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## Mayor Talks About How DyDee Got Where It Is

by Zach DeRitis

"A lot of decisions have already been made," Haddon Township mayor Randy Teague said at Pat Seidman's backyard talk about the DyDee project. "It goes back to the year 2000 - when the town created redevelopment zones. It created a means for the town to develop those areas if they're considered blighted and it also put everybody, businesses, homes, under the threat of eminent domain by the government. So it became an emotional issue."

By 2003, the abandoned and inactive DyDee site found itself in the center of the public eye as Haddon Ave. underwent redevelopment.

"That was always one of the biggest things that needed to get done," Teague said.

At the time, then-mayor Bill Park's administration entered into an agreement with redevelopment company Fieldstone Associates "which gave them the rights, under certain parameters, to build a development on the DyDee site."

Teague said there was no public input during the initial process which, along with the intense and emotional climate of the community, only exacerbated public skepticism.

Once the deal was signed, Fieldstone possessed legal rights to the development area. Shortly thereafter, the town began the process of acquiring the DyDee site and roughly 25 surrounding private properties through negotiated purchase or eminent domain.

"You could argue that the project was doomed from the very beginning because of time," Teague said. He noted that acquiring the properties, tackling the resulting lawsuits against the township and performing an investigation and remediation of the sites prior to any development, was a process moving at a snail's pace.

"Real estate is a speculative market and if you can't make a deal within a year or two you're at risk because times can change. The market can change," Teague said.

The acquisition of properties and subsequent legal battles ensued long past the 2007 election of Teague's administration. The new mayor and commissioners sped up the process and eventually acquired the DyDee site. Teague said that too much time had passed and walking away from the project would result in a lawsuit by Fieldstone, the township losing money and the site remaining vacant.

The final cost of the site acquisition totaled \$8.5 million, a price Fieldstone is obligated to pay back "at the time that the site is ready to be sold to them."

In recent years Haddon Township has been awarded grant money that covered the entire environmental cleanup of the site.

By 2009, all New Jersey municipalities were required by the state's Council on Affordable Housing (COAH), an agency tasked with overseeing the amount of available affordable housing units in a given community, to submit their current housing obligations. Haddon Township's number, according to Teague, was zero and the municipality met its obligation under the Fair Housing Act. The township, therefore, was not obligated to develop more affordable housing units.

Shortly after, though, COAH changed how housing obligations should be calculated. Haddon Township disagreed with the change and filed a lawsuit claiming that any changes should not have an effect on the township's obligation.

In 2011 Fieldstone's site plan was approved by the township, which included condominiums, town homes, apartments and

retail space.

Enter Fair Share Housing - a nonprofit watchdog organization that is "devoted to defending the housing rights of New Jersey's poor."

Fair Share Housing filed a lawsuit against Haddon Township arguing that Fieldstone's site plan did not include the necessary space for affordable housing, that the township was not meeting their COAH requirements and that, since the township had received state-issued grant money, the township was obligated to build affordable housing units.

Because COAH had not released their affordable housing requirement numbers, the presiding judge ordered both the township and Fair Share Housing to recalculate their numbers according to COAH's new calculation.

The new calculation estimated that Haddon Township needed 120 affordable housing units to be compliant.

"Now we were between a rock and a hard place," Teague said. The township now had to either pay Fieldstone to plan for a new development project that included Fair Share's 20 percent affordable housing requirement or find a new location in Haddon Township to construct units to meet their requirements - which the township could not.

Teague said that the situation was turning into a "financial disaster for the town" and that the litigation for the affordable housing aspect of the project alone had cost the town roughly \$500,000.

By 2013, the parties decided to try and settle. Fieldstone drafted a new site plan which included the necessary affordable housing units but less retail space and no condominiums. After presenting the site plan to the public - outrage followed.

"Nobody liked it," said Teague. "So we talked about it and got negative feedback."

Teague addressed another issue that faced the first site plan that many in the town were demanding. The real estate climate had changed dramatically since 2007 and the condominium market, a key part of that plan, had dried up.

"Banks weren't lending money to developers for condominiums and individuals were having trouble buying condominiums," Teague said.

COAH finally issued new numbers and they matched the previous results that Haddon Township had in 2009 - zero. That number will not be law, however, until November of this year but that is subject to litigation, as well.

Recently, the judge hearing Haddon Township's case met with both party's legal counsel in an attempt to move the case along. Teague said that because the township has no housing obligation, for the time being, the township and Fieldstone want to move ahead with the original site plan. Fair Share Housing plans to appeal but Fieldstone is now obligated to move forward with their original plan that includes condos, apartments and retail space.

Teague concluded by stating that the township has requested a stay in the litigation until either "COAH comes out with their final numbers," or "Fair Share's challenges are thrown out or accepted and then we'll deal with it."

"So that's sort of where we are and that's how we got there," he concluded.