

The Times

No drawing the line in border rift

East Windsor and Hightstown at odds again over plans for 2 sites

Sunday, July 22, 2007

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Special to the Times

The first beachhead was a piece of land smaller than most suburban backyards.

Nine months ago, Hightstown was able to halt a proposal to redevelop three buildings in neighboring East Windsor into offices and warehouses because one-tenth of an acre of the 26-acre parcel extended into the borough, and East Windsor had made its approval contingent upon Hightstown's approval.

Now developers have plans for two other tracts near the line that divides the municipalities, and while both sides say they espouse the virtues of regional planning, the two neighbors continue to differ over the future of their border.

One professional caught in the middle of the exchange went so far as to describe it as a battle of the Hatfields and the McCoys.

East Windsor is poised to approve a 14-building office/warehouse complex off the Hightstown Bypass, and the borough is squirming. Hightstown officials asked East Windsor to slow down the approval process so they could evaluate the potential effects of traffic on the borough.

The response from East Windsor: Nothing doing.

Meanwhile, in Hightstown, planners are weighing a proposal for the borough's portion of the 38-acre former Minute Maid site that straddles the township border.

East Windsor Mayor Janice Mironov said she would prefer not to see such a development extend into her township, but developers are prepared to move forward with a Main Street-style development on the Hightstown side of the tract.

To planning experts, the border conflicts are a classic case of misaligned incentives in New Jersey's home rule system.

"We have made such small circles around our local government that (cross-border clashes) happen everywhere" in the state, said Diane Brake, president of the Regional Planning Partnership, a research and advocacy group based in Trenton.

"It's not unique, it's a structural problem in many places," Brake added. "It's very important to work together, because how else are you going to rationalize land use patterns so that they function well?"

Brake, who served on the state Planning Commission until 2001, recalls that East Windsor was opposed to Hightstown's "town-center" designation even before it was approved.

Since Hightstown received the designation in 1997, the borough has lost industry, but it remains leery of development on its outskirts that would bring extra cars to its streets without putting money in its tax coffers.

Together, the two office-warehouse developments in East Windsor would create more than 400,000 square feet of space on plots near the Hightstown border.

East Windsor Hi-Tech Associates is seeking to carve 205,000 square feet out of now-empty industrial buildings on Route 33 and Airport Road.

While the developer battles Hightstown in court over that plan, Kayamko of NJ Inc. is planning to build 235,000 square feet of new commercial space on 33 acres of farmland just north of Hightstown that has been a corn-covered buffer between the town and the Route 133 bypass.

"It's a fairly large development; obviously we have concerns about the traffic impact," Hightstown Planning Board Chairman Steve Misiura said of the proposed East Windsor Research Park near the bypass.

"We've made efforts to redirect truck traffic particularly outside of our one-square-mile community," said borough Council President Walter Sikorski. "You hope that these things would be taken into consideration."

Although she emphasized that the township "welcomes all comments" regarding the proposed office-warehouse sites, Mironov remarked that the borough seems to ask for such mutual planning considerations only "when it suits them."

"It's hard to miss the observation that their promotion of regional planning principals all seem to be one-way," she said.

The municipalities seem to be at odds, yet again, over the future of the former Minute Maid site, 21 acres of which is located in East Windsor.

Architect and planning firm Clarke, Caton Hintz, working for 480 Mercer LLC, owners of the former juice-packaging property that sits in both Hightstown and East Windsor, recently presented plans for a mixed-use commercial and residential facility to the borough planning board.

Both municipalities currently have the property zoned for industrial use, and Mironov indicated that although the architect's plan was only for the parcel located in Hightstown, it was not exactly what the township had anticipated approving on its portion of the property.

"We potentially have different visions," she said.

Paul Josephson, the attorney for 480 Mercer LLC., discussed a compromise solution that would place a fairly dense blend of multi-story residential and commercial space on the Hightstown part of the property and more typically suburban "big-box" commercial retail stores in the township.

Borough officials are by no means ready to approve that plan, and it's unclear whether East Windsor would alter township zoning to accommodate it.

For Brake, the solution to these disputes over growth is for planners at the county and state level to assert more authority over the process, providing "clearer targets that the local towns should meet."

"It doesn't do any good to get Hightstown a 'center' designation if what goes on around it is not supportive of that," Brake said. "East Windsor is so much bigger that they don't have to listen to Hightstown."

In the past, East Windsor has welcomed commercial development, particularly near the bypass, which opened in 1999. The bypass links Route 33, Route 130 and Princeton-Hightstown Road, and was designed to carry traffic around Hightstown.

And although much of the farmland near the Rt. 133 corridor remains undeveloped, Mironov stopped short of conceding that growth around the bypass had been a disappointment, instead saying that such commercial developments were "not a primary goal" of the project.

The township has "made good strides" toward the goal of attracting commercial ratables, Mironov said. "We anticipate additional commercial projects; it will continue to be an important part of looking to hold municipal tax increases," she added.

Hightstown does not have the legal standing to block the Kayamko plan but it does have the right to weigh in on the traffic impact because the land is within 200 feet of the borough's border. Hightstown officials are concerned that heavy truck traffic would result.

However, Kayamko has cited the relatively small size of the buildings planned for the development along with narrow vehicle lanes, lack of turnaround space, and ground-level loading docks as evidence that the site is "not a distribution center," Mironov said.

The site will generate 348 entering and 104 exiting vehicles" during the morning rush hour and "100 entering and 292 exiting vehicles" during the afternoon rush hour, according to projections submitted by Maser Consulting, the developer's traffic consultant.

Those vehicles will enter and leave the site from two driveways, one on North Main Street and the other on Town Center Road. When the new vehicles are added to existing traffic conditions at surrounding intersections, there will be "only a minor increase in delays" during peak hours, Maser concluded in the study.

In the first skirmish over its borders, Hightstown's planning board rejected East Windsor Hi-Tech Associates' plans for a commercial development off Route 33, just east of the Airport Road intersection in East Windsor, because they said the developer failed to comply with a request for an additional traffic study.

The developer, whose plans were approved by East Windsor, had testified that up to 90 vehicles would enter Hightstown's road system during rush hour.

The company's suit seeking to overturn Hightstown's ruling is pending in the state Superior Court.

Times correspondent Nicole Castelli contributed to this report.

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