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Monroe board denies long-term care facility

Parker expected to continue to make case for approval
BY JAMES McEVROY
Staff Writer

A long-term nursing care provider vowed last week to press on in its case to build a facility in Monroe.

This came after its initial attempt to seek approval to build Parker at Monroe on Schoolhouse Road was unsuccessful. The township Planning Board voted unanimously Jan. 26 to deny the site plan application without prejudice after the applicant sought to make changes to the plan.

While the original application from the Francis E. Parker Memorial Home Inc. called for 128 nursing units, the applicant withdrew 32 of those units in an attempt to conform to requirements for a conditional use under township zoning laws.

During the meeting, held in the auditorium of the Monroe Township Middle School in order to accommodate a large crowd, board Planner Mark Remsa suggested that the removal of the units constituted a significant change to the application.

"A reduction of 25 percent is a substantial change, and that's not what's in the application today," Remsa said, adding the applicant did not submit a formal amendment to the application. He also said that the applicant had only acquired 96 certificates of need from the state Department of Health and Senior Services, and had yet to receive the remaining 32. Board Attorney Jerome Convery agreed with Remsa, and said that as a result of the withdrawal of those units, the public notice became unintentionally misleading.

"Because it went out previously, it contains information that's different from what's being proposed tonight," Convery said. "There are some significant legal issues, jurisdictional issues."

Convery suggested that Parker withdraw the application without prejudice and come back to the board with an amended application.

However, Bob Smith, attorney representing the applicant, declined and objected to the findings of the board's professionals.

"The application that is before the board is exactly the same as the application that started," Smith said, referring to the facility's footprint, parking, landscaping and lighting.

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Smith said his client would eventually seek the additional 32 certificates of need.

"Changing from 128 to 96 is not a big deal. In front of land use boards all over this state, planning and zoning, applicants withdraw variances every night there's an application," he added.

He said the 32 units were removed after he was informed that Monroe's assistant township attorney, Marguerite Schaffer, had determined that the units were not conditionally permitted.

Smith said that in the past, two of Monroe's planning and zoning professionals had stated that the proposed use was

conditionally permitted in that location.

"We have now invested millions of dollars in this property," he added. "In all of Middlesex County, towns would be

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thrilled to have Francis Parker in their town.”

The comment elicited a mixed chorus of cheers and jeers from the large crowd.

David Rothman, who at the start of the meeting was unanimously elected to serve as board chairman, said he agreed with the board’s professionals, but expressed sympathy for the applicant.

“I feel for you and your applicant,” Rothman told Smith “[But] this board wants to do it right this time to make sure it’s done right.

“We’re going with the advice here. What advice you were told in the past and whether it was correct or incorrect is not what we have before us now,” he added. “[This is] certainly something we would want to review in the future. We have jurisdictional issues here that I think take precedence here.”

After the meeting, Smith said he would be meeting with his client to discuss options. Since the board denied the application without prejudice, the applicant is permitted to resubmit and seek approval once again.

In a statement, Roberto Muñiz, president and CEO of Parker Memorial Home, said the company would continue to pursue the facility in Monroe.

“We will evaluate all options available, including the appeal of this decision in the courts,” the statement read. “We are more dedicated than ever to ensuring that the people of Monroe receive quality, affordable skilled nursing care.”

In the statement, Muñiz also said he was “stunned and saddened” at the board’s decision and maintained his belief that a nursing home is a permitted use.

Muñiz spoke briefly about his disappointment in the turn of events.

“We will take whatever action is necessary to proceed and continue to fight for this facility. We are convinced it is the right thing for Monroe Township,” he said.

Members of the public were unable to comment before the board voted, since the public portion of the process had been closed at a previous meeting, according to Rothman.

The Francis E. Parker Memorial Home Inc. operates nursing care and assisted living facilities in Piscataway, Highland Park and New Brunswick. The company has said it has hundreds of Monroe residents on its waiting list, and that it applied for the long-term care facility to meet this demand.

The application has received mixed reactions from members of the public, with some raising concerns about traffic and its proximity to their homes, and others stating that the Parker facility is needed in Monroe.

The building is proposed for a 28-acre parcel on Schoolhouse Road, adjacent to Route 522. Eighteen of those acres would remain undeveloped, according to the applicant.