

PLANNERS' 37 CASEBOOK

Eggerts Crossing Village

How Volunteers Overcame Barriers to Suburban Low- and Moderate-Income Housing

Joseph G. Feinberg

The history of volunteerism occupies a well-deserved place in our American heritage. Its role today has been especially important to those grassroots efforts to meet the many social problems that continue to cast a shadow over an otherwise enviable American democracy. Notable among such efforts has been the growing number of local nonprofit corporations, the community action that spurred their development, the volunteer effort involved, and its particular relevance to planning and planners as volunteers.

While many working professional planners currently serve in essentially volunteer roles as members of local planning boards, their assistance as volunteers can be especially important to newly formed nonprofit corporations for housing and community development given the nonprofits' often low budgets and lack of experience in planning and management. In the face of these special and sensitive concerns, such as carrying out their programs in the face of racial discrimination, the nonprofits' needs become all the greater.

Such roles provide the opportunity for planners to act not just as technically competent professionals, but also as advocates or mediators to help resolve conflicts between interdependent parties. Eggerts Crossing Village, a neighborhood in suburban Lawrence Township, New Jersey provided such an opportunity in 1969 as it mobilized under the direction of Fred Vereen Jr., a longtime neighborhood activist, to take up the challenge of producing affordable housing for low- and moderate-income families in white middle-class suburbia.

This extraordinary task also made for a most dramatic setting against which reliance on the planners for their experience and knowledge of relevant housing programs assumed critical importance. But it was equally important for the planner to be seen in the context of his or her role as a team member working in close conjunction with other volunteers on all aspects of the project if the suburban barrier to assisted family housing was to be breached.

Background

Historically, the Eggerts Crossing neighborhood originated when Lawrence was still predominantly rural. It had a rich cultural heritage, despite much of its "jerry-built" character, and the African American neighborhood's classic location between a municipal boundary on the west and the "other side of the tracks"



Planners' volunteer work helped to make this low- to moderate-income development in New Jersey a reality.



HIGHLIGHTS

Summary: Planners as advocates helped resolve conflicts and develop Eggerts Crossing Village, a low- to moderate-income development in Lawrence Township, New Jersey.

Focus: Benefits of volunteerism, both to planners and to the residents of the low- to moderate-income housing development.

Timeline: 1969-present

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boundary on the east. The neighborhood had produced artists, poets, and athletes of considerable prominence, as well as many teachers and other professionals.

It was therefore not surprising to see the neighborhood's Community Action Council, under Vereen's leadership, address the necessity of improved housing at affordable rents. In 1965, Vereen had led the effort to apply for federal Office of Economic Opportunity funding, which led to the construction of a neighborhood service center. While the need for affordable housing for low- and moderate-income families was critical, Vereen realized that to break the neighborhood's cycle of poverty required more than bricks and mortar. Social services for health, education, and jobs would be essential for the success of any housing program. He would have no better partner in this pursuit than volunteer and social planner Peggy Huchet.

While early programs such as child health care and planned parenthood clinics had been established and run out of the neighborhood center, it was Huchet who would be responsible for the planning and further development of such programs. And it would be these programs on which the success of Eggerts Crossing Village, which was completed in 1974, would be largely determined.

At a time when suburban exclusionary zoning made it nearly impossible to build multifamily housing, the housing committee began to recruit volunteers from throughout the community. And many of these volunteers brought considerable professional expertise to the committee. Among them were two planners, Robert Groer, then employed by the New Jersey Housing Finance Agency (NJ HFA), and myself, then executive director of the Jersey City Redevelopment Agency. Recruited to provide technical assistance, greater value would derive from the experience of acting as neighborhood advocates, a role distinctly different from typical public agency employment.

Facts of the Case

While the housing committee discussed both rehabilitation and possible new construction, a meeting with Ralph Brown, NJ HFA, made it clear that the agency was only interested in new construction. Anticipating this, I had earlier delineated a site comprised of three privately owned adjacent properties. Vereen and others agreed it was the only one that had possibilities by virtue of its size and location—25 acres located at the vertex of Eggerts Crossing and adjacent Eldridge Park, a neighborhood of both black and white residents. I briefly described the site to Brown and he was interested. We hoped it would be a site that would not create opposition.

The housing committee, with the help of such experienced volunteers as scientists Ruth and Irv Seidman, James Armington, and neighborhood residents Harold Brown, Durwood Davis, and others, prepared a report which documented housing conditions and surveyed resident needs. The census tract of which Eggerts Crossing was a part showed more than 10 percent of its housing dilapidated or deteriorated, by far the highest in Lawrence. And most of it was concentrated in the Eggerts Crossing neighborhood.

With help from the planners, the report also included those requirements necessary to secure financial assistance from NJ HFA: a Resolution of Need from the Lawrence Municipal Council in order to establish a nonprofit housing corporation, applying for "seed money" to hire a lawyer and architect, and funds to secure necessary options on the property. The seed money advance would normally also have provided for a housing consultant; however, the commissioner of the finance agency authorized Groer to act in this capacity.

Vereen secured seven community organizations to act as sponsors for the proposed corporation. Local attorney Michael Spicer, a volunteer,

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As greater achievement among the youth of Eggerts Crossing Village is recognized, the intrinsic value of the development and social programs holds promise for the future.

prepared and submitted a certificate of incorporation to the New Jersey Department of Community Affairs for the establishment of the Lawrence Non-Profit Housing, Inc. (LNPH). Vereen was its first president. When the seed money advance was finally received, local attorney David Friedman and John Zvosec, a local architect and planner, were hired.

The goal now, as articulated by the planners, was to achieve well-designed housing that would not only meet family needs, but also demonstrate to the entire township how a soundly managed subsidized project could be a community asset, and by so doing possibly pave the way for future housing programs elsewhere in Lawrence. There was complete unanimity by the entire housing committee on these objectives as Zvosec proceeded to develop his preliminary plan for 200 townhouses and apartments having two to five bedrooms, all arranged in clusters with ample space for recreation and landscaping.

The housing committee then presented its plan and program to civic and church groups throughout the community. Sensitive to anticipated local opposition, we all knew the road ahead would be marked by controversy and present problems, any one of which could sidetrack the effort. But we

would strive to avoid confrontation by focusing on the needs and avoiding the racial undercurrents as much as possible.

Problems Begin

Prior to receipt of seed money, and before LNPH could even get started, a private development corporation optioned two of the three properties out from under it. It then proposed a collaborative arrangement with LNPH, assuming LNPH could pave the way for higher density zoning for market rate housing if concessions were made for some subsidized units. The timing of this action clearly suggested a deceptive attempt to provide an opportunity for private developers and, at the same time, sidetrack the neighborhood's goal of subsidized affordable housing. There had only been very limited discussion with the five-member municipal council which, with exception of only a few of its members, was very wary and uncertain with the Eggerts Crossing Village goal, even as it reluctantly approved the resolution of need.

The job of presenting the corporation's plan now fell largely to Zvosec, Groer, Friedman, Vereen, Huchet and myself, all very aware of the possible opposition that could be encountered. Advocating on behalf of an eight percent

minority in the face of prevailing suburban attitudes required that points be carefully explained. Community interdependence would be stressed while avoiding even the slightest implication of racial bias, which could needlessly antagonize those in a position to adversely influence the decision making.

Despite our cautions, opposition in adjacent Eldridge Park, surprisingly more than anticipated, claimed the plan would upset the black-white balance in the neighborhood school and allow minorities with large families from nearby Trenton to move into the neighborhood. This in turn could cause uncertainty, if not outright denial, of the public actions the corporation required. We knew we were on thin ice!

When LNPH was directed to apply for a special use permit to obtain the necessary density required, petitions with 600 residents' signatures were presented to block the approval. The pressure to deny the application caused delays, which in turn resulted in LNPH filing a lawsuit against the zoning board. As an alternative strategy, Friedman and Groer sought a zone change. The township council, led by its members sympathetic to the corporation—principally councilmen Thomas Mott and James Murphy—passed a zoning amendment allowing construction on three sites in Lawrence. Of the three sites, however, only the Eggerts site allowed for subsidies. As a consequence, a taxpayers' suit was filed based on discriminatory zoning. NJ HFA, therefore, could not make a mortgage commitment while there was outstanding litigation, and the LNPH's options on the property were about to expire.

A property tax agreement worked out earlier by Groer and Friedman with the township tax collector was reasonably consistent with HFA's practice of requiring in lieu of tax payments. However, a problem developed when a new administration came into office not favorably disposed to the Eggerts housing program. It may only have been coincidental that the new tax collector, who had earlier provided a tax estimate consistent with that of his predecessor, next issued a tax bill completely inconsistent with earlier estimates. In any event, the proposed tax rate would fall to the tenants and exceed their rent-paying ability.

Outcomes

Although the problems seemed to be coming in bunches, LNPH had nonetheless managed to strengthen its position enough to discourage the

private corporation holding the options—it finally saw no prospect in its proposal and let its options on the property expire.

Later, in order to avoid losing our own options on the site because of the litigation, Friedman persuaded a local bank to provide a loan to purchase the property. He enlisted 11 families to organize themselves as Better Housing Limited, with each member pledging his or her property as security for the loan. Better Housing Limited then held the property until the taxpayers' lawsuit was defeated. Then NJ HFA was able to approve the mortgage and allow LNPH to acquire the property.

With the lawsuit against the zoning board resulting in a court order to issue a building permit, LNPH was prepared to start the project, but it had to reduce the number of apartment and townhome units to 100—the limit imposed on each of the three new zones. Although reluctantly accepted, it served to dampen the adjacent Eldridge Park neighborhood's concern of school overcrowding. Eggerts Crossing Village was completed in 1974 and was seen by many as the best designed multifamily development in the township and the county.

The tax issue was finally resolved in 1975, but not until after Groer, Friedman, and Vereen showed that the tax imposed on Eggerts Crossing Village was almost double the tax of other apartment projects in the county. Groer, whose responsibilities at NJ HFA included determining project feasibility, carefully explained to the council the importance of tax abatement. The disciplined approach in the face of a clear effort to adversely impact the project was exemplary. Groer, Friedman, and Vereen patiently completed the needless exercises necessary to convince this new administration of the proper basis on which to determine in lieu of tax payments for subsidized affordable housing.

LNPH managed to jump all the hurdles placed in its path through a reliance on mediation and negotiation. Its completion allowed families living in deteriorating structures to move in immediately and their former houses demolished. Eggerts Crossing Village also spurred additional improvements in the neighborhood. A bicycle path and stormwater sewers have accompanied programs of housing rehabilitation and strengthened code compliance. An adjacent park also was developed, recommended in a follow-up study by Princeton University students as part of a planning workshop funded through a demonstration grant program I administered after my return to state government

EGGERTS CROSSING VILLAGE CHRONOLOGY

- 1969** — Fred Vereen, Jr. forms housing committee and recruits volunteers, including two planners.
- 1970** — New Jersey Department of Community Affairs (NJ DCA) approves the certificate of incorporation.
- Architect-planner John Zvosec completes plan for 200 low- to moderate-income family homes. Informational meetings held and plan presented to the planning and zoning boards.
- 1971** — Special use permit requested of the zoning board to permit higher density housing.
- Taxpayers' suit initiated based on discriminatory zoning since Eggerts Crossing Village is only one authorized subsidized housing site. HFA is not able to proceed with the closing due to the outstanding litigation.
- Attorney David Friedman secures private short-term loan to purchase options on property.
- Court orders building inspector to issue building permit.
- Tax agreement worked out with Lawrence tax collector equivalent to HFA tax abatement.
- 1972** — NJ HFA approves the mortgage for \$2.9 million.
- 1973** — Construction begins.
- 1974** — As construction nears completion the tax collector estimates taxes at \$40,000.
- Eggerts Crossing Village completed; first residents move into the development.
- 1975** — New administration comes into office. The tax collector submits tax bill of \$80,000. The bill upsets the Eggerts Crossing Village financial plan.
- 1976** — Tax issue resolved when Robert Groer and Vereen convince the Lawrence Township Council of property authorized basis for in lieu of tax payments.

in 1972. (By this time I was no longer an Eggerts Crossing Village volunteer).

While the 1983 New Jersey Mount Laurel decision had been hailed as a breakthrough in suburban exclusionary zoning, NJ DCA reported that by 1992 only 18 percent of Mount Laurel units provided three or more bedrooms. There has been no evidence to suggest any significant change since then. Mount Laurel regulations presently only require a minimum of 20 percent of all low- and moderate-income units to have three bedroom units. By contrast, Eggerts Crossing Village, completed in 1974, had 68 percent of its units with three or more bedrooms providing for families with children. This was nine years before the Mount Laurel decision.

While LNPH's goal was to demonstrate that affordable family housing could be a community asset and thereby pave the way for further

affordable housing elsewhere in the community, this has yet to occur. However, as greater achievement among the youth from the Eggerts Crossing Village neighborhood is recognized throughout the Lawrence community, the intrinsic value of Eggerts Crossing Village and all of the physical and social programs that have accompanied it holds promise for the future. The affordable housing constructed in Lawrence since the Mount Laurel decision has, in contrast to Eggerts Crossing Village, been mostly moderate-income elderly housing with few if any units large enough for low-income families with children. And this has been achieved at the price of the "builders' remedy" provision of Mount Laurel, which provides a density bonus when low-moderate income units are included in market rate developments, which has frequently contributed to excessive densities.



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Today, Eggerts Crossing Village offers quiet testimony that the construction of affordable family housing in suburbia is possible, though still difficult to achieve. The development has led to other neighborhood improvements such as an adjacent park, stormwater sewers, and strengthened code enforcement and housing rehabilitation. Such a comprehensive program of neighborhood preservation may never have been spawned absent the development of Eggerts Crossing Village.



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LESSONS LEARNED

Affordable family housing can be an asset in suburbia. The excellent condition of Eggerts Crossing Village today, a quarter of a century after it was built, offers quiet testimony that the construction of affordable family housing in suburbia is possible, though still difficult to achieve. Through excellent design and management, it can be an asset of which the entire community can be proud. This achievement might never have gotten under way absent the planners knowledge and experience with state and federal assisted housing programs.

Eggerts Crossing Village led to additional neighborhood improvements. It led to other neighborhood improvements such as the adjacent park, and stormwater sewers, and strengthened code enforcement and housing rehabilitation. Such a comprehensive program of neighborhood preservation may never have been spawned absent the development of Eggerts Crossing Village.

The planner as volunteer. The planning and technical assistance provided in the start-up phase of this breakthrough project was particularly important. This knowledge guided the housing committee in site selection, planning and zoning procedures, and meeting NJ HFA requirements. The planners' greater familiarity with local and state officials facilitated easier access to key players; the planners' ability to speak with authority on behalf of the nonprofit organization provided greater credibility and legitimacy with both officials and the community.

While active employment may limit the volunteers' time to nights and weekends, whatever time provided can be of invaluable assistance. Retired planners, with fewer time constraints, should have ample time to contribute. They are a

largely untapped reservoir of professional talent available to nonprofit organizations. (A registry developed by the American Planning Association could assist fledgling nonprofit organizations to link up with planners available to act as volunteers.)

The volunteer planner as advocate. Volunteer planners were involved in a role distinctly different from the technical advice usually rendered as a public official or consultant. Being effective advocates meant avoiding confrontation and contentiousness when issues could easily provoke heated discussions, which would undermine attempts to secure most of the necessary public actions and allaying community opposition.

For example, Groer patiently explained the need for tax abatement to new council members in the face of invalid arguments motivated primarily by opposition to the project. In my case, it also provided the opportunity to act on a critical issue and see it through with none of the bureaucratic constraints frequently experienced in government service. However, some judgment was required even though my public position did not bear directly on the project.

Long-term success depends on more than bricks and mortar. The long-term success of Eggerts Crossing Village can be attributed to the social programs for the tenants and the neighborhood exerting an important stabilizing influence. Consistent with Vereen's recognition of their importance to affordable housing for low- and moderate-income families, the most recent effort to build on this is a program to build family structure and reduce problems such as socioeconomic entrapment, school drop-out rates, early pregnancy, and drug addiction.

These initiatives are the effort of Peggy Huchet. She was one of many volunteers in 1969, but continued her participation after retirement from state service and is LNPH's president. These measures were essential components of a program consistent with the principles of equity planning.

The volunteer planner as a team member. While the planners' contributions were singularly important, their roles as a team player had them functioning in still another role. In this context they supported the important social programs.

The volunteer as trainer. Since many of the local residents serving on the housing committee worked closely with one or more of the volunteers, they were able to learn from experience. This allowed the nonprofit corporation to increasingly lessen its reliance on the volunteers. Fred Vereen, for example, in addition to his ongoing role with Eggerts Crossing Village, has become a consultant to a number of fledgling nonprofit corporations and components.

While no amount of volunteerism can compensate for a diminishing federal role, it nonetheless remains increasingly important if nonprofit corporations, confronted with ever-tightening budgets, are to be successful. As former New York governor Mario Cuomo said in a *New York Times* op-ed article in April 27, 1997, "The idea of volunteerism is an irradicably American tradition." The opportunity to assist nonprofit corporations engaged in housing, planning, and community development provides the opportunity for planners to play a bigger part in the tradition of community volunteer work.



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