

U.L. v. ~~David~~ South Plainfield

Feb 6, 1984

● S. Plainfield

Letter from Rosa to Judge w/ copy of
expert report

Pgs. 9

● ML000324E

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February 6, 1984

The Honorable Eugene D. Serpentelli, J.S.C.
Superior Court of New Jersey
Ocean County Court House
Toms River, N.J. 08753

Dear Judge Serpentelli,

Enclosed is a copy of the expert report prepared by Robert E. Rosa Associates on behalf of the Borough of South Plainfield for the case of the Urban League vs. The Borough of South Plainfield.

Very truly yours,

Robert E. Rosa
Robert E. Rosa

RER:imm

Enc.

cc: Carla L. Lerman, P.P.

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PLANNING REPORT
FOR
URBAN LEAGUE OF GREATER NEW BRUNSWICK
VS.
THE BOROUGH OF SOUTH PLAINFIELD

Prepared For:
The Borough of South Plainfield, N.J.

Prepared By:
Robert E. Rosa, A.I.C.P., P.P.
James W. Higgins, P.P.
Robert E. Rosa Associates Inc.
510 Amboy Avenue
Woodbridge, N.J.

February 3, 1984

PREFACE

This report has been prepared at the request of the court, in the case of the Urban League of Greater New Brunswick vs. The Borough of South Plainfield et al. on behalf of the Borough. The purpose of the suit is to determine what, if any, is South Plainfield's fair share of the region's lower income housing need and to determine what steps should be taken by the Borough to meet that need. The Court's Master, in her Fair Share Allocation Report dated November 1983 states that South Plainfield's fair share is 1782 low and moderate income housing units through 1990. A report submitted by the Urban League's expert, dated December 1983, states that South Plainfield's fair share is 1523 units through 1990. It is the Borough's contention that there is not sufficient vacant land in South Plainfield that is suitable for development of low and moderate income housing to meet the fair share allocations proposed in either the Master's report or the Urban League's expert's report.

This report will analyze the existing vacant land in South Plainfield to determine the nature and amount of vacant land that is suitable for development of low and moderate income housing.

INTRODUCTION

South Plainfield is an older community that is approximately 80% developed. The majority of vacant land that is available consists of small lots (less than one acre in size) that are interspersed throughout the Borough. Most of the remaining larger lots have severe development limitations due to soil conditions, the lack of available sewers, and the lack of available streets.

These limitations on the development of available vacant land in South Plainfield make it impractical for any substantial amount of new low-income housing to be constructed.

VACANT LAND ANALYSIS

An analysis of vacant land in South Plainfield was conducted using a computer printout of Borough owned and privately owned vacant land provided by the Borough Tax Assessor. Vacant parcels were broken down into two categories; those less than one acre in size; and those one acre in size or greater. When two or more adjoining lots were under the same ownership, they were considered as one parcel.

Development of multi-family housing on parcels less than one acre was considered to be impractical due to inadequate room for buffers and parking. Construction of multi-family housing on these parcels would be detrimental to existing surrounding single-family neighborhoods where the parcels were located in such neighborhoods. Intense surrounding industrial and commercial uses would detrimentally impact any multi-family housing on these parcels where they are located in industrial or commercial areas.

Parcels equal to or greater than one acre in size were considered to be possible potential sites for multi-family housing that could include Mt. Laurel housing that is subsidized by higher rental or sales units within the same development. A total of 134 such parcels totalling 643 acres were identified. These parcels were then plotted on a soils map and then analyzed with regard to development limitations. In a following section of this report, those parcels suitable for development from a soils standpoint are further evaluated regarding other areas of consideration.

Four separate categories of land were established.

Category 1. Those parcels on soils with severe limitations for: Septic filter fields, foundations for houses with basements, foundations for houses without basements, local roads, and parking lots.

Category 2. Those parcels on soils with severe limitations for: Septic filter fields and local roads.

Category 3. Those parcels on soils with severe limitations for: Local roads and parking lots.

Category 4. Those parcels located on other soils which include those without severe limitations and those which are so variable that individual site analysis is necessary to determine if limitations exist.

"Severe limitations are those which normally cannot be overcome without exceptional, complex or costly measures", according to the U.S. Department of Agriculture Soil Conservation Service. The 134 parcels were distributed among the above categories as follows:

<u>Category</u>	<u>Parcels</u>	<u>% of Parcels</u>	<u>Acres</u>	<u>% of Acres</u>
1.	74	55.2	385.1	59.9
2.	17	12.7	67.7	10.5
3.	31	23.1	153.7	23.9
4.	<u>12</u>	<u>9.0</u>	<u>36.4</u>	<u>5.7</u>
TOTAL	134	100	642.9	100

Due to the severe development limitations, none of the "Category 1" parcels are considered practical for development of Mt. Laurel housing.

Eight (8) of the 17 "Category 2" sites, totalling 50.4 acres, are adjacent to existing sewers and, from that standpoint, could be developed without costly measures. One 2.5 acre parcel of those 8 sites, however is not adjacent to an existing road and would be too costly to develop. Consequently, from a practical standpoint, 7 parcels totalling 47.9 acres can be considered practical for development.

Of the 31 parcels in "Category 3", 17 parcels totalling 87.2 acres are located adjacent to existing roads, and if the severe limitations on the land can support parking, some land would be suitable for development of Mt. Laurel housing. It is unknown as to how many of these parcels would be suitable. Individual site analysis would be necessary to make this determination. The remaining sites not adjacent to existing roads are not practical for consideration of Mt. Laurel sites due to the excessive expense of road construction.

Of the 12 parcels that are located in "Category 4":

Four parcels totalling 10.5 acres, are on Urban Land, a soil classification on which severe limitations cannot be determined without an onsite inspection. In each instance the Urban Land soil is surrounded by "Category 1" or "Category 2" soils and is very likely to have the same limiting characteristics.

Three parcels totalling 11.5 acres, are currently subdivided into single-family residential lots and likely to be sold in the near future.

The remaining 5 parcels, which total 14.4 acres range in size from 1 acre to 7.2 acres are suitable for development with regard to soil restrictions. The largest lot, however is bisected by a stream and floodplain which reduces its suitability.

Consequently, of the 36.4 acres of land in "Category 4", as few as 14.4 acres and a maximum of 24.9 acres may actually be suitable for development of Mt. Laurel housing.

The following table is a summary of vacant land within the Borough that is considered developable, from a practical standpoint, for Mt. Laurel housing.

<u>Soil Category</u>	<u>No. of Parcels</u>	<u>Acres</u>
1	0	0
2	7	47.9
3	17*	87.2*
4	<u>9*</u>	<u>24.9*</u>
TOTAL	33	160.0

* Maximum (may be less)

This analysis does not take into account the suitability of the individual sites for residential use due to surrounding land uses, the economic considerations that relate to utilizing commercial or industrial zoned land for residential purposes or those sites that have submitted site plans or subdivisions to the Borough which have been or are subject to approval. These considerations reduce the acreage considerably. An analysis of the individual sites was undertaken and it was found that:

- Six (6) of the 33 parcels totalling 48 acres have recently had development applications approved or have development applications before the Borough for approval. The most significant of these is the recent approval of a shopping center on two of the parcels totalling 39.2 acres.

- Seven (7) of the 33 parcels totalling 17.6 acres are small irregularly shaped lots located in single-family residential areas which, if developed for high density housing, would be detrimental to the surrounding neighborhood.
- Fifteen (15) of the 33 parcels totalling 74.3 acres are located in industrial areas and due to their small size, the proximity of industrial uses, or limited access through industrial streets, or a combination of the three, are not suitable for residential use.
- The remaining 4 parcels totalling approximately 10 acres appear to be suitable for high density residential development. All four parcels are located in category 3 soil areas and their development for Mt. Laurel housing would be subject to the suitability of the soil for construction of paved parking areas.

CONCLUSION

This analysis of vacant land supports the Borough's contention that there is not sufficient suitable vacant land in the Borough to provide for the development of low and moderate income housing in order to meet a share of the regional need. The ten acres available obviously cannot meet the projected need of between 1500 and 1800 Mt. Laurel housing units. Even if some of the lots smaller than one acre could be developed, it is apparent that the Borough could not be expected to provide a significant number of units.

Based on this analysis, it is our opinion that it would be unreasonable to expect the Borough to meet any prospective need for Mt. Laurel housing. We do think that it is reasonable, however for the Borough to attempt to meet its indigenous need to the greatest extent possible through the rehabilitation of existing housing and the construction of new housing on those few lots that are suitable.


Robert E. Rosa, AICP, P.P.


James W. Higgins, P.P.