

# Taking the time to listen

We applaud the Clinton Township Council's recent decision to extend the public comment period on the Windy Acres settlement agreement to Oct. 26, and hope the council will listen carefully and seriously to the comments from the public and questions that have been raised. In our view, some of those issues should seriously be considered for revisions to the proposed settlement agreement. The settlement agreement is lengthy and complex, and the public comment process should not be rushed.

We were disappointed at the way the meeting of the Planning Board and Township Council was conducted last Wednesday, and believe that it would have been in Planning Board Chairman James Imbriaco's better interest to spend less time fighting with residents and more time listening to their concerns. We agree with Clinton Township resident Patricia Clarke who told the Planning Board chairman that he should answer the questions of residents rather than challenging them.

We were also disappointed in what we view as the Planning Board's premature decision to approve the Windy Acres settlement agreement, and in the process ignore the concerns of state Department of Environmental Commissioner Bradley Campbell. It's the DEP that will be issuing the permits on this site, and those permits might not be a sure bet. In a letter to the mayor and council, Campbell expressed his "strong objection" to the agreement and questioned whether the project could even meet water protection standards and stormwater management rules.

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Residents and other interested parties spoke out on the pros and cons of a proposed settlement agreement with the developer of the Windy Acres property in Clinton Township last Wednesday night in a second intense public hearing that sparked some arguments between speakers and Planning Board Chairman James Imbriaco.

Basic questions about this project remain unanswered. Nick Corcodilos, who will most likely be Clinton Township's next mayor, is still waiting for an answer as to whether the Windy Acres site can even support the number of units that have been proposed.

We share Corcodilos' concern about a provision in the agreement that would not allow the township to alter it without Pulte's approval through 2016. Additionally the township would have to give the developer \$500,000 to defend a breached contract. On top of that, there are fears that the agreement could allow Elizabethtown Water Company to build a 100-foot water tower on the property, a plan that had already been rejected by the township Board of Adjustment. Questions have been raised as to whether the developer can even provide the sewage system needed to build the development.

These concerns and questions need to be addressed. As Corcodilos says on his Web site, "Why the rush?" The settlement agreement seems to give too much control to Pulte and not enough to Clinton Township.

We also believe that the Readington Lebanon Sewerage Authority (RLSA) lawsuit should be dropped as a way of providing sewers. The developer would have the option of pursuing an appeal against the RLSA to seek a hook-in. That will only provoke more lawsuits. The idea received not-so-veiled threats of a legal challenge from Readington Township's attorney and, this past Wednesday, from an attorney representing the massive Bellemead Corp.

Does Clinton Township really want to trade a lawsuit from P & H for potential lawsuits from Bellemead, Merck and Chubb, which have already successfully argued in Superior Court that they have paid millions for guaranteed gallonage in the Readington-Lebanon Sewerage Authority. That case is on appeal, and Clinton Township shouldn't make Pulte's case any stronger by in any way endorsing such a plan.

We hope the Township Council continues listening to the public and makes its decision carefully.