

CA - General

9/15/77

- Review of the proposed New Jersey State Development Guide Plan

pgs - 8

notes - double-sided pages

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MEMORANDUM

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Ed.
GM

TO: Middlesex County Planning Board
FROM: Comprehensive Planning Section
DATE: September 15, 1977
RE: Proposed New Jersey State Development Guide Plan

This review of the proposed New Jersey State Development Guide Plan, now available in complete draft form, expands on the review presented to the County Planning Board on August 9, 1977.

Several basic issues with regard to that plan were identified in the earlier review. This review comments at somewhat greater length on those and other questions which the staff feels deserve consideration by the Board, and suggests recommendations which the Board may wish to make to the New Jersey Department of Community Affairs.

We suggest that the Board review the staff's findings during the period prior to the October Planning Board meeting, with the objective of approving or amending the proposed recommendations at that time, and then transmitting its recommendations to the State.

GUIDE PLAN SUMMARY: STAFF FINDINGS AND RECOMMENDATIONS

CHAPTER I - NEW JERSEY 1976

This chapter presents background material and a brief analysis of the problems facing New Jersey at this time. Basic planning needs and their rationale are identified, and most likely "projection for the future are given.

Related population projections, broken down by County, are presented in the appendix. These, and comparable Tri-State and County projections are shown below.

POPULATION PROJECTIONS - YEAR 2000

State				County		TSRPC	
I	II	III	IV	Plan	Trend	Adopted	Proposed
706,635	748,590	778,025	888,500	820,000	893,142	870,000	820,000

"most likely"

Based on a variety of analyses and projections made by the Middlesex County Planning Board staff during the period June 1975 - June 1977, we believe that the State's "most likely" projection of 748,590 is too low, given Middlesex County's growth history and its accessibility to all parts of the State. Middlesex County presently is the second fastest growing County in the State, with much developable land remaining, even if strict development constraints are applied to environmentally-sensitive areas and prime farmland. We would further note that the most recent analysis, done by the Middlesex County Planning Board staff in an attempt to develop a single "most likely" population projection reconciling our past projections, 208 projections and municipal expectations, has yielded a 1995 projection of 817,000 people.

We recognize that any projections for the Year 2000 are likely to prove fallible, and therefore that excessive concern at this time may not be warranted. However, on the basis of the above analyses, and on the close concurrence between the County's and Tri-State's separately-derived projections, we recommend that the State give serious considerations to adopting as "most likely" a figure in the area of 820,000. This figure will provide all three agencies with a common basis for planning.

CHAPTER II - GOALS

This chapter identifies the following State goals for planning:

- 1) Maintain the quality of the environment
- 2) Preserve the open space necessary for an expanding population
- 3) Provide space and services to support continued economic expansion
- 4) Enhance the quality of life in urban areas

The staff's previous review noted that in the context of the rest of the State Plan, Goal #3, to be implemented predominantly in the identified "Growth Areas", tends to imply a continuation of the established trend to scatter housing and jobs. This issue will be considered in more detail later.

CHAPTER III - GUIDELINES FOR PLANNING

This chapter identifies the following categories of areas to be considered in planning land use:

- 1) Agriculture
- 2) Publicly-owned lands
- 3) Slopes - 12% +
- 4) Wetlands
- 5) Surface water and related storage and watershed areas
- 6) Sewered areas
- 7) Water supply - public and private
- 8) Highway and rail facilities
- 9) Employment intensity
- 10) Existing development

The Middlesex County Planning Board Environmental Systems section notes the following deficiencies in these categories and related maps.

AGRICULTURAL SOILS

The staff is in general agreement with the brief description of agricultural soils. However, the detail provided on Map I showing the extent of such lands in Middlesex County, and in particular Monroe, South Brunswick and Old Bridge is quite a bit less than recent Environmental System maps of such soil classes. This would of course have implication as to the amount of land available for development in these areas.

MAJOR RIVERS AND LAKES

Although included as Map IV no description is provided or evaluation made as to the importance of the State's rivers and lakes aside from their water supply potential. These natural features themselves and the lands immediately adjacent to them provide not only a scenic and recreational area but serve to enhance water quality and therefore buffer areas around all such lakes, rivers and streams should be reserved from development. Furthermore, greater detail would be necessary in order to map Map IV truly representative of Middlesex County's water resources.

WATER SUPPLY RESOURCES

Chapter III has not made any mention of the importance to the provision of water supplies provided by aquifer recharge/outcrop areas.

With much of Middlesex County and New Jersey relying upon groundwater aquifers of the Atlantic Coastal Plain physiographic province, the importance of protecting the quantity and quality of such a supply sources is critical. As a means of insuring such supplies for future use the protection and preservation of such recharge/outcrop areas should remain a high priority and be included as one of the state's more critical natural resources.

Lastly, Map V does not represent all of Middlesex County's important watershed areas. The more obvious exclusions include the Jamesburg Park lands, the Duhernal lands and Burnt Fly Bog.

RECOMMENDATIONS

The staff recommends that the above deficiencies be corrected in subsequent drafts of the State Guide Plan, with particular attention to the mapping of aquifer recharge and outcrop areas vital to the preservation of Middlesex County's water supply.

CHAPTER IV - THE CONCEPT MAP

Chapter IV and its accompanying Concept Map are the heart of the State's Plan. This chapter identifies and maps the following categories of areas:

- 1) Public Open Space
- 2) Agricultural Lands
- 3) Limited Growth Area
- 4) Growth Area
- 5) Urban Cities

Public Open Space areas are lands to be kept free from development because of their role as recreational areas, water supply areas, military areas, and the like. The Plan assumes and recommends that these areas will continue to remain in public ownership.

Agricultural Lands represent a portion of presently farmed areas with prime agricultural soils. The areas so mapped are to be potentially included in the State's farmland preservation efforts, and represent a judgement regarding areas where agriculture can be economically preserved over the long term. Small parts of Monroe and Old Bridge Township are included, but large presently-farmed prime agricultural lands in Cranbury, Plainsboro and South Brunswick

LEGEND



GROWTH AREAS



AGRICULTURAL AREAS



OPEN SPACE



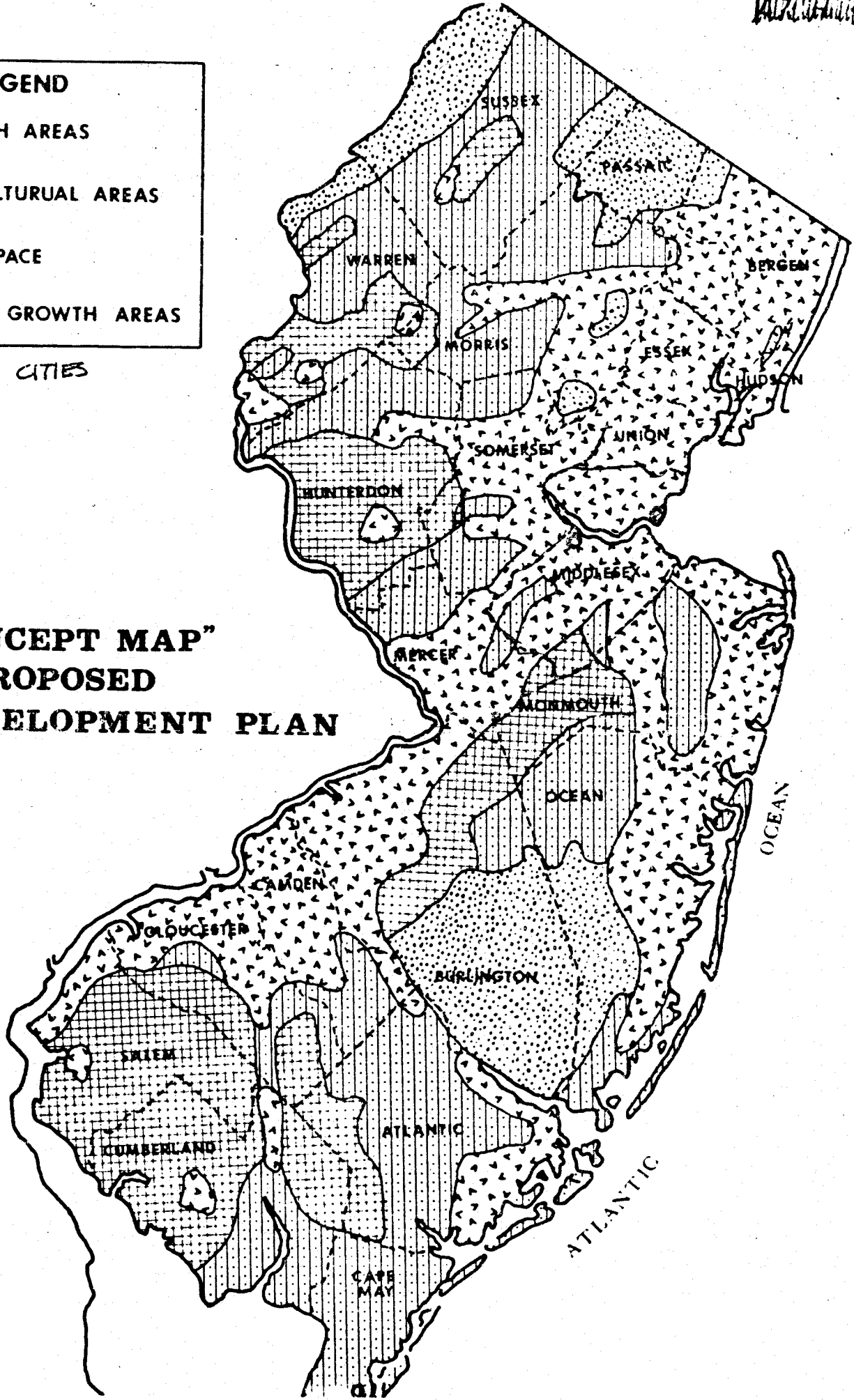
LIMITED GROWTH AREAS



URBAN CITIES

**"CONCEPT MAP"
PROPOSED**

STATE DEVELOPMENT PLAN



Townships are excluded.

Limited Growth Areas are lands on which growth-promoting public investments such as sewer, water and major roads are not recommended in the foreseeable future. Where public investment is deemed necessary or desirable on these lands, the State Plan recommends that it be designed and sized to serve only present development. Portions of Monroe, Cranbury, Plainsboro and South Brunswick Townships are identified as Limited Growth Areas. Limited growth areas are seen as the State's land reserve for growth after the year 2000.

Growth Areas are lands identified for most of the State's growth to the year 2000. Several "growth corridors" are identified, with most of Middlesex County falling in the "Central Corridor". Parts of all County municipalities are included in this corridor. The Growth Area is not differentiated with regard to density of type of development.

Urban Cities are older centers, and include New Brunswick and Perth Amboy. These areas would be the targets of the State's urban strategy, identified in terms of conservation, rehabilitation and redevelopment investments. They are not given priority over the "Growth Areas" in future State investments, but are seen as subject to different kinds of investment than the Growth Areas.

COMMENTS & RECOMMENDATIONS

1) The State's Concept Map and Plan is identified as a "generalized framework" within which investment decisions would be made and more specific County and municipal planning are expected to take place.

In many respects, this is an appropriate approach for planning at the State level. The State, in essence, would set the general boundaries for future land development, leaving the tailoring of precise land uses, and

the identification of development vs. non-development areas to lower levels of government.

The principal flaw in this approach is that the guidelines and criteria for the more precise determination of land uses are not specified, nor is a process insuring their proper identification at the local level made clear.

Unless more specific criteria for development within the Growth Areas are identified by the State, and unless the State Plan explicitly states that the designation of Growth Areas in no way intends to override local planning and zoning efforts, the State Plan can become a potent tool in litigation between potential developers and municipalities. Developers already have begun to use it as such, claiming implicit State backing in attempts to override municipal zoning for limited growth in environmentally-sensitive areas.

For example, the State Plan states that very low density development is appropriate for some parts of Growth Areas where environmental conditions dictate (p. 78) but does not specify what these conditions to be observed are. The burden of proof of legitimate development constraints thus is left on the municipality, with the State's Concept Map apparently supporting a carte blanche approach.

RECOMMENDATION

As a minimum, the State Plan should explicitly list the environmental factors which qualify as legitimate development constraints within the identified Growth Areas, and further explicitly state that the broad identification of Growth Areas is in no way intended to exclude the legitimate application of more precise delineations by municipalities.

Further, the State Plan should explicitly state that municipal and County efforts should consider the identified constraints and seek to insure appropriate development (or non-development) of areas which meet the defined

criteria.

This approach would indicate more clearly how the State expects municipalities and counties to carry out the detailed planning which is cited in the State Plan, and would provide explicit support for local units of government faced with developers seeking to use the State Plan as a tool against local efforts to shape growth in accordance with sound environmental and other policies.

2) The identification of Limited Growth Areas, as applied to Middlesex County, may not be adequate to substantially support municipal desires to preserve prime agricultural lands in that economic use. Designation for "limited growth" means that major State and Federal investments should be withheld, and relies on this strategy to keep these lands from developing. Unlike the areas designated for agricultural preservation, the Limited Growth Areas, even though they might contain sizeable and economically-viable tracts of prime farmland, would not qualify for the State's farmland preservation program.

The State's rationale for this approach in Middlesex County is clear: Limited Growth areas, despite their present use as farmland, are deemed too valuable as potentially developable land to allow the feasible purchase of development rights.

While it is true that the lands here in question--principally in Plainsboro, Cranbury, and South Brunswick--show a strong potential for development, and thus command high prices, it is precisely these lands that are most in need of urgent and concrete action if they are to be preserved, and development to be shaped around them.

Our analyses indicate that there is more than enough non-agricultural land in Middlesex County (including presently agricultural land already approved for development) to meet the development needs of the next 25 years and beyond. Except in isolated and very limited instances, these lands simply are not needed to provide either jobs or housing.

Plainsboro, Cranbury and South Brunswick have repeatedly stated their desire to keep their best agricultural lands--some of the best in the State--in production, and to withhold development. However, they will need State support in this effort.

The proposed State Guide Plan would offer some support to these efforts, by withholding growth-inducing investments. However, large-lot residential development, in particular, may not be effectively precluded, or any other development supported by privately-funded provision of utilities.

Very large lot agricultural or rural zoning may be one way to discourage development of agricultural lands, without State investment or such techniques as Transfer of Development Rights, and this zoning technique has been recommended by the Tri-State Regional Planning Commission. However, without explicit support from the State Plan, municipalities will be very reluctant to use this technique, even as an interim measure, because of pressure from large local landowners and speculators, who almost certainly would fight substantial down-zoning for agricultural purposes in the courts. Nonetheless, agricultural zoning, if accompanied by adequate amounts of land zoned to meet foreseeable development needs, could be a valuable tool, if supported by the State.

We would further note that the boundaries of the Limited Development area in Plainsboro, South Brunswick and Cranbury need further delineation to conform to local plans. This will mean reducing the boundaries in some areas, and extending them in others. A map with the recommended new delineation is attached.

RECOMMENDATIONS

We recommend that the State Guide Plan delineate the area presently shown as "Limited Growth" in accordance with the appended map, and that it

redesignate the area as "Agricultural" to qualify for State programs to preserve agriculture. Further, we recommend that the State Plan explicitly recommend the application of agricultural zoning to Limited Growth areas where the predominant character of the land is agricultural, and where municipalities desire to withhold these areas from development in the foreseeable future.

3) The Middlesex County Planning Board staff and other critics, among them the Regional Plan Association and the Tri-State Regional Planning Commission, have observed that the extent of the State's identified Growth Areas earmarked for future public investment is so great as to simply incorporate "urban sprawl" as a State planning policy.

The State's own analyses, included in the Plan, indicates that the development density of the Growth Areas, analyzed in the light of the "most likely" projections, is much lower than current average population density.

This does not mean that the State is explicitly encouraging a policy of low-density sprawl; the text of the Plan suggests otherwise. However, the State Plan implicitly encompasses the possibility of continued low-density sprawl as one highly feasible, if expensive, alternative.

There are several serious deficiencies in this approach. First, extensive continued development in presently suburban or rural Growth Areas will completely undermine the State's goal of improving and sustaining the older Urban Cities. Thus, the State's Plan, as embodied in the Concept Map, may well make urban revitalization, with its many social and economic benefits, a virtual impossibility. Quite simply, the Plan is at odds with itself. In this regard, it accurately reflects a lack of will at the State level to make significant changes in the established trends of development in New Jersey. NJDCA's staff has indicated that this is indeed the case, and that they do not deem it politically feasible to propose a State Plan which gives older urban areas priority over the Growth Areas.

Such a policy, or rather lack of policy regarding urban New Jersey, is understandable but highly questionable at a time when real economy and efficiency in future development patterns seem imperative. If limited public funds are to be most effectively used, if limited energy resources are to be conserved, and if affordable housing and access to jobs is to be available to most citizens, the trends of development must be altered.

A recent study by the Regional Plan Association regarding the balance of the receipts versus Federal investment in the New York metropolitan region indicates that this region contributes economically to the growth of other areas of the United States, while itself in an economic decline. Unless this imbalance of taxes versus revenues from Federal spending is substantially altered, the health of much of New Jersey will depend in large measure on increasing the investment effectiveness of the funds we receive. This can only be done by carefully prioritizing the State's investments for maximum effect. Among other things, this will require maximum conservation of existing public investments in infrastructure and services.

The State Plan gives hope for this only over the long term, if even then. Presumably, at such time as the Growth Areas are fully developed, lack of further space for development would support the rehabilitation and re-development of more urban areas.

Even then, however, if the Limited Growth Areas are viewed as a "land reserve" to accommodate eventual growth needs, as indicated by the Plan, the opening of these areas to development could prolong the trend until such areas are fully developed.

Consequently, the proposed State Guide Plan seems likely to make little change in the way New Jersey is developing. If it is generally agreed that New Jersey's present development trends are beneficial and appropriate, or at least unavoidable, then the State Plan seems to support these, implicitly

if not explicitly. On the other hand, if real changes are deemed necessary and prudent, then the State Plan does not form an adequate base to support a shift from the trends.

RECOMMENDATION

We recommend that the State Guide Plan incorporate a strategy of priority for the conservation, rehabilitation and redevelopment of urban areas, through priority of public investment to these areas, with a more modest priority of investment to non-urban portions of the Growth Areas. Such a priority to urban areas should include older suburbs as well as "urban cities", with the emphasis on making maximum use of existing infrastructure and available public services and public transportation. We further recommend that the extent of the designated Growth Areas be re-examined, at least in Middlesex County, and that portions of these be redesignated as additional Limited Growth Area or Agricultural Area. This is consistent with the recommendations under Comment #2.

CONCLUSION

We have noted here what we believe to be the principal deficiencies in the proposed State Plan, as it relates to Middlesex County. At the same time, however, we wish to observe that it is in the main a well-written, cogent and honest effort at a first State Plan. Unlike many plans, it does not overstate what it believes is possible, or what it is attempting to do.

Despite these virtues, its problems are many. Without more detailing and specific guidelines for development, it is a potentially dangerous tool in the hands of developers seeking to thwart local efforts at orderly and environmentally-sensitive growth. Without a more explicit policy of investment priority to older urban areas--suburbs as well as cities--it may serve to promote the urban sprawl it seeks to contain.

We trust that there will be a "cross-acceptance" period similar to that of Tri-State. During this period, we would ask that the State enter actively into further discussions with the Middlesex County Planning Board and with our constituent municipalities, with the objective of making improvements

to the Plan which will result in its becoming a document more supportive of, and not counter to, legitimate municipal and county plans and policies. In this way, we believe that the State Plan can become a more effective and valuable framework for future growth.