

AMG

3-3-81

Planning Analysis of
Timber Properties by
Moskowitz

Pgs. 20

AM000010E

HARVEY S. MOSKOWITZ PP
community planning & development consultant

DT-33-2d
WR
4/5/84
evd

Planning Analysis

PROPOSED TOWNHOUSE DEVELOPMENT

TIMBER PROPERTIES

Warren Township, N.J.

March 3, 1981.

I. INTRODUCTION

This report presents the planning analysis for a use variance to permit the construction of 252 townhouse units on a tract of approximately sixty (60) acres of land in the RR residential district of Warren Township. The RR zone permits single-family homes on lots of 65,340 square feet in area¹ as well as farming, houses of worship, volunteer fire company stations and golf courses. Schools, public auctions or flea markets and private recreation facilities are also permitted as conditional uses. There are no zones within Warren Township in which housing other than single-family detached dwellings are permitted. This report will describe the proposed development, examine the appropriateness of the site for townhouses, analyze its impact on surrounding areas, and set forth the benefits to the Township in permitting the development to be constructed.

II. SUMMARY OF FINDINGS

This report finds that:

1. The Timber Properties development is a low density, townhouse development particularly appropriate for the site, and meeting the high standards and objectives established for development in Warren Township.
2. The development has been designed with sensitivity to the environmental constraints of the site.

¹Variable lot sizes are permitted, providing the maximum gross density is maintained and the minimum lot area is 50,000 square feet.

3. The tract has excellent access to local and regional roads, and the project will provide a natural transition between existing single-family development to the west and more intensive, nonresidential development along Mountain View Road.

4. The development will provide significant revenues to the Township well in excess over the cost of providing services to the residents of the townhouses. If the site were developed with single-family detached units, the cost of providing services would exceed expected revenues.

5. The Timbers Properties development meets the goals and objectives of local, county and State development objectives as set forth in various documents.

6. The project will assist the Township in meeting its housing responsibilities as a developing municipality.

The conclusion that can be drawn from the following analysis is that the townhouse development will provide an important alternate housing resource to the citizens of the Township. Based on studies of other developments of this type in similar communities, a minimum of 25 percent of the occupants can be expected to be Warren Township residents. It will allow these residents who have lived in Warren Township all their lives an opportunity to remain in the community after their children have left and single-family detached housing is no longer appropriate to their housing needs.

Moreover, the location of the site will ensure that the basic single-family, home ownership characteristics of the Township will be maintained and that the impacts of the development, such as traffic, will be minimal on Warren Township.

Most important, positive action by the community to permit the construction of the townhouses will ensure that the Township, and not some outside agency, will set the development standards, thus assuring a quality, low density development consistent with the existing character of Warren Township.

III. DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed project is located on approximately 50 acres of land on the southerly side of Mountain View Road. It will consist of 252 housing units of four (4) types. Half of the units will be two bedroom with the remainder three bedroom.

The overall density is four units per acre, extremely low for a townhouse project.² The very low density assures that the extensive wooded portions of the site will be preserved, and that maximum buffering will be maintained between the project and adjacent residential and future nonresidential activities. The low density also allows the applicant to concentrate development on the more moderate slopes, preserving the more environmentally sensitive portions of the tract in permanent open space.

Access to the site from local and interstate routes is excellent. The tract fronts on Mountain View Road, and as part of the development plan, the applicant will provide a connection between the project and Liberty Corner Road. Moreover, the location is close to and just south of the Liberty Corner Road/Mountain View Road intersection of Route 78.

² See A Guide for Residential Design Review, Lindbloom and Moskowitz, p. 56, where townhouse densities of 6-8 units per acre are recommended.

The project design is dictated to a great extent by the physical characteristics of the property. The vast majority of the units are arranged in clusters and front on the common open space provided in the development. A total of 774 parking spaces, or just over three spaces per dwelling unit is provided, including two for each occupant (one garaged) and one for visitor parking. Visitor parking is conveniently located to serve the various clusters.

The development includes a swimming pool and two tennis courts, as well as extensive wooded areas and trails.

IV. SUITABILITY OF PROPERTY IN QUESTION FOR PROPOSED TOWNHOUSE DEVELOPMENT

The property in question is located on Mountain View Road just south of Route 78. It is situated in immediate proximity to an area which is intended for development with a variety of employment-generating uses. Such factors make the site well-suited for development with townhouses at the proposed density (4 dwelling units per acre).

Mountain View Road intersects with Liberty Corner Road less than one-half ($\frac{1}{2}$) mile from the property in question. The Liberty Corner Road/Mountain View Road intersection is located less than 1,000 feet from the Route 78 interchange. Route 78 provides access to employment opportunities along the entire corridor encompassing Union, Somerset and Hunterdon counties, and, through its interchange with Route 287, in Morris and Middlesex counties as well.

The area immediately surrounding the subject property is zoned for a variety of as yet undeveloped employment opportunities.

Directly opposite the property in question is an ORL (Office, Research, Laboratory) zone owned entirely by Chubb, Inc. Northwest of the ORL zone, and surrounding the Route 78 interchange at Liberty Corner Road is an HD, or Highway Development, zone in which are permitted restaurants, business and professional offices, indoor theaters and recreational centers, motels and publishing and printing establishments. North of the HD zone, on Liberty Corner Road, is a G-I2 zone in which executive or administrative offices, laboratories (with pilot plants), fabrication and assembly of products, and warehousing and transportation facilities for finished products are all permitted. The R-I (Rural Industrial) district of the Township flanks the south side of Route 78, permitting, in addition to single-family detached homes, research and development laboratories and general business offices and professional uses.

In Bernards Township, which lies west of Liberty Corner Road opposite its intersection with Mountain View Road, is a large E-3 (office-laboratory) zone in which are permitted administrative, business, executive and professional office buildings, scientific or research laboratories, data processing centers, hospitals and medical clinics, and banks.

The site is in an RR zone which has already been developed with single-family homes on oversized lots. Very few of the lots remain vacant. On its east side, the property in question abuts an E-C-R (Environmentally Critical Rural) zone, which permits single-family residential development at a gross density similar to that permitted in the RR district. The Master Plan distinguishes the E-C-R areas from the RR areas by the fact that the former

encompass "properties characterized by floodplains, natural and man-made ponds, steep slopes, as well as flat and rolling sites." Flexible development regulations are advocated for the E-C-R areas in the Master Plan, including variable lot sizes ranging from net densities of up to four (4) dwelling units per acre (identical to the density proposed for the property in question) to net densities far lower than the .67 dwelling units per acre normally required in the RR zone.³

The site's proximity to zoned employment districts, its convenient access to employment opportunities in neighboring counties, and its location adjacent to the E-C-R zone, which has limited development potential, clearly support its use for higher density residential. The Master Plan for Warren Township, prepared by E. Eugene Cross Associates in 1976 and adopted in 1977, offers, among others, the following objectives for planning:

Recognize an economic development stimulus associated with Interstate 78.

Provide for the logical transition of uses between residential and nonresidential areas of the community.

Development of the site with townhouses at a density of 4 dwelling units per acre would provide a logical transition of uses between low density single-family residential areas of the community to the east and nonresidential areas to the north and west established in response of the economic stimulus of Route 78.

Recently, the State Legislature amended the Municipal Land Use Law by adding certain provisions intended "to promote energy

³The Zoning Ordinance does not actually permit the extent of the flexibility advocated in the Master Plan; the minimum lot size under the variable lot size provision is 40,000 square feet in the E-C-R district.

conservation by integrating energy considerations in the municipal planning and zoning process. Specifically, it would . . . require municipalities to consider the energy impact of their master plans, subdivision ordinances, site plan ordinances, and zoning ordinances, thus facilitating the issuance of variances if they can be justified on energy efficiency grounds . . ."⁴

Locating moderate density townhouse units adjacent to proposed employment centers and close to an interchange with an existing highway is likely to reduce the length of the journey to work trip and thereby promote the conservation of energy.

V. IMPACT ON THE SURROUNDING AREA

Development of the property in question with 252 townhouses at a density of 4 dwelling units per acre will not have a detrimental impact on the surrounding area. Although most of the remainder of the RR zone to the west of the site is developed with single-family homes on oversized lots, these parcels are heavily wooded, as is the property in question, and will not be adversely affected by the proposed townhouses. The construction of a major office facility in the O-R-L district will have a much more significant impact on the residences along Mountain View Road than will townhouse residential development of the subject property.

It is assumed that the property in question can be served by public sewerage and with water from Liberty Corner Road. These services will be essential to the development of both the subject site and of the Chubb property to the north.

⁴Chapter 146, P.L. 1980, Statement.

VI. HOUSING RESPONSIBILITIES

Warren Township is a "developing municipality" within the meaning of the Mount Laurel⁵ decision, and as such, is obligated to ". . . affirmatively plan and provide by its land use regulations the reasonable opportunity for an appropriate variety and choice of housing . . . to meet the needs, desires and resources of all categories of people who may desire to live within its boundaries."

The Mount Laurel decision outlines six (6) characteristics of a developing municipality: (1) having a very large gross acreage; (2) located outside the central cities and built-up suburbs; (3) having not yet shed its rural characteristics; (4) having experienced and continuing to experience great population increases; (5) not substantially developed and having significant parcels of vacant, developable lands remaining; and (6) located in the path of inevitable future growth.

Warren Township has a total land area of nearly 20 square miles, close to the land area of Mount Laurel. In 1974, according to the Township's Master Plan, over 6,400 acres of Warren's total of 12,355 acres remained vacant or in agricultural use. Its population has been and is continuing to increase; from 1960 to 1970, the Township's population grew by 60 percent. From 1970 to 1980, it experienced an increase of 14 percent.

These factors and the following paragraphs from the Master Plan clearly support Warren Township's developing municipality status:

⁵Southern Burlington NAACP v. Township of Mount Laurel, 336 A2d, 713 (1975).

The Township is located in the general vicinity of Route 22 and is east of I-287 Freeway. Route I-78 crosses through the northernmost section of the Township in an east-west direction. In essence, the evolved highway system both bounds and subdivides the community.

Adjacent communities located to the east and south of Warren have experience sustained and rapid development. Most of these same communities are almost completely developed.

The continual expansion of the greater New York-New Jersey Metropolitan area over the past several decades has substantially changed the character of Warren and adjoining communities. Recognizing the region's growth characteristics, it is certain that Warren Township will also experience continued and potentially substantial development in the future.

The continued expansion of the New York-New Jersey Metropolitan area is characterized by development of major new employment areas, i.e., Murray Hill, AT&T Headquarters, single-family and multi-family construction and major shopping center development.

Industrial and commercial development is a result, as well as a catalyst to the continued population expansion in the suburban-metropolitan areas. The Warren Township zoning ordinance provides for substantial areas for future office research development . . .

The interrelationships of the access afforded suburban areas due to the construction of the Interstate highway system, the evidenced trend of major corporate facilities to seek locations in suburban areas and the long-term evidenced demand of families seeking residence in suburban areas . . . have collectively changed the character of Warren Township and adjoining communities from rural agricultural to suburban places in the past twenty-year period. Barring economic collapse of the New York-New Jersey Metropolitan region, the factors associated with the growth of this region will continue to exert the most significant effect upon the growth and character of land development in Warren Township in the future.

Woodlands have been cleared . . . Further, the rural character of the Township is changing from one of scattered single-family residential areas to the area-wide development of evenly spaced homes.

Farming is no longer the major land use characteristic of Warren Township. In the past few decades, residential, commercial and industrial development replaced farming as the principal land use in the community . . .⁶

⁶Master Plan, pages 3-6.

Based upon the preceding, it is clear that Warren Township meets the criteria for a developing municipality and is therefore obligated to make provision for "an appropriate variety and choice of housing."

Despite this obligation, all of the zoned housing opportunities existing within Warren Township are for single-family homes on lots in excess of 20,000 square feet.⁷

Between 1972 and 1977, Somerset County as a whole experienced a 23 percent increase in total employment, a rate almost two and one-half (2½) times that of the nation. Projections are that this trend will continue with significant increases occurring through the next decade. The 1970 employment total of 68,784 jobs is expected to double by 1990. Despite the employment growth, population growth in the County as a whole was only 4.7 percent between 1970 and 1978.⁸ This represents a considerable lag in the development of housing to meet employment opportunities.

Development of 252 townhouse units in Warren Township would help to correct this lag.

The State Development Guide Plan (revised May, 1980) places Warren Township within the State's proposed Growth Area. The implementation strategy for the Growth Area includes the following recommendations:

⁷Although the Zoning Ordinance provides for and regulates an "R10" single-family district, no such district is shown on the Township's Zoning Map.

⁸Unpublished manuscript (New Brunswick: Center for Urban Policy Research, Rutgers, The State University, 1979).

New development . . . should occur so as to create denser more compact settlement patterns that will reduce the cost of supplying public facilities and increase the feasibility of public transit . . . Accordingly, new residential development should be designed to allow cost-effective services and reduce the inefficiencies of large lot, scattered growth . . .

Currently, the distance between places of employment and residences is frequently considerable. In many cases, locations which offer employment opportunities do not have an adequate range of housing to meet the needs of those who work in the area. This has resulted in an ultimately self-destructive division between affluent suburban areas and depressed inner cities. This division must be lessened and more people given access to a greater choice of job and housing opportunities.⁹

As the next section of this report suggests, the location of the property in question in relation to future employment opportunities and its access to present employment supports its development with townhouses in the density range proposed. This recommendation is consistent with the guidelines of the State Development Guide Plan.

VII. COST/REVENUE ANALYSIS

If the Timber Properties development were in place at this time, the Township could expect annual total tax revenues of about \$626,500 and anticipated costs of \$348,000 for a net of approximately \$278,500 of revenues over costs.¹⁰ Moreover, these figures are conservatively weighted since the proposed development will provide and maintain its own recreational facilities, roads and walkways, and onsite water and sewer utilities. Consequently, the estimated costs of \$348,000 will probably be considerably lower.

⁹ pages 84-85.

¹⁰ The county tax portion of the total tax rate (1.10 out of 5.52) and county costs have been excluded from the computations. The \$278,500 represents the surplus from the municipal, library, elementary and high school tax revenues minus the cost of providing these services.

On the other hand, if the tract were developed with 34 single-family detached houses (estimated maximum number of single-family detached houses that could be accommodated on the tract) with a market value of \$175,000 each, the total tax revenues (exclusive of county taxes) would be approximately \$118,500. Total costs (exclusive of county costs) would be \$168,000. The net annual deficit to the Township would be approximately \$49,500.

The calculations used in arriving at the revenues and costs are detailed in the Appendix.

APPENDIX

Cost/Revenue Calculations

A. Townhouses (252 units; half 2-bedroom, half 3-bedroom)

1. Revenues

a. Estimated selling prices

126 - 2-bedroom townhouses @ \$115,000	\$14,490,000
126 - 3-bedroom townhouses @ \$135,000	<u>17,010,000</u>

market value:	\$31,500,000
---------------	--------------

b. 1981 Assessed to true market value: .45 assessed value: (from Township Assessor)	14,175,000
---	------------

c. 1981 Tax rate \$4.42/100 (exclusive of county taxes)	<u>X .0442</u>
---	----------------

Annual tax revenues:	<u>\$626,535</u>
----------------------	------------------

2. Costs

By dividing the 1981 taxable expenditures by total population and school population, the following per capita costs were determined:

a. Municipal services	\$113 per capita
b. School costs	\$2,551/student

Estimated number of persons per unit and school children were derived from Rutgers studies (Center for Urban Policy Research) and surveys by consultant as follows:

<u>Type of Unit</u>	<u>Household Size</u>	<u>School Children/Unit</u>
2-bedroom townhouse	1.86	.22
3-bedroom townhouse	2.68	.66
Totals: Number of persons:		572
	Number of school children:	111

Municipal costs:	572 persons X \$113	\$64,636
School costs:	111 students X \$2,551	<u>283,161</u>
	Total costs:	\$347,797

Revenues (rounded)	\$626,500
Costs (rounded)	<u>348,000</u>
Net Profit:	<u>\$278,500</u>

B. Single-Family Detached

1. Revenues

A total of 34, 4-bedroom single-family detached units was assumed to be the maximum number that could be accommodated on the 60-acre tract (subtracting 15 percent for roads). Each house was assumed to have a selling price of \$175,000.

34 houses @ \$175,000	\$5,950,000
Assessed Value (.45 of true value)	2,677,500
Tax rate:	<u>.0442</u>
Annual tax revenues:	\$118,350

2. Costs

Each single-family detached structure was assumed to have a total of 4.490 persons and 1.740 school children (Center for Urban Policy Research)

Totals: Number of persons:	153	
Number of school children:	59	
Municipal costs:	153 persons X \$113	\$17,289
School costs:	59 students X \$2,551	<u>150,509</u>
	Total costs:	\$167,798
Revenues (rounded)	\$118,500	
Costs (rounded)	<u>168,000</u>	
Net Deficit:	<u>\$49,500</u>	

HARVEY S. MOSKOWITZ / P.P., P.A.

community planning & development consultant

P. O. Box 94
Livingston, N.J. 07039
(201) 994-1183

1. Personal

Harvey S. Moskowitz, PP, AICP
7 Burlington Road
P.O. Box 94
Livingston, New Jersey 07039

2. Education

Secondary School: Weequahic High School, Newark, N.J. 1950
Rutgers University: BA, Economics (City Planning option) 1954
New York University: MPA, Public Administration 1965
(Urban Planning Major)
Rutgers University: Ph.D. Candidate

3. Professional Organizations

Member, American Institute of Certified Planners (successor to A.I.
Member, N.J. Association of Consulting Planners

4. Licenses and Registrations

New Jersey Professional Planners License #12
Michigan Professional Community Planners Registration #126
(inactive)

5. Related Professional Activities

Former Member, New Jersey Board of Professional Planners,
1975-1980 (President, 1978-1979)

6. Publications

- a. Harvey S. Moskowitz and Carl G. Lindbloom, The Illustrated Book of Development Definitions, Rutgers University, Center for Urban Policy Research, 1980.
- b. "Strategies for Stopping Shopping Centers: Using the Tools of Planning and Land Use Regulation," Strategies for Stopping Shopping Centers, A Guidebook on Minimizing Suburban Shopping Center Growth, Laurence A. Alexander, editor, Downtown Research & Development Center, N.Y., N.Y., 1980.
- c. Harvey S. Moskowitz and Carl Lindbloom, "Fair Share and Regional Need," in After Mount Laurel: The New Suburban Zoning, Jerome G. Rose and Robert E. Rothman, editors, Rutgers University, Center for Urban Policy Research, New Brunswick, N.J., 1977, pp. 104 to 113.

- d. "More Effective Development Controls for Downtown," Downtown Planning and Development Annual 1977, Laurence A. Alexander, editor, Downtown Research & Development Center, N.Y., N.Y., January 1977.
- e. Harvey S. Moskowitz and Carl Lindbloom, A Guide for Residential Design Review, New Jersey Department of Community Affairs, Trenton, N.J., September 1976.
- f. "Planning Boards," The New Jersey Municipal Land Use Law, A Series of Monographs, New Jersey Department of Community Affairs, Trenton, N.J., June 1976.
- g. "How to Use Experts Effectively in Land Regulation Proceedings," Real Estate Law Journal, Volume 3, No. 4, Spring 1975.
- h. Site Plan Review and Approval, A Procedural Guide for Local Officials, New Jersey State Department of Community Affairs, Trenton, N.J., February 1975.
- i. "Planning in the Garden State," Suburban New Jersey Life, Volume 43, No. 6, August 1973.
- j. "Traffic Problems in Major Cities," Downtown Action on T-P-T, National Retail Merchants Association, New York, 1970.
- k. "Implementation of the Comprehensive Plan," The Local Planning Process in New Jersey, Bureau of Government Research & University Extension Division, Rutgers - The State University, New Brunswick, N.J., December 1967.
- l. "Suburban Control in New Jersey," Federation Planning Information Report, Volume 1, No. 1, New Jersey Federation of Planning Officials, January 1966.
- m. "Winning Public Support for the New Zoning Ordinance," New Jersey Municipalities, Trenton: New Jersey State Municipalities, November 1965.
- n. "The Economic Pattern of Metropolitan Newark," Newark Commerce Magazine, Spring 1965.

7. Employment

- a. 1970 to present Planning Consultant; head of own firm.
- b. 1967 to 1970 Vice-President, Alexander & Moskowitz, Inc. planning consultants.
- c. 1966 to 1967 Planning Consultant; head of own firm.
- d. 1963 to 1966 Executive Assistant; New Jersey Commissioner of Conservation & Economic Development.

- e. 1961 to 1963 Planning Director; Passaic County, N.J. Planning Board.
- f. 1957 to 1961 Project Planner; Candeub, Fleissig & Associates, planning consultants.

8. Teaching Experience

- 1974-present Coadjutant Staff, Department of Urban Planning and Policy Development, The Graduate School, Rutgers University.
- 1965-1974 Extension Division, Rutgers University; various courses in planning and zoning.

9. Detailed Professional Experience

- 1970-present Planning Consultant.

Presently planning consultant to the following N.J. municipalities: Bethlehem and Lebanon townships (Hunterdon County); Morris Township, Mt. Arlington Borough and Borough of Madison (Morris County); Hardyston Township and Hopatcong Borough (Sussex County); Cranford Township (Union County); New Milford Borough (Bergen County); also consultant to the Lake Hopatcong Regional Planning Board and periodically to the New Jersey Department of Community Affairs and Department of Transportation. Practice includes testifying in courts and before planning boards and boards of adjustment.

For present and previous municipal clients, assignments included project review of major regional shopping centers; review and redesign of several planned residential developments containing approximately 5,000 dwelling units, preparation of ordinance standards and procedures, review and redesign of approximately 5 million square feet of office and laboratory space. Work also includes the preparation of master plans and land development ordinances (zoning, subdivision and site plan) in accordance with the 1975 N.J. Municipal Land Use Law.

Private clients include Bally's Park Place, Inc., on all planning and housing matters relating to their casino-hotel; Gulf Oil Company and Amoco on matters relating to service station locations and site planning; City Federal Savings, Elizabeth, N.J. on proposed corporate headquarters; Gordon Construction Co., Elizabeth, N.J., site design and zone changes for specialty shopping center; and various housing developers on matters relating to site design, zone changes and variance applications for projects totalling approximately 10,000 dwelling units.

1967 to 1970 Vice-President, Alexander & Moskowitz, Inc.

Full range of planning activities with emphasis on central business district planning. Clients included Little Rock, Arkansas; Hattiesburg, Mississippi; Clearwater, Florida; Salisbury, Maryland; Portsmouth, Ohio; Niagara Falls, New York.

1966 to 1976 Planning Consultant.

Prepared central business district plans for Salisbury, Maryland and Lebanon, Pennsylvania. Completed a number of industrial feasibility studies and subdivision layouts for private clients, and zoning and subdivision ordinances for several New Jersey communities.

1963 to 1966 Executive Assistant to Robert A. Roe, Commissioner of the New Jersey Department of Conservation and Economic Development (predecessor agency to the N.J. Department of Environmental Protection).

Participated in all phases of department's work including state and regional planning, water supply, open space and recreation, capital budgeting, public information, economic development and transportation.

1961 to 1963 County Planning Director and Economic Development Coordinator of Passaic County.

Inaugurated the county's 701 master plan program; supervised a full range of county planning activities. Prepared county's overall economic development plan and supervised retraining programs and applications for loans and grants to spur economy.

1957 to 1961 Project Planner with Candeub, Fleissig & Associates.

Full responsibility for the preparation of community master plans, renewal studies and planning, special projects.