

[http://www.newjerseyhills.com/bernardsville\\_news/news/alternative-plan-for-millington-quarry-submitted/article\\_5f7b7222-e564-54c8-8b99-2d24ea773f48.html](http://www.newjerseyhills.com/bernardsville_news/news/alternative-plan-for-millington-quarry-submitted/article_5f7b7222-e564-54c8-8b99-2d24ea773f48.html)

## Alternative plan for Millington Quarry submitted

Developer takes legal action

By W. JACOB PERRY Staff Writer 16 hrs ago

**BERNARDS TWP.** – An investment group that was behind the rejected redevelopment plan for the Millington Quarry has taken legal action against the township and submitted a revised alternative plan “that takes into account much of the public feedback.”

Details of the revised plan have not yet been disclosed to this newspaper.

The group, Community Investment Partners (CIP), is seeking to reverse the Township Committee’s Jan. 24 vote to terminate the “area in need of redevelopment” designation, which had allowed the 180-acre Stonehouse Road site to be developed for something other than two-acre housing.

The township had worked with a prior investment group on the project, but a public uproar ensued last October after the committee unveiled a draft plan with 235 homes, a hotel, two restaurants, shops, office space and a public lake.

The draft, done jointly with the original investment group, drew vehement opposition from large crowds of residents who said it would worsen traffic, increase school enrollment and harm local businesses.

Although the termination of alternative zoning was popular, it spurred legal action. The agenda for the Township Committee meeting for Tuesday night, March 13, included a closed session resolution listing “Attorney-client privilege and threatened litigation – Community Investment Partners.”

In response to an inquiry from this newspaper, CIP issued a statement on Tuesday:

“Community Investment Partners has filed an action seeking to set aside the withdrawal of the Area in Need of Redevelopment designation and reaffirmation of the two acre residential zoning for the former Millington Quarry property.

“CIP did this to comply with a deadline for such actions. However, in hopes of continuing the open and collaborative dialogue it has enjoyed with the township and its residents, CIP has developed and submitted to the Township Committee a new conceptual plan for the site that takes into account much of the public feedback we received throughout this process – a plan that evidences CIP’s willingness to try to reduce the scale of the proposed development, incorporate additional open space, provide viable public amenities, and provide an opportunity for Bernards to use the quarry site to address its legal obligation for affordable housing in the context of a community of high-quality homes consistent with the township’s overall character.

“We look forward to presenting this plan and continuing our dialogue with the public regarding our new proposal in order to create a sustainable redevelopment that will provide a true benefit to all members of the community,” it said.

On Monday, before CIP issued its statement to this newspaper, Mayor John Carpenter commented briefly on the legal situation.

“It’s pretty disappointing, and we haven’t even discussed it with counsel yet,” Carpenter said. “We will discuss it as a group tomorrow night (Tuesday, March 13).”

The quarry property has long been designated for two-acre residential zoning upon the end of mining activity, which ceased last year.

That zoning could result in a development with 40 to 50 homes and a privately owned lake. But township officials hoped it could be developed differently.

Three years ago, after Shopoff Realty Investments contracted to buy the site from Millington Quarry Inc. (MQI), township officials found that Shopoff also preferred development alternatives. The two parties then worked together to use a state law to designate the site as an “area in need of redevelopment” to allow alternative uses.

Representatives from the township and Shopoff then began working on a redevelopment plan. Later that year, Shopoff sold its quarry purchasing rights to CIP, which included some of Shopoff’s partners.

The unveiling of the plan led opponents to form Friends of Stop the Quarry Plan (STQP) to fight it.

On Jan. 24, the committee voted 4-1 to kill the draft plan and also rescind the “area in need of redevelopment” designation.

Just prior to the vote, attorney Anne S. Babineau, representing CIP, urged the committee not to rescind the designation, saying the plan “could continue in another form so it could be refined to better satisfy” the town.