

Citizen's group hopes to stop development

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The future of the Honeywell Corp.'s global headquarters in Morris Township may soon be decided after a hearing began in Superior Court Tuesday to consider a resident's group legal challenge to the controversial rezoning of that 147-acre campus.

Honeywell wants to redevelop part of its campus, which its attorneys say is outdated and underutilized. After protracted hearings and protests, the Morris Township Committee approved zoning changes in October 2012 that would have permitted the company to build 235 townhouses on the campus and expand its office and laboratory facilities there.

But faced with continuing opposition from the public, including a lawsuit brought by two residents, Honeywell in February of last year announced it will relocate its headquarters to a Morris Plains property on Tabor Road owned by McNeil-PPC, a Johnson & Johnson company. While it may keep a small portion of its 1,200 employees on the Morris Township campus, the company said last year it would meet with developers about selling the land.

Originally, Honeywell's proposal for the Morris Township property included a hotel and a continuing care community, but those plans were scaled back in the wake of heated opposition from some residents, including Citizens for Better Planning in Morris Township.

Judge Stephan Hansbury, who last year dismissed previous legal challenges to the rezoning, is now considering the final challenge that remains — whether the rezoning constituted a case of illegal spot zoning.

Wednesday, Hansbury listened to opening arguments by Morristown attorney Daniel E. Somers, representing the Citizens for Better Planning in Morris Township.

Somers said Morris Township officials were told by Honeywell — and they in turn told the public — that the rezoning “was the only way to keep this Fortune 500 company in town. Now we all know that's not the case.”

Attorneys Anthony Marchetta and Christopher John Stracco of the Parsippany law firm Day Pitney represented Honeywell in the hearing. Morris Township Attorney John Mills joined them at the defense table.

Mills acknowledged that Honeywell requested the rezoning and benefited from it, but there should be no conflict because the rezoning served the public interest.

Somers called two witnesses, including Peter Steck, a community planning consultant, who opined that the rezoning was designed specifically for Honeywell at the exclusion of other similar business campuses zoned for office and laboratories, and failed to adequately consider potential negative community impact, including traffic.

Mills and the Honeywell attorneys objected to much of Steck's testimony, and Hansbury agreed on several occasions that Steck's opinions on traffic were not credible without evidence of his traffic expertise.

Somers also called David Budd, a Citizens trustee and a longtime township resident who grew up next to the property. Budd offered background and history on the property, which the opposing attorneys objected to as irrelevant. Hansbury allowed Budd's testimony as Somers said it was relevant to aspects of his case he would present later.

Honeywell attorneys declined to comment on the case. Honeywell spokesman Robert Ferris issued a press release Tuesday afternoon saying "Honeywell believes that the plaintiff's claims against the Township Committee of Morris Township are completely without merit and should be dismissed. The record in this case is clear that consideration of this ordinance was extensive, with full open public participation and consideration of the public interest. We support the Township Committee of Morris Township and expect that they will prevail in this case."

Ferris also said the company expects to complete its work on the Morris Plains buildings and move there sometime in 2015.

Michele Demarest, president of the Citizens, said she was hopeful the judge would see the rezoning as illegal spot-zoning. Linda Wilson, the group's treasurer, said she hoped the judge would render a decision that would allow for more resident input on what is best for the property, "Not for the next five or 10 years but for the next 25 years, 50 years, and not to make a decision based on the property values they think they can get over the next few years."

"This is a very important piece of property in the town, particularly in this neighborhood, that it is for all the wrong reasons being overdeveloped," said Julia Somers, executive director of the Highlands Coalition, who attended the hearing and referred to the Citizens as a Highlands Coalition "member organization."

"The residents have made their feelings very well known and they deserve to be heard," she said. "And it's very unfortunate that the town is forcing them to go to court."

The hearing was scheduled to continue Wednesday. Somers said the judge indicated it would take about two weeks for him to render a decision.

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<http://www.dailyrecord.com/article/20140218/NJNEWS/302180052/Honeywell-rezoning-Morris-Twp-back-court>