



Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Proposed Millington Quarry Redevelopment Plan Frequently Asked Questions

1. Who owns the quarry and why does the Township have to allow development?

Millington Quarry, Inc. ("MQI") owns the quarry and a developer, Community Investment Partners LLC, is under contract to purchase and develop the property. Shopoff Incorporated entered into an agreement directly with the MQI, and then Shopoff with the consent of MQI, assigned the contract to Community Investment Partners. It is private property and MQI has the right to develop it, either under the current two acre residential zone or under a redevelopment zoning ordinance only if that occurs.

2. Why can't it be a park?

It could only become a park if the owner agrees to sell it to another private entity who wishes to make it a private park. The Township neither has funds for a purchase of this magnitude nor the resources which would be required to develop and maintain the industrial site as a park. The Township has purchased 770 acres of open space since 1975.

See Open space Presentation: <http://www.bernards.org/township%20committee/reports/2017/OSReport.pdf>

3. What is the advantage of a Redevelopment Plan over the standing zoning for two acre lots that the Township has maintained as a zoning ordinance since the mid 1970's?

The standard 2 acre zoning would provide an estimated 50 houses surrounding a private lake. The lake would have to be maintained by a homeowners association. Large new construction single family homes with four plus bedrooms have been shown to attract large families. As an example of the possible financial impact, a development with 50 large single family homes with an assessed value of \$1.5 million for each home, two students per home, a cost of \$18,816 per student, and a municipal services cost of \$369 per person, the development would cost the town \$791,850 per year. This amount would have to be made up in increased taxes for all township property owners.

A redevelopment plan allows the township to work with a developer to provide a highly amenitized sustainable community with tremendous public access, which is privately financed. Benefits include public use of the lake and boardwalk surrounding the lake, open space including biking and walking trails, a public park, and amphitheater. The mix of smaller houses, townhouses, condominium flats and apartments will be designed to attract millennials and empty nesters. Using our demographer, Bill Draper's, estimates on public school students generated, the residential component will generate a small net positive revenue each year. In addition, the retail component of a restaurant, hotel, shops, and an office building is estimated by the developer to generate revenue of approximately \$2.4 million.

4. What are the guiding principles, goals and objectives of the proposed redevelopment plan?

Bernards Township Planning Board Planner, David Banisch, outlined the suggested guiding principles, goals and objectives for the Quarry Redevelopment Plan in a presentation at the Township Committee meeting on April 11, 2017 as follows:

Suggested Guiding Principles, Goals and Objectives:

The following list suggests guiding principles, goals and objectives for the Quarry Redevelopment Plan:

- 1. The Redevelopment Plan will result in permanent cessation to quarry operations.*
- 2. The Redevelopment Plan will improve the quality of life for Bernards Township's residents.*
- 3. The Redevelopment Plan will be environmentally friendly and sustainable:*
 - Pedestrian friendly design – establish walkable connectivity throughout and among uses in the redevelopment area, with pedestrian links to surrounding neighborhoods*
 - Future development should be consistent with Bernards Township's Green Building and Environmental Sustainability Plan Element of the Master Plan*
 - Sustainable and innovative environmentally friendly design should be incorporated into all aspects of development, including storm water management, community infrastructure (utilities, roads, lighting, etc.), parks, landscaping and buildings*
 - Future development in the Quarry should limit importation of soils*
 - Community design should include environmental design to enhance habitat for native plants and wildlife.*
- 4. The Redevelopment Plan will include usable future lake with public access by requiring a future lake management structure and design that minimizes Bernards Township's liability and maintenance obligations. The Lake will incorporate water-based recreation with safe public access to the lake*
- 5. The Redevelopment Plan will yield positive fiscal impacts for Bernards Township by:*
 - Assessing and quantifying the impact to school age population*
 - Establishing privately built and managed amenities that allow public use*
- 6. Allowing for a variety of uses that will result in a positive fiscal impact on the Township's tax base. The Redevelopment Plan will incorporate a variety of uses, such as "live", "work", "play" uses to ensure future viability of the community.*

5. What is the process for adopting a redevelopment plan?

The process is outlined in the below linked documents:

Report of the Quarry Advisory Council to the Bernards Township Committee on 7/26/2016

<http://www.bernards.org/Resolutions/2015/2015-0430Report.docx>

<http://www.bernards.org/Resolutions/2016/2016-0311FAQsFlowChart.pdf>

6. Why is it the Township Committee's responsibility to design a plan for a landowner?

The Township is not responsible to design a plan for a landowner. Proactively working with the developer to envision the future of the last major development in town provides for community participation before the developer files a planning board application. This opportunity crafts the redevelopment ordinance and developer's agreement with public input rather than by the possibility of a Judge ruling on a builder's lawsuit.

7. What about contamination and rehabilitation?

The contaminated soil that was imported into the quarry was tested and remediated under NJDEP's Licensed Site Remediation Professional Program (LSRP). The Remedial Action Work plan approved by NJDEP in 2012 has been completed and the LSRP has submitted their final report to the DEP. DEP is reviewing the report.

The quarry is listed in DEP records as Site Remediation Program Interest Number 005602. You can request records, including permits, through the Open Public Records Act, or OPRA. OPRA requests can be made online here: <http://www.state.nj.us/dep/opra/opraform.html>. The remainder of the property was rehabilitated according to the rehabilitation plan, and the 2013 settlement agreement. The rehabilitation is largely complete. Environmental reports can be found at www.Bernards.org under Quarry Redevelopment Project.

8. Where did the idea come from for a hotel, restaurant, and retail space?

Mixed use developments that include retail, residential, commercial, and restaurants succeed far more often while attracting families with less school children. Mixed use development provides positive revenue to the Township and more privately financed public amenities in the project such as pedestrian and bike paths. Communities near public transportation opportunities and pedestrian friendly neighborhoods attract millennials and empty nesters.

9. Have taxpayer funds been spent in relation to the quarry redevelopment on design, plans, contracts, etc.?

No, except for normal staff time.

10. Has the Township Committee contracted with any firm to design plans for this site? Are we paying the developer?

The Township is utilizing Township Planner David Schley, Township Engineer Thomas Timko, Planning Board Planner David Banisch and Township Attorney John Belardo, all of whom are either salaried employees or on regular consultant contracts. The Township is not paying money to the developer.

11. Has the Township contacted Somerset County and the State of New Jersey regarding any possibility of purchasing the land for open space or similar?

The Township has broached the topic over many years with both the County and State and both are not interested due to the cost of the purchase. State statutes make a redevelopment ordinance possible. The county planning department has been supportive over the years to the concept of mixed use development with access to public transportation.

12. When will a traffic study be done and at what cost to taxpayers to determine what the effects of this proposal would be?

A study based on an evolving concept is not beneficial until a conceptualized development is realized in the form of a draft ordinance. The developer will fund the study for Township review.

13. What kind of dialogue has been had with the Bernards Township Board of Education and what has been its input?

The Township has been working with members of the BOE in order to keep the potential number of children as low as possible.

14. Why would a task force not include anyone but Township Committee members and township employees? Why not get some community representation?

The Township has held several public presentations in which input from the public was solicited and incorporated. In addition, the high school students in the AP Environmental Science classes developed concept plans as a final project. Their presentations included some ideas that were incorporated. The Township is continuing to seek public input on the specific draft ordinance and are open to amending the latest proposal as well as exploring other options, including keeping the two acre residential zone.

15. Who will be liable for maintenance and any liability coming from a contaminated site/lake?

A homeowners association and a business association, both of which will be assessed annual fees, are responsible for all lake maintenance. The Township will not enter into a developer's agreement that transfers any costs or risks associated with the lake or the property to the Township.

16. If the Township allows smaller residences to be built, what guarantees that only seniors or millennials without school age children will move in? That did not happen in the Hills and that is the same thing that was promised/expected.

Data provided to the Township by the BOE and by demographer Bill Draper shows that more children are generated by large single family homes than smaller dwelling units. The Township has compensated conservatively for the fact that new construction has its own set of demographics.

17. How will State mandated affordable housing affect the redevelopment of the property?

The issue dates back to the state Supreme Court's Mount Laurel I and II rulings, made in 1975 and 1983, respectively, that required towns across New Jersey to provide a "realistic opportunity of their "fair share" of affordable housing. The Township's efforts to accommodate COAH and the courts included rezoning that provided 224 affordable homes in The Cedars, Society Hill and Crown Court developments. A settlement of Hills Development vs. Bernards Township in 1987 allowed the construction of 1886 units in the Hills. Bernards Township more recent additional COAH credits include several group homes for the disabled, expanded senior citizen housing at Ridge Oak, and housing for homeless veterans at the Lyons Veterans Administration (VA) Medical Center.

11/13/2017