

Council votes to fund Windy Acres buy

Council adopts \$7M ordinance

By CLAIRE KNAPP
CONTRIBUTING WRITER

CLINTON TWP. — Without opposition, and nothing but encouragement from the public, local officials are moving ahead to acquire the 292-acre Windy Acres property near the Lebanon border for what some have called a "fire sale" price by the end of the year. Pulte Homes, which owns the property, had once planned to build nearly 1,000 homes on the land.

The Township Council adopted a funding ordinance to finance the \$7 million purchase at its meeting on Wednesday, Dec. 10. About 20 people attended the public hearing, but no one spoke against the issue.

Mayor Nick Corcodilos, whose property abuts Windy Acres, removed himself from all discussions of the issue, stating a conflict of interest.

A round of applause erupted

vote was unanimously cast in favor of purchasing the property by the four remaining council members.

Controls Property Taxes

One resident, Bill Honachefsky Sr., said he has lived in Clinton Township for many years and that he believed buying the property and preserving open space is the right thing to do. A professional planner, Honachefsky said he believes saving open space and preventing residential development is the best way to control property taxes.

Some voices were heard from neighboring communities, too.

"This helps neighboring towns," said Freeholder Director Erik Peterson, a resident of Franklin Township, who said he has always favored preserving open space. "You should work with the county to develop connecting trails since the land is

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next to a county-owned property," said Peterson.

Readington's Deputy Mayor, Julia Allen, also voiced support for the purchase. "I just wanted to say how excited I am Clinton Township is preserving this incredible area at an incredible price," said Allen.

The "incredible price" Allen referred to is about half the price the owner, Pulte Homes, paid for it in 1999.

Pulte had rejected other offers from the township, including one for \$20 million in 2000, and another for \$18 million. More recently, Pulte expressed an interest in selling the property to the township and state for \$13 million.

But times have changed. The economy, and real estate market in general, are dealing with hard times. Property values are decreasing. Pulte told local officials they have in excess of \$30 million invested in the property to date but will be able to recoup most, if not all of their losses, through income tax credits if Clinton Township buys the land before the end of the year.

Officials say the township is in a good financial position to take advantage of the market-induced purchase price. The township's Open Space Trust Fund, approved by voters in 1994, has been collecting about \$500,000 annually for several years and now has a balance of \$5.5 million. The

township will use \$4 million of the fund to pay for Windy Acres, anticipating that a portion of the initial outlay will be reimbursed through funding provided by the county and state.

Additional money will come from a 2007 bond authorization for \$3.2 million, approved to address the cost of complying with state-imposed affordable housing units that will not have to be built if Pulte does not build new homes. The Township Council intends to cancel that bond authorization and use a portion of the money to purchase the property. Repayment of the money will be through the township's Affordable Housing Trust Fund, which is paid for from fees from developers, not local property taxes.

Little Effect

In an informational release distributed to residents and posted on Clinton Township's Web site prior to last Wednesday's public hearing, the Township Council said removing Windy Acres from the tax rolls would have little effect on homeowners. Currently, the entire property pays \$14,972 annually in property taxes, including \$1,339 in municipal tax and \$7,020 in local school tax. This represents less than 0.001 percent of the total tax revenue collected by the township.

Council President Kevin Cimei said allowing Windy Acres to be developed would have increased property taxes by adding

more students to the school system and requiring increased services from the township.

Local officials say another benefit to taxpayers is that purchasing Windy Acres puts an end to the more than 20 years of litigation and related costs due to the township's effort to prevent development.

Windy Acres is zoned for high-density residential development that could have resulted in more than 1,000 new housing units, increasing the township population by more than 30 percent. The legal costs have been significant, and the township's purchase of the land would settle any outstanding dispute with Pulte Homes, say officials.

The Township Council plans to set aside 30 acres of the 292-acre tract to meet future state-mandated affordable housing obligations, leaving the much larger portion in preserved open space.

In the question-and-answer sheet distributed to residents, officials said that like any other development, the township would have to obtain all necessary approvals in order to build affordable units. The township still has to be build affordable housing units somewhere within its boundaries even if Windy Acres is not purchased. To do so, additional land would have to be acquired, as well as sufficient water and sewer capacity to service the new homes.

DECEMBER 18, 2008

Clinton Twp. Approves Loan For Windy Acres

By Curtis Leeds

CLINTON TWP. — Township Council's vote to pursue the purchase of Windy Acres and authorize borrowing up to \$3 million to cover part of the cost drew rare applause at its Dec. 10 meeting.

The decision surprised no one. Previous public hearings designated for public feedback on the \$7 million purchase drew no objectors to buying the 292-acre property, which has involved the township in lawsuits for decades.

Windy Acres is the name of a farm just southeast of Lebanon between Main Street and the railroad tracks. Although developer Pulte Homes once sought to build more than 1,000 homes on the site and still has active lawsuits against the township, Stuart Koenig, the attorney who handles the matter for the township, now says that Pulte wants to sell the property if it can close before the end of the year, which council's most recent action makes possible.

The township will fund the \$4 million down payment from the township's open space trust fund, Mr. Koenig said. Officials hope to recover some of the remaining cost through grants from the Hunterdon Land Trust Alliance, the county, the state Green Acres program and the N.J. Water Supply Authority.

At the Dec. 10 public hearing,

resident William Honachefsky told council that the purchase "is the wisest investment the township could make." Readington Township Committeewoman Julia Allen called the plan an "incredible opportunity" and said that in more than 30 years of being active in county land preservation, she's "very rarely" seen such a valuable parcel offered at what she called such a low price.

Freeholder Erik Peterson told council that, speaking only as a Franklin Township resident, he encouraged the buy, because it will protect water and benefit neighbors such as Readington and Lebanon.

Mayor Nick Corcodilos lives near the farm and has recused himself from discussion and votes on its fate. But after the public hearing was over, in comments reflecting on his three-year term as mayor, the one-time activist who got his start opposing the development of Windy Acres, quoted Jerry Garcia of the Grateful Dead: "What a long, strange trip it's been."

Deal Expires Dec. 31

Windy Acres Offered Cheap

By Curtis Leeds

CLINTON TWP. — The owner of the 292-acre Windy Acres property has offered to sell it to the township for \$7.15 million. Mayor-elect Kevin Cimei called the terms offered by Pulte Homes "favorable" and said the deal is a "fantastic opportunity for the township." At one time, Pulte said its stake in the project was about \$23.5 million, leading Mr. Cimei

to call the developer a "motivated seller."

If the township accepts the deal, it will get more than just land. Township Administrator Marvin Joss said there's a "huge" lawsuit over the property and buying it "would make that go away."

Officials have set a special meeting so that they can hear what residents think about the proposal. That will be at 6:30 p.m. Monday in the auditorium at the township Middle School. The public can also be heard at the public hearing that would precede adoption of the plan. That will be at 7:30 p.m. Wednesday in the township's Public Safety Building on Route 31.

Windy Acres is the name of a farm just southeast of Lebanon between Main Street and the railroad tracks.

Ever since office buildings were proposed for the site more than 20 years ago, the land has been a bone of contention between the

township and developers. Since then various plans and lawsuits have been filed, some of them complicated by Pulte's willingness to add state-mandated low-cost housing to the mix. The most ambitious of the plans would have put 1,140 homes there.

Township Mayor Nick Corcodilos got his introduction to government affairs as head of a citizens group fighting the development of Windy Acres. Ever since he took office, he has recused himself from Windy Acres discussions to avoid a conflict of interest.

Mr. Cimei said the new offer came after Pulte approached the Hunterdon Land Trust Alliance about a possible sale. If the plan is approved at Wednesday's public hearing, the township would use \$4 million from its open space trust fund as a down payment; the remainder would be paid over time.

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Windy Acres

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He said that the state Green Acres program, the N.J. Water Supply Authority and the county open space program have all expressed interest in contributing money to buy the property. The township's own affordable housing trust fund could be used for any portion that would be dedicated to affordable housing and township officials have proposed a \$3 million bond to guarantee the availability of money for the purchase.

However, Pulte's offer is contingent on the township closing on the purchase before the end of the year. "Make no mistake," said Township Attorney Kristina Hadinger. "The owner of the property has made it clear" that the Dec. 31 deadline is because Pulte

would receive a tax advantage that expires when the year ends.

Cathy Sipe, the chair of the township's open space committee, said the plan has the committee's unanimous support. "To me, it's a lot of money, certainly," she said in an interview. But it's likely that the township will recoup much of its cost and protecting the farm has many benefits, she said.

"I call this our big water farm," she said, which is important because a water resource report prepared for the township shows "our groundwater (supply) is definitely threatened." Its large size, location next to the Cushetunk Preserve, biodiversity, refuge for threatened and endangered species, and natural beauty are all reasons to protect the property, she said.

Former Planning Board member Marc Malloy questioned the plan. Windy Acres is taxable property, he said. Buying the land would "take a potential ratable off the books." He asked, "Why \$7 million? Why now? ... It doesn't feel like the timing is right" and he compared the Dec. 31 deadline to having "a gun against your temple." Former township councilwoman Antje Doyle questioned whether the land is buildable.

While Mr. Cimei acknowledged that "none of this is elegant" and that there are unresolved issues about the purchase, he said, "Windy Acres is probably the most analyzed and discussed property in the township." He and other members of Township Council said they look forward to hearing comments from the public before final action is taken on Pulte's offer.