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The Appropriateness of its
"Growth" Area Designation

Prepared for Sea Gull Properties
Colts Neck Township

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TOWNSHIP OF COLTS NECK
MONMOUTH COUNTY, NEW JERSEY

THE APPROPRIATENESS OF ITS "GROWTH" AREA DESIGNATION

FEBRUARY 1984

PREPARED FOR: Sea Gull Properties
Colts Neck Township, N.J.

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INTRODUCTION

Under the State Supreme Court Decision of January, 1983, known as "Mt. Laurel II", every municipality in New Jersey with any land area designated for "growth" in the State Development Guide Plan must meet its "fair share" of the regional need for "low" and "moderate" income housing, in addition to the "indigenous" need generated within its bounds.

This report contends that the "growth" area designation for Colts Neck Township in the Guide Plan is appropriate and reasonable. Moreover, the report concludes that the Sea Gull property, located within the designated "growth" area, is a uniquely appropriate location and site for relatively dense multiple-family housing construction, including a number of dwelling units for low and moderate income households.

STATE DEVELOPMENT GUIDE PLAN DESIGNATION

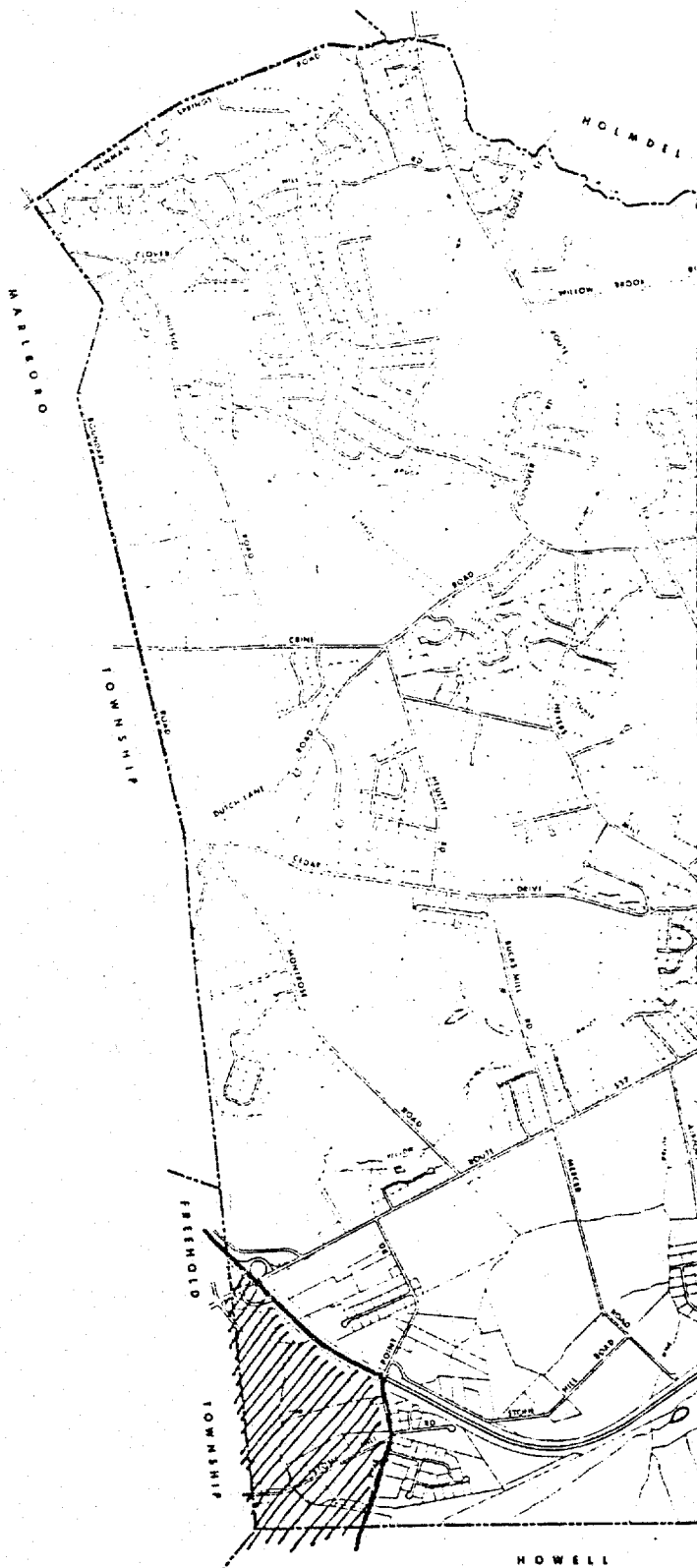
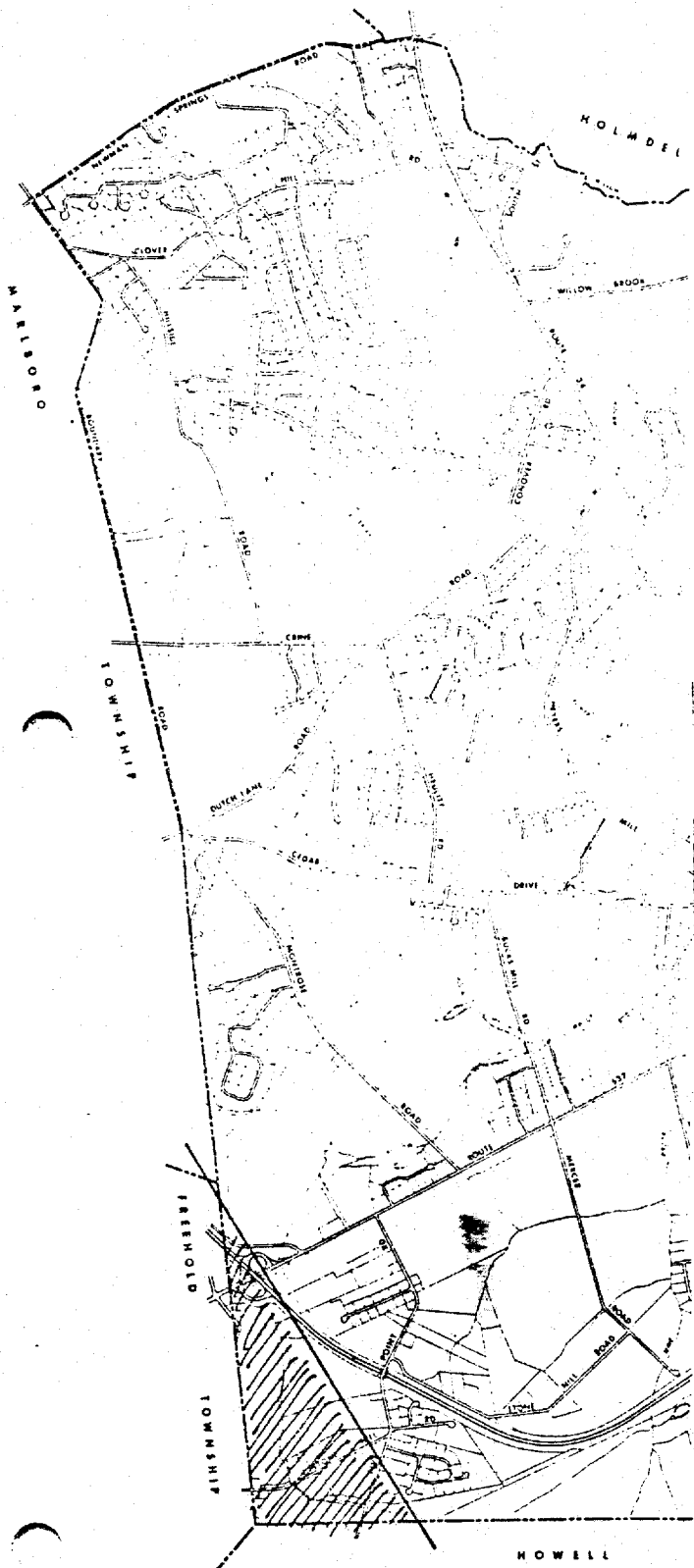
The "Mt. Laurel II" Decision relies upon the State Development Guide Plan, prepared by the New Jersey Department of Community Affairs, to distinguish between municipalities which must share in the regional housing obligation (those containing designated "growth" areas in the Guide Plan), versus those municipalities which are responsible only for their locally generated indigenous housing need (those which are included entirely in areas designated for "limited growth", "agriculture", or "conservation").

In the Guide Plan, almost all of Colts Neck Township is part of a "limited growth" area, which also includes portions of Tinton Falls Borough and Aberdeen, Marlboro, Holmdel, Howell and Wall Townships. However, a small portion of Colts Neck Township, in its southwest corner, is designated as a "growth" area in the Guide Plan. Although the Guide Plan maps are generalized, the Township's consultant planner has interpreted the "growth" area boundaries (should the "growth" area boundary not be removed from Colts Neck entirely) to be Route 18 on the north, Five Points Road on the west, the Howell Township boundary on the south, and the Freehold Township boundary on the east; thereby creating a "growth" area in Colts Neck including approximately 262 acres (see Figure 1). The designated "growth" area includes the Sea Gull property, which comprises approximately 77 acres located along the Colts Neck/Freehold Township boundary.

The "growth" area designation for Colts Neck Township (as modified by the Township's planning consultant, is appropriate and should be used as the basis for determining the Township's "Mt. Laurel II" housing obligations. According to the language of the "Mt. Laurel II" Decision, any party challenging the appropriateness of a "growth" area designation on the State Development Guide Plan "must show that it was arbitrary and capricious not to place the line somewhere else." (Mt. Laurel II, slip. op., p.68)

STATE GUIDE PLAN

±262 ACRES
USED IN CALCULATIONS



SOURCE: Memorandum 2 - 83, dated March 14, 1983,
prepared by Queale & Lynch Inc./wq.

The Guide Plan mapping of the subject "growth" area appears to follow the Route 18 Freeway as its eastern boundary along the Route 9 corridor through Marlboro and Colts Neck Townships. The Route 18 Freeway is a reasonable boundary to demarcate areas of different land uses, as a freeway constitutes a physical and visual barrier. Consequently, it is not unreasonable for the Guide Plan to designate the corner of Colts Neck Township west and south of the Route 18 Freeway as part of a contiguous "growth" area, and the remainder of the Township as part of a contiguous "limited growth" area.

Furthermore, the area designated as "growth" in Colts Neck meets the Guide Plan's stated criteria for such "growth" area designations. Specifically, the Guide Plan sets forth five (5) criteria for delineating "growth" areas:

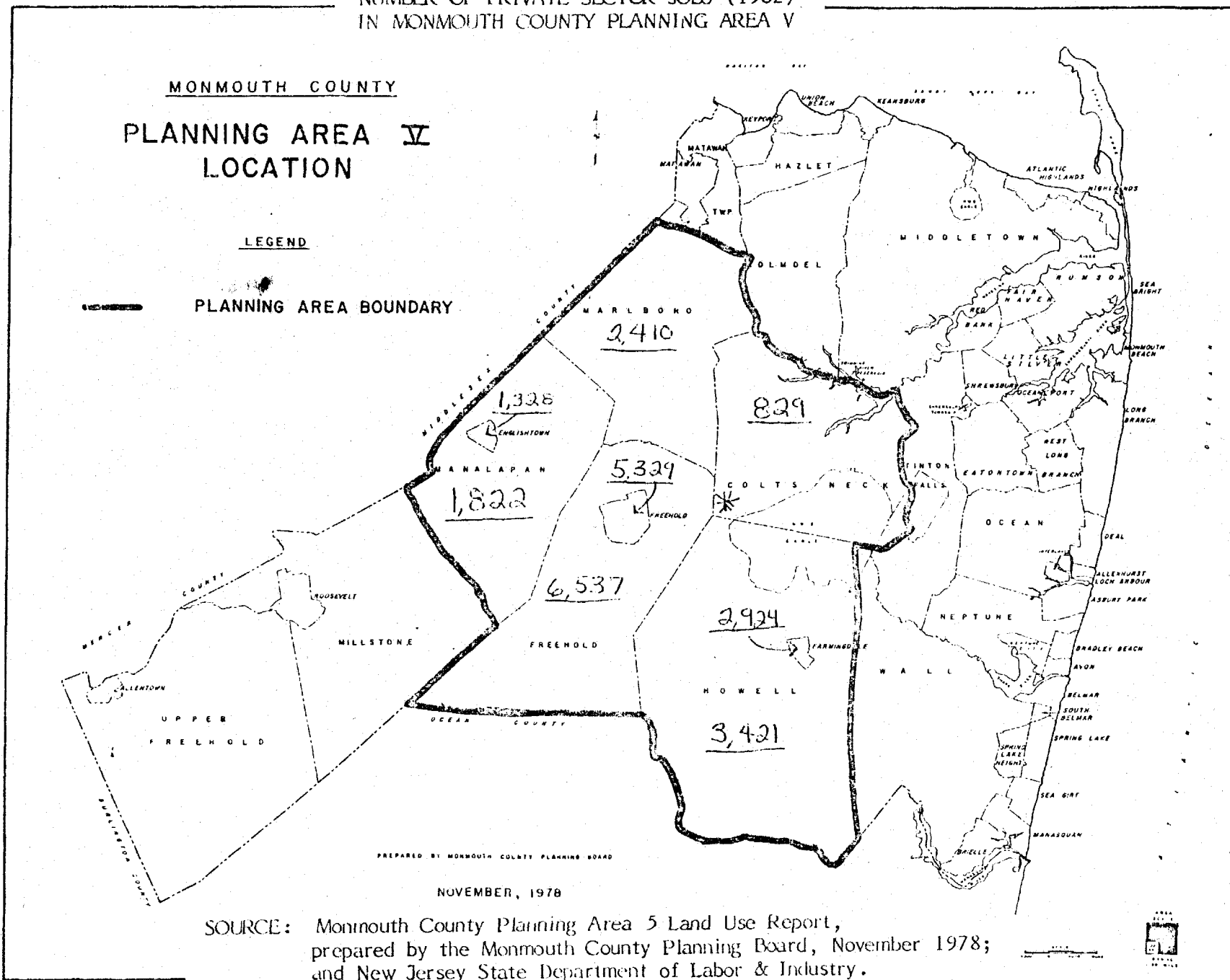
- Location within or adjacent to major population and/or employment centers;
- Location within or in proximity to existing major water supply and sewer service areas;
- Location within or in proximity to areas served by major highway and commuter rail facilities;
- Absence of large concentrations of agricultural land; and,
- Absence of large blocks of public open space or environmentally-sensitive land.

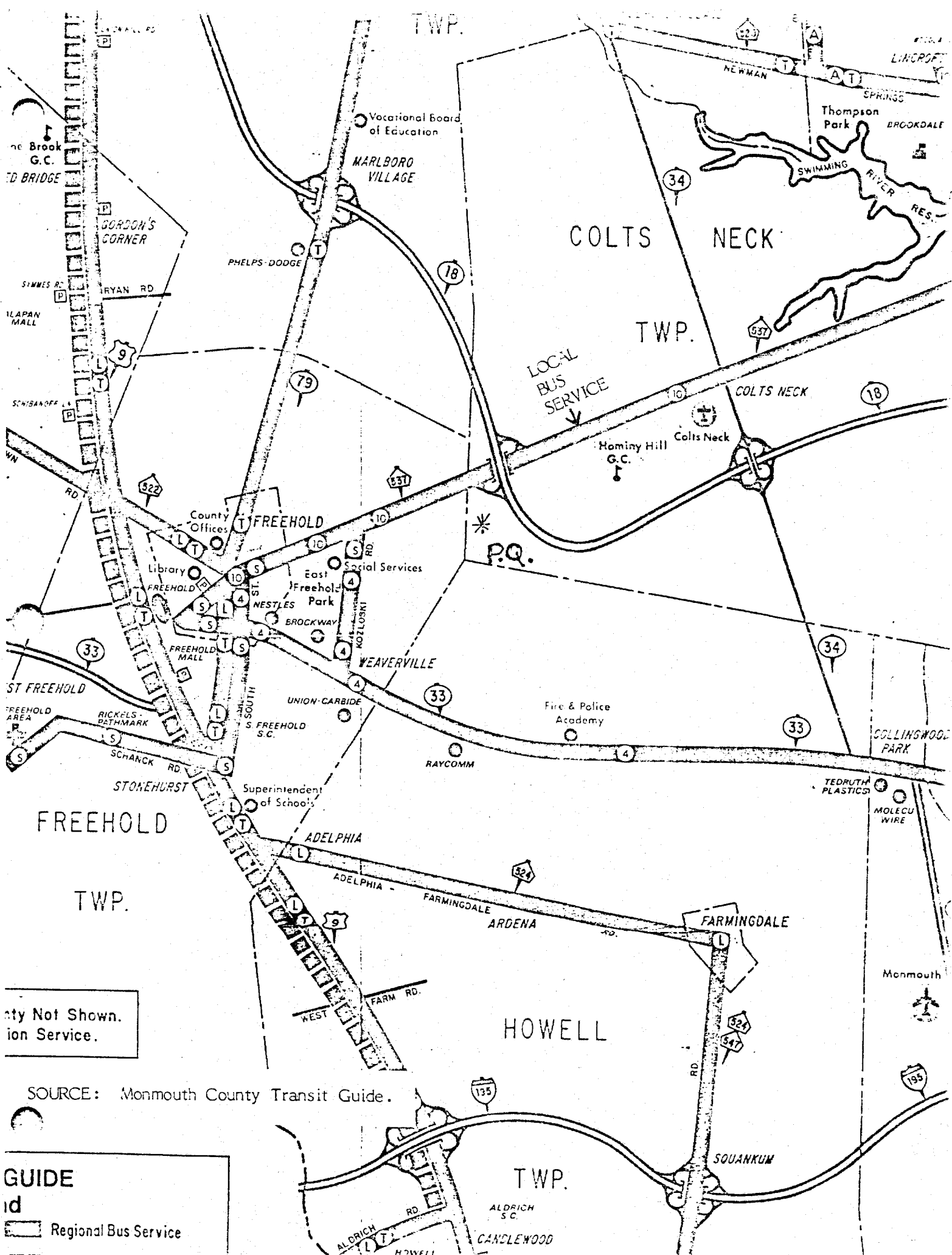
The southwestern corner of Colts Neck Township is consistent with these criteria, since it is:

- a. Adjacent to a major population and employment center in the vicinity of Freehold Borough. The site is about three (3) miles from downtown Freehold, which, together with adjoining areas in Freehold Township, constitutes the primary employment center for central and western Monmouth County. In 1982, Freehold Borough and Township had almost 12,000 private sector jobs; about half of the private sector employment in central Monmouth County, a region comprising five townships and three boroughs (see Fig. 2). In addition, there were about 2,200 jobs in various County departments and agencies in the area. Freehold Borough and Township also had about twenty-nine percent (29%) of the region's population in 1980, with a combined population of 29,222. The Freehold area has a variety of employment including the County government, retail centers, industrial plants and the Freehold area hospital. Furthermore, the "growth" area portion of Colts Neck is served by public transportation via a bus line along Route 537 into downtown Freehold (see Fig. 3).
- b. Located in proximity to major water supply and sewer service areas. The Colts Neck "growth" area is close to public water and sewer service areas in Freehold Township (see Figs. 4 and 5) and the Sea Gull site can be served by these existing facilities.

FIGURE

NUMBER OF PRIVATE SECTOR JOBS (1982)
IN MONMOUTH COUNTY PLANNING AREA V





City Not Shown.
 tion Service.

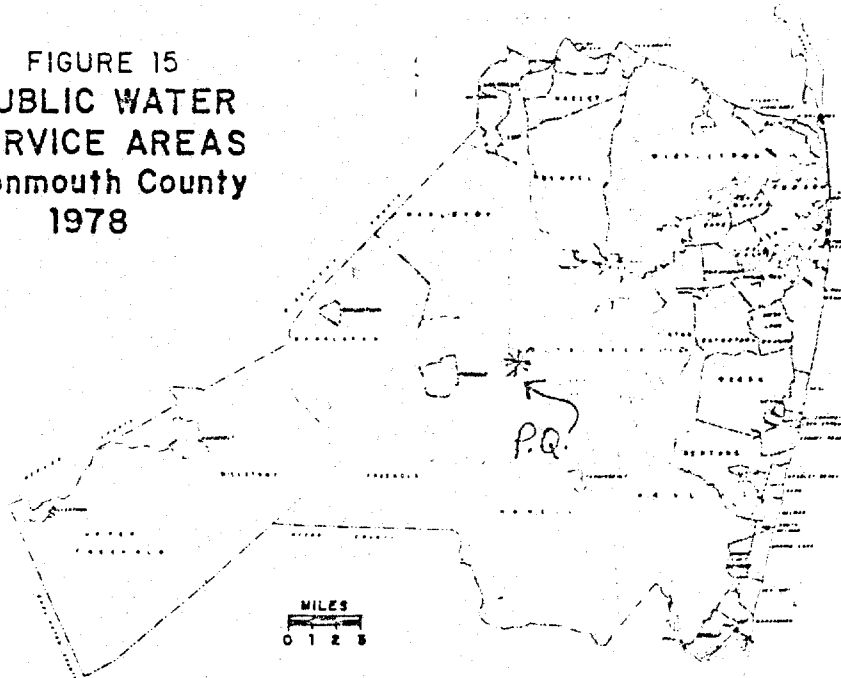
SOURCE: Monmouth County Transit Guide.

GUIDE

id

Regional Bus Service

FIGURE 15
PUBLIC WATER
SERVICE AREAS
Monmouth County
1978

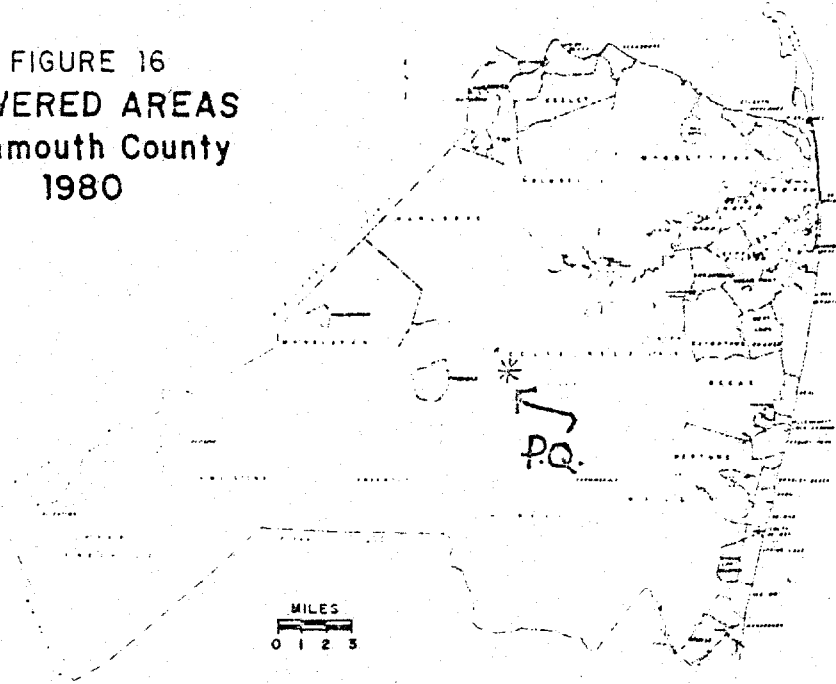


SOURCE: Monmouth County Planning Board

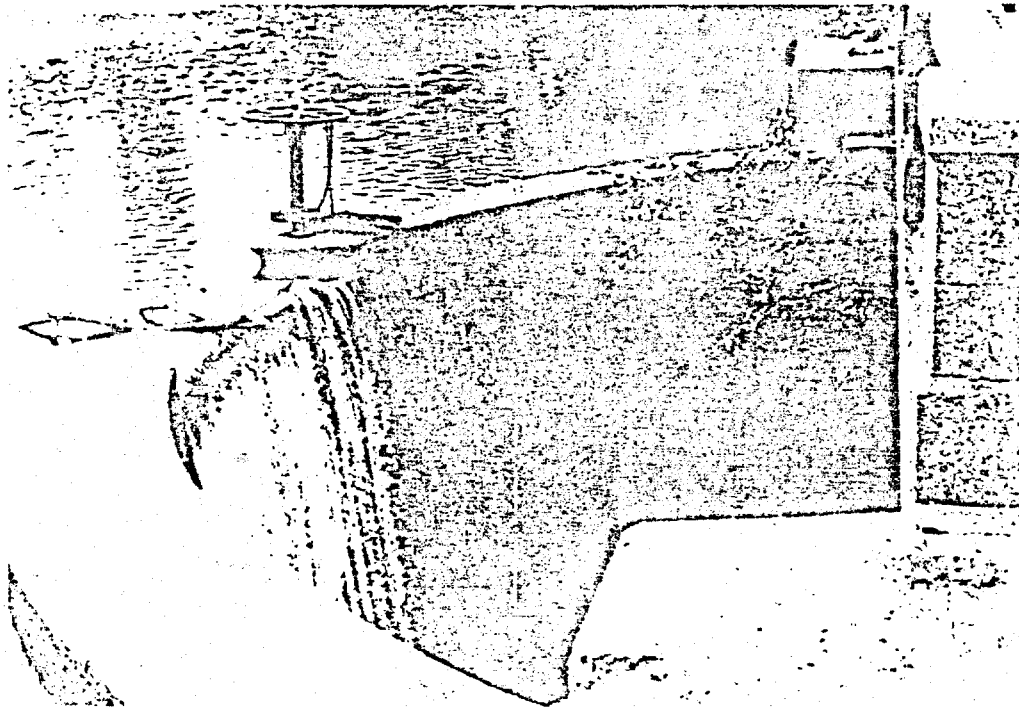
The Statewide Water Supply Master Plan⁷ points to a current need for additional 12 million gallons daily (mgd) due to surface and groundwater stresses in the Monmouth/Ocean County area. The proposed 35 mgd Manasquan River Reservoir is needed to meet the increased demand for water in the future and provide supplemental supplies in the event of well contamination resulting from saltwater intrusion or indiscriminate dumping. With the construction of the Manasquan Reservoir, supplies in most areas of the County should be adequate through the early part of the next century.

Monmouth County is presently in a transition stage with regard to sewage treatment. Until recent years, each of the more densely developed and populated municipalities in the County provided independent facilities for the collection, treatment and disposal of sewage. The 55 existing primary and secondary municipal treatment plants are being replaced by regional and subregional sewerage authorities. Thirteen authorities are planned for the County. Presently, 10 of these sewerage authorities are in operation. Two major areas of the County are not included in a sewerage authority because they are presently unsewered. They are (1) Colts Neck Township and the southern portion of the Holmdel Township; and (2) Upper Freehold and Millstone Townships. Other areas of the County presently unsewered include portions of the following municipalities: Tinton Falls and Freehold, Howell, Manalapan, Marlboro, and Wall Townships (Figure 16). In terms of future demands, the design capacities of the sewerage systems in the County will be adequate to handle a population of 620,000 persons in the year 2000.

FIGURE 16
SEWERED AREAS
Monmouth County
1980



SOURCE: Monmouth County Planning Board



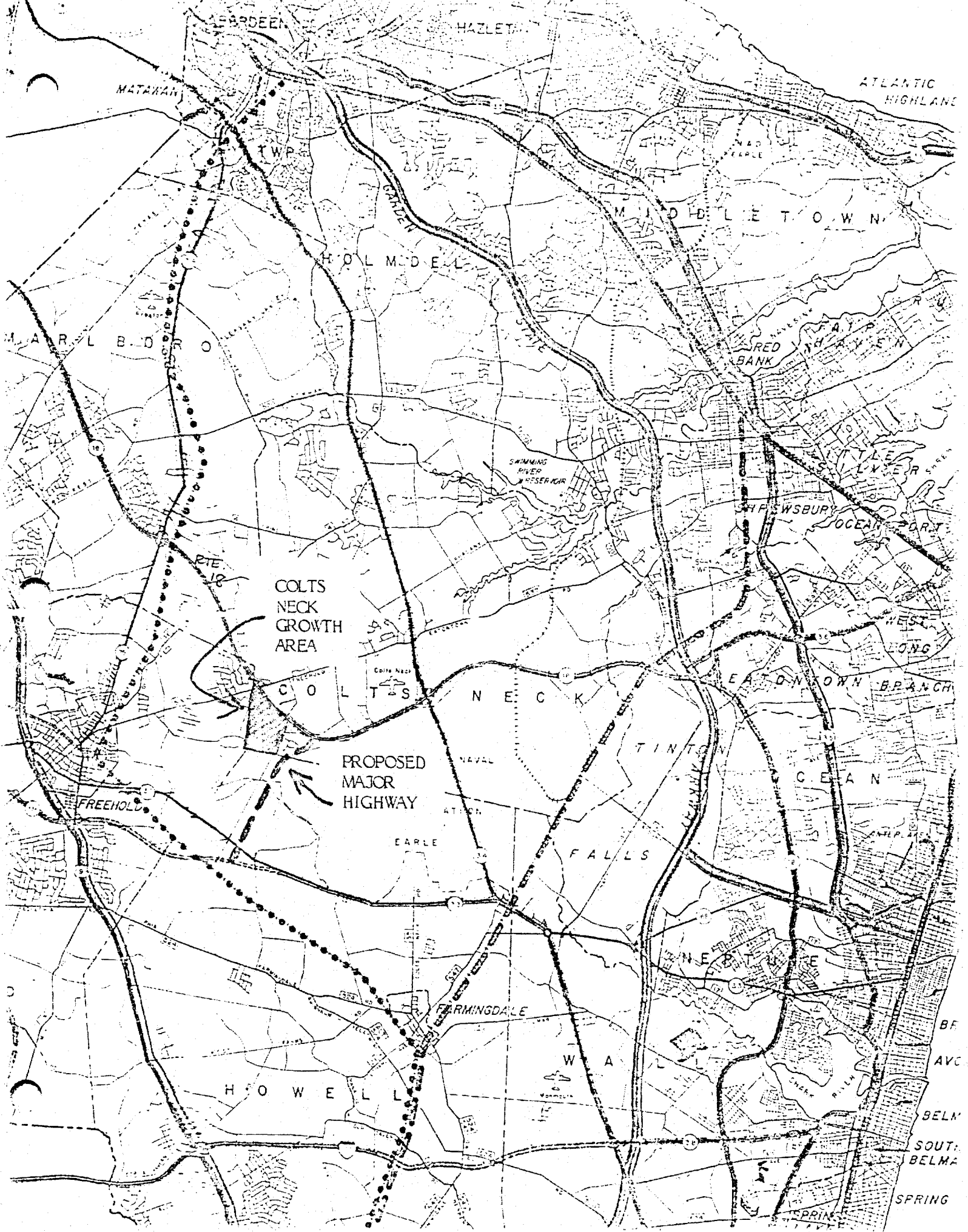
- c. Located within areas served by major highway facilities. The growth area and plaintiff's site are adjacent to the interchange of Route 537 with the Route 18 Freeway. The Freeway provides regional transportation access to the Monmouth County shore areas and the Garden State Parkway to the east as well as to Middlesex County to the north. Moreover, the State Development Guide Plan, in describing the "growth" area (referred to as the "Parkway-Route 9 Corridor"), cites Route 18 as one of the six (6) major highways in the mapped corridor. Furthermore, the Monmouth County Transportation Plan shows a proposed future highway link from Route 18, at the edge of the "growth" area within Colts Neck, south to Route 33 (see Fig. 6); this link will enhance the area's regional accessibility.
- d. Absence of large concentrations of agricultural land. Although Colts Neck Township does indeed have a large concentration of prime agricultural soils and a well established agricultural base in its horse farms, the development of the small designated "growth" area is not incompatible with the preservation of agriculture in the remainder of the Township. The "growth" area is a natural extension of existing residential areas in Freehold Township and the Route 18 Freeway serves as a visual and physical barrier to an extension of this development further into Colts Neck.
- e. Absence of large blocks of public open space or environmentally-sensitive land. The Monmouth County Growth Management Guide designates several environmentally sensitive areas in the County; none is near the Colts Neck "growth" area.

Therefore, the development of the Sea Gull site is compatible with the intent of the State Development Guide Plan in delineating "growth" areas. Such development would not require "major public investments in services and facilities", or would it create "an energy-inefficient pattern of scattered development"; two (2) of the undesirable consequences of development in "limited growth" areas cited in the Guide Plan (p. 72).

CONSISTENCY WITH THE MONMOUTH COUNTY GROWTH MANAGEMENT PLAN

* The Monmouth County Growth Management Guide, adopted in 1982, states that "the State Plan and the County Growth Management Guide are mutually consistent. Designated growth areas in the State Plan coincide with those of the County Growth Management Guide." (Growth Management Guide, p. 81)

The County Guide map designates a growth corridor along Route 9, with the Freehold areas shown as an urban center within the growth corridor. The remainder of the corridor, outside the urban center, is designated for "suburban settlement" which is described in the County Guide as "including primarily single-family residential housing with some multi-family units" at a minimum density of four (4) dwelling units per acre. The area of Colts Neck south and west of Route 18 can logically be considered a part of the suburban settlement area adjoining the Freehold urban center. It can easily be served by public water and sewerage facilities and is accessible by public transportation to



COLTS
NECK
GROWTH
AREA

PROPOSED
MAJOR
HIGHWAY

H O W E L L

C O L T S
N E C K

M I D D L E T O W N

M A R L B O R O

A T L A N T I C
H I G H L A N D S

R E D
B A N K

S H I P S W B U R Y

O C E A N P O R T

E A S T O N T O W N B R A N C H

T I N T O N

C E A N

F A L L S

F A R M I N G D A L E

W A

B E
A V C

B E L M
S O U T
B E L M A

S P R I N G

S P R I N G

H A Z L E T A N

M A T A W A N

H O L M E D E L

S W I M M I N G
R I V E R
R E S E R V O I R

C o l t s N e c k

N A V A L

A T T E N

E A R L E

F R E E H O L D

R T E
1 2

T W P

G A R D E N

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N A V A L

E A R L E

S W I M M I N G
R I V E R

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downtown Freehold. Furthermore, the type of development proposed would be consistent with the County policy to "encourage a variety of residential types in the suburban settlement areas" (Growth Management Guide, p. 49).