

FROM THE OFFICE OF THE MAYOR

December 22, 2011

Dear Governor Chris Christie:

As you are aware, Cranford Township is subject to a builder's remedy lawsuit in which a judgment was entered allowing a 360 unit housing development on Birchwood Avenue, a flood-prone area of town. We further appreciate the interest you have taken in what has occurred, as evidenced by your comments at a recent Town Hall meeting in Union Township where, in discussing the difficulties municipalities face with the overreaching affordable housing regulations, you made a point of noting that "the Cranford situation is foremost in my mind."

While Cranford will continue to challenge the factual and legal basis for the trial court's decision, the Judge specifically noted that the viability of permits and engineering issues were beyond the scope of the Court's determination. As a result, we are respectfully requesting, on behalf of Cranford Township, that the state Department of Environmental Protection carefully review and reject a flood hazard area permit that would allow the overdevelopment of a massive housing project in a flood zone based upon recognized engineering principles and the stringent standards for development that are set forth in the regulations.

As you know, Cranford just experienced with Hurricane Irene the worst flooding in its history with over 1600 homes damaged, a school and a part of our municipal building still not in use, and many families who continue to be displaced from their homes. Our community suffered, by some estimates, over \$50 million of damages and the concern of many professionals is that this type of storm will occur again with greater frequency.

Construction of a 360 housing unit development with a five-story parking garage adjacent to the Casino Brook would be disastrous for Cranford and we believe would be inconsistent with the Administration's policy on development. The immediately adjacent neighborhood contains single family homes. Furthermore, this overdevelopment will affect the existing storm water drainage system that is already overcapacity during most storms. During heavy rain, the Rahway River backs up a few blocks away and it is clear based upon recognized engineering principles that the proposed development will worsen existing conditions. As a result, while we are requesting that the NJDEP take a critical view of development of the Birchwood property in the short term, we are also seeking to work with your Administration to acquire the property and develop storm water retention facilities in this area to protect the homeowners rather than allowing a developer

to continue to exacerbate the conditions in this area.

It is our hope that your Administration, both through a careful and critical review of the state permitting issues at this site and through the consideration of state funding through the Blue Acres or other federal or state funded property acquisition programs, can work with Cranford to provide affordable housing that will meet the constitutionally-mandated affordable housing objectives, avoid a massive development project that does not fit the community's character, and provide a long-term solution to regional flooding.

We have also enclosed a copy of an electronic petition with the comments and electronic signatures of Cranford citizens that, in their own words, have voiced their concerns.

We look to continue a dialogue with your Administration. Our Township Attorney and Township Engineer can provide further insight to your office on the legal issues as well as the technical aspects why this project will cause more drainage problems.

We urge your sincere consideration of our objections and look forward to discussing a constructive way to work with your Administration on this time sensitive and critical matter to our community. We would welcome an opportunity to meet with you or your staff to discuss these matters more fully.

Respectfully,

Dan Aschenbach
Cranford Mayor, 2011 (Democrat)

David W. Robinson
Cranford Mayor, 2012 (Republican)