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Via Hand Delivery

Bridgewater Planning Board
100 Commons Way
Bridgewater, NJ 08807

**Re: Application to the Bridgewater Planning Board for Preliminary and Final Site Plan Approval for Predominantly Commercial Phase and Preliminary Site Plan Approval for Predominantly Residential Phase of New Jersey Center of Excellence ("Application")
Portion of Block 483, Lots 17, 18, & 19
Township of Bridgewater, Somerset County, New Jersey
Application 18-012**

Dear Chairwoman Casamento and Members of the Board:

SUMMATION STATEMENT:

On behalf of Thor and Advance we appreciate your attention to this application. It is an important moment for the Township.

While this site plan application was filed a year and a half ago, in reality this application had its genesis many years previously when Sanofi decided to move its research and development operation out of Bridgewater.

History of Redevelopment

Sanofi's decision prompted the Township Council to ask this Board to study whether the front part of the Sanofi site was "blighted" or in need of redevelopment. You held a hearing and determined that the constitutional "blight" standard was met and, based upon your report, the Council agreed.

Next the Planning Board took up the task of revising the Master Plan to conform to the uses that are proposed in the Application today. Based on the Master Plan, the Council in 2016 adopted a detailed Redevelopment Plan creating the R-Seed Zone Ordinance for the 61 acres. R-Seed stands for Special Economic and Employment Development Zone. Later, the Council adopted the ORD Zone Ordinance for the 47 acres where Thor operates a multi-tenant research and development center.

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Interrelationship

Based on these adoptions, the revival began, at first with changing the ORD Zone buildings into multi-tenant users. At every step, the ORD Zone uses, now nearly fully occupied, were promoted in the Master Plan and in the ORD Zone Ordinance as being enhanced by the expected R-Seed Development. The present owner of the Thor property supports the R-Seed Redevelopment Plan and has agreed to the entrance way changes, the loop path and overall R-Seed project discussed tonight.

As noted, throughout the proceedings that I outlined, the Township repeatedly recognized the benefits to the ORD users of developing the R-Seed area as proposed. To quote the Master Plan and ORD Ordinance:

1. "The R-Seed zone is designed to enhance the prospects for long term high quality tenancy in the ORD Zone." [Master Plan at 21]
2. The R-Seed Ordinance provides that given the proximity between the zones, the ORD Zone is expected to be a magnet for high quality jobs. [R-Seed Ordinance at 126-321.6(1)(Intent)].

Parking Variance

As to the parking variance, clearly the 2006 Sanofi variance ran with the land, but the situation became more complicated when the overall 110 acre site was rezoned. A logical interpretation would be that the variance still applied to the ORD property as a preexisting, non-conforming use. However, the current Advance application is to improve the entrance way to the ORD at the cost of 22 of the 1,190 parking spaces now existing on the ORD Zoned area. The variance application is to grant Thor a variance for the 1,168 spaces that will remain after the entranceway is improved and restored.

Ample reasons have been submitted for this variance since there is a great surplus of parking and no reason exists to further burden the property and the environment by building more parking spaces. The opposition to the parking variance is at best misguided.

Clearly, as shown by the history of 25 years of Sanofi parking variances (1996, 2000 and 2008), the unique research use does not merit the same parking requirement as an office building. The testimony is undisputed that a 1 space/1,000 SF ratio is the proper parking requirement, rather than 3.3 space/1,000 SF ratio. Without reciting all the testimony, I call your attention to the testimony of Mr. Dean, Mr. Loughlin and Mr. Phillips. My only regret in presenting this case is that members of the public perhaps wrongly thought that the application was to build more parking.

To conclude this point, I suggest the Board should focus on Mr. Dean's counts, which show a large surplus of parking, and Mr. Loughlin's responses to the Mayor's questions, indicating that the market shows no concern for the level of parking on the ORD site. Further, given the high renovation costs, change of use of the ORD space is not likely. The bottom line is that Thor's use is one that most municipalities would find highly desirable and not one where extra parking than needed would be required.

R-Seed Application

The R-Seed application complies to a "T" with what the Township prescribed when it adopted the R-Seed Ordinance. There are only *de minimis* variances and waivers, many of which relate to other general Township ordinances that are not specifically addressed in the R-Seed Ordinance, like parking stall size and pre-existing conditions.

Some of the more important points regarding the pending R-Seed application are as follows:

1. It is the Mixed Use Plan of commercial, office and residential uses that the Ordinance demands. The redevelopment is now under a single owner. All of the objectives of the plan are met.
2. It phases the boulevard and commercial uses first, as required by the Ordinance.
3. The Application fulfills the Township's affordable housing obligation, codified by the Township's agreement with the Fair Share Housing Center. If you deny the Application, the Township will need to put the units elsewhere.
4. The Application provides for all of the roadway improvements required by the Ordinance. Local residents testified to the Board on November 28, 2018 that they have been waiting for these improvements for decades.
5. The Application provides for a light at 4th Street, which is the subject of a granted DOT application that is a requirement of the Ordinance and an element of importance to the Planning Board. The DOT realized that these needed improvements would not get done, except through the project.
6. The roadway improvements, as testified to by Mr. Dean and agreed to by Mr. Dean and Mr. Troutman, the Township's expert, improve traffic in the Route 202 corridor.
7. While the Ordinance provides that the roadway improvements will be finished before the final certificate of occupancy for the R-Seed project, the Applicant has agreed to advance the roadway improvements. Mr. Dean's testimony and report support the reasonable nexus between construction and the timing of roadway improvements.
8. The Application provides for 20% open space and a community garden.
9. A loop path has been redesigned, which several Board Members have complemented.
10. The Council's concept for the project as noted in the Master Plan (Figure 4) has been substantially replicated.
11. The Landscape plan has been designed to the satisfaction of Ms. Doyle.
12. The Application includes the Town Green, which will enhance the project.

Setback Variance

The only significant Redevelopment Plan deviation is the front yard setback variance. As the Board will recall, initially there was no building in an earlier version of the application. The Board asked for a building (now known as Building #11) to break up the view of the parking area. Ultimately, the variance is needed to replicate Figure 4 of the Master Plan, which also

required a variance. Given the shape of the lot as it adjoins Route 202, a full 200 foot setback cannot reasonably be achieved. Grant of a "C" variance is appropriate.

Finally, the Plan achieves the fundamental purpose of years of effort to remove the outmoded, vacant and blighted 61 acre property, which lead to the Council's finding that the property is in need of redevelopment.

On behalf of the Applicant we thank you for your attention and request that you act favorably on the project.

Very truly yours,


Kevin J. Coakley

KJC/jlf
cc. Nicole B. Dory, Esq.
COE Bridgewater, LLC
AR Bridgewater II LLC