p> <p>16 if we understand the rules they are playing</p> <p>17 against, we have better information to battle</p> <p>18 them with, point one.</p> <p>19 Point two, while everyone is here,</p> <p>20 I'm very excited about the notion of a</p> <p>21 proactive PR approach to all Cranbury does</p> <p>22 well. Earlier, it was mentioned in 2004 we</p> <p>23 dodged the bullet of being consolidated but</p> <p>24 that's not over, as far as I understand.</p> <p>25 Litigation is in play to continue to</p>	<p>1 76</p> <p>2 problems with the State agency. The true</p> <p>3 source of our problems is actually the court</p> <p>4 system and the decisions it's made. We had</p> <p>5 actually satisfied and plan to satisfy the</p> <p>6 Round Three requirements as they were initially</p> <p>7 presented to us. And that was overturned in</p> <p>8 the courts.</p> <p>9 I have a question for our two</p> <p>10 representatives. Is there any way that we</p> <p>11 could get the courts out of the picture and</p> <p>12 allow for a rational planning process?</p> <p>13 I'm afraid somebody said earlier</p> <p>14 it would involve clarifying what is meant by</p> <p>15 general welfare, the zoning portion of the</p> <p>16 State Constitution.</p> <p>17 Is there any chance that could be</p> <p>18 done or given some of the judges, one would</p> <p>19 argue, have a pretty wild interpretation of</p> <p>20 that phrase, are any of them up for</p> <p>21 reappointment and can we do something about</p> <p>22 that?</p> <p>23 SENATOR BARONI: Thanks for the</p> <p>24 easy question.</p> <p>25 Your question about, look, Mount</p>
<p>1 75</p> <p>2 consolidate our schools and everyone here has</p> <p>3 to be cognizant, nicely said here tonight, all</p> <p>4 the things we do for shared services. One</p> <p>5 thing I'm not interested in is sharing our</p> <p>6 school.</p> <p>7 This school, this community,</p> <p>8 that's the heart of what we do. That's why we</p> <p>9 moved here.</p> <p>10 What our kids get in Cranbury, I'm</p> <p>11 in the business of education, you don't find</p> <p>12 anywhere else. Don't let us sleep on that</p> <p>13 issue. It's not gone. Litigation is in play</p> <p>14 to cut spending, to cut funding from all small</p> <p>15 towns to insure that we consolidate so all of</p> <p>16 this has to be packaged.</p> <p>17 I'm interested to do, when you're</p> <p>18 going forward actively, if that comes to bear,</p> <p>19 it's a full package not just against COAH, it's</p> <p>20 against everything so we don't lose our school</p> <p>21 as well.</p> <p>22 MR. STOUT: Mr. Ritter.</p> <p>23 MR. RITTER: John Ritter, 101</p> <p>24 Plainsboro Road.</p> <p>25 We have been talking about our</p>	<p>1 77</p> <p>2 Laurel was a decision of the Supreme Court back</p> <p>3 in '74, something like that. That found in the</p> <p>4 State Constitution a right to affordable</p> <p>5 housing. It's not there. You can't go look it</p> <p>6 up and say Section 17, look, there's the</p> <p>7 affordable housing clause. It's not there but</p> <p>8 the Supreme Court of New Jersey and every</p> <p>9 Supreme Court subsequent to that decision has</p> <p>10 consistently upheld this.</p> <p>11 The Fair Housing Act, as you heard</p> <p>12 terribly well presented before, is sort of the</p> <p>13 implementing of that.</p> <p>14 COAH has taken that even further.</p> <p>15 But Linda and I both represent West Windsor.</p> <p>16 Someone a few minutes ago mentioned the</p> <p>17 Builder's Remedy. They upheld the Builder's</p> <p>18 Remedy and that is nationwide an extraordinary</p> <p>19 remedy where you allow a private actor, in this</p> <p>20 case, a builder, to enforce a Constitutional</p> <p>21 section.</p> <p>22 As someone who has argued before</p> <p>23 the Supreme Court and lost more than once, it</p> <p>24 is impossible. This is a court, quite frankly,</p> <p>25 I also practice and teach Education Law. The</p>

<p>1 78</p> <p>2 Supreme Court State Constitution says their own</p> <p>3 efficient section of public education, children</p> <p>4 starting at age five. The Supreme Court read</p> <p>5 it at age three.</p> <p>6 This is, the Supreme Court</p> <p>7 believes it to be above the state legislature</p> <p>8 and above the governor. The more important</p> <p>9 question, what can you do. One is amend the</p> <p>10 Constitution.</p> <p>11 Someone mentioned that before.</p> <p>12 There are proposals to amend the Constitution</p> <p>13 on Mount Laurel and clarify the responsibility.</p> <p>14 Second is Justices on the Supreme</p> <p>15 Court, the next one doesn't come up for</p> <p>16 retention until 2009, Justice Long.</p> <p>17 I sit on the Judiciary Committee.</p> <p>18 I have been a Senator for two months. I can</p> <p>19 tell you we have fought like crazy and never</p> <p>20 seen before judges appointed who don't believe</p> <p>21 in reading the Constitution for what it says.</p> <p>22 We are going to continue to do</p> <p>23 that. We'll continue the fight on that issue.</p> <p>24 In a larger sense, Supreme Courts</p> <p>25 or Constitutional Amendments are very, very</p>	<p>1 80</p> <p>2 Yes, we have this court decision</p> <p>3 in place. It is really how it's carried out</p> <p>4 that's the issue here.</p> <p>5 There's the idea of providing</p> <p>6 affordable housing which is something most</p> <p>7 people would agree with, but the Devil is in</p> <p>8 the details.</p> <p>9 As we both said earlier, you have</p> <p>10 done a great job and so have some of the other</p> <p>11 towns around here, but they are wanting you to</p> <p>12 do a greater job, and they are going too far</p> <p>13 with it, in my opinion, they are going too far.</p> <p>14 The numbers are too big, too</p> <p>15 unrealistic.</p> <p>16 The key here is how the</p> <p>17 bureaucrats are carrying it out, even more than</p> <p>18 what the courts originally did.</p> <p>19 But the courts in New Jersey,</p> <p>20 there's no question they are willing to go</p> <p>21 pretty far, more than most of the courts around</p> <p>22 the country.</p> <p>23 In this one, what we have to do is</p> <p>24 focus on the people carrying it out and look at</p> <p>25 the statutes and look at the regulations and</p>
<p>1 79</p> <p>2 important. Obviously, the earliest they could</p> <p>3 go into effect is in November. COAH is a group</p> <p>4 of unelected bureaucrats. They have never</p> <p>5 stood before a voter.</p> <p>6 Someone said before how powerful</p> <p>7 can Cranbury be. Let me tell you. You voted</p> <p>8 very smartly last November.</p> <p>9 In all seriousness, it's very</p> <p>10 powerful. The fact that on a Monday night in</p> <p>11 March you had two or 300 people show up to go</p> <p>12 tell that story, that's amazing.</p> <p>13 Linda has been, in November, going</p> <p>14 on the ninth year and I have been in office</p> <p>15 five years. I have never attended a public</p> <p>16 meeting like this before. Congratulations to</p> <p>17 you.</p> <p>18 But to answer your question, you</p> <p>19 got to keep working on changing the Supreme</p> <p>20 Court of New Jersey.</p> <p>21 ASSEMBLYWOMAN GREENSTEIN: I don't</p> <p>22 have too much to add.</p> <p>23 I want to underscore the section</p> <p>24 Bill said about the unelected bureaucrat's</p> <p>25 court.</p>	<p>1 81</p> <p>2 make sure that people will not go too far, as</p> <p>3 seems to be happening right now.</p> <p>4 MR. STOUT: Thank you. The hour</p> <p>5 is growing late. We'll stay here as long as</p> <p>6 you want. Does anyone have a fresh comment or</p> <p>7 question?</p> <p>8 As people leave, I thank you for</p> <p>9 coming out, everyone here, thank you.</p> <p>10 MR. VALENTE: Agostino Valente, 1</p> <p>11 Stockton Drive.</p> <p>12 I'm looking at a few numbers. I</p> <p>13 figure we'll create five hundred jobs with the</p> <p>14 warehouses, all the warehouses, about five</p> <p>15 hundred. It is going to cost us sixty-eight</p> <p>16 million dollars. That's 156 thousand dollars a</p> <p>17 job, that's pretty good. That's five hundred</p> <p>18 square feet.</p> <p>19 We are talking about another three</p> <p>20 million. I don't think Cranbury could afford</p> <p>21 to give those jobs, we don't have that kind of</p> <p>22 money. I don't know what to tell you. This is</p> <p>23 ridiculous. Only shame I have, I'm Canadian.</p> <p>24 I can't vote for Senator Baroni.</p> <p>25 I do have one question though.</p>

<p>1 82</p> <p>2 You keep mentioning what a great job Cranbury</p> <p>3 does, how good we are. Are we too good? Are</p> <p>4 we soft?</p> <p>5 You sit around a table and say</p> <p>6 Cranbury is good for another two hundred units.</p> <p>7 Let's go after them. Do we need to be tougher?</p> <p>8 MR. STOUT: As you know it's</p> <p>9 coming on my only being here 16 years, I</p> <p>10 wouldn't pick a fight with this town. I think</p> <p>11 we are tough but we are tough because we need</p> <p>12 to be. An issue like tonight, you got two or</p> <p>13 300 to come out here and voice their opinion.</p> <p>14 I wouldn't call us soft.</p> <p>15 ASSEMBLYWOMAN GREENSTEIN: You</p> <p>16 were asking a question whether you're soft or</p> <p>17 not tough. I think you're doing just fine. If</p> <p>18 I can just tell you, there was a comment I did</p> <p>19 want to make, not specifically in direct</p> <p>20 response to that, but the whole issue of towns</p> <p>21 getting together and consolidation and</p> <p>22 regionalization.</p> <p>23 I do personally think that this is</p> <p>24 something that the State should look at. I</p> <p>25 don't know the answer to some of the questions</p>	<p>1 84</p> <p>2 one and there are some others around the state,</p> <p>3 certainly, highlight that and showcase that. I</p> <p>4 think it is very good idea, for example, to use</p> <p>5 the press in that regard to get it out there</p> <p>6 that all small towns don't fit into a category</p> <p>7 that we ought to do away with. And what I</p> <p>8 don't like is the idea that that's been put</p> <p>9 into this budget. I don't like this approach</p> <p>10 at all.</p> <p>11 Even if you think that</p> <p>12 consolidation is something to, at least, be</p> <p>13 looked at and studied, this approach of putting</p> <p>14 it into the State budget and saying to small</p> <p>15 towns, "You are going to be hit and you got to</p> <p>16 do this, we are going to try to force you to do</p> <p>17 this and strongly encourage you in a very</p> <p>18 negative way to do this," I think that approach</p> <p>19 is a very bad approach to any kind of</p> <p>20 consolidation.</p> <p>21 I know Jamesburg is very upset.</p> <p>22 I'm sure most small towns around the state are</p> <p>23 upset about that approach, that kind of stick</p> <p>24 approach, not a carrot approach but a stick</p> <p>25 approach trying to force everybody to do</p>
<p>1 83</p> <p>2 that have been posed about how much it will</p> <p>3 save. Will it save money? Are small towns</p> <p>4 much more efficient? I have no idea.</p> <p>5 The reason I have no idea, none of</p> <p>6 us have any idea is that we really haven't</p> <p>7 looked at this. That's the reason why when we</p> <p>8 had the special session last year, there was</p> <p>9 talk of doing a commission that would at least,</p> <p>10 in a voluntary sense, take a look at this and</p> <p>11 talk to some of the towns and see what might be</p> <p>12 done.</p> <p>13 What I really respect about this</p> <p>14 town, I'm so proud to represent you, I think</p> <p>15 that you are very effective.</p> <p>16 You are an example of a small town</p> <p>17 that's really working that wants to remain</p> <p>18 small, that is willing to bear the burdens that</p> <p>19 come with that like a financial burden that</p> <p>20 you, obviously, face by doing that and you are</p> <p>21 successful. And you want to keep your school,</p> <p>22 you want to keep all the qualities that make</p> <p>23 you Cranbury.</p> <p>24 I think we have to look for the</p> <p>25 small towns that are doing very well like this</p>	<p>1 85</p> <p>2 things, put everybody in the same category and</p> <p>3 say everybody is the same and everybody has the</p> <p>4 same situation, which is clearly not the case.</p> <p>5 Again, I think we have to fight</p> <p>6 for towns like this that are doing a very good</p> <p>7 job and say we can't paint all towns with the</p> <p>8 same brush, that we just have to consolidate</p> <p>9 all the small towns. It is a very bad</p> <p>10 approach, a very bad approach.</p> <p>11 MR. STOUT: I agree. Basically,</p> <p>12 the recent situation decision by the state to</p> <p>13 take away 135,000 in aid from us has no effect</p> <p>14 on the budget. Why? We have been fiscally</p> <p>15 responsible for a very long time.</p> <p>16 MR. REILLEY: Bill Reilley, 11</p> <p>17 Cranbury Neck Road, Cranbury.</p> <p>18 I'm not, I have only been here</p> <p>19 nine, 10 years. My wife grew up here. I'm</p> <p>20 kind of a transplant in Cranbury but the key</p> <p>21 thing here, Ms. Fox, you mentioned it, there</p> <p>22 are things we can't let go of. We have to be</p> <p>23 diligent and keep looking into them and</p> <p>24 following them ourselves and making sure we</p> <p>25 have our voice heard.</p>

<p>1 86</p> <p>2 Bringing up the schools as a total</p> <p>3 part of any tool, you have to develop the</p> <p>4 tools, get the tools to do the job. If you dig</p> <p>5 a hole, you need a shovel.</p> <p>6 We haven't talked about, as part</p> <p>7 of this housing, what effect it has on our</p> <p>8 schools.</p> <p>9 Can that tool, can that actual end</p> <p>10 result pay if it's four hundred? We have to</p> <p>11 really be careful not to panic.</p> <p>12 I have been in situations long</p> <p>13 enough, we bring these up and it is kind of a</p> <p>14 panic situation, but we work on it, we keep</p> <p>15 whittling away at it.</p> <p>16 If this comes to fruition, no</p> <p>17 matter what level, 25 percent or 100 percent of</p> <p>18 what is being discussed, can the impact on the</p> <p>19 schools be used as a tool to combat this</p> <p>20 decision? Or you know how they figure this</p> <p>21 thing to avoid low income housing or is the</p> <p>22 impact on the school already part of the</p> <p>23 calculation?</p> <p>24 MR. STOUT: It certainly is</p> <p>25 something to be concerned about. It's</p>	<p>1 88</p> <p>2 If Cranbury had the right to go</p> <p>3 back to the developers and said, "Now, you have</p> <p>4 to cough up more money," I don't think the</p> <p>5 developers are going to be so anxious as some</p> <p>6 people insinuated as being possibly the money</p> <p>7 behind this whole concept. Because that means</p> <p>8 every thousand square feet, instead of</p> <p>9 developers paying X, they may have to pay 10 X.</p> <p>10 Now, all of a sudden, it may not</p> <p>11 become a viable thing to build a million square</p> <p>12 foot warehouse.</p> <p>13 So I would ask our legislators to</p> <p>14 possibly consider that somehow any time</p> <p>15 retroactive changes are imposed on the town, I</p> <p>16 think that there should be a law that the</p> <p>17 township should have the right to retroactively</p> <p>18 recoup the losses.</p> <p>19 Thank you.</p> <p>20 MR. STOUT: That would be that 63</p> <p>21 to sixty-eight million number. Lots of zeros.</p> <p>22 You already spoke once.</p> <p>23 MS. LEHMAN: I called Dave Stout</p> <p>24 eight o'clock Sunday night. His wife says,</p> <p>25 "Kelly Lehman." He said, "How can I help you?"</p>
<p>1 87</p> <p>2 certainly an issue that needs to be raised.</p> <p>3 I think it is fair to say it would</p> <p>4 have the reverse impact that we want on our</p> <p>5 schools, moreover, it would be contrary, this</p> <p>6 desire for consolidation and shared services,</p> <p>7 we already have that. It works perfectly well</p> <p>8 for what we need. Our relationship with</p> <p>9 Princeton Township, that could go poof at any</p> <p>10 time, given that set of circumstances. At</p> <p>11 least, that's my understanding.</p> <p>12 MR. KALLAN: Richard Kallan, 10</p> <p>13 Wynnewood Drive.</p> <p>14 One of the things no one</p> <p>15 discussed, somehow the State has the right to</p> <p>16 make retroactive changes, which is bad enough</p> <p>17 but to even make it worse, is that the township</p> <p>18 doesn't have the right to make retroactive</p> <p>19 demands on the developers.</p> <p>20 For instance, when people don't</p> <p>21 understand that for every thing built here</p> <p>22 developers have to pay a fee. Cranbury gets</p> <p>23 put in a position where they now have to</p> <p>24 suddenly provide for housing as a result of</p> <p>25 these proposed changes.</p>	<p>1 89</p> <p>2 I said, "Where else do you hear that, eight</p> <p>3 o'clock?"</p> <p>4 Tom Panconi has been interrupted</p> <p>5 on so many dinners by me. I wanted to thank</p> <p>6 them.</p> <p>7 MR. STEVENSON: Darryl Stevenson,</p> <p>8 55 Cranbury Neck Road.</p> <p>9 I'm a land use rover by trade,</p> <p>10 nineteen years up and down the Turnpike. I</p> <p>11 negotiate COAH fees when I sell land to</p> <p>12 developers, when somebody says to me go, back</p> <p>13 to the developer once the fees are paid. I</p> <p>14 don't know any resource, unless somebody has a</p> <p>15 better idea, does Cranbury have a contingency</p> <p>16 development plan? If your request is denied,</p> <p>17 what development do you go to? If your request</p> <p>18 is denied, what is your contingency plan for</p> <p>19 development?</p> <p>20 MR. STOUT: We are not even</p> <p>21 looking at that yet. Litigation was one word</p> <p>22 that was thrown about. We have to generate</p> <p>23 sixty-eight million dollars and go build bricks</p> <p>24 and mortar. That will take awhile to plan.</p> <p>25 AUDIENCE: Can we drop out of</p>

<p>1 90</p> <p>2 COAH?</p> <p>3 MR. STOUT: It's not a realistic</p> <p>4 option. There's land available. Someone</p> <p>5 brought up Builder's Remedy. That's this thing</p> <p>6 that lurks out there. There's an opportunity</p> <p>7 that exists, you drop out of COAH, fail to meet</p> <p>8 our compliance, that's sits out there.</p> <p>9 MR. STANNARD: West Windsor</p> <p>10 decided to ignore COAH for a little while. The</p> <p>11 Builder's Remedy lawsuit for West Windsor</p> <p>12 resulted in 1100 homes to build three hundred</p> <p>13 affordables.</p> <p>14 It was 1100 homes, enough profit</p> <p>15 homes so they could fulfill the obligation West</p> <p>16 Windsor ignored. You can not ignore COAH</p> <p>17 because the stick is you have a Builder's</p> <p>18 Remedy lawsuit that's backed by none other than</p> <p>19 our friends, than the Toll Brothers and other</p> <p>20 people that have more money than God. They can</p> <p>21 sue you and sit on it until Hades freezes over.</p> <p>22 Ignoring COAH is suicidal.</p> <p>23 AUDIENCE: It's saying we believe</p> <p>24 in low income housing, however but not at the</p> <p>25 number they have. It is going to be one low</p>	<p>1 92</p> <p>2 haven't given up. We haven't foreclosed on</p> <p>3 litigation.</p> <p>4 MR. STEVENSON: I sold millions of</p> <p>5 square feet on the Turnpike. When I sold to</p> <p>6 the developer the intention of a million square</p> <p>7 feet building is to get income out of that</p> <p>8 building, regardless of a five year or 10 year</p> <p>9 lease.</p> <p>10 We never know how many people will</p> <p>11 show up five years down the road to work in the</p> <p>12 building. It can be five hundred people, it</p> <p>13 can be a thousand people. We have no idea.</p> <p>14 The parking ratios, when a new</p> <p>15 building is built, are mandated for so many</p> <p>16 employees per every thousand square feet. I</p> <p>17 don't know how you can forecast, trying to get</p> <p>18 away from this, when there's millions of square</p> <p>19 feet to be built there.</p> <p>20 MR. STANNARD: One of the answers</p> <p>21 would be not to forecast any new warehouses.</p> <p>22 MR. STOUT: That's a possibility.</p> <p>23 MR. JANOVITZ: Evan Janovitz, 18</p> <p>24 Washington Drive.</p> <p>25 Not to reiterate comments of</p>
<p>1 91</p> <p>2 income housing to every two residential homes,</p> <p>3 add 2018.</p> <p>4 MR. STANNARD: Another half of</p> <p>5 Cranbury, you're correct. Is litigation a</p> <p>6 possibility? You bet it is a possibility. What</p> <p>7 we are doing now? We are responding in the</p> <p>8 manner, it may sound dry but when we receive an</p> <p>9 official response that cites part of the code</p> <p>10 of New Jersey and part of the statutes of New</p> <p>11 Jersey, we have to respond under those statutes</p> <p>12 and it doesn't do much to use words like</p> <p>13 "horrible" and "horrific". We have to use</p> <p>14 numbers and intelligent, rational arguments.</p> <p>15 It does sound dry but that's the</p> <p>16 first shot. Our shot is to respond in kind.</p> <p>17 If it doesn't work, sure, litigation is an</p> <p>18 option.</p> <p>19 I will note every year we do seem</p> <p>20 to be spending more on litigation expenses</p> <p>21 ourselves. We are a litigious society. What</p> <p>22 we are talking about is spending some money if</p> <p>23 we decide to litigate. We are talking about</p> <p>24 some litigators that know this business, know</p> <p>25 the topic, it will be a lot of money. We</p>	<p>1 93</p> <p>2 everyone here, acknowledging work our County</p> <p>3 Counsel and our representatives and our</p> <p>4 citizens have done for us, I have a couple</p> <p>5 questions about strategy.</p> <p>6 I think we all agree we have the</p> <p>7 procedure, the regular routes, they are set</p> <p>8 forth. We have followed them. I hate to make</p> <p>9 a federal case of it. One question I have,</p> <p>10 after going through state requirements, has any</p> <p>11 township taken this to the federal level, to</p> <p>12 anybody's knowledge?</p> <p>13 I have a heard a lot of moral</p> <p>14 imperatives. I find it immoral what this</p> <p>15 housing authority is doing. It's a basic</p> <p>16 shakedown.</p> <p>17 Unfortunately, most of us from New</p> <p>18 Jersey know what a shakedown is. This is what</p> <p>19 it is.</p> <p>20 I have asked the question, at some</p> <p>21 point, an unjust situation may find it a</p> <p>22 possible avenue in court, if we go through the</p> <p>23 proper procedures to the state court system.</p> <p>24 state housing authority.</p> <p>25 My second question is again</p>


<p>1 94</p> <p>2 strategy. If we have, Cranbury Township has</p> <p>3 land, developed land or undeveloped land that's</p> <p>4 causing us a problem, is it like a gangrenous</p> <p>5 limb? Should we amputate it? Is there any way</p> <p>6 to de-annex the problem?</p> <p>7 Seems like these made-up</p> <p>8 requirements are based on warehouses that may</p> <p>9 generate some tax dollars for us, maybe a lot,</p> <p>10 for all I know.</p> <p>11 Is it possible, if we are going to</p> <p>12 dig into our pockets to sort of lose our</p> <p>13 character, can we dig into the pockets and</p> <p>14 maintain our character?</p> <p>15 MR. STOUT: Land comes with</p> <p>16 rights. It's a reasonable question. Once it</p> <p>17 is zoned, it is zoned for a purpose. The</p> <p>18 purpose, as long as they comply with the land</p> <p>19 use development ordinances, they have a right</p> <p>20 to build something. To set back the clock</p> <p>21 would be extensive. I'm not saying anything is</p> <p>22 off the table.</p> <p>23 In terms of the comment about</p> <p>24 suing the federal government, it is my</p> <p>25 understanding what we are dealing with is the</p>	<p>1 96</p> <p>2 drawn up at that time.</p> <p>3 Right now, we have probably 70</p> <p>4 percent of our commercial area developed</p> <p>5 already. Is that a fair assumption?</p> <p>6 So the majority of our residential</p> <p>7 and farmland area is already built on. Yes,</p> <p>8 there is land left. There was a conscious</p> <p>9 effort to try to retire and basically build out</p> <p>10 our town or retire it or preserve it.</p> <p>11 We did try this and to do this all</p> <p>12 along, say how are we going to meet these</p> <p>13 obligations, how are we going to do this.</p> <p>14 As you are hearing tonight, the</p> <p>15 big thing is the horse keeps changing in the</p> <p>16 middle of the stream. This has got to stop.</p> <p>17 We called you out here tonight. It's just for</p> <p>18 me sitting here and being here in the '90s and</p> <p>19 dealing with this and saying now this is a day</p> <p>20 job all over again.</p> <p>21 I'm glad you all did come out</p> <p>22 tonight to try to work with us. We are trying</p> <p>23 to put together a plan. I know we'll put a</p> <p>24 resolution forward to support this so.</p> <p>25 MR. STOUT: Shortly, in fact.</p>
<p>1 95</p> <p>2 State issue. Our approach is administrative</p> <p>3 procedures on the State level. It would be</p> <p>4 like that Diet Coke commercial. It feels like</p> <p>5 it is a State issue, I don't think it has</p> <p>6 standing in federal.</p> <p>7 I'll let the lawyer answer that.</p> <p>8 MR. WITTMAN: I'll clarify one</p> <p>9 thing, I think for those, Mark laid it out</p> <p>10 eloquently in the beginning about the whole</p> <p>11 history of this. Could we cut off the land for</p> <p>12 development? That's what the plan was very</p> <p>13 consciously put in place back in '80s and '90s</p> <p>14 where we were going to bring our town.</p> <p>15 That was, well, basically,</p> <p>16 everything east of Route 130 would be</p> <p>17 commercial. Everything west of 130 would be</p> <p>18 residential and farmland preserve.</p> <p>19 We went forward with that, based</p> <p>20 on the knowledge at the time COAH was based on</p> <p>21 residential population. The game plan changed,</p> <p>22 unfortunately, after we started building all</p> <p>23 the warehouses.</p> <p>24 We had no idea that that was going</p> <p>25 to happen or different plans would have been</p>	<p>1 97</p> <p>2 MS. WATERBURY: With respect to</p> <p>3 the idea of trying to go to the federal</p> <p>4 government for relief in this, unfortunately,</p> <p>5 that's not an option. There is no federal</p> <p>6 jurisdiction.</p> <p>7 This is an issue of State</p> <p>8 Constitutional Law and State obligations.</p> <p>9 There is no provision in the Federal</p> <p>10 Constitution and no federal laws implicated</p> <p>11 here. There's no recourse here to the federal</p> <p>12 courts.</p> <p>13 MR. HASSELBACH: Art Hasselbach,</p> <p>14 Route 130.</p> <p>15 Back in the early '80s, Cranbury</p> <p>16 was faced with the problem of Mount Laurel,</p> <p>17 after Judge Serpentelli decided that the woman</p> <p>18 down in Mount Laurel could not get affordable</p> <p>19 housing. That got this whole process started.</p> <p>20 As far as Cranbury goes, there</p> <p>21 were three people involved in the first round</p> <p>22 that Cranbury had, my dad, Alan Danser and</p> <p>23 Dietrich Wahlers. Alan Danser could not vote</p> <p>24 on it. The property they were going to build</p> <p>25 the houses on where affordables were, 875 homes</p>

<p>1 98</p> <p>2 happened to be on the east side of 130 on their</p> <p>3 land. It was up to my dad and D. Wahlers to do</p> <p>4 their homework regarding the problems Cranbury</p> <p>5 would face.</p> <p>6 All the issues that you are</p> <p>7 talking about tonight, most of them are in this</p> <p>8 article which I will give to the young lady, if</p> <p>9 they want to post it on the web, everybody can</p> <p>10 read it about outgrowing our infrastructure,</p> <p>11 also the police, fire, all our services, so on,</p> <p>12 because at that time, it would double the</p> <p>13 township, residents in this town,</p> <p>14 both as far as housing goes and school</p> <p>15 requirements and everything else.</p> <p>16 One reason why it was turned down</p> <p>17 because the company that was going to build</p> <p>18 over there, Weingarten and Siegel, they were</p> <p>19 known for building developments in areas and</p> <p>20 agreeing to put in a school.</p> <p>21 Because if we would have had that</p> <p>22 development built, we would have had a new</p> <p>23 school. The school wasn't big enough. At that</p> <p>24 time, they agreed, okay, we'll put in a school</p> <p>25 for you.</p>	<p>1 100</p> <p>2 warehousing it is so that we have ammunition to</p> <p>3 send to the State.</p> <p>4 This is fact not hearsay. I think</p> <p>5 that would be something to do as far as the</p> <p>6 ammunition for that.</p> <p>7 But I think we have to fight this</p> <p>8 all the way, and we can not afford even with</p> <p>9 what the State says, they want to increase</p> <p>10 funding to help municipalities finance</p> <p>11 affordable housing program development for</p> <p>12 maximum increase one percent equalized assessed</p> <p>13 valuation for residential to one and a half</p> <p>14 percent and from two percent EBA for commercial</p> <p>15 to three percent.</p> <p>16 You take the two point eight</p> <p>17 million square feet they want to build out of</p> <p>18 Meridan, EBA on that is 58 dollars a square</p> <p>19 foot. It comes out to \$1.74 a square foot as</p> <p>20 far as the three percent.</p> <p>21 If they put that money in the</p> <p>22 town, it is four point eight million dollars.</p> <p>23 On housing, we just built, I believe they were</p> <p>24 close to \$180,000 a unit. You're going to get</p> <p>25 27 units out of that whole development. With</p>
<p>1 99</p> <p>2 They did a similar situation up in</p> <p>3 North Jersey. After they got the development</p> <p>4 all completed with the school, they took the</p> <p>5 township to court and said they put the school</p> <p>6 up under duress. The courts found in their</p> <p>7 favor. The township had to build the school</p> <p>8 from that developer.</p> <p>9 My dad and Mr. Wahlers decided to</p> <p>10 fund the affordable housing ourselves. That</p> <p>11 started Cranbury into the affordable housing,</p> <p>12 that was the first round.</p> <p>13 I was on the Township Committee.</p> <p>14 I was involved with the Second Round with Mary</p> <p>15 Beth. We were building here on the Heritage</p> <p>16 Apartments.</p> <p>17 Cranbury has always been very</p> <p>18 pro-active as far as the affordable housing has</p> <p>19 gone.</p> <p>20 Seems that we are being penalized</p> <p>21 by the State. They don't understand, I think</p> <p>22 somebody from our committee ought to go and</p> <p>23 have somebody go to every one of these</p> <p>24 warehouses, get an actual count of the amount</p> <p>25 of people that work there and the type of</p>	<p>1 101</p> <p>2 the numbers they are talking, we have to build</p> <p>3 30 warehouses like that even to cover them</p> <p>4 anywhere near the cost. No matter how you look</p> <p>5 at it, it's not a win-win situation.</p> <p>6 We are going to get hit hard, I</p> <p>7 think we definitely have to fight it. Whatever</p> <p>8 ammunition we can get from any area of the</p> <p>9 State, we ought to pursue it.</p> <p>10 MR. STOUT: Mr. Hasselbach made a</p> <p>11 comment. Part of the study we have done after</p> <p>12 that, we did go around and get the data plus</p> <p>13 from other towns have a lot of warehouses in</p> <p>14 it.</p> <p>15 Someone made a comment the policy</p> <p>16 was built without scientific underpinning. We</p> <p>17 are trying to provide them, here's the facts,</p> <p>18 here's what they are as opposed to what was in</p> <p>19 someone's head.</p> <p>20 We have got 10 minutes before we</p> <p>21 close the comments, not that we don't want to</p> <p>22 hear from you. We got to go to the motion and</p> <p>23 move this forward.</p> <p>24 MS. GROSS: Susanne Gross, where</p> <p>25 are we putting those units? We are saying this</p>

<p>1 102</p> <p>2 side is zoned for warehousing, farmland is</p> <p>3 never going to be touched. I can't fathom</p> <p>4 where it is going.</p> <p>5 MR. STOUT: Neither can I.</p> <p>6 I don't think anyone has come up</p> <p>7 with that vision nor does anyone want to come</p> <p>8 up with that vision.</p> <p>9 MR. DYLAN: Todd Dylan. When I</p> <p>10 moved into Cranbury Township, the committee was</p> <p>11 made up of farmers and local people. That's</p> <p>12 what made Cranbury what it is today. That's</p> <p>13 how it started.</p> <p>14 You can say what you want, that's</p> <p>15 what it was.</p> <p>16 I want to take this to another</p> <p>17 step. I don't think anybody disagrees that you</p> <p>18 have an obligation for affordable housing,</p> <p>19 right off the bat. We all recognize that.</p> <p>20 The formula is where the problem</p> <p>21 is. However, let's take this to a little bit</p> <p>22 higher level. The State's been in trouble.</p> <p>23 The State moved the sales tax to seven percent.</p> <p>24 The State is going to increase the gas tax.</p> <p>25 The State is laying off people.</p>	<p>1 104</p> <p>2 taxes are cheaper and make our taxes go up.</p> <p>3 Let's get a way to change that</p> <p>4 formula permanently so it can not be adjusted</p> <p>5 and do away with COAH that you don't need them,</p> <p>6 if you had a formula that really worked and</p> <p>7 move on.</p> <p>8 Thank you.</p> <p>9 MR. STOUT: Any comments we</p> <p>10 drafted, we get to that issue. That's the</p> <p>11 logic, we'll drive the ratables away.</p> <p>12 Mr. Ziegler.</p> <p>13 MR. ZIEGLER: Jack Ziegler. This</p> <p>14 thing, they want to consolidate communities in</p> <p>15 New Jersey. Cranbury is unique. It is a</p> <p>16 township. Places like Hightstown and</p> <p>17 Pennington and Hopewell, Jamesburg, they are</p> <p>18 boroughs, one square mile. They have no tax</p> <p>19 base. They can't build anything. They are not</p> <p>20 going to get hit with COAH.</p> <p>21 As an unique community, the</p> <p>22 governor and many of the people in the State</p> <p>23 don't like us because we are unique. They</p> <p>24 don't like us kind of people. I don't know</p> <p>25 what we are going to do with it. I think the</p>
<p>1 103</p> <p>2 How can they justify allowing an</p> <p>3 entity like COAH to really chase people out of</p> <p>4 the State?</p> <p>5 Warehouses, if this goes through,</p> <p>6 I had developers tell me they are out of</p> <p>7 business.</p> <p>8 If this goes through, they are</p> <p>9 chasing people out of the state. That's your</p> <p>10 tax ratables. Has to go to another level. It</p> <p>11 can not just say because you have an</p> <p>12 obligation, this is what we think your</p> <p>13 obligation is.</p> <p>14 It's like going to church. What</p> <p>15 can you afford? You can put more in the basket</p> <p>16 than you can afford.</p> <p>17 Naturally, you don't. That's what</p> <p>18 they are telling us we have to do.</p> <p>19 There's got to be a different way</p> <p>20 of doing this formula and a different way of</p> <p>21 telling communities that you have an obligation</p> <p>22 here than what that obligation really is.</p> <p>23 I don't want to chase people out</p> <p>24 of the State. I don't want to see them go 30</p> <p>25 minutes away from here across the river where</p>	<p>1 105</p> <p>2 Township Committee, I thank the Township</p> <p>3 Committee for what they are doing, all the</p> <p>4 people that showed up. They want to tax us out</p> <p>5 of Cranbury.</p> <p>6 Thank you.</p> <p>7 I lived here 79 years.</p> <p>8 MR. STOUT: One or two comments</p> <p>9 before we close. Make a comment on something</p> <p>10 fresh, we are going to move on.</p> <p>11 AUDIENCE: Maybe the whole</p> <p>12 warehouse proportional basis is a red herring.</p> <p>13 Base your argument on that fact as a promise</p> <p>14 and you may lose. From what we heard earlier</p> <p>15 the number was 53 thousand units, it went down,</p> <p>16 to basically come up with a process to</p> <p>17 determine how did they get to that.</p> <p>18 If you base your argument on that,</p> <p>19 that is not a primary driver for this 55</p> <p>20 thousand, you may lose. You may want to</p> <p>21 consider some of the other extenuating</p> <p>22 circumstances as opposed to making that your</p> <p>23 primary focus.</p> <p>24 MR. STOUT: I wouldn't say it is</p> <p>25 our primary, our understanding of the</p>

<p>1 106</p> <p>2 mechanics, it's what is driving our biggest</p> <p>3 part of the number up. Our comments are 22</p> <p>4 pages long and growing by the day.</p> <p>5 I don't want to give you</p> <p>6 misrepresentation that's the only issue we are</p> <p>7 dealing with.</p> <p>8 We are dealing with a myriad of</p> <p>9 issues but at the same time trying to hone in</p> <p>10 on those mechanical pieces that have no</p> <p>11 foundation that we can identify, provide them</p> <p>12 with foundation and hopefully, a foundation</p> <p>13 that brings them back to the reality our</p> <p>14 representatives were talking about.</p> <p>15 Anyone else who hasn't spoken</p> <p>16 first?</p> <p>17 MR. ROOT: Steve Root, 27 Wynnewood</p> <p>18 Drive.</p> <p>19 The core problem seems to be the</p> <p>20 jump from point two jobs per thousand square</p> <p>21 feet to 7.5 jobs per thousand square feet. The</p> <p>22 man from Home Depot sounds like the point two</p> <p>23 estimate was too high already for Cranbury.</p> <p>24 If the number of jobs in the other</p> <p>25 warehouses, that he didn't give us numbers, he</p>	<p>1 108</p> <p>2 credit for what we lose?</p> <p>3 MR. STANNARD: There was a portion</p> <p>4 of the old rules called demolition. If you</p> <p>5 build a warehouse, it creates jobs, you have to</p> <p>6 put in houses. Do you get credit if you</p> <p>7 demolish a business, one of them going vacant</p> <p>8 like a bank? I don't know. If you demolish a</p> <p>9 warehouse, it used to be you got credit for the</p> <p>10 jobs that disappeared. That's pretty much</p> <p>11 gone. That's out of here.</p> <p>12 That's the only thing so small</p> <p>13 compared to our jeopardy under the warehouse</p> <p>14 numbers that we are not stressing, you can only</p> <p>15 go to 200 points. There's so many points</p> <p>16 before you start losing the ear of the person</p> <p>17 you are talking about.</p> <p>18 MS. LONERGAN: Richard is correct,</p> <p>19 that demolition are off the table. In the</p> <p>20 revised set of regulations, they have a</p> <p>21 requirement, a municipality does inventory of</p> <p>22 all vacant space at the time of petition which</p> <p>23 will be sometime this year in two thousand</p> <p>24 eight, and if that vacant space at a certain</p> <p>25 snapshot in time is reoccupied in some future</p>
<p>1 107</p> <p>2 said there were about two hundred jobs between</p> <p>3 Home Depot and Volkswagen, that accounts for</p> <p>4 three-fifths of the warehouse space, we were</p> <p>5 well below the thousand jobs that would be</p> <p>6 estimated with the point two number, so the</p> <p>7 shift to, shift to 7.5 seems completely</p> <p>8 unfounded, at least for Cranbury.</p> <p>9 MS. MAUOIDES: Susan Mauoides.</p> <p>10 We should say we have credit for</p> <p>11 all the extra houses we already built and go on</p> <p>12 offense not defense.</p> <p>13 MR. STOUT: That's a fair comment.</p> <p>14 Mr. Berkowsky will say the position we are in</p> <p>15 right now, we are ahead of the game. We got</p> <p>16 credit for a lot of things. We did not to the</p> <p>17 extent you're looking for.</p> <p>18 MS. MAUOIDES: Maybe we should add</p> <p>19 that.</p> <p>20 MR. STOUT: It's probably in</p> <p>21 there.</p> <p>22 MS. MAUOIDES: Underscore it.</p> <p>23 MS. BAUDER: Connie Bauder. Do we</p> <p>24 get credit for jobs we lost? We lost PNC. We</p> <p>25 have lost some other businesses. Do we get</p>	<p>1 109</p> <p>2 time, it would generate an obligation but you</p> <p>3 could offset it with some new space becoming</p> <p>4 vacant. We have a comment on that also.</p> <p>5 MR. STOUT: Thank you. At this</p> <p>6 point, I'm going to close the public comment</p> <p>7 portion. I want to thank you all for coming</p> <p>8 out. It was great to hear from everyone.</p> <p>9 As I said earlier, we are all in</p> <p>10 this together. I came out here tonight because</p> <p>11 you care. It's the same reason all of us are</p> <p>12 here.</p> <p>13 I encourage you, someone came up</p> <p>14 with a good schedule of ideas. He write the</p> <p>15 first letters to Lucy with a V., Voorhoeve, at</p> <p>16 COAH whose name I can't attempt to pronounce,</p> <p>17 follow that up with letters to our</p> <p>18 representatives and those who wish to write the</p> <p>19 governor, go for it.</p> <p>20 We'll consider Resolution #R</p> <p>21 03-08-053, which is A Resolution Authorizing</p> <p>22 The Submission Of Comments Objecting To The New</p> <p>23 Jersey Council On Affordable Housing's Proposed</p> <p>24 New Substantive And Procedural Rules Governing</p> <p>25 The Provision Of Affordable Housing in New</p>

<p>1 110</p> <p>2 Jersey Through 2018.</p> <p>3 I'm going to read the resolution.</p> <p>4 Hopefully, you all hear it. I'm on a roll</p> <p>5 tonight.</p> <p>6 "WHEREAS, on January 22, 2008, the</p> <p>7 New Jersey Council on Affordable Housing</p> <p>8 ("COAH") proposed new substantive and</p> <p>9 procedural rules governing the provision of</p> <p>10 affordable housing in the State of New Jersey</p> <p>11 through 2018, otherwise known as "proposed new</p> <p>12 Third Round rules"; and</p> <p>13 "WHEREAS, the proposed rules run</p> <p>14 counter to sound planning principles and will</p> <p>15 have a substantial negative impact on the</p> <p>16 Township and its residents; and</p> <p>17 "WHEREAS, COAH's proposed rules</p> <p>18 include new job generation ratios for, among</p> <p>19 other things, warehouses, which are a major</p> <p>20 component of the non-residential development</p> <p>21 that has occurred in Cranbury Township; and</p> <p>22 "WHEREAS, COAH's job generation</p> <p>23 ratios for warehouses have increased 750</p> <p>24 percent over the ratios that were previously</p> <p>25 adopted in 2004, and far exceed the actual</p>	<p>1 112</p> <p>2 to accept written comments and objections to</p> <p>3 the proposed rules, provided they are submitted</p> <p>4 on or before March 22, 2008; and</p> <p>5 "WHEREAS, the Cranbury Township</p> <p>6 Committee has created affordable housing</p> <p>7 subcommittee consisting of representatives of</p> <p>8 the Township Committee and the Township</p> <p>9 Planning Board, the President of the Cranbury</p> <p>10 Housing Associates, and various staff and</p> <p>11 professionals, including the Township</p> <p>12 Administrator, Township Planner, Township</p> <p>13 Engineer, Township Attorney, Planning Board</p> <p>14 Attorney, and Affordable Housing Planning</p> <p>15 Consultant; and</p> <p>16 "WHEREAS, the Affordable Housing</p> <p>17 Subcommittee has prepared preliminary</p> <p>18 objections and comments to the proposed rules</p> <p>19 reflecting the above comments and other</p> <p>20 objections;</p> <p>21 "NOW, THEREFORE, BE IT RESOLVED by</p> <p>22 the Township Committee of the Township of</p> <p>23 Cranbury, in Middlesex County, New Jersey, that</p> <p>24 the preliminary comments prepared by the</p> <p>25 Township's Affordable Housing Subcommittee are</p>
<p>1 111</p> <p>2 number of jobs that Cranbury's own research</p> <p>3 shows are created by the warehouses in the</p> <p>4 Township; and</p> <p>5 "WHEREAS, this change in the</p> <p>6 ratios, if left as proposed, will create a</p> <p>7 retroactive obligation of 469 affordable units,</p> <p>8 a 1072 percent increase, just to address</p> <p>9 warehouse development that has already received</p> <p>10 approvals, which equates to fifty percent of</p> <p>11 the total housing constructed to date in</p> <p>12 Cranbury Township; and</p> <p>13 "WHEREAS, this retroactive</p> <p>14 obligation can cost Cranbury's taxpayers in</p> <p>15 excess of sixty-eight million dollars in</p> <p>16 construction costs alone; and</p> <p>17 "WHEREAS, because this development</p> <p>18 has already been approved, the Township has no</p> <p>19 ability to recapture any of these added costs</p> <p>20 from the developers; and</p> <p>21 "WHEREAS, for these reasons and</p> <p>22 other reasons, the Township strongly objects to</p> <p>23 COAH's proposed rules; and</p> <p>24 "WHEREAS, pursuant to the</p> <p>25 Administrative Procedures Act, COHA is required</p>	<p>1 113</p> <p>2 hereby endorsed; and</p> <p>3 "BE IT FURTHER RESOLVED, that in</p> <p>4 light of the upcoming March 22 deadline, the</p> <p>5 Mayor is hereby authorized to submit these and</p> <p>6 such other comments and objections as the</p> <p>7 Affordable Housing Subcommittee deems advisable</p> <p>8 directly to the Council on Affordable Housing."</p> <p>9 That's our resolution. Any</p> <p>10 comment or discussion from the committee?</p> <p>11 Seeing none, do we have a motion?</p> <p>12 MR. STANNARD: So moved.</p> <p>13 MS. STAVE: Second.</p> <p>14 MR. STOUT: Resolution 03-08-053.</p> <p>15 MS. CUNNINGHAM: Mr. Panconi.</p> <p>16 MR. PANCONI: Yes.</p> <p>17 MS. CUNNINGHAM: Mr. Stannard.</p> <p>18 MR. STANNARD: Yes.</p> <p>19 MS. CUNNINGHAM: Ms. Stave.</p> <p>20 MS. STAVE: Yes.</p> <p>21 MS. CUNNINGHAM: Mr. Wittman.</p> <p>22 MR. WITTMAN: Yes.</p> <p>23 MS. CUNNINGHAM: Mayor Stout.</p> <p>24 MAYOR STOUT: Yes.</p> <p>25 MS. CUNNINGHAM: We have five yeas</p>

1	114	
2	and zero nays, the Resolution passes.	
3	MR. STOUT: At this point, that	
4	finishes our business for this evening. Thank	
5	you for coming out. We heard everybody's	
6	ideas. I'll entertain a motion to adjourn.	
7	(Adjournment 9:45 P.M.).	
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5	I, M. VIRGINIA GUINTA, the Officer	
6	before whom the foregoing proceedings were	
7	taken, do hereby certify that the witnesses	
8	whose testimony appears in the foregoing	
9	proceedings were duly sworn and that	
10	said proceedings are a true record of the	
11	testimony given by said witnesses, that I	
12	am neither attorney nor Council for, nor	
13	related to, nor employed by any of the	
14	parties to the action in which the	
15	proceedings were taken, and further that I	
16	am not financially interested in the	
17	action.	
18		
19		
20	M. VIRGINIA GUINTA, C.C.R.	
21	License No. XI00381	
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