

# Readington sues airport; development rights sought

**Mayor says eminent domain was only choice for township**

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By BRANDON LAUSCH  
Staff Writer

READINGTON -- Saying the Solbergs "have left us no choice on how to proceed," Mayor Gerard Shamey announced Friday the township will pursue eminent domain to acquire the development rights to Solberg-Hunterdon Airport.

The legal action, filed Sept. 15 in state Superior Court, marks a stunning development to a decades-long dispute between township officials and the three Solberg siblings who own the general aviation airport.

"The Solbergs have spent many years delaying and avoiding the township's good-faith efforts to resolve this matter. This time -- perhaps for the first time -- they have done so in the context of a formal, public and transparent process," Shamey said in a prepared statement. "In doing so, they have left us no choice on how to proceed. It is our hope and belief that this course of action will lead to a relatively swift and final resolution."

Thor Solberg, who owns the airport with siblings Lorraine Solberg and Suzanne Solberg Nagle, responded Friday night to the announcement.

"I'm disappointed, but not surprised, that the town has chosen abruptly to abandon negotiation and begin what will become a protracted legal battle that will take years to resolve and cost the taxpayers million of dollars," Solberg said. "It will truly end up being a bad deal for everyone."

Debate has centered on the possibility the Solbergs could expand their 102-acre airport's runway to accommodate larger planes or jet traffic. While the Solbergs have long contended they wouldn't significantly change the airport without public input, township officials have grown increasingly frustrated with what they've characterized as evasive responses from the family about their intentions.

The township repeatedly has argued any expansion would threaten open space and natural resources, as well as residents' quality of life.

Voters took up the issue in May through a \$22 million bond referendum, which passed by a margin of 3,474 to 2,776 and allowed the township to continue to pursue the airport's development rights. This summer, township officials commissioned two appraisals of the property and offered the higher of the two -- \$21.7 million -- to the Solbergs for the airport's development rights.

"The committee has no desire to acquire the airport itself. This is an effort to preserve the open space and the natural resources that surround the airport," said James Rhatican, the township's counsel. "It's what the committee hopes will be a solution that will allow for the preservation of open space and the preservation of the airport."

In the preservation deal, development of the airport would be limited to conservation, recreation, agriculture and principal or ancillary airport uses, Rhatican wrote to the Solbergs on Aug. 29. Ancillary uses would be limited to a restaurant, museum, offices, gift shop, passenger lounge, conference room and classroom for flying lessons, according to the township.

Solberg legal counsel Lawrence Berger responded by saying the township's modernization plan "is not a viable option for either the Solbergs or the aviation community," but did not make another offer.

In doing so, "the Solbergs have effectively declared a complete impasse," Shamey said in the statement Friday.

Yolanda Ciccone, a state Superior Court assignment judge, ruled Friday that Readington's condemnation complaint has cause to proceed. Ciccone ordered that the case should continue and asked the Solbergs to appear in court Oct. 20 to respond to the suit. The Solbergs will need to convince a judge the township does not have the legal right to condemn the airport.

Ciccone ruled that the hearing, scheduled for Superior Court in Somerville, will begin at 9 a.m.

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