

~~ML~~
ML

~~ML000000~~

10-Apr-84

Morris Cty v. Beonton → Mt. Olive Twp.

Report by Alan Mallick
on the extent of Mt. Olive Twp.
properly designated as growth
area under State Develop
Guid Plan.

pgs 11

ML000024E



State of New Jersey

DEPARTMENT OF THE PUBLIC ADVOCATE
DIVISION OF PUBLIC INTEREST ADVOCACY

CN 850
TRENTON, NEW JERSEY 08625

JOSEPH H. RODRIGUEZ
PUBLIC ADVOCATE

*File,
for marking
on 2/4/84 n
25th*

RICHARD E. SHAPIRO
DIRECTOR
TEL: 609-292-1693

April 10, 1984

Herbert Vogel, Esq.
Vogel & Chait
Miller & Maple Aves.
Morristown, NJ

APR 10 1984
JUDGE STEPHEN SKILLMAN

Re: Morris County Fair Housing Council v. Boonton Tp.,
Docket No. L-6001-78 P.W.

Dear Mr. Vogel:

Enclosed please find a report by Alan Mallach on the extent of Mt. Olive Township properly designated as "growth area" under the State Development Guide Plan. I regret the delay in submission of this report.

Yours truly,

STEPHEN EISDORFER
Assistant Deputy Public Advocate

SE:id
Enclosure
cc: Honorable Stephen Skillman ✓

ML000624E

GROWTH FACTORS AND DIRECTIONS IN MOUNT OLIVE TOWNSHIP

This report seeks to delineate patterns and trends of growth in Mt. Olive Township, and establish the extent to which that township should reasonably be encompassed within a growth area, as generally defined in the State Development Guide Plan (SDGP). This report will deal with physical characteristics of Mt. Olive Township, development trends, zoning provisions, infrastructure, and an assessment of the consistency of those factors with SDGP designations for the community. It is the conclusion of this report that there exists a growth area extending through Mount Olive Township and continuing through Washington Township to Hackettstown, generally along the Route 46 corridor.

A. Topography and Land Use

Mount Olive is characterized by a series of elevations running from southwest to northeast. The central part of the township, including Budd Lake, is characterized by rolling hills with occasional slopes. There are steep slopes along the northern and northwestern parts of the township, and toward the south, between the bulk of the community and the Flanders area. Except for these two steep slope areas, and localized features (including wetlands in the vicinity of Budd Lake), the greater part of the township is susceptible to development at medium and high density.

The existing land use in the Township, which is predominately

Mt. Olive (2)

residential, is scattered, but generally is located in reasonable proximity either to the Route 46 corridor and Budd Lake, or the more southerly Route 206 corridor and Flanders. Although older development is concentrated in Budd Lake and Flanders, it would be inappropriate to characterize either as 'centers' in any meaningful sense.

Major recent development, particularly the large-scale multifamily development, has for the most part been close to Route 46; this includes the Village Green apartments NE of Budd Lake, and the complexes along Wolfe Road and Cassedy Road S of Budd Lake, roughly 1 mile north of the Mt. Olive-Washington Township line. All of these major developments stand outside the 'growth area' as delineated by the SDGP, but all have taken place since the 1972 baseline data used for that document.

B. Development Trends

Mt. Olive grew explosively between 1970 and 1980, its population increasing from 10,394 to 18,748 (an 80% increase), and the number of year-round dwelling units increasing from 2922 to 6774, an increase of 132%! This increase represented roughly 1/3 of the total Morris County population increase during this period.

One notable feature of the 1970-1980 decade, as shown in the table on the following page, was the number of multifamily units added. Prior to 1970, Mt. Olive was essentially a homeowner community; by 1980, roughly 40% of the housing stock was rental housing, nearly all added during the decade. This provides for more diverse housing opportunities than is the case with most

 HOUSING CHARACTERISTICS IN MT.OLIVE TOWNSHIP 1970 AND 1980

	1970	1980	CHANGE
Year-Round Units	2922	6774	+ 132%
Seasonal Units	395	168	- 57%
Occupied Units	2737	6369	+ 133%
Owner-Occupied Units	2426	3732	+ 54%
Renter-Occupied Units	311	2637	+ 748%
% Owner Occupied	89%	59%	
% Renter Occupied	11%	41%	

SOURCE: U.S Census of Housing

of the communities in the area; the township is, however, still overwhelmingly white (97% in 1980) and more affluent than the statewide average*.

Although development activity abated during the 1981-1982 recession, the township continues to be an attractive location. In addition to the many approved units from the 1970's that have yet to be completed, since 1980 the township has approved seven major subdivisions containing 421 units, all located in relatively large lot districts - R1 and RA zones.

 MAJOR SUBDIVISION APPROVALS SINCE 1980

YEAR	NAME	LOTS	ZONE
1980	Mountain Park II	58	RA
1981	City Financial Corp.	111	RA
1982	Pine Ridge Manor	43	R1
1982	Tinc's Farm	50	R1
1982	Bennington Woods	86	R1
1983	Black Acre	13	RA
1983	Factors and Note Buyers	60	RA/RAA

 *Both median family income and per capita income increased faster than the statewide average between 1970 and 1980 (8.4% and 36.4% respectively, in constant dollars). The disparity is a function of the decline in household size, and change in household composition in the township.

Mt. Olive (4)

In addition to these subdivisions, two large-scale multifamily development applications are in process; Wolf Trap Farm (270 units), and Fairway Manor (762 units). The latter would be an adult community.

It appears likely, therefore, that the township will continue to sustain substantial residential development into the foreseeable future. A 1980 study* estimated, based solely on pending applications, and approvals not yet built, that an additional 1900 units would be added to the Mt. Olive housing stock by 1990, resulting in a 1990 population of 23,700. At the same time, the beginning of construction in the Foreign Trade Zone in the northern part of the township will dramatically expand its economic base. As of 1981, there were 1933 covered jobs (jobs covered by the employment compensation laws) in Mt. Olive; the first phase of the FTZ is anticipated to provide 2000 jobs, and generate an additional 2000 secondary jobs, many of which will be in Mt. Olive**. The total FTZ project is anticipated to create 8000 jobs. The description of development trends in Mt. Olive in the Environmental Impact Statement prepared for the FTZ is a sound summary of these trends:

Many years ago Mt. Olive and its surrounding areas were farming communities. As the New York-Newark metropolitan region developed, summer recreational activities became a predominate influence on local land use. More recently, with improved access via Route I-80 to the densely developed areas to the east, Mt. Olive and all of western Morris County have been changing. It is now principally a year-round area with its residents commuting to jobs closer to or in the New York City-Newark metropolitan area or working at the commercial and industrial establishments that have developed recently along the I-80 corridor locally and

*Alexander Cooper Associates, Environmental Impact Report for Development of the New Jersey Foreign Trade Zone. 1980

**NJ Dept. of Labor, Covered Employment Statistics 1981, and Alexander Cooper Associates, op. cit.

Mt. Olive (5)

throughout Morris County. The proposed FTZ will strengthen this recent development of increased local employment for residents*.

C. Planning and Zoning

The most recent Mt. Olive Master Plan of which I am aware is dated 1975, and it appears that no fundamental revision of the zoning ordinance has taken place since approximately the same time. There is no evidence, therefore, that the township has responded in any manner to the provisions of the State Development Guide Plan. Indeed, both the master plan and the zoning ordinance demonstrate that the planning objectives of the township have been to treat the Route 46 corridor as a major linear core, along which the greater part of the community's future industrial, commercial, and higher density residential development will be located. A review of Master Plan proposals along the corridor shows:

- Substantial industrial land ^{use} / at the eastern end of the corridor (the future FTZ area)
- Substantial commercial land use to the west (south of Netcong borough line)
- Major multifamily development (Village Green)
- Existing medium density single family development along Budd Lake
- Substantial multifamily land use beginning at Cassedy Road just south of Route 46, and continuing to Washington Township boundary
- Substantial industrial land use designation from Smithtown Road and Route 46 to Washington Township boundary.

These designations, generally speaking, are the building blocks of a high-intensity corridor development pattern.

The township zoning map reflects this pattern, with minor

*ibid., p.V-2

Mt. Olive (6)

variations which do not modify the basic approach. West of Budd Lake, land is zoned largely L-I (industrial), R-3 (medium density single family with multifamily option) or R-2 (medium density single family). The immediate Budd Lake area is zoned R-4 to reflect the existing small lot development pattern, while the area to the east is zoned R-3, R-5 (multifamily), various commercial designations, and the industrial zoning for the FTZ. All in all, the planning and zoning of the township have been designed to foster intensive development along a Route 46 corridor, a development pattern which is, however reasonable it may be, in direct conflict with the SDGP designation. As we have shown, however, the level of development activity fostered by the township in this area has reached a point where to downzone to reflect the SDGP designation would be unreasonable.

D. Infrastructure

Availability of certain infrastructure is a complex matter in Mt. Olive Township. Although there are a variety of sewerage treatment facilities, both public and private (package plants), limitations on capacity as well as extension of interceptors has resulted in a situation in which development has lagged because of constrained access to treatment facilities. Existing multifamily development is connected in most cases to private package plants (Master Plan, p.43), and limited areas are served by public systems. It is clear that additional facilities will have to be constructed, either by the public or by developers on a local basis.

Transportation infrastructure is much further advanced. The use of Route 46 as a major transportation corridor within the

Mt. Olive (7)

Township is well established, as is, to a lesser degree, Route 206 through the Flanders area. Route 46 provides access from most parts of the township to Interstate 80, along which access to major employment centers to the east is readily available. Frequent bus service is available from Budd Lake to New York City, and more limited service from Flanders. Additional bus service is available from Hackettstown, only a few minutes from the western part of the Township. Commuter train services are provided from Netcong, immediately north of the township line.

While it is clear that the existing, piecemeal, sewer and water infrastructure has been stressed by the rapid development of the past decade, the deficiencies seen in Mt. Olive are of a radically different order than those that might characterize a rural community without an existing infrastructure. While it is clear that during the coming years Mt. Olive will have to deal responsibly with the problems of system expansion, the township has long since passed the point of no return in terms of the need for a more sophisticated, integrated, system to provide needed services to its residents.

E. SDGP Consistency

The SDGP uses five criteria to characterize areas designated as "growth areas":

1. Location with or adjacent to existing major population or employment centers.
2. Location within or in proximity to existing major water supply and sewer service areas.
3. Location within or in proximity to areas served by major highway and commuter rail facilities.
4. Absence of large concentration of agricultural land.
5. Absence of large blocks of public open space or environmentally sensitive land.

It is clear that Mt. Olive has become a substantial population center; with the development of the Foreign Trade Zone, it will become a major employment center

Mt. Olive (8)

as well. Similarly, Mt. Olive, particularly the area along the Route 46 corridor can reasonably be characterized as being within or in proximity to water and sewer service areas, recognizing the stresses on the existing systems noted above; and areas served by major highways and commuter rail facilities. Consistency with the latter criterion is particularly strong, and significant.

The other two criteria used in the SDGP refer to the absence of large concentrations of agricultural land; and the absence of large blocks of public or environmentally sensitive land. In both regards, Mt. Olive Township is consistent with the standards for designation of growth areas. Agriculture does not appear to be a major element in Mt. Olive land use; according to the 1978 farmland assessment report of the New Jersey Department of Agriculture, there were 1,337 acres in cropland and 529 acres in pasture in the township, representing collectively only 9% of the land area of the township. This land appears to be scattered in the western and souther parts of the township, with a substantial part of the available farmland, ironically, located in the small area in the south of the township designated as a growth area in the SDGP.

Furthermore, there appears to be no concerted effort on the part of the township to preserve what limited agricultural areas that exist. The 1975 Master Plan makes no reference to agricultural areas or farmland preservation; indeed, one area in which there appears to be substantial remaining farming activity is designated as an industrial area in the Master Plan, in view of its "rolling terrain and relatively large tracts available in this

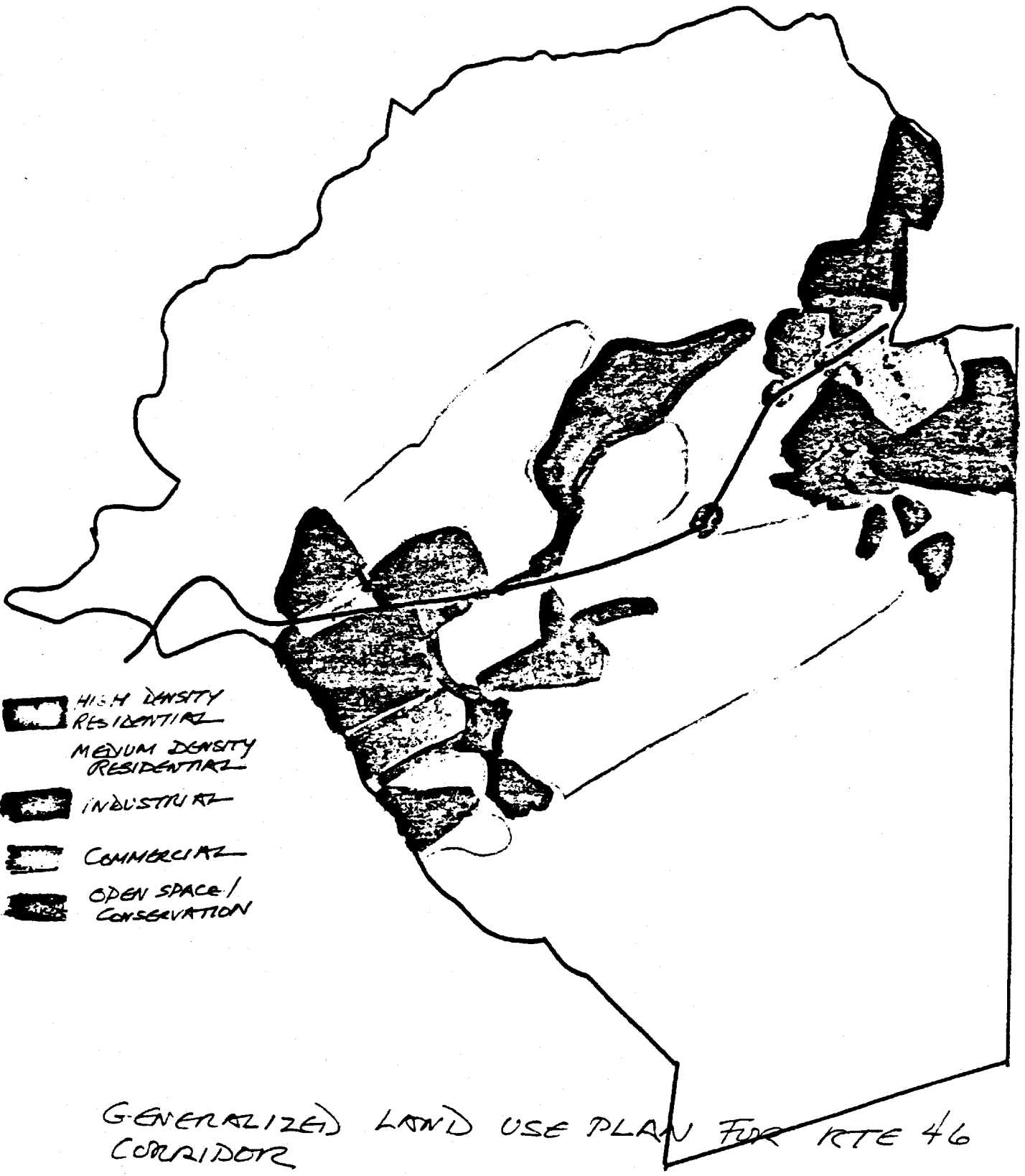
Mt. Olive (9)






area" (Master Plan, p.49)*.

With regard to environmentally sensitive and public lands, these criteria are not significantly found in the part of the township that we would characterize as the Route 46 corridor. Large areas characterized by steep slopes are found along the northwest boundary of the township, and in the southern part of the township; except for isolated slopes, this is not a problem in the Route 46 corridor. Certain areas as well, in particular stream valleys and lowlying areas to the west and northwest of Budd Lake are subject to flooding, or are wetlands, and should be preserved. Again, this does not have a significant impact on the developability of the corridor, generally. Similarly, there are no significant public land holdings within that area in the township.

In short, it is our conclusion that there is a distinct Route 46 corridor through Mt. Olive Township that is fully consistent with the criteria that have led other areas to be designated growth areas under the SDGP. This area, which is an extension of the so-called Interstate 80 corridor growth area, can be seen as a band of land, varying from 2 to 4 miles in width, paralleling Route 46 through the township, and linking the township with similar growth areas in Washington Township, and Hackettstown.

*We are not asserting that this area should become an agricultural preserve; simply that the issue is given no consideration in the Master Plan, and that, furthermore, the same criteria that might suggest that agricultural preservation is appropriate are used, instead, to support designating the land for industrial uses.



-  HIGH DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  INDUSTRIAL
-  COMMERCIAL
-  OPEN SPACE / CONSERVATION

GENERALIZED LAND USE PLAN FOR RTE 46 CORRIDOR

ADAPTED FROM 1975 MT. OLIVE MASTER PLAN