

UL v CA

Monroe

02/16/84

Additional Responses to
Pl's Interrogatories.

pgs 7.

CA 002297 G

TO: Urban League Team
 RE: Monroe Township: Additional Responses to Plaintiff's Interrogatories.
 FROM: Rachel L.
 DATE: February 16, 1984

1. Defendant Monroe Township defines its region as per Rutgers Report (CUPR) as West Central Region including: Middlesex, Hunterdon, Somerset, and Warren Counties.

2.a. (1) Total unmet present regional need for low and moderate income housing = 4,070.

(2) Total regional prospective need through 1990 = 20, 283.

3.a. Fair Share Allocation of present and prospective need combined= 275 units.

b. Region: CUPR.

Need: Lerman Fair Share Allocation Formula applied to 4 county region.

4.a. Present unmet housing needs for indigenous poor: As per CUPR: "part of percentage of housing need for region."

5,6. Aside from the CUPR and the Lerman reports, defendant has relied on the SDGP, the U.S. Department of Agriculture Soil Conservation Service, Important Farmland Map. (no extra copies)

7.a. Defendant does not contend that the "locus" of its Mt. Laurel obligation is different from the growth areas set forth in the SDGP.

b. The municipality has not undergone any significant transformation since the preparation of the concept map but, except for the construction of a Senior Citizen housing project has remained rural just as SDGP land use survey portrays the area.

8-10.

Defendant relies on definition of Mt. Laurel obligation, of low and moderate income households, and of affordable prices as defined in CUPR.

12. (a)-(g) -13.

Since May 4, 1976, defendant has taken none of the steps to foster opportunities for housing affordable by low or moderate income households except for:

12. (c)

Providing "incentive zoning" permitting a Planned Retirement Community option (PRD) and since this ordinance was enacted three projects have been constructed: Rossmoor, Clearbrook, and Concordia with a projected total of 1,200 units of which 4000 units have been built. In 1974 Clearbrook sold for \$18,900. Today they each offer a model for between \$60,000 and \$85,000.

"These price ranges provide housing opportunities for persons of moderate income in the over-48 age groups."

*These are the additional answers received last week. (Feb. 9, 1984)

*12. (c) (continued)

1. Name and address of developer of:
Rossmor and Clearbrook:

Concordia

Guardian Development Corp.:
201 Forsgate Drive
Jamesburg, N.J. 08831

c/o Union Valley Corp.
P.O. Box 166
Whiting, N.J. 08759

2. Defendant's designation of the location of the units is:

Rossmoor, Clearbrook and Concordia have a density of 6 to 8 units per acre. They are allowed 14 units per acre.

3. The number of dwelling units developed:

Rossmoor	2100
Clearbrook	1400
Concordia	400

4. Defendant's answer to the number of dwelling units per acre is: "6 to 8 acres per unit". (Is that a mistake, an inconsistency with number 2, or an attempt to avoid answering?)

5. Characteristics of units constructed:

1 one bedroom 10%
2 two bedroom 80%
3 three bedroom 10%

6. Date put on market for sale:

Rossmoor 1965
Clearbrook 1975
Concordia 1982

7. Price by number of bedrooms as of date units initially marketed:

<u>1 BR</u>		<u>2 BR</u>	
1974 Clearbrook:	\$20,000		\$25,000
1965 Rossmoor:	\$24,000		\$24,000 (?)
1982 Concordia	\$52,000		\$62,000

8. 1984
No 1 BR being built.

Clearbrook:	\$65,000
Rossmoor:	\$74,000
Concordia:	\$60,000

9. There are no vacancies.

10. The PRC units represent 50% of the total residential units in Monroe Township.

14. The governing body adopted the ordinance in 1963 and amended it in 1976.
15. Recently the Township Committee initiated legislation to rezone an R-30 area to R-10, or 10,000 square foot lots, single family residential. This consists of an area of _____ and the potential for _____ lots. (I don't think initiated legislation means that it "enacted it, because I do not see it among the ordinances. Also, 10,000 square feet is twice the 5000 foot maximum that Allan Mallach prescribed for low/mod single family detached dwellings.)
16. Services of Professional Planners, Environmental Consultants, and Landscape Architects retained to update Master Plan in entirety. Land use element, housing plan element, utility service plan, community conservation plan and zoning subdivision and site plan ordinances to be completed and adopted by the summer of 1984. (See 22. for name of P.P.)

Land Use Ordinances and Regulations. (All Attached)

19. (a) In Feb. 1976, the following ordinances were revised in compliance with the MLUL, NJSA 40 : 55D-89:

Chapter 130: Zoning Ord.
 Chapter 44: Flood Hazard
 Chapter 101: Mining Ord.
 HUD Flood Maps
 Environmental Commission Review

- (b) Next revision in compliance with MLUL will occur in 1984.

20. Additions, revisions, or amendments, since May 4, 1976 of any ordinances:

1980 Revisions:

Ord.# 0-3-80-2, Subd. of Land Chapter 108.

Has to do with return of performance bonds.

0-3-80-3A, Chapt. 130 Zoning.

Construction Official may issue permits for temporary trailers or mobile homes in any zone or district for interim, short term residential relief from fire, flood or other catastrophe.

0-3-80-3, Chapt. 130 Zoning Prohibited Uses:

- A. No asphalt plants.
- B. No existing dwelling house shall be converted or have additions made thereto for the purpose of operating a hospital.
- C. No mining.
- D. No landfills and dumps.
- E. The construction of more than one(1) dwelling unit on a single lot shall not be permitted in any zone.

0-7-80-16, Chapt. 130 Zoning.

. . . . to promote the public health and welfare and in the public interest . . . to rezone lot 1, block 184.01, lot 1, block 184.02, and lot 14, block 184.03 from Neighborhood Commercial to the R-10 zone with minimum frontage of 100 ft.

0-8-80-22, Chapt. 130 Zoning

A. Duty of Construction Official to issue permit ... when application, etc. complied with, ... good for 1 yr.

0-11-80-35, Chapt. 130 Zoning.

A. For safety, no hedges, etc. over certain height from clear site triangle on corner lots.

0-12-80-39, Chapt. 108 Subd. of Land.

At any time, as a result of inspection or otherwise, township engineer may recommend to planning board (PB) that the developer be required to modify design and extent of improvements required. PB may act in accordance with recommendation, but it must first afford opportunity for developer to be heard.

1981 Revisions

0-2-81-5, Chapt. 130 Zoning.

A. Duties of Construction Official.

0-4-81-10, Chapt. 130, Zoning.

Abatement of nuisance.

1982 Revisions

0-1-82-1 Chapt. 130 Zoning.

1. Add new District to Section 130-3A:
PO/CD Planned Office-Commercial Development
2. (12) Note 12: All requirements, total area for such a project : minimum 40 acres, etc. , permitted uses, include corporate office and executive centers, data processing, computer centers, medical offices and clinical labs, banks, etc., law, accounting offices, tennis, racquet ball, health spas, and restaurants, excluding fast-food, take-out facilities.
(for John P.)

0-1-82-2 Chapt. 130 Zoning.

1. . . . it is in the public interest . . . to re-zone lot 3.01, Block 57 as shown on the Tax Map of the Township of Monroe from R-30 residential to the Planned Office-Commercial Development zone and said premises are hereby rezoned accordingly.

0-12-82-34 Chapt. 130 Zoning.

1. Section 130-28, add: Consideration of PB: that proposals for care of common open space reliable, and provision to ensure that public interest protected in construction to take place over a period of years.

September 20, 1982, One Zoning, and One Subdivision of Land, proposed ordinances tabled. Provided that applications not be deemed complete unless favorable reports from following agencies received: County

Planning Board, Monroe Municipal Utilities Authority, Freehold Soil Conservation District Services, Delaware and Raritan Canal Commission, N.J. DEP, Monroe Township Health Officer, Monroe Fire Sub-Code Official. (It might be interesting to see if Fair Share Allocation, etc. will convince governing body to reconsider and pass these ordinances which have such potential for delaying construction.)

0-12-82-35, Chapt. 130 ,Zoning.

Tabled, not adopted. Would have changed density in residential section of a planned retirement community, (PRC): there would be no more than seven (7) dwelling units for each gross acre of said residential section which includes, in addition to the land covered by buildings, landscaped open space, parking and circulation aisles and interior roads not dedicated for public use.

1983 Revisions

March 7, 1983, Ordinance Tabled - Chapt. 130 Zoning on Signs.

Mobile Signs, must meet all provisions of sign ordinance - in regard to height, etc., and are prohibited in all residential districts.

0-10-83-28, Chapt. 130 Zoning.

1. No processing, manufacturing, producing, or storing of hazardous waste.
2. L-I, light industrial will also include lumber yards, building materials storage and sales.

0-12-83-33, Chapt. 130, Zoning.

1. SEC 130-6D,
All pre existing single-family residential uses in original ownership prior to 1/31/79, located within the LI, N-C, G-C and R-3A Zones may expand their residence providing that the appropriate setbacks required in the zone are adhered to.

20. (f) State which of the ordinances and regulations, listed in answer to question 20 (a), or portions thereof, or the revisions described in answer to question 20 (c), defendant contends is in fulfillment of its Mount Laurel obligation.

****ALL ORDINANCES****

22. (a) February 28, 1979 , is the date of adoption of any MP or Land Use Element currently in force. (attached)
- (b) Name, date, author of reports, maps, etc:
Community Housing & Planning Associates
40 Vesey Street
New York, New York 10140

Harry C. Applegate, III, Township Engineer

Peter M. Tolischus, P.P., Eugene Cross Associates,
235 Livingston Ave. New Brunswick, NJ (201) 545-0018
Existing Land use Survey and Analysis October 1981
Environmental Review and Environmental Constraints, January 1982
Population and Housing Study, May 1982
Circulation and Transportation Report August 1982
Community Facilities and Services, October 1982
Promotion of Conservation and Energy, August 1983

24. Current Zoning Map Dated January 31, 1979, Attached.
31. There is no readily available information on how many acres of farmland have been developed for nonfarming purposes since 1970.
32. Approximately 50% of the total area of township is farmland.
33. Approximately 100 acres of vacant land are owned by the town but "no readily available" info to identify lots.
34. Castle Gardens, Block 76, Lot 25, Sheet 91.
Preliminary approval - subdivision, 12/78
~~Final Approval - 4/79~~
Extension of time - 3/81

Outcalt Manor I and II, P.M. Construction Co.

Guardian Development Corp.
Concordia, Rossmoor, Clearbrook

South Middlesex Ind. Park: Forsgate Manor West
Forsgate Manor East

Great Eastern Village: Section II"

Heritage Bank N>A.
Inwood Village: Inwood Village East
Inwood Heights: Section II, III
Great Meadows
Monroe Manor
Morris Industrial Builders Inc. (Brook Warehouse)
Prime Motor Inns INC. of Fairfield NJ (Hotel)
Meadows Associates Limited (Life Care Facility)

Applications, maps, etc. attached.

37. In answer to "List all proposed developments within defendant municipality of more than 10 resid. units or more than 5,000 sq. ft. of commercial or industrial floor area construction for which necessary municipal approval of any form such as those listed in question 34, was denied between May 4, 1976 and the present, defendant said: "Rossmoor, Clearbrook, and Concordia." They don't don't explain but it must be the density bonus they tabled in O-12-82-35, (Q. 20(c) .At (c) they say no action has been taken yet, (f) zone it would be located in PRC, and (g) that it was a growth area.

Current Land Use

Monroe Township consists of a total of 26,752 acres of which (25)
77.6%, or 20,772 acres are vacant. Of this vacant land, 46.8 %, 9,732 acres, is zoned for non-residential uses including:

VACANT	ZONE TOTAL
(a)	
1. industrial, 4404.22 acres, 21.2 %	5,011.78
2. office, neighborhood commercial, 214.68; 1%	311.14
3. commercial, general commercial, 1,195.97; 5.7%	1,783.44
4. flood plains, 3,917.41, 18.8 %	3,917.41
(b) 27.8 % , 5,786 acres, zoned for single-family housing on one or more acres.	7,563
(c) 25.1 %, 5,215 acres zoned single family dwelling on lot between one-quarter of an acre and one acre.	7,018
(d) one acre of vacant land,	378
.0048 % of the total vacant land is zoned for less than one-quarter acre single-family housing.	1.4%
(e) There is no vacant land zoned for multi-family housing. The PRC zone, 770 acres, or 2.8% of of municipality, filled.	
(f) There are 15 vacant acres of farmland.	

52.,53. Witnesses: Peter M. Tolischus, P.P.
E. Eugene Cross Associates
235 Livingston Avenue
New Brunswick, NJ 08903
will answer all planning questions.

Mike Rogers, Executive Director will answer questions 44-51
Monroe Township MUA
P. O. Box 159 Jamesburg, NJ 08831

That ordinance 0-1-82-2, in which they rezoned R to L-IC, for the
Planned Office Commercial Development --I can't, or haven't had time to
figure out how much land that is, etc.(Question 20.(c) 1982.)

There are no provisions anywhere for any kind of incentives to build
low/ moderate multi unit dwellings.