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Obligations

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LAWRENCE TOWNSHIP Mercer County, New Jersey

Analysis of fair share allocation, zoning & planning to meet Mt. Laurel II obligations

June 1984

Prepared by:
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REPORT ON FAIR SHARE

ALLOCATIONS AND COMPLIANCE FOR LAWRENCE

TOWNSHIP, MERCER COUNTY, N.J.

Prepared by:

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June 27, 1984

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Summary of Findings

This report discusses fair share housing allocation until 1990 for Lawrence Township, Mercer County. The methodology used herein is similar to the "consensus" allocation formula, described in C. Lerman's April 2, 1984 report to Judge Serpentelli, and reached with the participation of all 26 planners, including HNA, involved in the Urban League litigation. There is one deviation from the "consensus" methodology, however, namely that this report does not consider necessary a further allocation of 20% for vacant developable land. This refinement is appropriately justified and detailed back-up studies are being prepared for further justification.

In summary, Lawrence Township's fair-share housing obligations, under the Mount Laurel II ruling, are as follows:

Indigenous Need = 141

Present Need = 91

Prospective Need = 2,572

Total, 1990 2,804 Total Mt. Laurel Obligation (revised)

There are a number of existing or potential low and moderate income housing units which should be counted as credits towards meeting Lawrence's Mt. Laurel obligation. These are as follows:

Project	Number of Units
	CHIN AND SAID SITE SHIP SHIP SHIP SHIP SHIP SHIP SHIP SHIP
Eggerts Crossing	100
Lawrence Plaza	161
Rehabs, since 1980	47
Subtotal	308
Rent Controlled Units	438
Presently Processed Rehabs	50
Subtotal	488
Anticipated Rehabs, to 1990	150
Anticipated Infills, to 1990	350
	
Subtotal	500
TOTAL	1,296

The same

If these potential credits are counted towards meeting the Township's Mt. Laurel obligation, the remaining need would be:

2,804 Mt. Laurel obligation (revised)

1,296 Potential credits

1,508

The strategy towards fulfilling this obligation is detailed in Section III, where 3 development target areas are identified, with an estimated capacity of accommodating between approximately 2,500 and 3,000 low and moderate income units, if developed at high densities. These development areas are rated, using a weighted matrix, and are considered to rate high in the HNA site evaluation criteria. In Section IV, the same criteria are applied to the 4 challenge sites, with the result that only the Drexel Avenue site is considered appropriate to locate development with a Mt. Laurel housing component.

Introduction

On February 21, 1984, the Lawrence Township Planning Board hired the firm of Hintz/Nelessen Associates (H.N.A.) as its planning consultants, with the understanding that this firm would serve as the Planning Board's advisor for specific applications and would also thereafter be retained by the Township Council to recommend appropriate steps to achieve compliance with Southern Burlington County NAACP v. Mount Laurel, 92 N.J. 158 (1983) (hereinafter referred to as "Mount Laurel II"). In addition to reviewing a number of site plan applications for the Planning Board, this firm undertook the following major assignments regarding Mount Laurel first, a study to determine the fair share of low and moderate income housing which Lawrence Township must assume as part of meeting regional housing needs until 1990; second, the firm began an immediate analysis of the community's topographical, environmental, transportation, infra-structure and other factors so as to determine the most appropriate locations for accommodating high density residential development, aimed at satisfying this fair share allocation; and third, H.N.A. studied the suitability of the particular sites owned or optioned by Edward S.Bialas, the plaintiff who has instituted the Mount Laurel II suit (Bialas v. Township of Lawrence, Docket No. L-027302-83).

The following report addresses each one of these issues, based upon the data available to the planning firm and within the very tight time limitations imposed upon the defendants and their experts in the Bialas litigation.

Section II of this report sets forth the fair share housing allocation for Lawrence Township. Unfortunately, this component of the report was considerably delayed so that H.N.A. could have the benefit of a consensus report which was developed by 26 planners, including this planning firm, in the context of the on-going Mount Laurel II litigation entitled <u>Urban</u>

Leaque of Greater New Brunswick vs. Carteret, et al, Docket

No. C-4122-74. That consensus report was finally issued on April 2, 1984 and has been the subject of considerable testimony in the <u>Urban Leaque</u> litigation during the month of May. As of the date of this report, the trial court in <u>Urban Leaque</u> and the companion, <u>Warren Township</u>, case, has not made any determination concerning this consensus report. However, for purposes of this report, we have assumed its correctness, with certain modifications which are specified in Section II.

Section III of the report deals with the identification of areas within Lawrence Township which would suitably accommodate the fair share housing allocation specified in Section II, while Section IV is an analysis of the specific sites proposed by the plaintiff for the location of low and moderate income housing, with

relatively high densities. This study of both general and specific sites is predicated upon fourteen site selection criteria, which conform with sound planning principles and with the guidelines of the New Jersey Supreme Court in Mount Laurel II.

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It was the original intent of this planning firm to segment Section IV, dealing with the plaintiff's sites, into two parts: the first dealing with the preliminary question of whether the proposed development of those sites is contrary to sound planning and environmental principles and, secondly, assuming that this preliminary test was satisfied, whether the specific development proposed by the plaintiff-builder should be approved on planning grounds, after an analysis of the plaintiff's specific site plans. Unfortunately, based upon the deposition of the plaintiff on April 10, 1984, and answers to interrogatories, Mr. Bialas did not provide any specific answers concerning the plans that he has for the two original sites proposed for development: the Drexel Avenue site and the Federal City Road site. Therefore, it was impossible to undertake that aspect of Section IV of this study, dealing with the propriety of a builder's remedy based upon a review of specific plans presented by the plaintiff. addition, after the April 10th deposition, the plaintiff chose to add two more sites to the litigation, which are contiguous to each other and located in the north central portion of Lawrence Township, on the Princeton Pike, hereinafter described as "Maidenhead Meadows" and the "Princeton Pike Partnership".

Nevertheless, a preliminary analysis of all four of these sites has been undertaken with the conclusion that only the Drexel Avenue site is suitable for any degree of density, based on sound planning and environmental grounds.

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Lawrence Township has chosen to voluntarily comply with its obligations under <u>Mount Laurel II</u>, contrary to many suburban municipalities in New Jersey, which are suitable for low and moderate income housing. It has committed considerable resources in authorizing this planning firm to undertake extensive study, including the preparation of this report in the

hope that the trial court will allow it to meet its obligations in accordance with sound planning principles, rather than on the basis of the land ownership of a litigant. In that regard, H.N.A., as well a the Township of Lawrence, have taken seriously the opening paragraphs in the <u>Mount Laurel II</u> decision, in which the court encourages voluntary compliance:

....First, we intend to encourage voluntary compliance with the constitutional obligation by defining it more clearly...We hope to achieve all of these purposes while preserving the fundamental legitimate control of municipalities over their own zoning and, indeed, their destiny. (92 N.J. at 214)

SECTION II

18.5

Introduction

Based on the decision of the New Jersey Supreme Court known as "Mt. Laurel II' (January 20, 1984), every municipality in the state has a constitutional obligation to provide opportunities for their "fair share" of housing for low and moderate income households. The decision distinguishes between municipalities in "growth areas" and outside growth areas as delineated on the State Development Guide Plan (SDGP) of the N.J. Department of Community Affairs. Municipalities located outside the "growth area" have the obligation to provide housing for their indigenous need or existing resident poor.

Municipalities either wholly or partially within the growth area on the SDGP (with the exception of the "Urban Aid" muncipalities) must provide for the present need of their resident poor, a percentage of the existing regional present surplus need, and their fair share of the future or prospective need to 1990. Out of a total of 13,997 acres, Lawrence has 12,457 acres, or 89%, in the growth area.

The methodology for calculating a growth municipality's Mt.

Laurel II housing need was the result of a consensus methodology

discussed by various professional planners.

- 1. <u>Indigenous need</u> is determined from the 1980 census data on local housing conditions.
- Present need is based on the redistribution of some of the indigenous need in a predetermined housing region.
- 3. <u>Prospective need</u> is the Township's share of projected household growth in a 30 minute commutershed region around the municipality confined within the State of New Jersey.

Present Need

There is a present need for a low and moderate income housing which is derived from the dilapidated housing stock extant in the region (units with inadequate plumbing, inadequate heating and overcrowded units). This need arises from the inability of people to move from their existing unit to other units in the region. This "present need" region includes substandard units in older suburban and urban areas.

An analysis of the present need region's substandard housing profile was undertaken, following methodology developed in the "consensus" report prepared by Carla Lerman, PP, dated April 2, 1984. HNA participated in the consensus represented in that report. While no

full agreement existed on every issue, the proposed methodology for calculating indigenous need received general support. The necessary indicators are collected from the census, and it is possible to remove any overlap from each category. The three agreed upon substandard housing indicators are:

- 1) overcrowded units (1.01 or more persons per room)
- 2) units lacking complete plumbing for exclusive use
- 3) units without adequate heating

Once these numbers are derived, a multiplier of .82 is used to determine substandard units that are occupied by low and moderate income households, following the Tri-State Regional Planning Commission's study entitled People, Dwellings and Neighborhoods (1978) which indicates that 82% of all substandard housing units are occupied by low and moderate income households.

Present Need Region

The present need housing region has been determined to be a fixed region, recognizing past commuter patterns,
employment and population distribution, as well as existing
resources. It is the region where it is considered that present

housing problems can be solved. The Rutgers University Center for Urban Policy Research prepared a rather extensive study analyzing New Jersey regions in their publication Mount Laurel II: Challenge and Delivery of Low Cost Housing. HNA concurs with the analysis therein defining the present need fixed region as applied to Lawrence Township, to consist of the counties of Mercer, Burlington, Camden and Gloucester.

Surplus Present Need

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Those municipalities with an indigenous need above the regional average (number of substandard units as a share of all occupied units), are considered to have "surplus present need" which cannot be met in that municipality. The "surplus" units,

(difference between the municipality's "standard of deficiency" and the "regional standard of deficiency"), are then reallocated to those municipalities that fall below the regional average.

The reallocation process is based on three parameters:

- 1. The municipal share of regional covered employment, 1982
- The municipal share of regional growth area, according to the S.D.G.P.

3. The ratio between municipal median household income, and the region's median household income.

Those municipalities which are entirely in nongrowth designations, such as one or more of the following categories on the State Development Guide Plan, were excluded: agricultural, limited growth and conservation. Additionally, any "Urban Aid" municipalities are excluded since these places have a preponderance of low and moderate income households, do not have the economic capability of meeting the demands of low and moderate income housing and, finally, in the past, urban aid communities were the ones that sought low and moderate income housing. (See Appendix A).

Prospective Need

Prospective housing need during the 1980-1990 period is determined through population projections, on a county-by-county level, which are then converted to projections of household growth. The data source adopted in the "consensus" methodology was the average of the two 1983 projections published by the New Jersey State Department of Labor and Industry, one of which was based purely on demographic trends, while the other relied on economic projections to modify the demographic-based model.

The proportion of projected households anticipated to fall within the Mount Laurel household group is 39.4% — the percentage of the total number of households which in 1980 earned 80% of median income — assuming that the Mount Laurel population retains its share of the total population.

Prospectiv	e Need	Region
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San San

The prospective need region is different from the present need region. It is based on the development of new jobs over the last decade and continued job growth in the future. The region is, therefore, based on the commutershed of the given municipality. Since the average commuting time for workers in the state is 23 minutes and typically not more than 30 minutes, the region is based on the time/distance factor of a 30-minute commute. This formulated region, then, tries to relate jobs and future jobs to housing or place of employment with place of residence. Based on driving times measured at 30 mph for local roads, 40 mph for county and state roads and 50 mph for interstate, turnpike, and parkway, the commuter shed for Lawrence was determined to be Burlington, Mercer, Middlesex, Monmouth, Hunterdon and Somerset counties.

Prospective Mt. Laurel housing need is allocated to the municipalities within the prospective need region according to how they rate along four parameters:

- 1. municipal share of regional covered employment, 1982
- 2. municipal share of regional covered employment growth, 1972-82.
- municipal share of regional growth area, according to the S.D.G.P.
- 4. ratio between municipal median household income and regional median household income.

Again, non-growth and urban aid municipalities are left out during this process.

FAIR SHARE HOUSING ALLOCATION CRITERIA

1. Employment Growth

Section 1

1.11

Job growth is a major criteria in determining a municipalitity's prospective fair share allocation. If a municipality has a lower regional share of employment growth, it should have a lower numerical obligation to satisfy the regional housing need, both present and prospective. Job growth in a municipality means a commensurate obligation to satisfy the regional housing need.

The job growth in Lawrence Township has been due to the Township's location in the region and in relation to the road networks of interstate and state highways. In 1972 covered employment totaled 6,537, while in 1982 it totaled 15,915.

Employment change is only used for prospective need allocation, since it is an indicator of where new jobs are occurring, and, thus, the need for housing to match those jobs. (It doesn't matter if these are higher paying jobs for high-income households, since the factor is used as an indicator of a strong economy, attraction of ratables and as a general indicator of housing need.)

Employment

*

Existing jobs in a municipality, expressed as a percentage of total regional jobs, is the second factor used in the jobs category in the allocation formula for prospective need. This factor becomes particularly important for those municipalities which have a high percentage of total jobs and low proportion of low and moderate income households.

Existing jobs are used as a factor in the present need formula as well, but have more weight since they are not in an equation with job growth, as in the prospective need formula.

1982 covered employment, as reported by the Office of Demographics, Department of Labor and Industry, State of New Jersey, was 580,002 net for the prospective need region, of which Lawrence had 16,663 of the regional total. This represents 2.74% of the regional jobs in the prospective need region, and 5.00% of the present need region. It is higher in the present need region because Mercer County, and Lawrence as a part of the county, are relatively stronger, economically, vis-a-vis the other three "present need" counties.

Local Development Potential

Growth area, as used in the "consensus" formula, refers to the gross acreages shown on the 1980 Revised "State Development Guide Plan", independently of whether land is presently developed or undeveloped. As a result, it does not account for some very dense urban and suburban development, where there is no room (unless existing developed properties are torn down) for new development. In addition, it fails to consider vacant land that should not be developed due to environmental constraints, particularly floodplains and land with a seasonal high water table of 0-1 foot below the surface.

In the case of Lawrence, the growth area totals 12,457 acres or 2.01% of a prospective need region of 650,771 acres. HNA conducted an extensive land use survey of the entire township, together with a detailed environmental analysis of its area, and concluded that of the 12,457 acres designated as growth in the S.D.G.P., only 3,640 acres (the equivalent of 29%) were both vacant and developable. This number was obtained by subtracting those areas which are already developed, floodplains, and areas of 0-1 feet to seasonal high water table. It should be added that these were the same criteria used in "A Revised Statewide Housing Allocation Report for New Jersey" published by the New Jersey Division of State and Regional Planning in May 1978, a companion piece to the S.D.G.P.

The results of our investigation show that, for Lawrence, only 3,640 acres can truly be considered vacant developable land in the growth area. The problem with using this factor in the allocation formula is that it would have to be calculated for all other municipalities, and brought current to 1984. This task has been started by HNA, since vacant developable land in the growth area is a much more reasonable factor to use in the formula than simply growth area. It must be agreed, moreover, that the amount of vacant developable land in the region -- 366,712 acres, according to the 1978 Housing Allocation Report -- has not changed that much except for developing municipalities like Lawrence, inwhich a larger number of acres were consumed.

The additional adjustment of 20% for vacant developable land required by the consensus methodology would, consequently, seem out of place in this case. As will become obvious once the fair share allocation is calculated, this additional factor leads to an untenable outcome.

4. Economic Capacity Indicator

An objective of the fair share allocation formula is to foster dispersal away from locations with prior concentrations of affordable and/or subsidized housing units, and towards those municipalities which have previously been exclusionary. The rationale behind this criterion, is that: (1) the poor should be dispersed rather than concentrated in a particular geographic location and/or (2) locations which have existing high levels of housing for the poor are already doing a part of their fair share.

Conversely, the allocation formula should realistically incorporate a measure of each municipality's capacity to fulfill its fair share, i.e. an indicator of the resources which it can rely on.

Working with several other consulting planners, HNA arrived at a consensus for this indicator. In the report for Judge Serpentelli, prepared by Carla Lerman, PP, dated April 2, 1984, this indicator is described in the following way:

The ratio of municipal median household income to regional median household income is a valid expression of financial capability that is readily available on a municipal and county level. In the sense that the Mt. Laurel decision is an economic one, the household income is a relevant factor in determining a municipality's fair share of lower income housing...if sound planning of an area allows the rich and middle class to live there, it must also realistically and practically allow the poor. (slip op. at 21)

Use of median household income as a factor in determining fair share provides one means of measuring past efforts to provide affordable housing.

- II. Lawrence Township Fair Share Housing Allocation
- Calculating Indigenous Need

Table 1 shows the method used to obtain Lawrence's indigenous need. The total present need amounts to 172, of which 82%, or 141, constitute Mt. Laurel units. The relation between this number and total occupied dwellings (141/6114) equals 2.31%, well below the regional average of 4.1% (see Table 2). Communities, like Lawrence, below the regional average, receive the excess "surplus" units.

Lawrence indigenous need = 141

1

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Lawrence Township's Indigenous Housing Need

							& Units				
			Net Units	Units			Without				
		Total	Lacking	Lacking		Other	Central				
		Units	Complete	Central	Room	Units	Heating	Units			
	Over-	Lacking	Plumbing	Heating	Heaters	Lacking	With	Lacking	Total	Adjusted	Occupied
	crowded	Complete	Not Over-	Not Over-	With	Central	Inadequate	Adequate	Present	Present.	Dwelling
Municipality	Units	Plumbing	crowded	Crowded	Flue	Heating	Heating	Heating	Need	Need	Units
Lawrence	83	27	26	129	73	70	.4895104	63	172	141	6114

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Section 1

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Source: U.S. Census, 1980, STF-1 & STF-111 materials

Substandard Housing Units: Indigenous Need, by County, 1980

Table 2

			•			Total	Mt. Laurel
					Total	Sub-	Units As
			Units	Units	Sub-	Standard	Percent of
	Occupied	Over-	Lacking	Lacking	Standard	Mt. Laurel	Total
	Kousing	Crowded	Complete	Adequate	Housing	Kousing	Occupied
County	Units	Units	Plumbing	Heating	Units	Units	Units
Burlington	114,890	2,446	765	2,065	5,241	4,298	3.74%
Canden	162,50B	4,727	1,278	2,503	8,398	6,886	4.23
61 oucester	65,129	1,600	507	1,128	3,197	2,622	4.03
Mercer	105,819	2,909	1,191	1,574	5,569	4,566	4.32
	448,346					18,373	4.10%

Regional "Standard of Defficiency" = 4.1%

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Source: 1980 U.S. Census, STF-I & STF-III materials

2. Calculating Surplus Present Need

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Table 3 shows a surplus present need of 4,870 units for the four county region. Lawrence's share of these units, once reallocated, is calculated in the following section.

Table 3

Regional	Surplus	Present	Need

County	Surplus Present Need
with they take then term	
Burlington	813
Camden	2,311
Gloucester	462
Mercer	1,284
CONTRACTOR COMPANIES AND	
Region	4,870

Source: 1980 U.S. Census, STFI & STFIII materials

- 3. Reallocating Surplus Present Need
 - 3.1 Employment Factor

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Table 4 shows Lawrence's share of 5.00% of the 4 county 1982 covered employment total of 317,933.

Table 4

Present Need Components: 1982 Covered Employment

	1982			Net 1982
	Covered	Non-Growth	Urban Aid	Covered
County	Employment -	- Municipalities	- Municipalities	= Employment
100 (Es tip 100 lin	times shall pasts which hints state same attent states states states	COTT THE CASE AND AND AND AND AND AND SAIL STAY AND AND AND	محمد المدين ا	
Camden	142,650	1,169	28,314	113,167
Gloucester	46,537	1,382	3,980	41,175
Mercer	109,951	1,225	23,624	85,102
Burlington	85,114	6,625	cons gain	78,489
despit fields denic place which draft down topic Albir space				ages were delle delle delle men
Region				317,933
Lawrence	15,915			15,915

Lawrence's share of region = 5.00%

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Source: N.J. Department of Labor and Industry, Office of Demographics 1982

3.2 Growth Area Factor

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Table 5 shows Lawrence as having 3.55% of the total regional growth area acreage.

Table 5

Present Need Components: Growth Area Acreage

		EXCLUDED	
County	Growth Area -	Municipalities =	Growth Area Net
	tiples were start about these most what these person times anyon		MINE STATE STATE STATE SAME AND STATE
Burlington	103,041		103,914
Camden	84,917	10,035	74,882
Gloucester	77,447	4,397	73,050
Mercer	105,086	4,800	100,286
April 1902 dillo selle supp que	num almo anno anno 1844 taleb anno	date take plat view make	
Region	370,491	19,232	351,259

Lawrence Township = 12,457 acres Lawrence Township % share of region = 3.55

Source: State Development Guide Plan, New Jersey Department of Community Affairs, 1980

3.3 Economic Capacity Indicator

Table 6 shows Lawrence as having a 1979 median household income of \$21,714, or 1.18 times above the regional median of \$20,885.

Table 6
----Present Need Components: Median Household Income, 1979

County	Households*	Median Income*
Mini etas Mini 1000 vuut osia	منت جناب منت کتب فیت الباد مانی دست بادی در الباد بازی بازی در الباد بازی در الباد بازی در الباد بازی بازی در ا	
Camden	131,375	\$20,825
Gloucester	35,911	19,319
Mercer	71,839	23,683
Burlington	91,295	22,385
Brief Base glob from Artes 1984 were capts work paths clare		was were capp with thirt tard and thire
Region	330,420	\$21,714

Lawrence 1979 Median Household Income = \$25,615 or 1.18

above the regional average

* Net of Urban Aid and Non-growth Municipalities

Source: 1980 U.S. Census

3.4 Lawrence's Share of Reallocated Surplus Present Need

The state of the s

Using the factors described and obtained in the above calculations

Employment Factor = .0500

Growth Area Factor = .0355

Economic Capacity Factor = 1.18

 $.0500 + .0355 \times 1.18 = .0504$

2

1

9

.0500 + .0355 + .0504 = .0453

3

.0453 \times 4,870 (total regional surplus) = 221 units 221 \times 1.2 (reallocation allowance) = 265 units 265/3 (phasing periods) = 88 units 88 \times 1.03 (vacancy factor) = 91 units

Lawrence's reallocated present need, to 1990, is 91 units.

- 4. Calculating Prospective Need

 - 4.1 Regional Prospective Need

The total 1990 prospective Mt. Laurel housing need, for the 6 county region, amounts to 70,388, as shown in Table 7 below.

Table 7

Projected Mt. Laurel Households, 1980-90

1	9	90)	M	t	
---	---	----	---	---	---	--

County	Laurel Households		
COURS allief STORE later spape deman	الحال يونيا كامير كانت أدان الانت الانت الانت الانت الذي الدين الدين بترين كانت ربينا الدين بالدين الانت		
Burlington	15,798		
Hunterdon	3,680		
Middlesex	19,417		
Monmouth	17,510		
Mercer	5,192		
Somerset	8,791		
COMM COUNT COME COMES COMES AND ADMIC SAME COMES AND ADMIC	paint paint value dates dates dates dates dates dates		
Region	70,388		

Source: Carla Lerman, Report, April 2, 1984, Table 8

5. Allocating Prospective Need

5.1 Employment Factor

Table 8 shows employment in 1982 for the 6 county region to be be 580,002, while Lawrence had 15, 915, or 2.74% of the regional employment base.

5.2 Employment Change Factor

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Table 8 shows the 1972-82 employment change in the 6 county region to have been 172,376, while in Lawrence employment grew by 9,378, or 5.44% of the regional growth.

If a linear regression for job change is computed, the percentage is 5.81.

Table B

Prospective Need Component: 1982 Employment and 1972-82 Employment Change

	1972 Net*	1982 Net*	
	Covered	Covered	
County	Employment	Employment	
Sense move state from state dates come value such		with their color time with spice above their spice and	
Burlington	61,610	78,459	
Hunterdon	9,066	13,478	
Mercer	61,570	85,102	
Middlesex	141,251	208,472	
Monmouth	77,187	111,731	
Somerset	56,942	82,730	
which driving angless phinch driving spaces observe suggles process		\$1000 parties where some states carbon some states space	
Region	407,626	580,002	
Lawrence	6,537	15,915	

Lawrence's share of regional employment base = 2.74%

Lawrence's share of regional growth = 5.81%

*net of Urban Aid and Non-growth Municipalities

Source: Carla Lerman Report, April 2, 1984, Tables 10-12
N.J. Department of Labor and Industry, Office of
Demographics

5.3 Growth Area Factor

Table 9 shows Lawrence having 12,457 acres of growth designated area, or 1.91% of the total 650,771 growth acreage in the 6 county region.

Table 9

		After
County		Net of Urban Aid and
600 para 140, may 140 san		Non-Growth Excluded
Burlington		105,914
Hunterdon		25,952
Mercer		93,421
Middlesex		166,198
Monmouth		151,792
Somerset		100,455
		650,771
ence Township	Acreage in Growth Ar	ea: 12,457
ence Township	% share of Region:	1.91%

Source: SDGP, D.C.A. 1980 p170

Carla Lerman Report, April 2, 1984, Table 5

5.4 Economic Capacity Factor

Table 10 shows how Lawrence's 1979 median household income of \$25,615 relates to the 6 county median, above which it ranks by a factor of 1.07.

Table 10

Prospective Need Component: Median Household Income, 1979

County	Households*	Median Income*		
days alone takes state about plants	MANUS MANU SANIS ANNO ANNO ANNO ANNO ANNO ANNO ANNO ANN	were used upon these trans gold their state of Called State upon their state		
Burlington	91,295	\$22,385		
Hunterdon	13,495	26,843		
Mercer	71,839	23,683		
Middlesex	143,376	24,199		
Monmouth	144,317	23,047		
Somerset	67,101	26,243		
	White takes report from given come, lives taken	galde halps south water states south token from south		
	556,953	\$23,921		

Lawrence 1979 Median Household Income = \$25,615 or 1.07

above the regional average

*Net of Urban Aid and Non-Growth Municipalities

Source: 1980 U.S. Census

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5.5 Lawrence's Share of Prospective Need

Using the factors described above, the share of the regional prospective need allocated to Lawrence is obtained through the following calculations:

Employment Factor = .0274

Employment Growth Factor = .0581

Growth Area Factor = .0191

Economic Capacity Factor = 1.07

$$.0274 + .0581 + .0191 = .0348$$

3

 $.0348 \times 1.07 = .0373$

.0274 + .0581 + .0191 + .0373 = .0355

4

.0355 \times 70,388 (regional prospective need) = 2,497 units if the straight consensus formula is used, we have 2,497 \times 1.2 (vacant developable) = 2,996 units

land allowance

2,922 x 1.03 (vacancy factor) = 3,086 units

Lawrence total prospective need = 3,086 units

Indigenous Need = 141

Reallocated Present Need = 91

232 Total Present Need, to 1990

Prospective Need = 3,086

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3,318 Total Mt. Laurel Obligation

Using the straight consensus methodology, Lawrence's total Mt. Laurel obligation would amount to 3,318 units, to the year 1990.

Assuming a 20% set-aside, without deducting for credits, this would be equivalent to a total of 16,600 units. If we consider that only 3,640 acres, in Lawrence, are vacant and developable, it would be necessary to cover every available acre at a gross density of 4.0 to 4.6 d.u./acre to accommodate the need thus calculated.

This is clearly not a realistic scenario. Consequently, HNA recommends dropping the 20% vacant land allowance, which seems inappropriate in this case. Thus, recalculating prospective need

 $2,497 \times 1.03$ (vacancy factor) = 2,572

[15.2.4]

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Total Mt. Laurel Obligation to 1990, Revised

Indigenous Need = 141

Reallocated Present Need = 91

232 Total Present Need, to 1990

Prospective Need = 2,572

2,804 Total Mt. Laurel

This number represents Lawrence's present and prospective fair share. If current vacant developable land data for the entire region could be made available for calculating the factor in the equation, Lawrence's number of fair share units would drop. Since Lawrence's present vacant developable land has been determined to amount only to 3,640 acres (see page 17) which is roughly half the amount which the Housing Allocation Report had computed in 1978, and since, on the other hand, Lawrence has continued to grow, the percentage of vacant developable land compared to the region would also be likely to drop, thus lowering the Township's fair share even further.

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Existing or Potential Mt. Laurel Housing Credits

There are a number of projects which HNA believes should receive recognition towards fulfilling the Mt. Laurel obligations.

Eggerts Crossing is a 100 unit low income rental housing project completed in 1974 and operated by the Lawrence Non-Profit Housing Corporation. It is leasing only to low/moderate income qualified tenants. Lawrence Plaza is a 161 unit senior citizen complex built in 1980 with Federal and State assistance and occupied only by low and moderate income qualified residents. In addition, 47 individual units have been rehabilitated with public assistance since 1980. These 3 projects amount to a total of 308 units.

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The prospective need region includes Monmouth, Mercer, Middlesex, Burlington, Hunterdon and Somerset Counties. This prospective need accounts for 92% of total low and moderate income need and, thus, median income numbers for the prospective need region were used to evaluate housing affordability. Assuming 30% of family income goes towards housing (rent, utilities, etc.), then the 1983 income ceilings would be \$625/month for moderate income and \$391/month for low income (assuming \$31,308 median income -- See Table 11).

A two bedroom unit in Lawrence averages \$592/monthly according to a survey conducted by HNA, of multi-family housing complexes.

Apartments in buildings of 8 units or less (typically 4 in the Township) were not polled (See Table 12).

1983 Median Family Income, by Low and Moderate Limits, by SMSA and County

1983

		Lower	Lower Income Limits by Family Size (HUD Programs)							
	Median	Income								
	Family	Classifi-	One	Two	Three	Four	Five	Six	Seven	Eight
SMSA/County										
Essex, Morris										
Somerset, Union		Moderate	17,650	20,150	22,200	25,200	26,750	28,350	29,900	31,500
Hunterdon	31,100	Low	11,600	13,250	14,900	16,550	17,850	19,200	20,500	21,850
		Moderate	18,200	20,800	23,400	26,000	27,600	29,250	30,850	32,500
Hercer	29,300	Low	10,250	11,700	13,200	14,650	15,800	17,000	18,150	19,350
		Moderate	16,400	18,750	21,100	23,450	24,900	26,350	27,850	29,300
Middlesex	32,700	Low	11,450	13,100	14,700	16,350	17,650	18,850	20,250	21,600
		Moderate	18,200	21,800	23,400	26,000	27,600	28,250	30,850	32,500
Monmouth	31,600	Low	11,050	12,650	14,200	15,800	17,050	18,350	17,600	20,850
		Moderate	17,700	20,200	22,750	25,300	26,850	28,450	30,000	31,600
	• .									
Burlington*	29,645	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Average	31,308					15,654				
	•					25,046			,	

n/a - not available

Source: United States Department of Housing & Urban Development, Newark Area Office. Income limits for Programs Prepared 3/1/83.

Table 12

Analysis of Rent Controlled Apartments in Lawrence

	Rental/Month		Apartment Sizes			
	One Br. To	 ио Вг.		Br. No. of	- 2 Br	

Parallia Dance D. L.	\$		\$	\$		
Franklin Corner Gardens	450	520	100	. 10	10	
White Pine	520 1st	650	82 1st f1	oor 4	1	
	530 2nd	650	40 2nd			
	580/den		22 w/den	2nd		
	2nd					
Sturwood Hamlet	510	630		141 total		
		• •		·•		
Eggerts Crossing Village	Controlled	under		100 Total		
	Non-Profit	Agency				
	to Section	8				
	standards.					
Lawrenceville Gardens	475	570	104		52	
Westgate Apartments	490	590	36	•	36	
Meadow Woods	Converting	to Condos.		140 total		
Lawrence Plaza	(no respor	ise)		161 total		
Harold Woolsey	(no respon	ise)		20 total		

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Considering the current (1983) limits for low and moderate income, potentially 438 units are available as rentals to low and moderate income households. It is not possible to determine, if, in fact, these units are occupied by such households or families without a door-to-door survey. However, there is rent control in the township and these units are available for rents considered within 50% to 80% of median income. These should also receive some recognition towards meeting Lawrence's fair share of indigenous and present need.

Infill/Rehabilitation Programs

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It has become apparent from the analysis of township that the way to satisfy the township's fair share obligation is not just through zoning, but through other techniques as well. A non-profit housing corporation or housing authority must be established to foster rehabilitation of the existing substandard low and moderate income units, and the construction of new housing which could qualify towards meeting the township's obligations on a one-for-one basis. Presently, there is a "Small Cities" grant, administered by the township. As mentioned, forty seven units have been rehabilitated, in a specific target area, and all have been income-qualified using Section B guidelines (see attached information). This same office is processing another 50 units, which will be rehabilitated by late 1984, early 1985, when the programs ends. The township intends to apply for a new round of funding, given its successful track record.

Additional units are planned for rehabilitation. At the present rate of rehabilitation, another 150 units could easily be accomplished over the next 6 years. HNA analysis also suggests the potential for a further 350 units in infill operations. This would then total approximately 550 additional units.

Existing Zoning Potential

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There are a number of existing preliminary approvals of high density housing, which would accommodate a mandatory set—aside. Initial analysis indicates that some of the densities may require slight increases in order to build the lower cost—units, while other projects may not be satisfactory at all to meet those needs.

A mandatory set-aside ordinance has been passed on first and second reading by the Township Council (6/20/84). Several projects have become subject to those requirements.

The township has enabled through its planning and zoning (A/T) Apartment/Townhouse zones, planned community, planned neighborhood and planned development zones. A holding capacity analysis of existing zoned A/T areas indicates that 574 additional units could be constructed which, with a 20% set-aside requirement, would amount to an additional 115 credit units. The township has also approved the construction of "least cost" housing, notably the Society Hill project.

All of the compliance issues, zoning analysis and environmental studies necessary to implement the fair share allocation are well underway and near completion. The final steps involve policy making by the Township Council on the best ways to satisfy the town's obligations in ways that are least disruptive to Lawrence and most complementary of the Mount Laurel II obligations.

COMPLIANCE AND IMPLEMENTATION OF MOUNT LAUREL II OBLIGATIONS

The current fair share requirement extends to the year 1990. The zoning ordinance must realistically allow these units to be built over a period of six years to 1990. The units would have to be phased in through zoning and other measures. However, the amount of units facing Lawrence Township is high and if using a factor of five (5) as the means for calculating the minimum number of new zoned units to accommodate a 20% mandatory set—aside of low/moderate, Lawrence would need to zone and process 10,040 units in six years. This is over 1,675 units per year and is unrealistic in several ways:

 infrastructure (water, sewer and roads) would have to keep pace with this construction, which from HNA's preliminary review, is impossible;

*Assumes fair share of 2,804 minus existing low/moderate units of 746 and 50 rehabs in process.

- market forces cannot construct this amount of housing in Lawrence over six years;
- application processing by the township would be a heavy burden, considering the "cap" law on the one hand, and the need for new personnel that would be involved in reviews and inspections.
- in order to accomplish the new housing that is needed, redevelopment is necessary, which involves establishing a redevelopment agency and possibly assembling land through condemnation, not an easy task.

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- while past job growth in Lawrence has driven up the township's prospective fair share, this employment growth is not likely to continue at such a pace, thus the needed housing may, in reality, be lower.

HNA believes that there is a clear need for phasing in this Mount Laurel obligation. The use of phasing is not contrary to Mount Laurel, but rather consistent with the Court's stress on sound planning and the avoidance of deep change in community character:

There is nothing in our constitution that says that we cannot satisfy our constitutional obligation to provide lower income housing, and, at the same time, plan for the future of our state intelligently. 92NJ at 238.

This applies to individual municipalities as well as the state as a whole.

No one community need be concerned that it will be radically transformed by a deluge of low and moderate income developments. 92NJ at 219.

To avoid such a deluge, the court specifically permitted communities to phase in their obligation.

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Trial judges shall have the discretion, under these circumstances, to moderate the impact of such housing by allowing even the present need to be phased in over a period of years. 92NJ at 219.

It is HNA'S opinion that the deluge against which the Supreme Court warned will occur in Lawrence if the fair share is not phased in. The new construction need of 2,008 units could lead to a total multifamily zoning of five times as much, given the 20% ratio for set-asides. This is more that the total 6,114 units of current housing stock in Lawrence of all kinds developed

since the town was founded over 300 years ago. It implies building permits at an average annual rate of around 1,800* for the next 6 years to 1990, as opposed to the average rate of 180 which Lawrence has experienced in the 1973-83 period. This would imply an unprecendented burden on the township's road system, its volunteer fire department, its schools, etc.. For all of these reasons, HNA is recommending a phasing in of Lawrence's fair share obligation over a period substantially greater than six years.

CONCLUSIONS

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This section has calculated the present and prospective Mt.Laurel need for Lawrence Township, and reviewed the existing or potential projects which can be counted as credits towards fulfilling this obligation. These numbers, in summary, are as follows:

- 2,804 Mt.Laurel obligation (revised)
- -1,296 existing and potential credits

Section III contains an evaluation of how best to meet this need.

*with new multi-family and current levels of single-family construction

^{1,508} units to be accommodated through new zoning, non-infill, new construction

ACCOMMODATING LAWRENCE TOWNSHIP'S FAIR SHARE OF LOW AND MODERATE INCOME HOUSING

Hintz/Nelessen Associates (H.N.A.) has prepared a series of site selection criteria for determining the appropriateness of future high density housing in Lawrence Township, as well as to determine the appropriateness of the four sites proposed by the plaintiff in the on-going litigation, for such development. These critieria are consistent with planning principles set forth in Municipal Land Use Law (MLUL), more particularly those criteria set forth in the Municipal Master Plan (N.J.S.A. 40:55D-28). It is the opinion of H.N.A. that all of Lawrence's available land, including the plaintiff's sites, must be weighed against these criteria if both legal and planning principles of efficiency, economy, site adequacy, safety, health and welfare are to be achieved. These criteria are as follows: 1. location within 15 minutes; 2. Compact shape; 3. Natural features; 4. Adequate utilities; 5. Mass transportation; 6. Highway network; 7. Neighborhood commercial; 8. Regional shopping; 9. Health care; 10. Schools/day care; 11. Recreational facilities; 12. First aid, fire and police; 13. Consistency with existing neighborhood character; 14. Consistency with zoning and planning of adjacent municipalities.

In Section 19b2-9 of the 1976 MLUL (N.J.S.A. 40:55D-29(b)2-9), the various public policy considerations which must be addressed in the master plan elements dealing with land use, housing, circulation, utility service, community facilities, recreation, conservation, economics and energy conservation are set forth as follows:

. . .

....

- account the other master plan element (a) taking into account the other master plan elements and natural conditions, including, but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain areas, marshes, and woodlands. (b) showing the existing and proposed location, extend and intensity of development of land to be used in the future for varying types of residential, commercial, industrial agricultural, recreational, educational and other public and private purposes or combination of purposes, and (c) including a statement of the standards of population density and development intensity recommended for the municipality;
- (3) A housing plan element, including but not limited to, residential standards and proposals for the construction and improvement of housing;

- (4) A circulation plan element showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about, and through the municipality;
- (5) A utility service plan element analyzing the need for and showing the future general location of water supply and distribution facilities, drainage and flood control facilities, sewage and waste treatment, solid waste disposal and provision for other related utilities;
- (6) A community facilities plan element
 showing the location and type of educational or cultural
 facilities, historic sites, libraries, hospitals, fire
 houses, police stations, and other related facilities,
 including their relation to the surrounding areas;
- (7) A recreation plan element showing a comprehensive system of areas and public sites for recreation; and

(8) A conservation plan element providing

'for the presrvation, conservation, and utilization of
natural resources, including, to the extent appropriate,
open space, water, forests, soil, marshes, wetlands,
harbors, rivers and other waters, fisheries, wildlife
and other natural resources;

(9) An energy conservation plan element which systematically analyzes the impact of each other component and element of the master plan on the present and future use of energy in the municipality, details and specific measures contained in the other plan elements designed to reduce energy consumption, and proposes other measures that the municipality may take to reduce energy consumption and to provide for the maximum utilization of renewable energy sources;

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Most of the fourteen criteria address these considerations in determining where medium and high density housing should be located in a municipality. In addition, in Mount Laurel II the Supreme Court made it clear that available infrastructure, and physical proximity to adequate transportion and community facilities, should be consiered in any attempt to voluntarily comply with the constitutional mandates enunciated in this decision. Thus, at 92,NJ 211, the Court cautioned developers that they could not trample on valid land use policies of municipal governments, particularly those who are conscientiously attempting to comply with their obligation:

...Builders may not be able to build just where they want—our parks, farms and conservation areas are not a land bank for housing speculators. But if sound planning of an area allows the rich and middle class to live there, it must also realistically and practically allow the poor. And if the area will accommodate factories, it must also find space for workers. The specific location of such housing will of course continue to depend on sound municipal land use planning. ...

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Unfortunately, in the past Lawrence Township has not zoned its land area in a way that conserves energy and is conducive to the most economical proper environmental factors. An example of this is shown by the present zoning given to one of the four sites, identified as Maindenhead Meadows, which is completely removed from adequate transportation and is totally surrounded by low density zones in the north central portion of Lawrence Township, including prime farmland. In addition, traditional single-family developments, as well as multi-family housing complexes, have been constructed over the last several years with little correlation to proper transportation and service facilities and to the conservation of desirable open space and farmland. H.N.A. believes that Lawrence can plan for the future by curtailing such poor land use, while at the same time accommodating an adequate share of low and moderate income housing in suitable locations. As the Court again admonished in Mount Laurel II at 92,NJ 238:

of New Jersey does not require bad planning.

It does not require suburban spread. It
does not require rural municipalities to
encourage large scale housing developments.

It does not require wasteful extension of
roads and needless construction of sewer and
water facilities for the out-migration of
people from the cities and suburbs. There is
nothing in our Constitution that says that we
cannot satisfy our constitutional obligation
to provide lower income housing, and at the
same time, plan the future of the state
intelligently. ...

All fourteen site selection criteria relate in some fashion to either environmental considerations, accessibility to transportation and community facilities, and accessibility to infra structure, including sewage and water. Each one of these considerations was addressed by the Supreme Court in Mount Laurel II. Thus, at Footnote 68, at 92 N.. 331, the Court cautioned that a housing development should not be undertaken so as to degrade the environment, and that consideration of environmental factors and meeting the housing obligations cited in the constitution are not incompatible:

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We emphasize here that our concern for protection of the environment is a strong one and that we intendnothing in this opinion to result in environmentally harmful consequences. See Mount Laurel I, 67 N.J. at 186-87. We are, however, convinced that meeting housing needs is not necessarily incompatible with protecting the environment. In fact, according to the Middlesex-Somerset-Mercer Regional Study Council (MSM), the kind of higher density development that is necessary to provide lower income housing can actually result in far less environmental pollution than traditional suburban development patterns. See MSM, Our Region's Response to the Mount Laurel Decision and the New Municipal Land Use Law (1978). Where a particular proposed lower income development will result in substantial environmental degradation, such a development should not be required or encouraged by trial courts' enforcement of the consitutional doctrine.

In citing examples of "bad planning", which it condemns, the Court in Mt.Laurel II referred to "wasteful extension of roads and needless construction of sewer and water facilities", 92 N.J. at 238, and then once again stated that the preservation of open spaces, natural resources, and land use planning which would limit public facility costs were totally compatible with the provision of low and moderate income housing for New Jersey citizens:

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.... The lessons of history are clear, even if rarely learned. One of those lessions is that unplanned growth has a price: natural resources are destroyed, open spaces are despoiled, agricultural land is rendered forever unproductive, and people settle without regard to the enormous cost of the public facilities needed to support them. Cities decay; established infrastructures deteriorate for lack of funds; and taxpayers shudder under a financial burden of public expenditures resulting in part from uncontrolled migration to anywhere anyone wants to settle, roads leading to places they should never be --a pattern of total neglect of sensible conservation of resources, funds, prior public investment, and just plain common sense. ... 92 N.J. at 236

In conclusion, the fourteen criteria contained in this report are an attempt by H.N.A. and Lawrence Township to accept the challenge of the Supreme Court so as to have this municipality meet its housing obligations in a sensible and cost efficient manner.

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As stated before, it is our opinion that all sites must be weighed against these criteria if the planning principles of efficiency, economy, adequacy, legibility, safety, health and welfare are to be achieved. These critiera are not absolutes, but represent guides for appropriate development. Site selection and planning requirements must be related to the socio-economic characteristics of the "Mount Laurel population", at the same time remembering that 80% or more of the units are competitive market-rate units. These upper income market-rate units must be of high-quality design to offset required internal subsidies. To balance these socio-economic factors, criteria need to be applied, particularly efficiency and economy. But most important of all, the Township must attempt to concentrate growth into selected development target areas, at higher density and with a community/commercial focus, in order to assure orderly and efficient growth now and in the future, instead of a haphazard leap-frog development pattern; a pattern which has emerged in Lawrence over the last few years.

Table 13

SITE SELECTION CRITERIA FOR

MEDIUM-HIGH DENSITY HOUSING

CONTAINING MT. LAUREL HOUSING COMPONENT

- 1. Job Location 15 minutes
- 2. Compact shape
- 3. Natural features
- 4. Adequate utilities
- 5. Mass transportation
- 6. Highway network
- 7. Neighborhood commercial
- 8. Regional shopping
- 9. Health care

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- 10. Schools/day care
- 11. Recreational facilities
- 12. First aid, fire and police
- 13. Consistent with existing neighborhood character
- 14. Consistent with zoning and planning of adjacent municipalities

Source: HNA

SITE SELECTION CRITERIA FOR MEDIUM-HIGH DENSITY HOUSING CONTAINING MT. LAUREL HOUSING COMPONENT

1. Is the site located within a 15 to 25 minute isochron commute to existing or proposed job opportunities for a full range of households who will be living in the new housing?

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- 2. Does the site have a compact shape? Ideally, a site approximates a square or simple rectangle. This shape allows for more efficient site layout and design. Sites with highly irregular shapes are less efficient because of setbacks, internal site circulation, preservation of environmentally sensitive areas, etc.
- 3. Are there any natural features, floodplains, geology or soil characteristics which make the site or portions of the site unsuitable for development? The site should have soil characteristics capable of facilitating construction at least cost. The area of the site to be built on should be free of peat. The construction area should not be on non-compacted fill. If on fill, the nature of the fill

should not have bedrock at or close to the surface. The site should not have water at or near the surface during times of seasonal high water. The site, if over a major aquifer outcrop recharge area, should consider ways to minimize coverage and maximize recharge.

The site should not have slope problems. Sites should not be too flat (less than 1% grade) or steeper than 25% or over.

The flat site may have drainage problems, and the steeper site will be more expensive to build on because of more complicated foundation problems and utility connections.

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Are there sufficient natural features (e.g., trees, hedgerows, rock out-croppings) which can be incorporated into the open spaces and buffers of the development and enhance the municipal open space network? Remaining mature trees on an undeveloped site typically signify land that was unsuitable for farming and has a high probability of being land with high water or drainage problems.

Are there any underground or above ground utilities, pipe channel, or easements which make the site or any portion of it unsuitable for development?

4. Does the site have adequate utilities at its boundaries, particularly if the site is smaller than 30 acres?

Sites from 30 to 200 acres (density at 6 d.u./ac.) providing a full range of incomes and housing types can absorb limite off-site extension of utilities. Larger sites 400 to 800+ acres can have their own utility, i.e., package sewer plant and wells, providing that soil and other environmental conditions allow.

If private water and sewers are proposed, these facilities should require a minimum public investment and have no negative environmental impacts.

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- 5. The site should be within close poroximity to mass transit. Ideally, this should not be longer than a 10-minute walk or 2,000 feet, particulary for a small high-density site, i.e. less than 20 acres. Larger sites not within the aforementioned walking distance should provide private transport service, i.e. van or bus, to major bus/train stops either by internal subsidy in conjunction with a municipality's unused bus capacity, (off-peak use of school buses, rerouting local service lines, etc.) or by private carrier provided by developer or homeowners association.
- 6. Does the site have accessibility (within 10-minute drive) to a regional highway network, including interstate or limited access freeway/parkway?

Does not the site have direct access via a major state or county road? Will this road exceed design capacity with new development?

If the site is over 300 units, either a limited access road is constructed to required standards to provide the necessary access, or contributions from developers for off-site transportation network improvements should be required.

If new development should cause existing roads to exceed capacity, the additional volume should be absorbed by roads inside the development area and appropriately connected to roads presently under capacity.

7. Does the site have proximity to neighborhood commercial/ community facilities as a focus and center for the community?

These neighborhood commercial/community facilities should be within a 1/2 mile maximum (8-10 minutes) walking distance. If the site is under 800 units, these facilities must preexist. 1,600 units is the optimum size required for basic neighborhood facilities. Projects over 800 units have to provide neighborhood commercial and community facilities to serve the projected population. If these community/ commercial facilities do not meet the market threshold, these facilities must be located to provide pedestrian/vehicular access from the development area and vehicular/pedestrian access to the remainder of the market area.

- - 9. Are health care facilities, including medical/dental offices and hospital within reasonable proximity of the site?
 All sites should have medical/dental facilities within a
 15 minute drive.
 - 10. Does the site have reasonable access to schools?

Nursery schools/Day care - 5 minute walk
5 minute maximum driving time

Elementary School - 12 minute maximum walking (1/2 mile radius)

12 minute maximum driving time

Middle School - 12 minute maximum walkway times (optimum 1/2 mile radius)

15 minute maximum driving (busing) time

- 15 minute maximum driving time

All sites should provide localized daycare, nursery and preschool for the appropriate population thresholds.

11. Are recreation, playfields and natural areas in size and number sufficient to provide the recreational areas for the age and number of residents available within reasonable distance? These facilities should have similar walking/access standards as the schools.

Recreation for small children should be within visual distance of residence/guardian.

Older children between the age of 5 and 15 should have access to recreation facilities associated with schools by means of bicycle. A range of structured/organized and unstructured recreational facilities and nature areas should be provided, in a relationship to the number of users.

- 12. Does the site have adequate fire, first aid and police protection?
 - -Within 1/2 mile preferable.
 - -1/2 Mile to 1 mile.

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- -Greater than 1 mile.
- 13. Analysis of the existing neighborhood density, character, housing type. Will the proposed higher density housing adversely impact that neighborhood?

. 14. The development of higher density housing should be consistent with the zoning and planning of surrounding towns. It should not set in motion higher density zoning or application for rezoning in the adjacent town. It should add to those communities' development patterns, and be reviewed by them for comment.

Suggested Densities

Section 1

III

Buildings on a site should be grouped compactly using the highest allowable density for the building type:

Table 14

Density (DU/acre) by residential types:

	Max.	Max.	Max.	
	F.A.R.	Net*	Gross*	
Single Family	. 25	10	5	
Two Family .	.3	10-12	7	
Townhouses	.5	16-20	12	
Combined flats & row	. 75	25-30	16	

Patio	. 65	25-35	. 18
Multi story	. 85	45	30
Low rise apts. 3-6 du/ac	1.0	60	48
High rise apts/Mixed			
use -6+ stores			

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F.A.R. of Max. Net.

*Net density refers only to the land directly related to the structure (under structure parking related to structure, front, rear and side yards) not including streets or other community or public owned land.

**The average for the total area, containing all streets, open space and other on-site facilities under property lines.

Source: HNA

Development Target Areas

Six areas have been targeted for development in Lawrence
Township. Because the town must rezone to accommodate Mt.

Laurel need, and also plan for future need in the 1990's,

development should not be random, but follow a set of adopted

criteria — all future development should be confined to these

areas, with the land outside these areas restricted to very low

density development, including farms, farmettes and very large,

but low coverage, office or research headquarters. Three of the

target areas have been delineated because they either presently or as part of a future development plan define a classic community-settlement pattern containing a "center" of shops, community facilities, bus-line stops and an identifiable "Main Street" image. The target areas have been delineated using 1/2 mile and one mile-radius around a place/point determined to be the appoximate center.

12.27

The three community-image areas include Lawrenceville, South Lawrence and the Quakerbridge area. Each has been defined by a development target area with a maximum radius of approximately one mile or a 20-minute walking distance from community/commercial facilities. The need for efficiency, economy, image and a sense of community dictage a compact development pattern with a central focus not to exceed one mile. Beyond this one-mile radius, the community development area should be surrounded to the extend possible by open space land reserves, farmland, etc. This basic planning principle emanates from the Garden Cities Movement, and sound national and international planning principles.

Once these development target areas were determined, all existing vacant sites within the one-mile radius were analyzed using environmental analysis, land use, and infrastructure overlay-map technique. This technique allowed H.N.A. to determine the development suitability, constraints and potential holding capacity of each development target area.

South Lawrence

The South Lawrence development target area has been slated as an area for extensive rehabilitation of existing deteriorated or substandard housing units. H.N.A. is also recommending a housing infill program on existing vacant lots. These should be built at the highest reasonable density given surrounding land uses.

150 units have been preliminarily identified as potential for rehabilitation. Another 350 units are recommended for infill. All of these 500 units should be specifically set aside for low and moderate income households. The rehabilitation and infill program should be financed by the Small Cities Program, Community Development Block Grants and by a fund to be created by developers of other residential areas and/or industrial/ commercial development. A developer of a residential development, as an example, might elect to make a payment to a township's housing authority for unit of low and moderate income housing he is required to build in lieu of actual construction on a particular site. The infill target area is bounded by the Assumpink on the southeast, the City of Trenton/Shabatunk Creek/Ewing Township on the west, and by the Three-Mile Run on the north, as shown on the proposed development map. This area has been defined, based on criteria contained in the Development Target Areas Map, the Development Suitability Maps, existing land use and the tax maps.

<u>Lawrenceville</u>

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A second recommended development area is the Lawrenceville area. Route I-295 forms one edge and the Shipetauken Creek defines the northeastern boundary, as shown on the proposed Development Areas Map. This area is currently undergoing extensive development in townhouses, condominiums and single-family homes. Additional acres of developable land remain in this area. It is the recommendation of H.N.A. that these remaining areas be developed at a density range of 4-10 dwelling units per acre, depending on the location towards the center of Lawrenceville (the higher densities towards the center).

If the interchange areas were included inside the Lawrenceville development target area, another 332.81 acres of developable land are available.

HNA recommends that 50% of this land is developed for housing at 6 units per acre with the remainder of the land used for office development, which would be added to the Lawrenceville development area.

In summary, a range of 2,500-2,700 new units could be constructed within the Lawrenceville target area at densities ranging from 4 to 10 d.u./acre.

Interchanges

Three other development areas have been recommended. The center of these development areas are the regional highway interchanges. The first is the interchange with Route 1 and I-295, the second

is the interchange with Princeton Pike and I-295, and the third is the interchange with I-295 and the Trenton/Princeton Road.

Vacant developable land adjacent to these interchanges provides an additional opportunity for development. The areas of highest accessibility surrounding these interchanges overlap the three proposed community development areas, providing immediate access to a major interstate highway, but also providing an opportunity for mixed-use development, combining office with housing. HNA has calculated that there are +375 acres of developable land within close (1-mile) proximity of these interchanges. It is recommended that 50% of this land be devoted to residential, with the remaining land designated as offices, etc., for a total of 1,125 additional units. New offices development could also be constructed, providing additional jobs for residents of the development areas, but cutting back on current Research Development (RD) zoning.

The Quakerbridge Area

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The development area surrounding and contaning the Quakerbridge and Mercer Malls provide the opportunity of extensive high-density development. HNA recommends that these two malls become the "city center" for Lawrence surrounded by mixed use of housing, offices and community facilities. The entire high-density development area is contained from the northeast to the southwest by a 100-year flood zone/open space containing the Raritan Canal, Sand Run and the Assunpink Creek (see Floodplain

Maps). This lowland area combined with Bakers Basin will form an enormous park/open space containing the development. No development will occur in these environmentally-sensitive areas.

THE STATE OF

The major development area within the Quakerbridge/Mercer Malls development target area contains +796 acres, of which +41 acres are in floodplain (part of which is farmed) and 222 acres are presently urbanized, including buildings, r.o.w.'s (railroad, roads), approximately 100 acres of parking, and approximately 176 acres are in 0-1'seasonal high water areas. It is the recommendation of H.N.A. that the area over Quakerbridge Mall be developed at the highest possible net density. The highest density should be in the area immediately adjacent to the Quakerbridge and Mercer Malls following the prototypes developed by Victor Gruen Associates 25 years ago (one of the world's foremost shopping center designers, planners and engineers). HNA recommends that the existing parking area be platformed over and a combination of medium and highrise structures be constructed containing residential and mixed office/community facilities (see attached diagrams A, B, C and D). Assuming that 64 acres are decked over at a density of 50 dwelling units/acre, a total of 3,200 units could approximately be constructed.

Approximately +257 acres of developable land remains within the Quakerbridge/Mercer development area. This area can contribute towards accommodating Lawrence's fair share obligations; if developed at suitably high densities. The total capacity of this area could be placed in the range of 3,100 to 5,200 units.

If 20% of these units in this high-density area are devoted to low and moderate income housing, including singles and seniors, a total range of between 1,050 to 1,700 housing units for low and moderate income could be constructed in this are alone over the next 18 years - 1984=1990, 1990-1996, 1996-2002, in three phases.

In addition, H.N.A. is recomending an additional 1,000,000 sq. ft. of mixed office use in this area to generate additional on-site jobs and decrease the traffic impact. There is also the possibility that a commuter train stop might be developed along Lawrence Station Road further enchancing this site as a high-density "city center."

Projected need to 1990 is 2008, resulting in a surplus future (to the year 2000) of 307 to 957 low/moderate income units. This might also allow a lower percentage of low and moderate income units as part of the total development package without reducing the real total need number for the year 1990. Accomodating the required number of units assumes rehabilitation, construction on land subject to redevelopment controls, and need of recycling units. It also assumes in the later phases of development the construction of units on the mall site, for which a developer familiar with such construction would be needed.

Section 2

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HNA analyzed each of the three proposed development areas using a weighted matrix developed to evaluate the four challenge sites under litigation.

Table 16

Criteria

Sites

(Quakerbridge∕	Lawrenceville	South
	Mercer		Lawrence
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l.Jobs	8	7	5
2.Shape	5	4	0
3.Environment	1	6	6
4.Utilities	5	5 5	6
5.Mass Transport.	9	8	8
5.Highways	10	7	3
7.Neighborhood			
commercial	2	5	5
3.Regional Shoppi	ng 10	5	4
9.Health	7	5	6
iO.Schools	3	5	6
11.Recreation	8	6	6
12.Safety	B	7 .	. 6
13.Adjacent			
Character	5	5	5
14.Adjacent Munic	. 5	n/a	6
	tion when some come come which came gaves after their below down and the come come	many pelitra many pagai pada pagai pagai pagai pagai pagai pagai pagai danil danil danil danil danil danil danil	may arinn anago pang, pang gama apilika nama ayakin dilaka
	96	75	72

All of these evaluated areas are superior from a planning persective to three of the challenge sites.

These areas contain large tracts of land, which meet the fourteen criteria outlined earlier much better than the sites in litigation. The township could continue to scatter higher density housing in small, isolated zones, like the A/T Zone, but sound land use planning does not support it. It is the recommendation of HNA that, due to cost efficiency and the ability of large scale development to meet housing needs, the availability of mass transportation, and consistent with the "Mt. Laurel II" decision that a builder's remedy must contribute substantially to the needed housing, that large scale projects be planned for and sought.

Finally, a review of the township's current zoning and land development ordinances was undertaken to determine if there are any "cost-generative" provisions. These provisions of the ordinances should be eliminated to comply with the "Mt. Laurel II" decision. The analysis in only aimed at residential construction, particularly provisions that affect the production of medium to higher density housing, and, of course, the provision of low and moderate income housing.

These recommendations were drafted by HNA in May 31, 1984 report and finalized. The ordinance was passed on first and second reading by the Lawrence Township Council, and recommended by the Planning Board.

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Evaluation of Litigated Sites

A preliminary evaluation was made of the various properties involved in the lawsuits against Lawrence Township. (The word "preliminary" is used since, with the exception of the Maindenhead Meadows, there are no site plans for these sites.) The sites were tested against the "Site Selection Criteria for Medium-High Density Housing Containing Mt. Laurel Housing Component" prepared by H.N.A. (see Section III). The description that follows refers to the above mentioned criteria. (See the attached map for the locations of challenge sites.)

Table 17

Description of Challenge Sites

	Acreages	Proposed	Density DU/ac
Meadenhead Meadows	27.5 acres	278 units	10.1
Princeton Pike Associates	66.1 acres	496 units	7.5
Federal City	31.5 acres	150 units	4.8
Drexel Avenue	36.9 acres	175-225 unit	s 6.1

1. <u>Job Location (15 Minutes)</u>

All four sites are within the fifteen to twenty-five minute commute of major employment centers in the area, although some are closer than others.

2. Compact Shape

Table 1

200

Only one site, the Federal City site, presently, has developmental problems due to its long narrow (2300x575 ft. wide)
configuration. The site tapers from 600' on the western end
end to 550' on the eastern end. This is compounded, since
there is one area of 0.1' seasonal high water which
traverse the site.

3. Natural Features

The four sites were analyzed for their development suitability based on soil and geological structure.

Maidenhead Meadows (27.5 acres total)

2.3 acres Within the 100-year floodplain.

*1.1 acres Has 0-1' high water table

Therefore:

24.1 acres Least constraints for development (87.6%)

2.3 acres Unsuitable for development.

1.1 acres Highest constraints for development.

Princeton Pike Partnership (66.1 acres total)

2.1 acres Aquifer recharge area is high constraint

4.8 acres Cut and fill.

21.8 acres Slow permeability; 1-5' seasonal high water.

Therefore:

37.4 acres Least constraints for development (56.1%)

26.6 acres Moderate constraint for development.

2.1 acres Highest constraints for development.

Federal City (31.5 acres total)

*6.2 acres	0-1' seasonal high water
6.0 acres	1-5' seasonal high water area, moderate
	constraint for development.
8.5 acres	1-5' seasonal high water with slow
	permeability.

Therefore:

1

10.8 acres	Least constraints for development (34.3%)
14.5 acres	Moderate constraint for development.
6.2 acres	Highest constraint for development.

Drexel Avenue (36.9 acres total)

+7.8 acres	100-year floodplain and, therefore, high-
	est constraint for development.
+7.9 acres	O.1' seasonal high water with slow
	permeability.
11.5 acres	1.5' seasonal high water with slow
	permeability.

Therefore:

9.6 acres	Least constraints for development (26%)
11.5 acres	Moderate constraints for development.
15.8 acres	Highest constraints for development
	(100 year floodplain and 0-1' seasonal high
	water table)

*Areas with O-1' seasonal high water table are considered unsuitable for development unless the groundwater is drained through a number of engineering techniques or these areas are filled with sand or other clean fill to at least 3 feet, to prevent front heave or hydrostatic pressure, which can crack foundations and walls. Usually high water areas are located in the lowest sections (topographically) of a site and thereby are typically drained into. Since development on any site increases runoff, filling these areas also increases drainage and development costs and as these areas are filled, the excess runoff could be an additional on-site or off-site cost, not only raising costs but resulting in other problems. Areas containing a seasonal high water table must also be protected from point and non-point sources of pollution, which can cause ground water contaimination. For all these reasons, land with seasonal high water table should not ordinarily be developed, since from an environmental standpoint it is unsuitable for construction.

4. Utilities

The most suitable site from a utilities point-of-view is Drexel Avenue. The least suitable are Maidenhead Meadows and Princeton Pike Partnership, which have neither water nor sewer in front of the properties. Federal City has sewer +1000 feet from the parcel, Maidenhead Meadows has to extend the existing sewer line approximately 3000' to

reach the center of its site. The Princeton Pike Partner-ship will have to extend the sewer line 1000' to reach the edge of the site of +2000 feet to reach the center of the site.

5. Mass Transportation

Only the Drexel Avenue site is near to (within walking distance or a 10-minute walk) public transportation.

There is a bus route which runs from Trenton to New York City along this state road. None of the other sites have public transportation, which is a significant drawback for low/moderate income housing. None of the sites are large enough to establish their own commuter bus transportation.

6. <u>Highway Network</u>

Section 1

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A. 17 (4.7)

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All sites are within 10 minutes of the interstate system. A separate evaluation of road capacity is being made by Garment Associates, traffic consultants, on the roads adjacent to each of the parcels and their ability to abosrb additional traffic.

7. Neighborhood Commercial

A minimum of 4,480 (1.600 families @ 2.8 persons/d.u.) people within 1.2 mile walking distance is needed to support a neighborhood commercial facility, and, conversely, housing should be within eight to ten minute walking distance of commercial facilities. If they do not exist, they must be established. Only the Drexel Avenue site meets this criteria. All the other sites are inappropriately located to meet this prime criteria.

8. Regional Shopping

This criteria is easy to satisfy in Lawrence, due to the Quakerbridge and Mercer Mall, and downtown Trenton Commons. All of these facilities meet a regional need and are within 15 minutes of all four sites.

9. Health Care

1

See See

No.

All sites meet the test of being located in a 15-minute commute to hospital and dental/medical offices.

10. Schools/Day Care

		High		
	Elementary	Middle	School/	
Day Care	School	School	Library	
W- 444 A- 445 A- 515 A- 515				

×

Drexel Avenue
Federal City
Maindenhead Meadows
Princeton Pike Partnership

Only Drexel Avenue successfully fulfills these requirements. All of the other sites are inappropriately located to meet this requirement.

11. Recreational Facilities

Drexel Avenue is accessible within walking distance to parks and recreation. It is assumed that Maidenhead Meadows and Princeton Pike Partnership are near open space, but not recreational and would provide their own. Only Federal City is removed from any existing facilities.

12. First Aid, Fire and Police

These are addressed through a table, as follows:

Within

1/2 Mile 1/2 - 1 mile 1 mile +

Drexel Avenue x

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Federal City x

Maidenhead Meadows x

Princeton Pike Part. x

13. Consistency with Existing Neighborhood Character

The four sites are proposed at a range of gross densities. Some of the proposed densities are more compatible with surrounding land uses and densities than others.

Drexel Avenue is surrounded to the west by a floodplain, to the south by a school, to the east by single-family housing on 1/4 to 1/2 acre lots, and to the north by single family housing at a density of about 10 dwelling units/acre. The existing low density housing must be buffered.

Maidenhead Meadows and Princeton Pike Partnership sites are adjacent to each other. Both are surrounded by farmland or vacant land, with the exception of some single-family homes to the north along Fackler Road. These projects are the most inconsistent with the surrounding land uses, with over 90 acres of townhouses and apartments adjacent to very low density.

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The Federal City site is adjacent to a power substation. Existing single-family development at 3.07 dwelling units/acre and a new subdivision at 3.87 dwelling units/acre are immediately adjacent to the site. To the north-west is vacant land. The density proposed for this site is almost compatible with surrounding residential uses, although the power substation is not the best use next to residential units. Since this is the lowest proposed density of all the "challenge" sites, a thorough analysis should be given of the economics of this site to realistically provide the low and moderate income component.

Higher density housing will not be consistent with the existing neighborhood character or existing land surrounding all four sites. The Maidenhead Meadows and Princeton Pike Partnership will not only be the most inconsistent with existing land uses, but also contrary to sound planning principles because of the size of the development and the area where they are located.

The Drexel Avenue site, if developed at a lower density, would at least be more consistent with the density to the north. Development at this scale should not be detrimental to the area.

Federal City as a site has a variety of problems, including size configuration and adjacent land uses.

14. Consistency with Zoning and Planning of Adjacent Municipalities

No.

The Drexel Avenue site is adjacent to a municipal border, but should have little impact on Lawrence Township since there is a floodplain intervening, and traffic will be directed towards Rt. 206 in Lawrence. The Federal City site was opposed by a resolution from Ewing Township, due to the impacts on traffic. The other two sites will also have a negative impact in this regard. The Princeton Pike Partnership and Maidenhead Meadows sites are near Princeton Township, where there is low density development. The traffic impact, while not calculated by H.N.A, will have a definite impact on the main road into Princeton, Princeton Pike.

Conclusions

To evaluate these sites against the criteria, a weighted matrix has been prepared by H.N.A. as a guide.

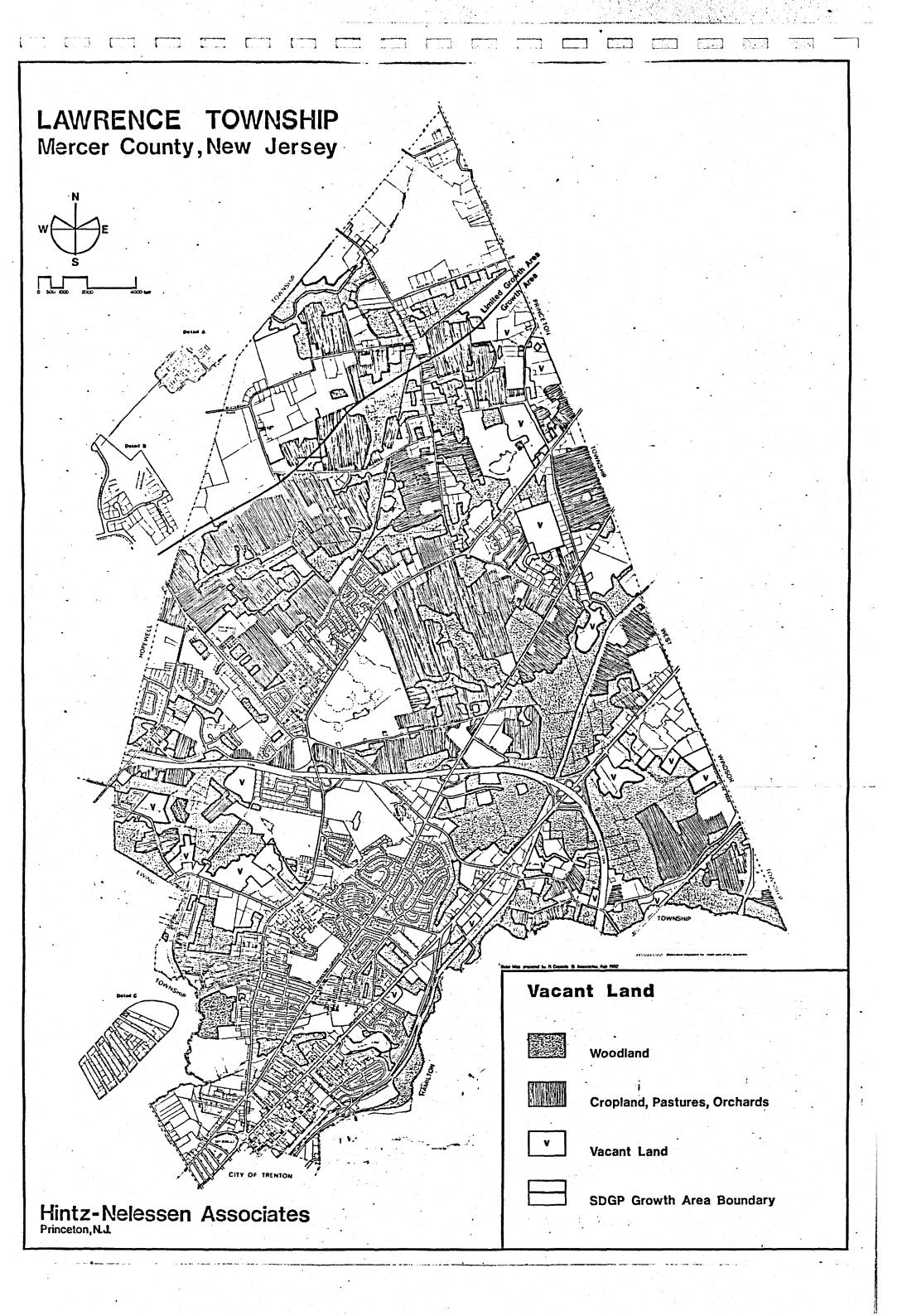
Table 18

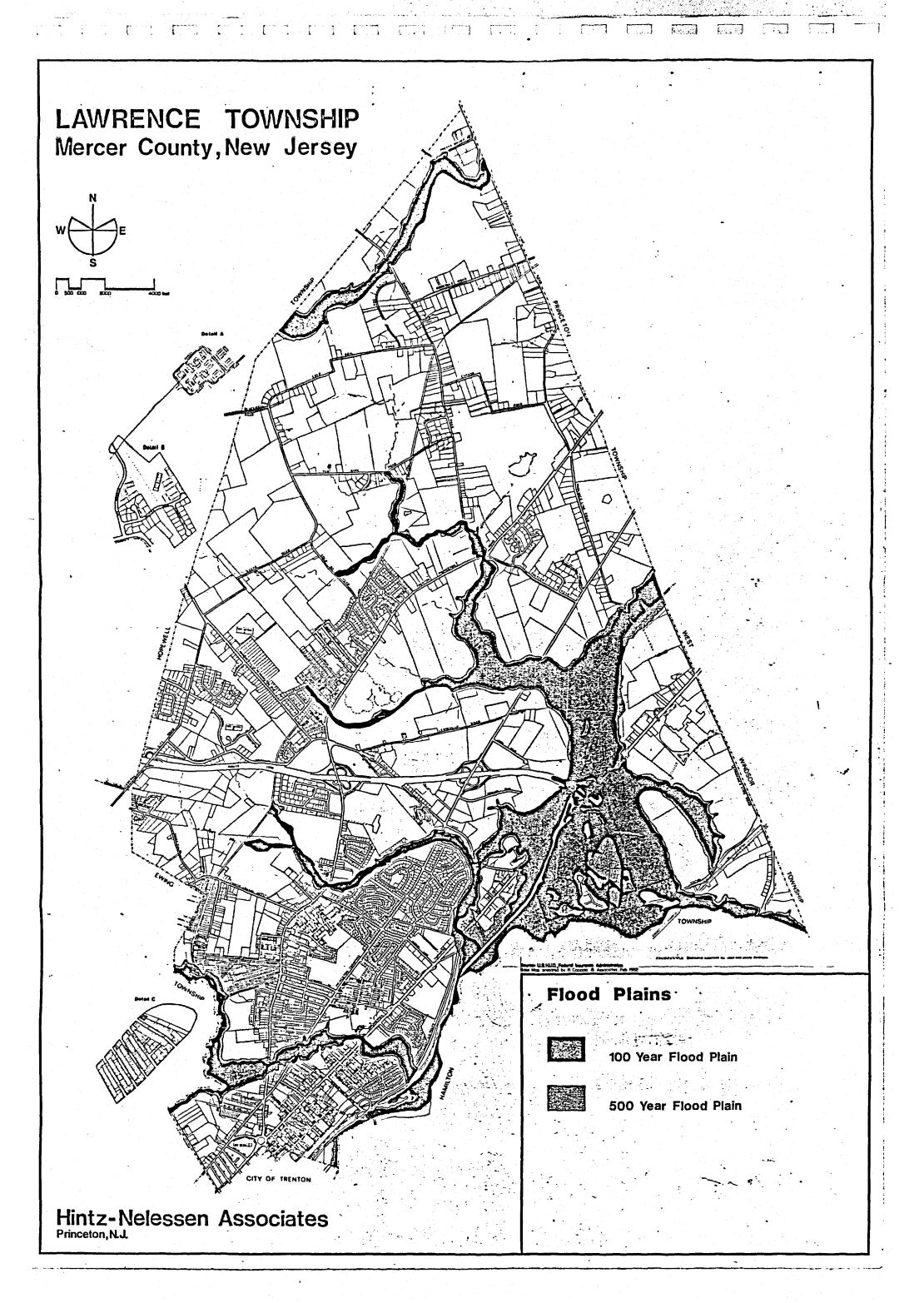
		SITES				
					Princeton	
			Federal	Maidenhead	Pike	
Cr	-iteria	Drexel	City	Meadows	Partnership	
1.	Jobs	5	4	4	4	
2.	Shape	5	-1	3	4	
3.	Environment	3	3	8	6	
4.	Utilities	9	-1	-4	-2	
5.	Mass Transportation	8	-8	-6	-5	
6.	Highways	3	5	4	4	
7.	Neighborhood Com-	8	-5	-5	-5	
	mercial					
8.	Regional Shopping	5	5	5	5	
9.	Health	8	8	8	8	
10.	Schools	5	-5	-5	-5	
11.	Recreation	5	-5	-3	-3	
12.	Safety	5	3	3	3	
13.	Adjacent Character	5	1	-5	-5	
14.	Adjacent Municipal.	5	5	-4	-4	
	TOTAL	79	-1	+3	+5	

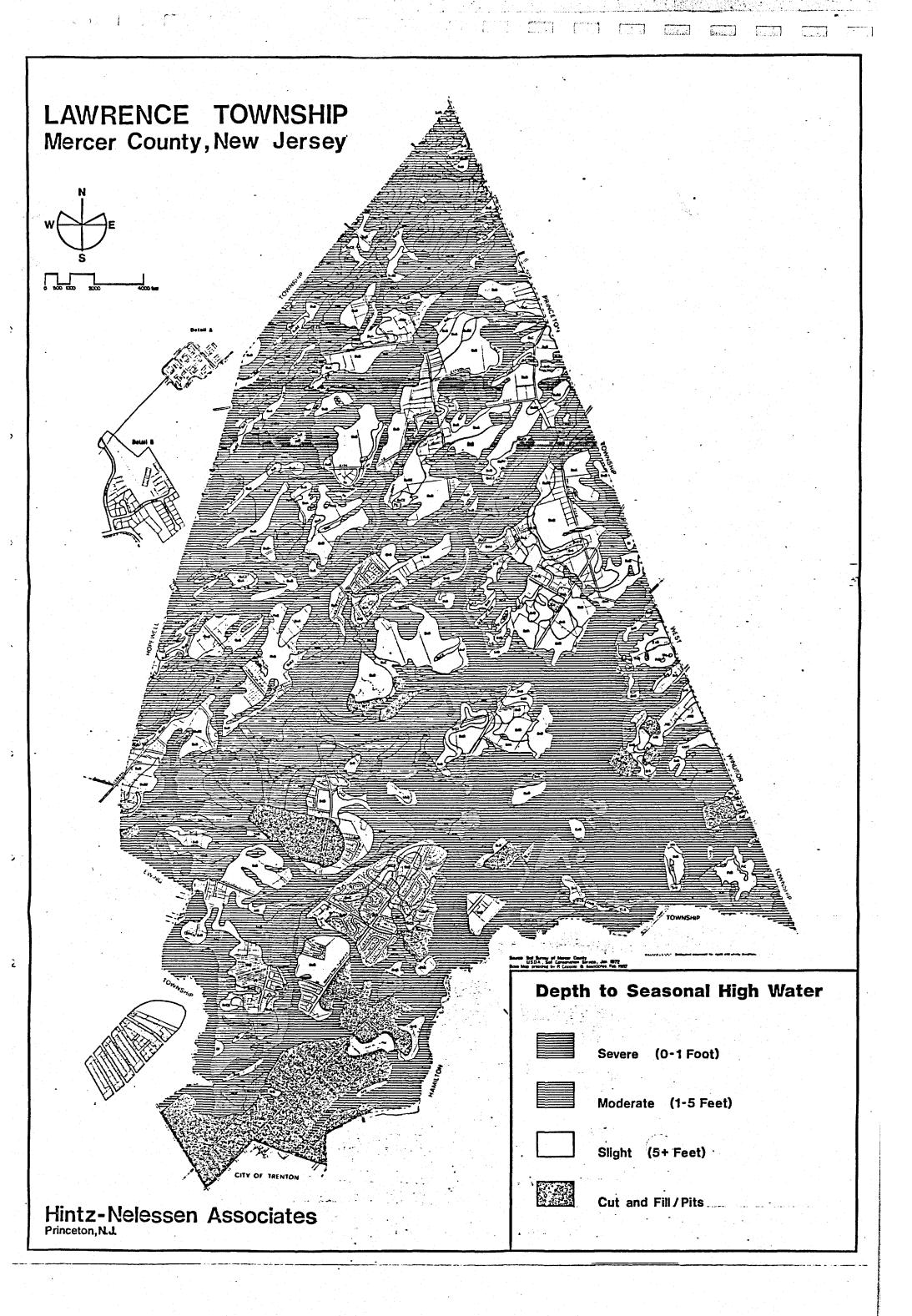
Weighting -10 to +10

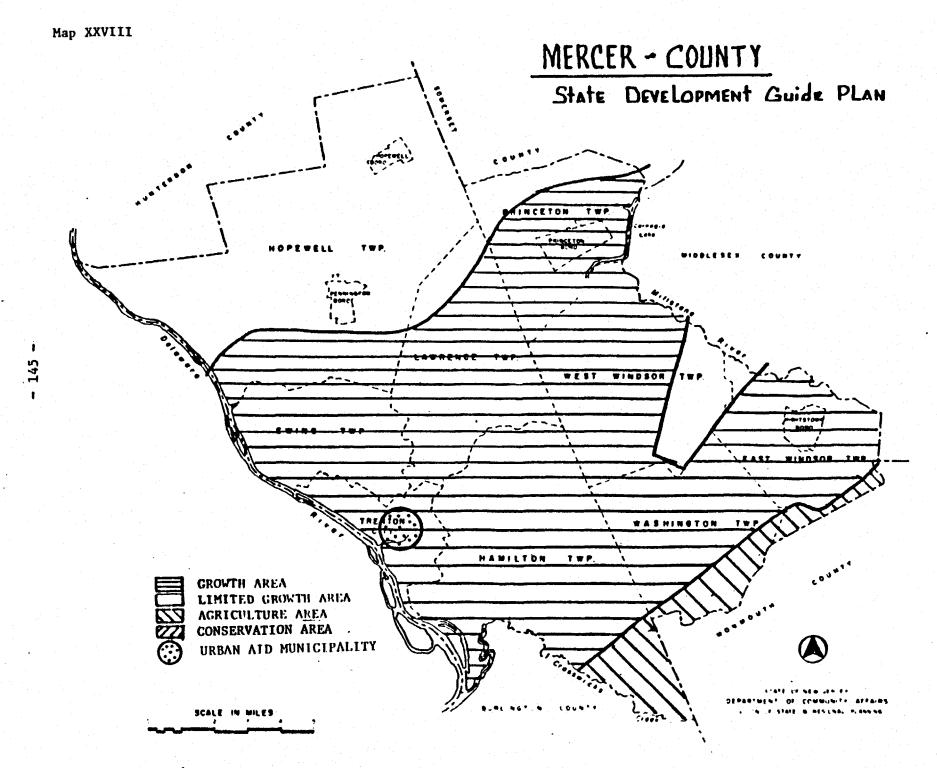
The valued weighted criteria where, that if the site did not meet any of the criteria, it was scored a "O"; if it partially met the criteria, it was weighted 1 to 10; and if it violated the criteria, it was weighted -1 to -10. H.N.A. recommends that a site have at least 42 points to be considered an adequate site to locate development with a Mount Laurel Housing Component (i.e., assigning a value of 3 points to each of the 14 criteria). In conclusion, only the Drexel Avenue site reasonably qualifies as an appropriate site, and a builder's remedy at the other sites are not consistent with sound planning principles and avoidance of potentially severe environmental impacts.

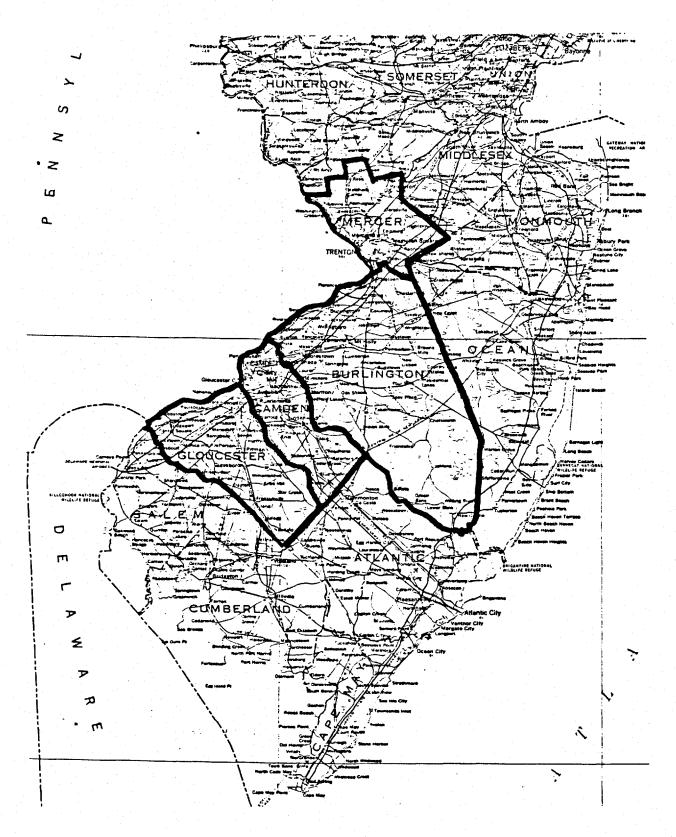
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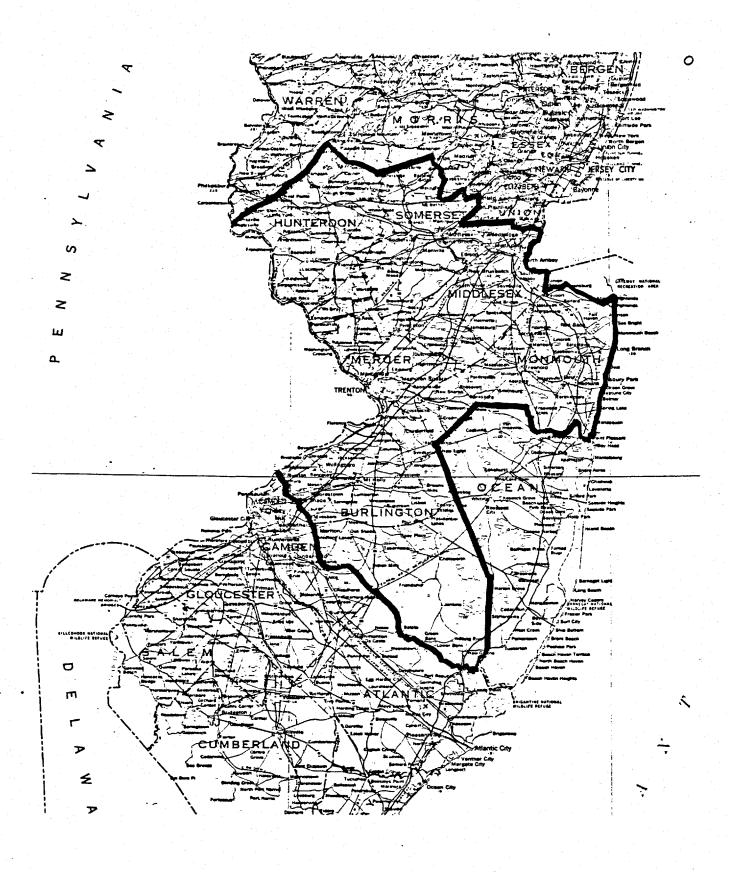




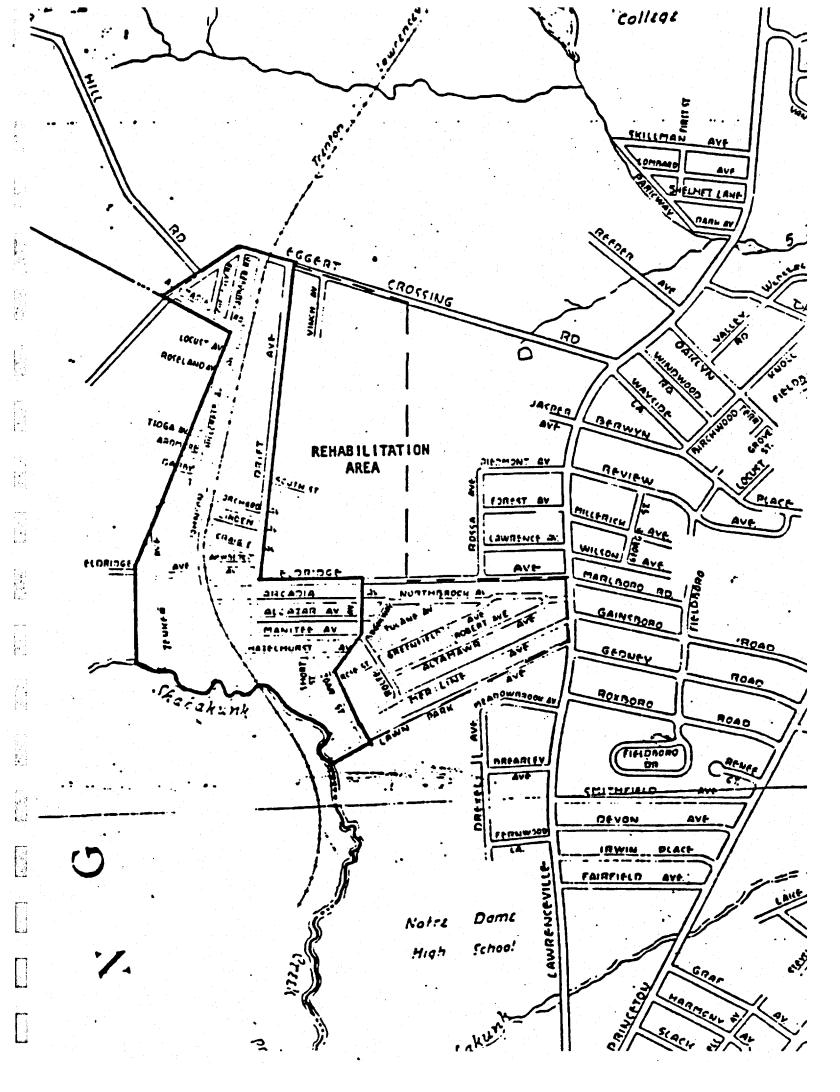


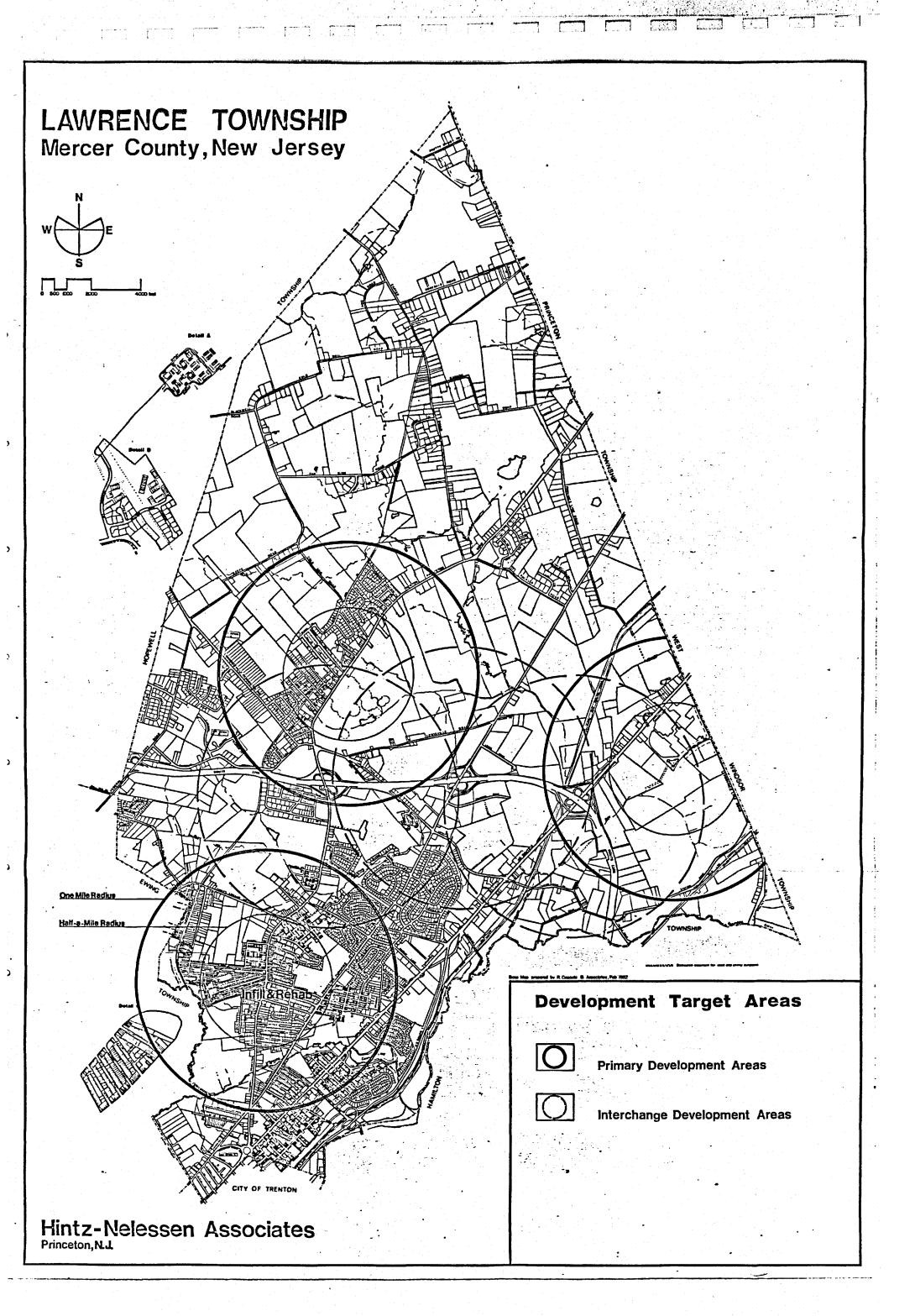


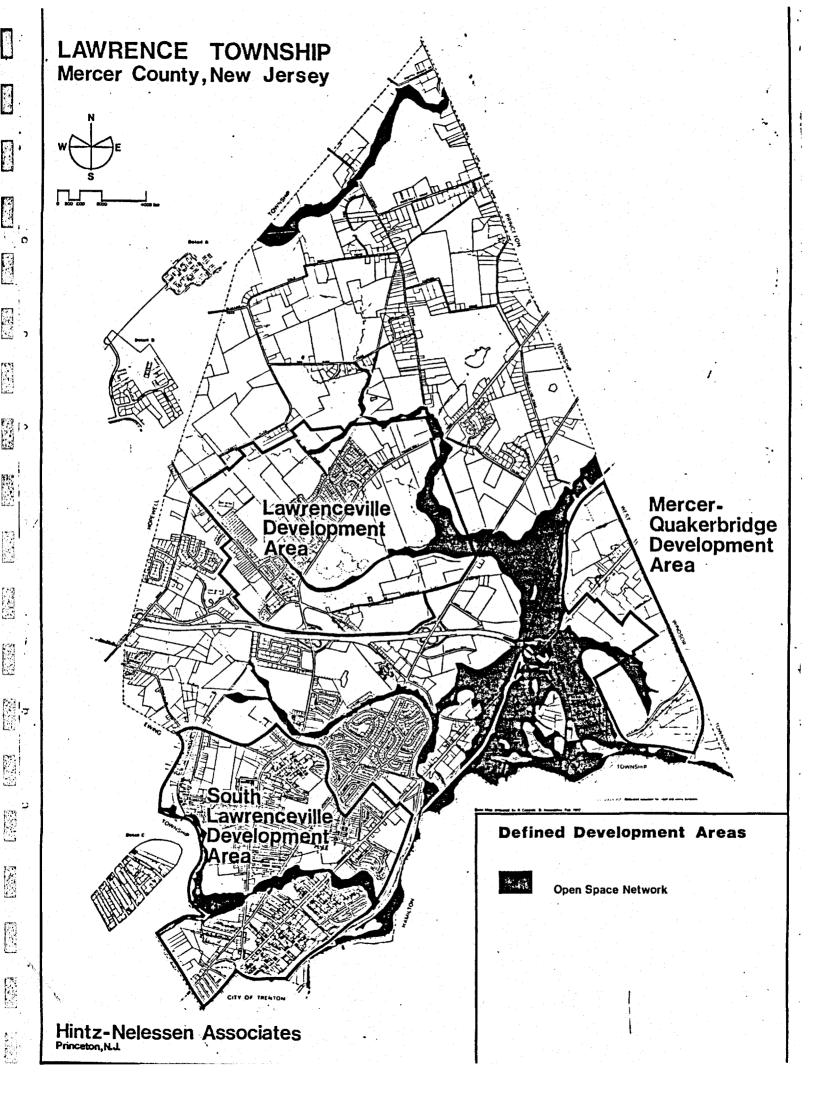
LAWRENCE TOWNSHIP : Present Need Region



LAWRENCE TOWNSHIP : Prospective Need Region







Appendix A

Urban aid municipalities excluded:

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· Wind

County

County	Municipality
Camden	Camden City
	Winslow
Gloucester	Glassboro
Mercer	Trenton

Non-Growth Municipalities Excluded:

group trian draw protes dauge affaits		then ever then were vous gave more man was again some dags.
Camden		Chesilhurst
		Waterford
Gloucester		Franklin
		Newfield
		South Harrison
Mercer		Hopewell Borough
		Pennington Borough

Municipality

Burlington

2

County

Bass River

Medford Borough

New Hanover

North Hanover

Pemberton

Pemberton Borough

Shamong

Southampton

Tabernacle

Woodl and

Washington

Wrightstown

Prospective Need Region

Urban Aid Municipalities Excluded:

Municipality Mercer Trenton Middlesex New Brunswick Perth Amboy Monmouth Asbury Park Keansburg Long Branch

Non-Growth Municipalities Excluded

Municipality County Burlington Bass River Medford Borough New Hanover North Hanover Pemberton Pemberton Borough Shamong Southhampton Tabernacle Wood1 and Washington Township Wrightstown Hunterdon Alexandria Bethlehem Bloomsbury Califon Delaware East Amwell Franklin Glen Gardyen Hampton Holland

Kingwood

Lambertville

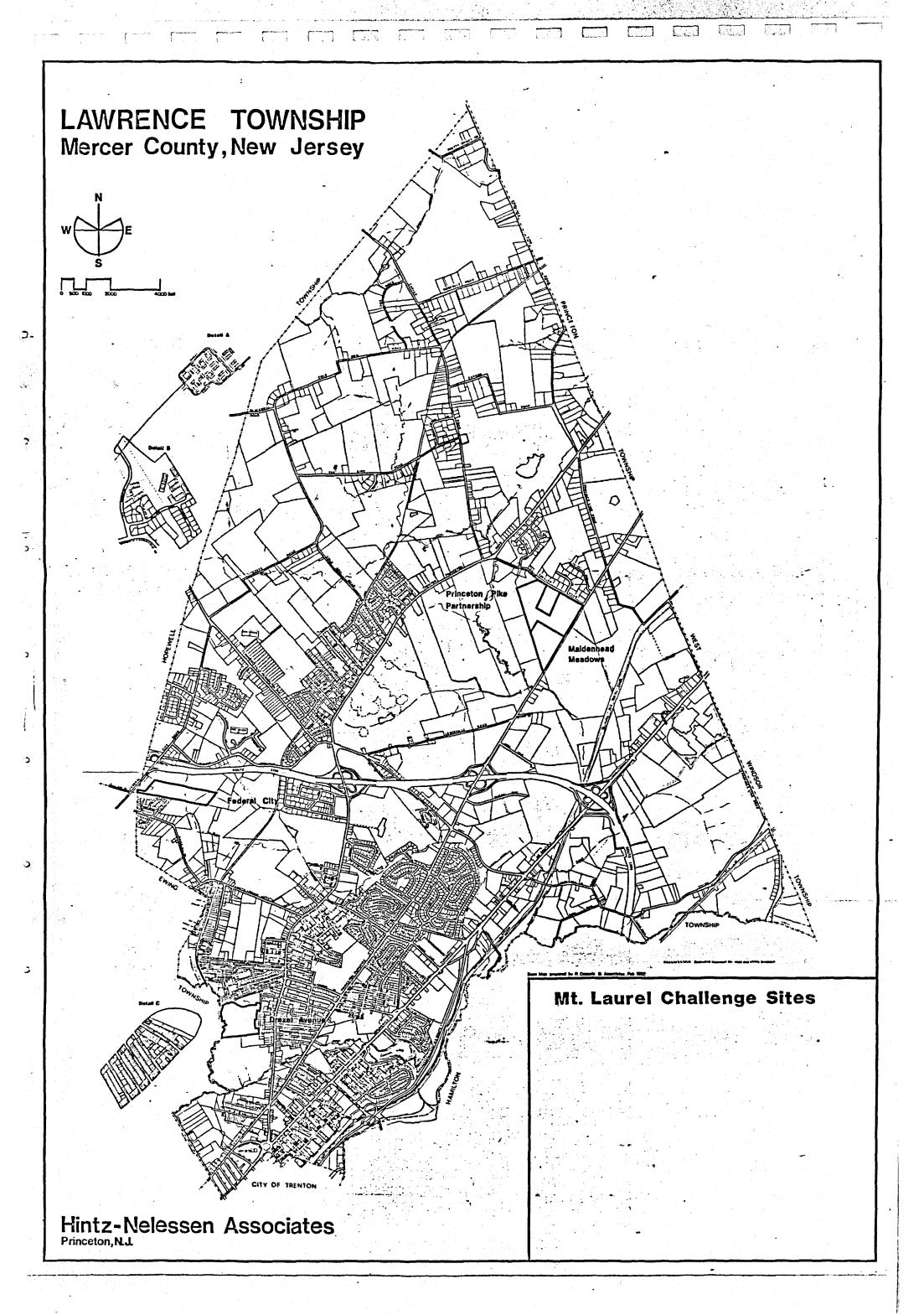
Lebangn Township

TABLE /1 MAXIMUM INCOME LIMITS FOR HOUSING REHABILITATION ASSISTANCE MATCH/GRANT PROGRAM

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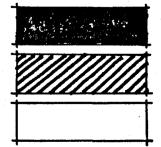
PERCENTAGE GRANT y Haximum Income	• 1 <u> </u>	Number In Family							
		2	3	4	5	6	7	8	
Low Income: 50% Grant	\$16,400	\$18,750	\$21,100	\$23,450	\$24,900	\$26,350	\$27,850	\$29,30	
Lower Income: 75% Grant	13,325	15,225	17,150	19,050	20,350	21,695	23,000	24,32	
Very Low Income: 100% Grant	10,250	11,700	13,200	14,650	15,800	17,000	18,150	19.35	

^{*}Based on Section 8 Income Limits
*Based on 65% of Hedian and Section 8 Prorations





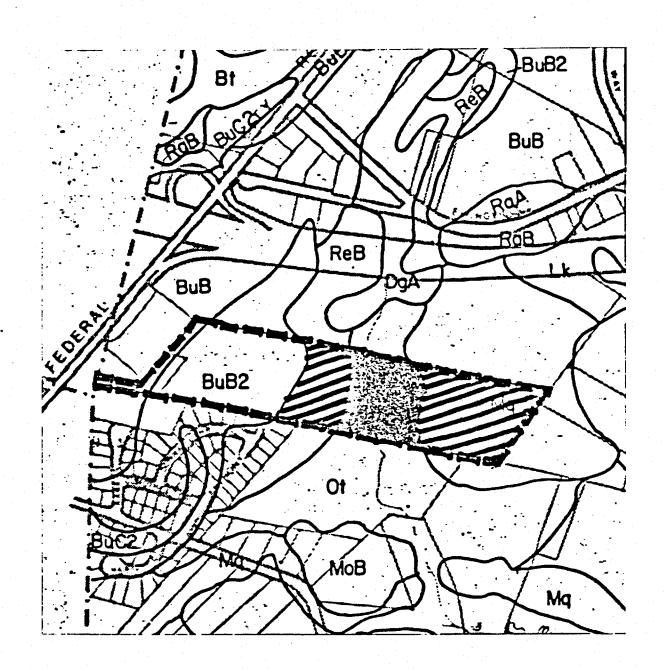
Challenge Site : DREXEL Av

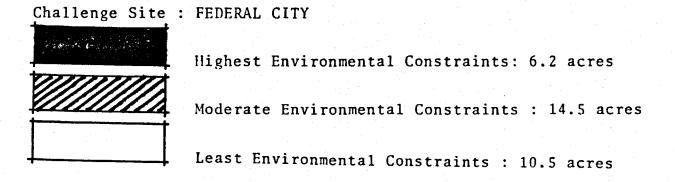


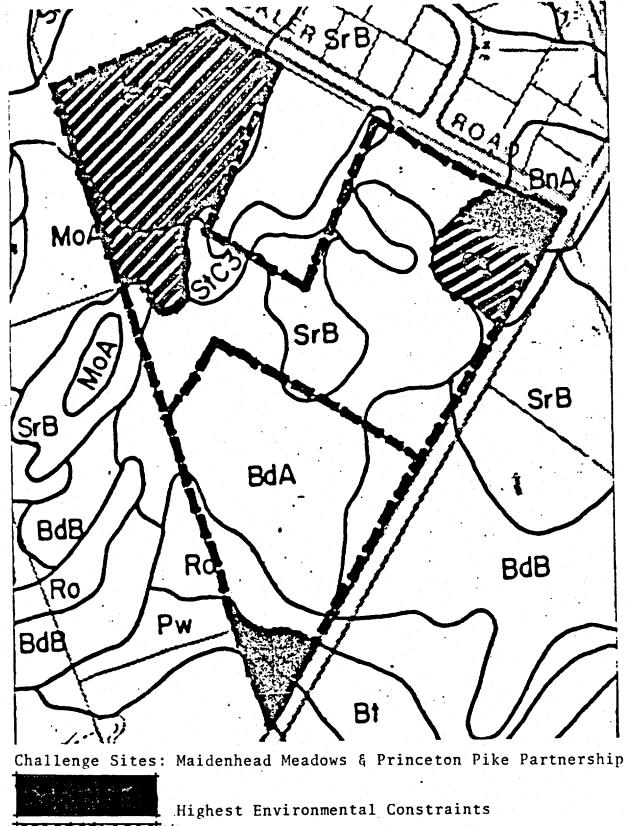
Highest Environmental Constraints: 15.8 acres

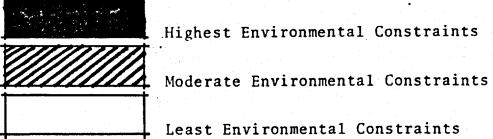
Moderate Environmental Constraints: 11.5 acres

Least Environmental Constraints: 9.6 acres









Milford

Stockton

Tewksbury

Union

West Amwell

Hopewell Borough

Pennington Borough

Allentown

Farmingdale

Millstone

Roosevelt

Sea Bright

Upper Freehold

Rocky Hill Borough

Monmouth

Mercer

Somerset

TABLE

Lawrence Township, Building Permits Issued 1973 - 1983

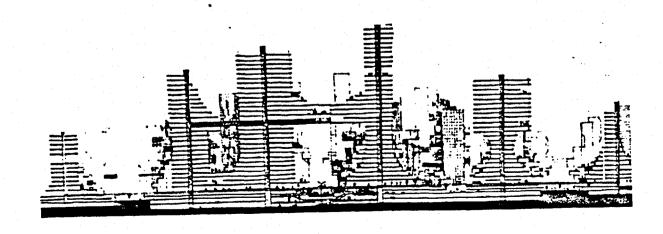
Year	Building Permit	s
1973	172	
1974	67	
1975	260	
1976	45	
1977	192	
1978	304	
1979	199	
1980	112	
1981	53	
1982	104	
1983	297	

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Source: N.J. Department of Labor and Inudstry, Office of
Demographics and Economic Analysis, New Jersey Residential Building
Permits, 1970-82, and Lawrence Township Building Department.

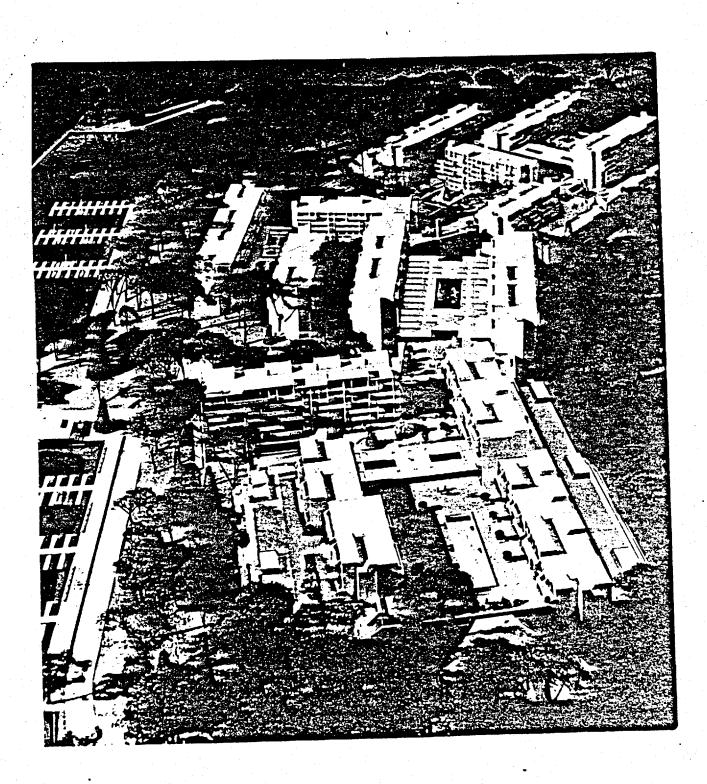
APPENDIX B

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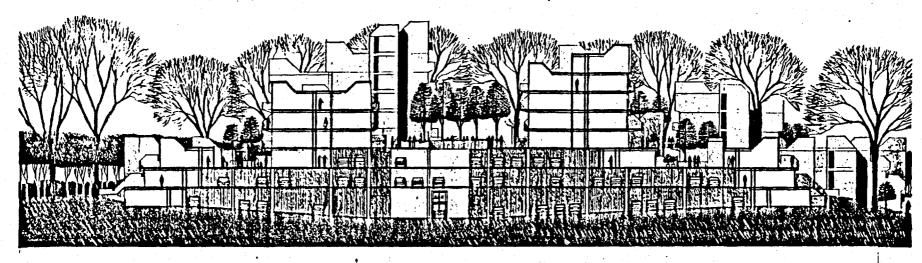


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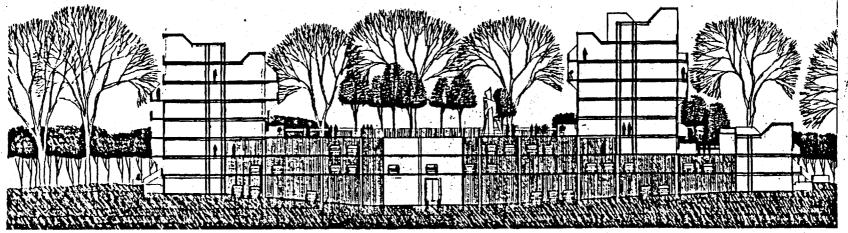
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BECTIONS