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PAUL D. STRAUCHLER (1951-2018)

February 9, 2021

VIA E-MAIL

**RE: Verona Planning Board Review
Sunset Avenue Redevelopment Area Redevelopment Plan, Dec. 12, 2020
Block 303, Lot 4, 1 Sunset Avenue, Township of Verona**

Dear Chairman and Members of the Planning Board of Verona:

Tonight, the Board will convene to consider whether the proposed Sunset Avenue Redevelopment Area Redevelopment Plan (“Sunset Redevelopment Plan” or “Plan”) is consistent with the Master Plan of Verona. Tonight’s meeting is a continuation from January 28, 2021. At that date, the Board heard from members of the public, including myself and Peter Steck, P.P., on behalf residents organized as the Frist Ridge Alliance (“FRA”). As you know, FRA is not opposed to affordable housing of appropriate density, at the Spectrum site, nor even to re-use of the existing Spectrum buildings as inclusionary housing, consistent with sound planning practices. But the rezoning of this site for massive expansion of the buildings and doubling of the impervious coverage, for 200 units of housing, under threats from the would-be developer that it will build 300 units if the 200 units are not approved, presents the polar opposite of sound planning.

This Board rejected the original attempt to designate the Spectrum site for redevelopment, resulting in the replacement of Jason Kasler, Verona's planning consultant. Mr. Kasler is a NJ-licensed planner, who signed and sealed Verona's latest Master Plan and Reexamination Report, and who wrote the initial report on the proposed redevelopment. In Mr. Kasler's place, possibly at the behest of the developer, Verona hired Mr. Benecke, who appears not to be a NJ-licensed planner, to push forward the redevelopment.

The Board's current procedural function is to determine consistency or lack thereof between the Master Plan and the proposed Sunset Redevelopment Plan. Further, the Board may make recommendations to Verona's governing body.

Mr. Steck's memos, including his memo of today's date, enclosed herewith, describes in detail the proposed Plan's failings. Among other things, as noted at the January 28, 2021 hearing date on this matter, the Plan is inappropriately vague as to multiple planning issues, including stormwater management, impervious coverage, height, and traffic generation and circulation.

Since, if adopted by Council, this Plan will create custom zoning for the site, and thereby make it very difficult for the Board to exercise its usual function of considering variances and waivers, positive and negative impacts, and conditions, when the developer presents its anticipated site plan application, the time for attentive consideration of the Plan is now. The time to recommend to Council any additional parameters or conditions to constitute sound planning, is now.

Most egregiously, Verona's consultant has mis-classified the Planning Area of the subject property. Under New Jersey's State Development and Redevelopment Plan ("State Plan"), the site is classified as Planning Area 5—the highest level of environmental significance, where further development is discouraged.

This classification was made in consultation with Verona, as Verona's Master Plan confirms. Through the "cross-acceptance" process statutorily mandating consultation with municipalities, N.J.S.A. 52:18A-202.b, Verona participated in the State Plan's designation of lands within Verona. As Verona noted in its May 18, 2009 Master Plan and Reexamination Report: "The municipality was very active in the cross acceptance process." Section 14, Page 18.

Rather than the accurate environmentally-sensitive PA-5 designation for the ridge's face and summit, where the State Plan discourages growth and the Commissioner is empowered to prevent redevelopment, Verona's consultant describes the Spectrum site as PA-1—the "Metropolitan Growth" area, where growth, development, and redevelopment is most strongly encouraged.

At the initial Planning Board hearing on January 28, 2021, Verona's consultant, when apprised of his error, characterized the PA-5 region as a "sliver." The attached Memorandum illustrates that, far from being a "sliver", the PA-5 designation appropriately encompasses not only the ridge, but the adjacent summit upland forming nearly the entirety of the Spectrum property. Further, Mr. Benecke asserted, wrongly, that the fact there are currently buildings on the site, makes the PA-5 designation not applicable. This misstates the purpose of PA-5 designation. The PA-5 designation discourages further development in this area whether conventional or by way of Redevelopment. The focus is on the protection of the environmental resource, which in this case is the ridgeline and would logically include building heights, density, stormwater management, etc. Sites with some development, such as Spectrum, frequently qualify as PA-5, in order to protect the remaining environmentally sensitive features—in this case, the face of the ridge, as well as the topsoil and vegetation on the summit, which itself is an important feature protecting the cliff face.

Verona, itself, is well aware of the gradation of appropriate development intensity from PA-1, most dense and environmentally impactful, through PA-5, most stringently protected.

Verona even attempted to have the State reclassify the bulk of Verona's land as PA-2, rather than the more-intensive PA-1. As Verona notes, "Further development in planning area one is dominated by intensification of land uses through redevelopment and reuse. . . ." Section 14, p. 19.

Perhaps that aspect of PA-1, its characterization as appropriate for intensified development, was what attracted Verona's consultant to mis-identify the Spectrum site. Whatever the reason, such a basic error calls for the Redevelopment Plan to be revisited, and for the Board to recognize that it is inconsistent with the 2009 Master Plan (wherein the Spectrum site is PA-5), and to recommend further considerations appropriate to any proposed re-zoning, including redevelopment, of the site. Most important would be to maintain the current impervious coverage percentage and footprint, to restrict building height, and to prevent the excessive impacts of traffic, light pollution, and, in particular, stormwater runoff, from the excessively intense development currently proposed.

Of final note, neither the developer nor Mr. Benecke have presented any information as to how the proposed intense development, atop a rock formation, would be able to comply with the stormwater regulations slated to take effect on March 2, 2021. This information is critical, for informed Board review of the proposed Plan.

Very truly yours,

/S/ Anne L. H. Studholme

Encl.