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Owners protest possible plans for eminent domain

By Jerome Hule, Staff Writer

UNION, NJ - Some property and business owners in Union Center braved the cold weather Tuesday morning to protest the possibility of their property being taken through eminent domain as part of the township's plans for redevelopment in Union Center.

The protest was coordinated by Allen Hodapp, owner of Perkins Pharmacy and the Union Center building in which it's located.

Property owners have been gripped with concern that their buildings might be acquired by the township through eminent domain. Their concerns began following the conclusion of a township-sponsored study which determined that most properties in the downtown business district could be declared "areas in need of redevelopment." The study was adopted by the Union Planning Board in December and sent to the Township Committee for final consideration.

If the Township Committee approves the study, it would call for a redevelopment plan that would specify how the redevelopment will be carried out.

Though residents and property owners have shown concern that the study might be used to acquire private property through eminent domain laws, local officials have said it has not come to that point.

Township Committeeman Joseph Florio, who represents the governing body on the Planning Board, said that it could be months before an actual redevelopment plan is presented. When a redevelopment plan is developed, Florio said, there will be "a lot of input" from the public as well as local officials.

"Whatever plan comes out, there will be some people that agree and some that don't," Florio said, adding that officials could end up deciding to scale back the plan or change to encompass a smaller area.

The committeeman said that his major concerns involve transition and partnerships with potential developers and property owners.

"There are so many questions right now," Florio said, adding that he cannot say how the initiative will progress or what it will involve for businesses in Union Center until an actual plan is presented. "It's hard to relieve their fears without a plan in front of me."

The protest Tuesday was the first street expression of opposition to the study. Placard-carrying protesters started their march at 10 a.m. from Perkins Pharmacy on Stuyvesant Avenue. They then headed East on Morris Avenue and ended in front of the 20th Legislative District office on Stuyvesant Avenue. Their placards read, "Save our buildings. No eminent domain."

Hodapp said he organized the protest to express opposition to the use of eminent domain to acquire private property for redevelopment.

"We don't want that to happen," he said.

Hodapp, 76, has been in business on Stuyvesant Avenue since 1955.

"I own this little building, I don't think they should take it," Hodapp said of his property, adding that he has no plans to retire anytime soon, and doesn't want to be forced to relocate if his building is condemned through eminent domain. "I want to keep working. That's my prerogative; this is America."

Raul Rodriguez who owns property and a computer store in Union Center said the prospects of losing his business and property to eminent domain was unimaginable.

"I thought this happens in countries like Cuba. When you are here, you think you are in the safest place in the world," he said. Rodriguez immigrated from Spain more than 30 years ago in search of better life for himself. "I got all my life here; my building, my business and my house."

Rodriguez said he would lose all he owns if his building is acquired for redevelopment, and his business is forced to move out of town because the building is acquired.

"They are going to take away my building, they are going to take away my business and the future of my children," he said.

The property owner said he is ready to improve his building, even if it involves knocking it down, but the officials would prefer to give it to a big developer.

David Bresner, a Whippany resident and friend of Hodapp, said it is wrong for municipalities to take away private property for any reason other than for things that truly benefit the public.

"If they want something, they should negotiate and get it," he said. He also expressed suspicion that eminent domain is often used to acquire private property for the benefit someone in politics. "When the government gets into it, they screw it up," he said.

Some store owners in Union Center also joined the protest. Among them was Elcana Pierre, who said the the township should be concerned with such things as providing more parking that would attract shoppers to the downtown area.

"Instead of destroying what is there, they should try to improve it," he said.

Lidiya Badinev, whose husband owns the shoe repair store on Stuyvesant Avenue, said she was concerned that redevelopment would close down businesses.

"We don't want to be on the street," she said, adding that their store has been in operation for the past 14 years.

A group of property owners are in the process of forming a coalition to fight any moves to redevelop Union Center through eminent domain. Some property owners have retained attorneys who are ready to challenge any attempt to acquire their property by the township for redevelopment.

Managing Editor Toniann Antonelli contributed to this report.

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